THE EU AND GLOBAL CHALLENGES
28 IDEAS FROM THE ERASMUS GENERATION

School of Political Science,

MA in International relations and European Studies,

University of Florence

3 – 5 May 2017

RETHINKING AN EVER CLOSER UNION

Position Paper by

Veronika Smolkova

(Masaryk University Brno, Czech Republic)

Veronika Smolkova
414789@mail.muni.cz

Europe is a unique continent consisting of various nationalities, traditions, and beliefs and has always been considered a place of richness. The singularity of this continent comes from the fact that Europe has consistently been united and diversified at the same time. For the purpose of ensuring a prosperous future, preventing other possible destruction and enhancing unification, the basis of the European integration process was laid forth 65 years ago with the signature of the treaty establishing the European Coal and Steel Community. Since that time, the European continent has seen revolutions, crises and fundamental political and economic shifts - especially in Central and Eastern Europe. The European integration project has been able to overcome all important historical moments, but nowadays the situation appears to be different. Europe is currently facing severe challenges that seem to be much more complex and complicated than ever before.

Throughout its existence, the integration project has remarkably changed from initially, a purely economic system of cooperation to an integrated political Union. However, the world came through a transformation too. Nowadays, we live in a completely different reality. We live in times, where everything is connected, and everything affects everything else. This new phase of interconnectivity and interdependency characterized by a dynamic „mode of living" requires a different way of thinking, of making policies, and of making choices.

This position paper focuses on two important issues which are highly problematic in the EU political and institutional scheme. These two issues are related to each other because they both have an influence on current difficulties such as a lack of support for the integration project, current rise of Euroscepticism and generally, the absence of a European identity. The first one is linked to the concept of an *ever closer union* and the necessity to reconsider this approach. The second serious issue that is addressed here is the problem of a lack of a leadership in the EU.

<u>Rethinking an *ever closer union*</u>

The basic logic of the founding treaties of the EU could be generally described in the following way. The integration process should move in a way of a continuous deepening and thus bringing closer together the European states and their people. This logic is particularly specified in the concept of an *ever closer union* that has underpinned the integration process from its initial phases and still represents a catchphrase for institutionalized European integration (see Dinan 2010).

Firstly mentioned in the preamble of the Treaty of Rome in 1957, this phrase has also been given its place in the Lisbon Treaty. Even though the latter version is extended by the statement referring to the importance of the principle of subsidiarity, the elemental formulation of this principle has not changed over the years. More specifically, the preamble of the last treaty revision again refers "(…) *to continue the process of creating an ever closer Union among the peoples of Europe*" (Preamble of the Lisbon Treaty). The European Economic Community in the 60s clearly cannot be compared to the European Union of today when taking into account its overall competencies, spheres of influence, a range of policy areas, size or stature. Despite such momentous moves forward and the overall integrating progress that have already been accomplished, the EU still continues to be driven by an *ever closer union* principle which can be proven by assessing the increasing scope of communitarized policies.

The very objective of what is actually meant by an *ever closer union* is not literally specified; therefore it is quite unclear how the actual outcome of the Union should look. The finality of the whole European project tends to generate a confusing impression rather than to deliver some form of clarity. However, even though the treaties do not mention what exactly an *ever closer union* is, there is certain logic of making space for nation states and their acting more narrowly and thus getting closer towards an arrangement that might be understood as a sort of a European version of federalism. It is true that terms federalism or federation are not very popular among most of the European official representatives or the general public; nevertheless, it is obvious that the Union has taken over the years certain federal characteristics (see Laursen 2011).

From a long-term perspective, the integration process has been characterized by unifying the legal norms, policies, legislations, and standards. The member states have mostly been willing to accept this course of „more and more" integration. However, in recent years, we have seen that the limits of accepting *more integration* towards a creation of something closer have been crossed. From a purely political point of view, the EU saw its first significant defeat in 2005 when Dutch and French people rejected the proposed Constitutional Treaty in their national referenda (see Norman 2005, Griller and Ziller 2008). In spite of that, the Union"s representatives continued with deepening the integration. The tenet of an ever closer union, the ideal of the EU, was taken for granted. Nevertheless, it does not matter whether we consider the rejection of the Constitutional Treaty or the present situation regarding *Brexit* as „the" point that marks a symbolic limit, but the signs of unwillingness and reluctance for further „closeness" have been apparent for a longer time.

Furthermore, it can be claimed that there is something paradoxical about the exact formulation of this *ever closer union* principle, when referring to its purpose of „*uniting the peoples of Europe'*, and the way what we can see happening in the reality. The Union is continuously pursuing a deepening of the integration process and by that bringing closer together its member states. But according to the current, sometimes nearly nationalistic mood in Europe among its citizen, this process has actually resulted in creating the opposite - *dividing* these peoples of Europe. Therefore, the logic of an *ever closer union* is, in fact, contributing to an *ever wider gap* between the Union‟s elites and its citizens and, it could be argued, to a certain extent between the citizens of the particular member states too. Moreover, the place for people in the Union‟s political and constitutional architecture is still unsettled
(Cahill 2016).

The fact that this approach is no longer working can be also demonstrated on current inability of the EU to resolve severe issues. Usually, when looking for a solution to a certain problem or crisis, the EU tends to resolve it by further deepening the integration. Therefore, the EU usually searches for a *European* response or a *European* reaction, as in case of the Eurozone crisis or in the efforts to manage the refugee crisis, where the solutions have been searched at the European level, not at the level of the member states. Of course, many of the crucial decisions cannot pass without the approval of all the national elites. But I argue here that current *European* approach of resolving crises does not respond effectively to present problems and primarily, to the demands of the citizens of the member states. Robert

Schumann delivered in his speech on 9$^{\text{th}}$ of May 1950: „*Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity*‟ (Schumann 1950). Currently, there are many *European* solutions but a lack of concrete and effective achievements. *More Europe* is not an adequate response to the actual tendencies for renationalisation of the priorities and the anti-European malaise currently rooted in the national arenas.

Therefore, I believe the time has come to change this very logic, to overcome an *ever closer union* as the *raison d'être* of the whole project and thus reconsider the present-day trajectory. The EU should leave the ever closer union rhetoric and focus on rather small steps that could increase the attractiveness of the integration from the perspective of its citizens. By abandoning an ever closer union principle I definitely do not suggest abandoning the whole idea of the European project. But the Union should take into consideration that its current design cannot be guided by the same principle that was driving the integration at its primary phase with six member states and a very modest degree of integration. The EU now is more than four times bigger in terms the total number of the member states and its particular members are very diverse. By trying to get closer to their older counterparts, the newer member states usually face immense pressure from the Union‟s institution. As a result, we can witness the central-eastern countries diverging from the West in today‟s crucial issues such as the refugee crisis. This reality then creates a perfect opportunity for local extreme populist formations and their abilities to persuade the electorate about the „dictatorial‟ nature of the
EU. There is a huge risk that by continuing with getting closer against the people‟s will, the

extremist parties could become strong enough to eventually destroy the symbiotic relationship between unity and diversity in Europe.

I argue that Europe should no longer be based on the principle of *more and more integration*, but rather on the principle of limited, soft but effective integration. More specifically, to decrease a pressure, the soft integration could be applied as a method of governance into more areas of the EU policy-making. One of the instruments of this type of integration, the open method of coordination (OMC), has already been used as one of methods for governance within the EU, for example in the area of a social policy when managing the unemployment rates. I think that OMC might be a good instrument for harmonisation of the member states" positions and by that for production of new and effective legislative measures based on a broad consensus. Such method puts an emphasis on voluntary activities of particular states that are economically and politically favourable for them. The OMC is thus one of the alternatives to the classic community method that could contribute to solve problems while respecting national differences. It allows the member states to reconsider current policies according to their relative performance and can provide a sufficient room for gradual negotiation.

I am aware of the fact that re-thinking an *ever closer union* principle would not be an easy task to do and it would require legal amendments and changes in primary law. The line between stepping down from an *ever closer union* and the risk of dismantling the whole project is thin. Even if it is a risky path, the concept of an *ever closer union* is on its way to being degraded and to open more space for the member states could be a crucial point for keeping the whole integration project alive. To mitigate a pressure on deepening the integration might not just weaken the foundations and significance of the Eurosceptic platforms, such move might also attract people"s attention. This, at first glance an anti-European step backward could actually result in two steps forward for an integrated Europe.

A lack of the European leadership

The second issue that is addressed here is related to the EU leadership. The term *leadership* does not have particularly positive connotations across the European countries mainly because of the historical events that marked this term with a rather negative image. Moreover, there are certain tensions between leadership and democracy that generally make the establishment and justification of leadership difficult (see Kane, Patapan 2012). As a consequence of a controversial and ambiguous nature of this concept, many people tend to forget the actual importance of leadership for performing determinate politics within the European Union - especially in times of crises - and its potential for triggering the „*we feeling'*, the sense of belonging to Europe.

It is a well-known and frequently discussed issue that the EU suffers from an absence of a European identity and more generally of truly European citizens (Westle and Segatti 2016, Checkel and Katzenstein 2009). In the attempts to support a civic dimension within the EU landscape and by that to boost European awareness among the citizens, the treaty of

Maastricht introduced the Citizenship of the European Union. However, a commonplace reluctance of many member states to support this initiative clearly demonstrates how sensitive the issue of European citizenry is, when there is actually no real European *demos*. There were other initiatives with the ambitions to enhance the citizens" participation and to vivify the European feelings among them. Nevertheless, most of them have not had any significantly positive effect. For example, the recent introduction of the European Citizen"s Initiative aiming to increase the participatory democracy in the EU has delivered in almost eight years of its official entry into force only three successful attempts.

It has become more obvious that nowadays, keeping the integration project alive is not sustainable in a long-term perspective without the *Peoples of Europe* identifying with the Union. As demonstrated above, a stimulation of the European feeling among people that could deliver a social identification with the Union and thus support for its existence cannot be pushed or implied by some initiative, directive or law. European awareness needs to be created naturally, as a result of a common feeling of belonging to Europe, forming a part of Europe, being truly European. I am of the opinion that one way that could contribute to resolving this issue lies in the establishment of an effective and transformative European leadership in the EU. When suggesting this, I am looking at the concept of leadership from a social perspective, with particular emphasis on its role in the context of social identification and its importance for creating tight connections between the policy-makers and the civic society. Moreover, in general all democracies need leadership to function well and enable decisive actions. The effective leadership is vitally important not just for well-functioning of the Union, but also for bringing the official EU institutional representation and the citizens together and by that gaining the general support and justification for the existence of the EU, which is so essential in the context of today"s intricate challenges.

If we take a look back to history, at the very beginning of the integration process there was a leadership of men attempting to unite Europe. These „founding fathers" of European integration gathered around Jean Monnet, Robert Schumann and their colleagues had clear visions and motivation, and more importantly, the ability to transfer their ideas and thoughts into concrete actions. Later, when the European Economic Community became a very successful economic project, the evolution of the integration process had been guided forward by several leading member states. As an example, French and German leadership played a crucial role in the establishment of the Economic and Monetary Union. Equally, without the contribution from the UK in the coordination of foreign policy activities, there would probably be no Common Foreign and Security Policy. Within recent years, some member states might have been perceived as leaders, for example Germany when regarding the context of the migration crisis. However, in the attempts of coming with a solution or vision for future, this country has been met with rather hostile attitudes from other states.

To establish a leadership in the Union is no easy task. This results from the multilevel nature of the EU that is characterized by fragmentation, specific division of powers and the net of multiple relations (see Wallace et. al. 2015, Cramme 2011). It could be claimed that the EU system is actually established to prevent the formation of stable leadership because of the

extensive and complex structure of European governance. Moreover, the existence of sovereignty of each member state further complicates the creation of one leadership over others. As a consequence of the fragmented European polity, a leadership within the Union has usually been referred to as a status and function of respective institutional actors. Still, the position and performance of multiple representatives seem to be quite perplexing and shattered. We can symbolically label some particular *leaders* or *leading platforms* which at a certain point and within a certain policy area speak on behalf of the Union to the citizens and to the rest of the external international sphere. There is the president of the European Commission, the president of the European Parliament, the presidency of the Council of the EU, the president of the European Council, and the High Representative of the Union for Foreign Affairs and Security Policy. Furthermore, the European Council as the most important political institution should also be mentioned here.

With regard to the importance of leadership for social identification with the Union, promotion of European identity, and for decision taking, such an EU system is not able to fulfil these tasks mainly because of its overall ambiguity and complexity. Therefore, I propose reforming the leadership of the Union to make it clear who actually leads the EU. This leadership should thus become more responsive to the demands of European citizenry. I propose such a reform because I believe leadership is an imperative part of each society as it gives orientation, directions, and answers to people. Leadership is understood to be a "meaning maker", who creates, unites, and inspires (see Díaz Carrera, Natera 2014).

The Union is composed of sovereign states; thus its leadership necessarily needs to be collective, collaborative and based on consensual foundations. Apparently, a single member state or a single institutional actor leadership is not possible within the context of an enlarged Union that constantly underlines the importance of respect towards diversity and equality among its members. With the knowledge of complexity of the EU governance system, I do not consider creating a completely new leading platform to be the right option. As an example, I think the European Council should be established as the official EU leadership not just in terms of giving the directions of the EU integration trajectory but also with regard to its role as the speaker of the EU citizens and the *meaning maker* of the whole integration project. This institution usually tends to be seen as a rather closed and distant body that convenes behind closed doors, with almost no engagement with the public sphere. However, the European council is an institution which has a great potential for strengthening a bond between the Union"s elites and the EU citizens because it connects the representatives of all the nations of the EU on the highest level of political cooperation. This body has a capability to manage the coexistence of two basic principles - unity and diversity - that is a crucial task for the overall functioning of the European project. I believe the European Council should put a greater emphasis on representing itself to the *Peoples of Europe* as a coherent and leading platform speaking for the whole Union and thus open itself to become more transparent and more responsive to the demands of EU citizenry. Moreover, the President of European Parliament should become one of its members with the same rights as the European Commission President or the High Representative to complete the EU institutional representation. Such leading platform with a predominant position of member states should

have sufficient amount of competencies to perform determinate politics, be able to take responsibility for its actions, and should act like the EU leadership towards the external sphere but most importantly towards the European people.

I do not argue here that all problems are linked to an absence of European identity and inability to take decisions stemming from the ineffective model of leadership, but this, for some people only symbolic political framework has an enormous potential for creating the „*we - Europeans'* feeling. By establishing strong EU leadership where it would be clear who speaks and leads the people and thus takes the responsibility for concrete actions, the Union could obtain the power for uniting the EU citizens, making them think in European terms and by that enhancing European solidarity among them.

Conclusion

In today‟s reality, no one doubts that the European project is being seriously questioned. For many European citizens and also for some official representatives of the member states, the further unification of Europe is not considered to be a significant step forward or a real necessity. The European Union‟s initial attraction has been disappearing, and the EU itself is no longer regarded to be a solution to problems but rather a source and an actual cause of problems. A very common, sometimes justified, sometimes unjustified criticism of the EU tends to overshadow all positive outputs that are constantly being produced because of the Union‟s existence. Indeed there are a lot of positive issues that serve to the member states and its citizens and offer them an enormous range of possibilities and opportunities. Though to have a success and accomplish great things in today‟s globalized world, it will require considerable investment, risk taking, and also the ability to perform efficient reforms and amendments, even though they might seem to be rather painful in the beginning.

In the current paradigm of interconnectivity and interdependency, Europe must find a way how to stay connected without going beyond its limits. The future of Europe is open to many scenarios and possible alternatives, but I do not find current efforts to keep the „status quo‟ and lurching from one crisis to another to be the right option. This, rather compromise than problem-solving approach would just re-confirm that the EU lacks efficient and united leadership and an ability to take certain decisive steps ahead. Europe is full of many divergent interests, attitudes, and aspirations, but there is still a great deal more of what unites its people than divides. Europe must work together so the integration project can continue to thrive.

Resources

CAHILL, M. (2016): *EVER CLOSER REMOTENESS OF THE PEOPLES OF EUROPE? LIMITS ON THE POWER OF AMENDMENT AND NATIONAL CONSTITUENT POWER.* Cambridge Law Journal, 75(2).

CHECKEL, J. T., KATZENSTEIN P J. (2009): *European identity*. New York: Cambridge, 2009.

CRAMME, O. (2011): *In Search of Leadership." In The Delphic Oracle on Europe*, edited by L. Tsoukalis and J. A. Emmanouilidis Oxford: Oxford University Press

DINAN, D. (2010): *Ever closer union: an introduction to European integration*. 4th ed. Basingstoke: Palgrave Macmillan

DÍAZ-CARRERA, C. NATERA, A. (2014): *El coraje de liderar. La democracia amenazada en el S.XXI*, Tecnos, Madrid, 2014

GRILLER, S. ZILLER, J. (2008): *The Lisbon treaty: EU constitutionalism without a constitutional treaty?*. Wien: Springer

KANE, J., PAPATAN, H. (2012): *The Democratic Leader: How Democracy Defines, Empowers, and Limits Its Leaders*. Oxford: Oxford University Press

LAURSEN, F. (2011): *The EU and federalism: polities and policies compared*. Farnham, Surrey, England: Ashgate

MONNET, J. (1978): *Memories*. Introduction by George W. Ball, translated by Richard Mayne. Doubleday Company, Inc.

NORMAN, P. (2005): *The accidental constitution: the making of Europe's constitutional treaty*. 2nd ed. Brussels: EuroComment

SCHUMANN, R. (1950): *Declaration of 9th May 1950 delivered by Robert Schuman*

WALLACE, Helen S., Mark A. POLLACK a Alasdair R. YOUNG. (2015): *Policy-making in the European union*. Seventh edition. Oxford: Oxford university press

WESTLE, B. SEGATTI, P. (2016): *European identity in the context of national identity: questions of identity in sixteen european countries in the wake of the financial crisis*. Oxford: Oxford university press