

# Concepts of Europe: Federalism, Federal State, Confederation of States

by Georg Kreis

The actual integration process that began with the creation of the OEEC (Organisation for European Economic Co-operation) in 1948 has constantly been accompanied by discussions about concepts of Europe. At the heart of these discussions was the question of federalism between states – as opposed to federalism within a state. This article investigates this debate with a focus on its early decades. Beyond these discussions, it becomes apparent that the actual development of a structure resembling a confederation of states has increasingly assumed aspects of a federal state and the future remains open in all directions.

## TABLE OF CONTENTS

1. Preliminary remarks
2. 1939–1945
3. 1945–1950
4. 1950–1969
5. 1969–1984
6. 1984–2009
7. Conclusion
8. Appendix
  1. Sources
  2. Literature
  3. Notes

Indices

Citation

See also the article "Le projet économique dans la construction européenne et sa mise en œuvre" in the EHNE. (→ [Media Link #ab](#))

## Preliminary remarks

We must first decide whether we are exclusively interested in proposals and requests on paper – and thus also to a large extent in the various author groups – or whether we are also interested in concepts that have been realized and implemented during the course of European integration. The discussion below combines both. It is based on important texts, while also paying attention to the institutions that were established. It avoids a discussion of the federal-state and confederation-of-states variants as ideal, immutable types. Instead, it investigates the course of history. In doing so, it follows to a considerable extent the valuable work already done by Walter Lipgens (1925–1984) (→ [Media Link #ac](#)), who was professor of modern history at Saarbrücken University<sup>1</sup>. His first two great works focused on the federation plans of 1940–1945 and unification politics in the years 1945–1950. His collection of documents on constitutional plans from the years 1939–1984, which was published posthumously in 1986, also remains a central work.<sup>2</sup>

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Several concepts of Europe (→ [Media Link #ad](#)) in the form of general sketches of ideas already appeared in the 19th century, and some even occurred more sporadically in the preceding centuries.<sup>3</sup> In the period between the two World Wars (→ [Media Link #ae](#)), the idea of a "Pan-Europe" (1923) was formulated by Count Richard Nikolaus von Coudenhove-Kalergi (1894–1972) (→ [Media Link #af](#)), the founder of the Pan-European Union, which was banned during the Third Reich and became active again in 1954.<sup>4</sup> The French statesman Aristide Briand (1862–1932) (→ [Media Link #ag](#)) developed a more concrete concept in 1930 in his *Mémoire sur l'organisation d'un régime d'union fédérale européenne*, in which he suggested a "federative connection" between sovereign states.<sup>5</sup>

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## 1939–1945

The earliest proposals for a "United States of Europe" after the Second World War already emerged while the war was ongoing. While securing peace was to the fore in these proposals, it was nonetheless inextricably linked with thoughts on the "internal" organization of the individual nations. The concepts of Europe put forward by various resistance movements against the National Socialist regime were *in favour* of internal-European federalism in the sense of a high degree of local autonomy, on the one hand, while also being *against* the continued existence of nation-state structures. They called for the creation of a supranational authority to deal with foreign and security policy, economic policy and the maintenance of human rights. A European Union structured in this way would certainly have been a comprehensive regional organization and part of the future global organization, but it could not have stood under either American or Soviet hegemony.

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In his anthology published in 1986, Lipgens presented - as a selection! - 45 more or less developed concept proposals from various milieus and countries just from the period of the war. Great Britain was a prominent voice in this early phase, which seems surprising in view of its subsequent resistance. In November 1939, a slogan of the Labour Party stated that "Europe must federate or perish".<sup>6</sup> And Winston Churchill (1874–1965) (→ Media Link #ah), the Tory prime minister, suggested in 1940 the amalgamation of the French and English nations to form a nucleus for a comprehensive European federation with a "European Authority".<sup>7</sup>

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The most prominent text was written in October 1941 by the Italian politician Altiero Spinelli (1907–1986) (→ Media Link #ai), who subsequently was centrally involved in working out a draft treaty for the European Union in the European Parliament in 1984. Writing at the age of 34 in 1941, Spinelli advocated the creation of an organization for a United States of Europe, by which he meant

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a federative framework that would allow each individual state the freedom to organize its national life as it saw fit and as best suited its particular civilization, but which would withdraw from the sovereignty of each participating state the means of asserting its particularistic egotism, and which would create and maintain an international legal framework by which all states would have to be equally bound. The federative authority would have to have at its disposal the means to put an end once and for all to exclusively nationalistic politics.<sup>8</sup>

This authority should have its own administrative apparatus, as well as – in line with the classical threefold separation of powers – a legislature elected by general elections and a judicial arm. The proposal envisaged a free internal market with a common currency and the free movement of people. Due to the persistent assumption of the "prominent position that Europe has in the world today as a beacon of civilization", the proposal envisaged that "permanent peace" in Europe by means of federative institutions would also bring about world peace. However, it did not envisage the European nations relinquishing their colonies.

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## 1945–1950

After the end of the war, concepts of Europe left the conspiratorial realm and entered a new context of public debate. Lipgens, who uses a somewhat different periodization to the one used here, presents around 20 documents for these five years, i.e., a reduced number of proposals compared with the preceding five years.<sup>9</sup> The two global powers, the USA and the USSR, were initially against a regional coming together of the European states. The USA only changed its position on this with the "formation of a Western bloc" against the Eastern Bloc. At the beginning of this phase, Great Britain and France initially tried to maintain their own individual positions in an attempt to become the third and fourth global powers instead of being the leading members of a regional federation.

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A division soon became apparent within the European movement in 1947. The camp that sought a federal state and referred to themselves as "federalists" was initially the more influential of the two. The camp that only advocated a confederation of states and referred to themselves as "unionists" was initially the weaker of the two, but it was able to get its vision adopted at the Congress of Europe in The Hague in May 1948. The unionists had already announced themselves as leaders of the European movement with the launch by Churchill and Duncan Sandys (1908–1987) (→ Media Link #aj) in the Royal Albert Hall in May 1947 of the *United European Movement*, which was viewed by its founders as an umbrella organization for all European movements and which was generously supported by private companies such as Philips & Co. in the Netherlands.<sup>10</sup>

The fundamental difference in how the problem was understood, as described above, became apparent here too. The federalists primarily had in mind a self-contained societal system, but they too were interested in integration into the international system. They advocated a supranational policing power and wished to overcome "nation-state anarchy". In this spirit, a paper from 1945 declared: "Wenn die europäischen Völker ihre gemeinsame demokratische Zivilisation retten wollen, müssen sie sich in einer Föderation zusammenschließen."<sup>11</sup> The federalist Hertenstein Programme of September 1946 referred to federalist principles, "die den demokratischen Aufbau von unten nach oben verlangen".<sup>12</sup> In the declaration of its congress in Montreux in August 1947, the *Union Européenne des Fédéralistes* (UEF) declared the federalist idea to be a dynamic principle that affects all aspects of human activity in a transformative way. "Sie bringt nicht nur einen neuen politischen Rahmen, sondern auch neue soziale, wirtschaftliche und kulturelle Strukturen." It explicitly distanced itself from centralist or totalitarian organizational forms and declares its support for the "größtmögliche Dezentralisation der wirtschaftlichen Mächte auf allen Stufen".<sup>13</sup> At its congress in Gstaad in Switzerland in September 1947, the *Europäische Parlamentarier-Union* (EPU) founded by Count von Coudenhove-Kalergi proposed that a constituent assembly be convened in the near future to draft a federal constitution. The members of this constitutional council should be determined either by the national parliaments or directly by the people in the form of elections.<sup>14</sup> As suggested in the constitutional proposal of the UEF in Rome in November 1948, it was generally envisaged that there would be a people's chamber and a chamber for the states, as well as an economic and social council. The citizens of the member states would also be federal citizens.<sup>15</sup>

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As regards the internal structure, Europeans who favoured the federal state model advocated for a social-reforming social order, while Europeans who favoured a confederation of states wanted to adhere to a traditionalist social order. The unionists proceeded from the assumption of a system of nation-states, and wanted to maintain the sovereignty of the nation-state. Winston Churchill and his son-in-law Duncan Sandys were prominent figures among the unionists. However, Churchill's famous address in Zürich on 19 September 1946 did not contain any concrete details on the internal structure of the "United States of Europe" that he proposed. He explicitly stated that he did not wish to put forward a "detailed programme". He was most specific when he stated with reference to Germany that in a "well and truly built" European organization the "material strength of a single state" should be of less relevance. He further stated that Europe should of course be part of the UN.<sup>16</sup> Elaborating on this address in December 1946, he gave more concrete details regarding the duties of a possible European council. It should remove customs and trade barriers. It should promote economic cooperation to bring about economic unity. It should possibly even introduce a "uniform currency" and definitely "some common form of defence".<sup>17</sup>

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Hardly any concept papers were produced by unionists on "cooperative unionism" as defined by Lipgens<sup>18</sup> because they – in contrast to the federalists – fundamentally rejected a constitution. Additionally, in order not to antagonize the federalists (particularly the British Federal Union) – who were stronger than them at the time – they remained deliberately vague in their descriptions. Churchill explicitly stated in the Royal Albert Hall in May 1947: "We for our part are content just to introduce the idea of a united Europe [...] as a moral, cultural and intellectual concept, which everyone can join *without quarreling over the structures* [author's emphasis]." It was too early, he argued, to define "constitutional relationships" and the peoples of Europe would have to cooperate in a loose "association" while retaining "their traditions and their distinctness".<sup>19</sup>

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The congress in The Hague in May 1948 emphatically confirmed the desire to create a "united Europe", but at the expense of leaving open the question of how this Europe would look in concrete terms. This manifested itself in the repetition of the phrase "union or federation" and in the balancing of objectives between protecting the security of the unified peoples, which was the primary aim of the unionists, and enabling the "continuing realization of a democratic social system", which was the primary concern of the federalists. The establishment of a common court "with appropriate powers of censure" in the event of violations of the future charter was also a "federalist" idea.<sup>20</sup>

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The first three European institutions – in chronological order the Brussels Pact (17 March 1948), the OEEC (16 April 1948) and the Council of Europe (founded on 5 May 1949, which today is *international Europe Day*, in contrast to 9 May) – all followed the unionist model of "constructions of Europe". In the case of the Brussels Pact and the Council of Europe, the strong intergovernmental councils of ministers were accompanied by weak parliamentary assemblies. The OEEC did not even have a parliamentary adjunct. It was entirely based on unanimity, though Article 14 (the *clause Suisse*) permitted a country to vote to distance itself from a decision without blocking the other nations.<sup>21</sup> In the case of the other two institutions, Great Britain initially tried to ensure that there was a veto right, but it

subsequently gave up on this due to the resistance of other states, particularly France. The British only accepted the "consultative assemblies" under the condition that they would have no powers to legislate or introduce a constitution, and thus would not form a constituent assembly. Presented with the choice between European institutions with weak powers as favoured by the unionists and with British participation, or institutions with strong powers as favoured by the federalists but without British participation, the first option was initially preferred.<sup>22</sup>

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## 1950–1969

However, with the Schuman Declaration on 9 May 1950 (which the *supranational* Europe Day still marks) a new, third concept of Europe developed in the doctrine as well as in reality: sectoral partial integration with the European Coal and Steel Community (ECSC) as per the model of the federalists, under French leadership and without the participation of Great Britain. The causes and context of this U-turn cannot be discussed here in detail.<sup>23</sup> The salient point is that now in the area of coal and steel a "supreme authority" (*Haute Autorité*) was created as a supranational (or federal state) directorate, which was independent of the participating countries because it had its own tax revenues.<sup>24</sup> This was the precursor of the present-day European Commission. The French foreign minister Robert Schuman (1886–1963) (→ Media Link #ak) presented his model of integration by stages: "Europe cannot be created in one fell swoop..." Supranationality that was restricted to a "limited, but decisive point" seemed achievable to him. By referring to his plan as a "first foundation stone of a European Federation", he implicitly committed himself to future milestones.<sup>25</sup>

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According to this concept ("creating an actual bond through concrete achievements"), the formation of further integrated sectors would follow. The mutualization of the public means of transportation that were important for the ECSC (railways) did not occur. Neither did the *Green Pool* (for agriculture) or the *White Pool* (for medicines).<sup>26</sup> The European Defense Community (EDC) that was also launched in 1950 with the Pleven Plan (named after French Prime Minister René Pleven, 1901–1993) proved a fiasco. In contrast with the ECSC, the mutualization of defense could never have worked without also mutualizing security policy, or even politics in general. Consequently, Article 38 of the EDC treaty provided for the development of a comprehensive supra-state structure<sup>27</sup> so that the provisional organization would be replaced by a permanent organization. A bicameral system was envisaged, though it remained open whether this proposal would lead to a community based on the federal state model or one based on a confederation of states. With the EDC in mind, in March 1953 the Common Assembly of the ECSC passed a "Draft Treaty Embodying the Statute of the European Community" unanimously (50:0 with 5 abstentions). It was a compromise between the two main trends, though it placed greater weight on the federalist principle. It proposed an "Executive Council" with its own budget that would be responsible for the protection of human rights, defense against aggression, and the development of a common market. However, in some areas it would require the unanimous approval of the Council of National Ministers.<sup>28</sup> In 1984, Lipgens described it thus: "Es war eine mit großer Umsicht durchdachte Verfassung, die einen entscheidenden Schritt zur fortschreitenden Verwirklichung bundesstaatlicher Zusammenschlüsse ermöglicht hätte."<sup>29</sup> However, the governments were skeptical and with the rejection of the EDC by the French National Assembly in August 1954, this project failed also.

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The expansion of sectoral integration did not occur until the Treaty of Rome (→ Media Link #al)(European Economic Community [EEC] and the European Atomic Energy Community [Euratom]) in March 1957, which provided for integration in the areas of trade and atomic energy. However, it is possible to forget, in view of this success and the subsequent course of European integration, that these were not entirely analogous to the ECSC given that the Commission, which ultimately (1965) assumed responsibility for all three sectors (ECSC, EEC and Euratom), was no longer financially independent.<sup>30</sup> The EEC treaty provided for the abandonment of the intergovernmental principle with the veto option for individual states, and a transition to the majority principle inherent in supranational federalism in the final stage. However, when this moment arrived in 1965/1966 it was only possible to move to the next level through a compromise. The majority principle was introduced in accordance with Article 148, but in accordance with the wishes of French President Charles de Gaulle (1890–1970) (→ Media Link #am)the so-called Luxembourg Compromise created the option that individual members could block decisions by citing their "vital interests".

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## 1969–1984

The decisions made at the summit conference in The Hague in 1969 were a turning point in two respects. Firstly, approval was given for the expansion of the membership. Though this was less relevant from the perspective of concepts of Europe, it was by no means insignificant as it admitted Great Britain, which had been "unionist" in attitude but had switched to continental federalism during the 1960s. However, from the perspective of constructions of Europe the measures that were agreed to deepen integration were more significant. It was decided to raise the status of the "Parliamentary Assemblies" for the first time through the introduction of direct elections, and to create an economic and monetary union. The basis for this was the "Werner Plan" (named after Luxembourg Prime Minister Pierre Werner (1913–2002) (→ Media Link #an) of 1970 for the integration in three stages of business cycle policy, investment policy, budgetary policy, social policy and taxation policy. In the event, it took around 30 years to realize monetary union (the ECB began its work in 1999 and the introduction of the Euro followed in 2002). Compared with the integration of economic policy, the implementation of direct elections happened remarkably quickly, taking just a decade.

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This evaluation is considerably more positive than that of the committed federalist Lipgens. He argued that what happened in The Hague in 1969 was a "half false start", and the proverbial "bottle" was thus only half filled and consequently also remained half empty.<sup>31</sup> For example, the Luxemburg Compromise of 1966 was not explicitly reversed, though it was not reaffirmed either – it simply was not mentioned. While there was a clear commitment to completing political integration, there was no allocation of individual budgets. The enthusiastic commitment to the "completion" of the community was nonetheless remarkable, as the completed community could effectively only be federalist and not unionist. There was a desire to move from the transitional phase to the end phase, and a statement of determination to bring the project "to its conclusion".

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All of the approximately 25 documents that Lipgens put together for the years 1955–1969 are unambiguously federalist. Among these there was even a Swiss proposal by the famous constitutional law expert Max Imboden (1915–1969) (→ Media Link #ao) from 1963. At that point after Britain's first request to join, there was an expectation in Switzerland that Switzerland would join the European Communities too. Imboden proposed a constitution that even Switzerland could have agreed to (including among other things a guaranteed right to neutrality).<sup>32</sup>

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The 1970s began with much hope. At the Paris summit in October 1972, the decision was reached "vor dem Ende dieses Jahrzehnts (...) die Gesamtheit der Beziehungen der Mitgliedstaaten in eine Europäische Union umzuwandeln".<sup>33</sup> Lipgens described this as "Worten des Trosts" (words of consolation), thus drawing attention to the fact that this was primarily lip service intended to compensate for the lack of any real action. However, it is remarkable that there was less and less discussion of what the end point should look like, and discussion now focused entirely on the time period required for the realization of the largely federalist end goal.

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The European Council (consisting of heads of state and government), which was first convened in 1969 and was formally established in December 1974 though it only had "ancillary treaty" status, could serve as an engine for further integration, as it initially did under Valéry Giscard d'Estaing (born 1926) (→ Media Link #ap) and Helmut Schmidt (1918–2015) (→ Media Link #aq). However, institutionally it strengthened the unionist principle of intergovernmentalism. Here, progress was not based on a collective dynamic, but was dependent on the goodwill or otherwise of individual states or heads of state. In the late 1970s, the recurring, painful inability of the European Communities in their current form to reach decisions put wind in the sails of those who insisted that the Commission should be elevated to a government, that the parliament should be given genuine legislative powers, and that the aim should be the creation of a federal European state. In 1981/1982, a large majority of the European Parliament declared its support for the continued intensification of federalist integration.

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On 14 February 1984, shortly before the end of its parliamentary term the European Parliament passed by an absolute majority (237 to 31 votes with 43 abstentions) a draft constitution for the consideration of the national parliaments, which was connected with the name of its initiator, the by now 77-year-old Altiero Spinelli. This did not provide for any common areas like the Common Foreign and Security Policy (CFSP) defined in Maastricht in 1992, but it gave the existing edifice (*Acquis*) an effective internal structure and in particular an easier modality for the future transfer of powers to the institutions of the union. The proposal was deliberately not sent to the governments but to the national parliaments. However, the latter did not ratify the constitution as the European Parliament had hoped and business remained the preserve of the governments. Spinelli nonetheless remained determined. Elected in 1984 for a further parliamentary term, he suggested that the European Parliament should work towards having the next elections to the

European Parliament in 1989 formally declared in advance to be elections to a constitutional assembly. In the event, Spinelli died in 1986 at almost 80 years of age before he had gained sufficient support for his proposal. However, it is fair to say that the draft constitution of the European Parliament had considerable influence on both the Single European Act of 1985 and the Maastricht Treaty of 1992.

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## 1984–2009

It should be pointed out here that while federalism advocates for a strong central authority – in contrast to confederalism, which envisages the member states remaining largely independent (sovereign) with only a weak central authority whose powers are restricted to a small number of areas – it also seeks to allow member states a certain degree of independence. Even Walter Hallstein (1901–1982) (→ Media Link #ar), the forceful Commission president (1958–1967) who was an ardent federalist, emphasized this in 1970 in his capacity as chairman of the federalist-minded European Movement International (EMI):

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"Die föderale Formel galt von Anfang an nicht aus einem institutionellen Dogmatismus, sondern weil sie die einzige Denkform ist, die es erlaubt, zwei europäische Notwendigkeiten miteinander zu vereinigen, einerseits den Fortbestand der Staaten, die sich zusammenschließen, andererseits die Bildung einer übergeordneten politischen Gewalt durch Zusammenlegung von Souveränitätselementen."<sup>34</sup>

The further progress of the integration process strengthened both directly and indirectly the federal character of the entire European structure. This progress included the convening of an inter-governmental conference for the first time to work out the Single European Act (EEA, 1985), the subsequent treaties of Maastricht (1992), Amsterdam (1997) and Nice (2001), the creation for the first time of a large convention (Convention on the Future of Europe in 2001 based on the small convention to work out the Charter of Fundamental Rights), the Treaty establishing a Constitution for Europe in Rome (2004) and finally the Treaty of Lisbon (2007) dealing with reform. During this process, the choice between "unionist" and "federalist" was replaced by a choice between different variations within federalism. During the negotiations for the Treaty of Maastricht, the British expressed their old fundamental reservations against federalism, and the term was consequently ironically declared an f-word not to be spoken and certainly not to be written into a treaty. Sure enough, the word "federal" does not appear in the treaty text. Instead another term came to prominence as a general principle of European Union law: subsidiarity, which states that decisions should be made as close as possible to those directly affected by them and can only be dealt with at a higher level when action at the higher level is deemed more effective.<sup>35</sup> In this spirit, the regions of Europe were given their own institution (Committee of the Regions) in the Maastricht Treaty, which in no way contradicts federalism.<sup>36</sup>

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The actual integration process in the period 1990–2007 was accompanied by numerous pronouncements, in which the word "federalism" and the cause it refers to did indeed feature centrally. A large number of proposals were discussed in advance of the Maastricht Treaty, of which the following are just three examples: In 1991, the Heidelberg professor of sociology Mario Rainer Lepsius (1928–2014) (→ Media Link #as) launched the term *Nationalitätenstaat* (nationalities state) to describe an entity with a weak central authority while the member states remained strong.<sup>37</sup> In 1991, the expert in law and political science Fritz Wilhelm Scharpf (born 1935) (→ Media Link #at), who was director of the Max Planck Institute for the Study of Societies in Cologne until 2003, devoted an article to the question "Kann es in Europa eine stabile föderale Balance geben?"<sup>38</sup> In 1992, Dusan Sidjanski (born 1926) (→ Media Link #au), professor of political science in Geneva, explained in 440 pages why he believed federalism has a future.<sup>39</sup> As work began on the draft constitution, the number of publications increased, including this additional example from 2003: In his analysis of the draft constitution of the convention as it was at that time, Rudolf Hrbek (born 1938) (→ Media Link #av), professor of political science in Tübingen, stated that the EU would be stronger as a federation, but that the draft did not correspond to any of the usual federalist models, but was, as the title of his article stated, a type *sui generis*.<sup>40</sup>

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Finally, two weightier statements from the German political arena deserve mention. As the debate on the constitution was intensifying, the German foreign minister Joschka Fischer (born 1948) (→ Media Link #aw) delivered a speech at the Humboldt University in Berlin on 12 May 2000<sup>41</sup> entitled "Vom Staatenverbund zur Föderation – Gedanken über die Finalität der europäischen Integration". The speech, which gained considerable attention, called for the conclusion of a constitutional treaty creating a European federation based on the subsidiarity principle.<sup>42</sup> Fischer referred to a "ganz einfache Antwort" ("very simple answer"), by which he meant:

"den Übergang vom Staatenverbund der Union hin zur vollen Parlamentarisierung in einer Europäischen Föderation, die Robert Schuman bereits vor 50 Jahren gefordert hat. Und d.h. nichts Geringeres als ein europäisches Parlament und eine ebensolche Regierung, die tatsächlich die gesetzgebende und die exekutive Gewalt innerhalb der Föderation ausüben. Diese Föderation wird sich auf einen Verfassungsvertrag zu gründen haben."<sup>43</sup>

However, he also felt the need for some appeasement at this time, stating that even in the final federation the nation-state with its cultural and democratic traditions will be irreplaceable as a source of legitimacy for a union of citizens and states fully accepted by the people.

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"Dies sage ich gerade mit Blick auf unsere Freunde in Großbritannien, denn ich weiß, dass der Begriff 'Föderation' für viele Briten ein Reizwort ist. Aber mir fällt bis heute kein anderer Begriff ein. Es soll hier niemand gereizt werden. [...] Die Nationalstaaten werden fortexistieren und auf europäischer Ebene eine wesentlich stärkere Rolle behalten als dies die Bundesländer in Deutschland tun. Und das Prinzip der Subsidiarität wird in einer solchen Föderation künftig Verfassungsrang haben."<sup>44</sup>

One year later, the German president Johannes Rau (1931–2006) (→ Media Link #ax) used his address to the European Parliament in Strasbourg on 4 April 2001 to correct misunderstandings:

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"Die europäische Verfassung ist nicht der Schlussstein des europäischen Bauwerkes, sie muss zu seinem Fundament werden. Die europäische Verfassung sollte festlegen, dass Europa kein zentralistischer Superstaat wird, sondern dass wir eine 'Föderation der Nationalstaaten' aufbauen. Ich bin mir dessen bewusst, dass die Begriffe 'Verfassung' und 'Föderation' manchem in Europa suspekt erscheinen. Ist das aber nicht oft nur ein Streit um Begriffe?"

Rau sought to address the fears that the constitution was an effort to bring about a superstate and to abolish the nation-states. He insisted that anyone who argued for a federation of nation-states was seeking the direct opposite:

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"Wenn wir die Europäische Union als eine Föderation von Nationalstaaten wollen, dann verbessern wir die demokratische Legitimation für gemeinschaftliches Handeln und sichern zugleich den Nationalstaaten die Kompetenzen, die sie behalten wollen und sollen. [...] Niemand will die Nationalstaaten und ihre Souveränität beseitigen – im Gegenteil: Wir werden sie in all ihren Unterschieden noch lange brauchen als Garanten der Vielfalt in Europa. [...] Und gerade weil die europäische Entwicklung nicht hin zu einem Einheitsstaat läuft und nicht laufen soll, müssen wir ein Ordnungsprinzip finden, das diesem Willen entspricht, das unsere unterschiedlichen Traditionen wahrt und zugleich auf der Höhe der Zeit ist. Dieses Ordnungsprinzip ist die Föderation."<sup>45</sup>

## Conclusion

On the contentious issue of whether Europe should be a confederation of states or a federal state, advocates of a loose confederation of states appeared to have won the battle initially. However, over the years the successive steps towards greater integration (the strengthening of the powers of the parliament, the creation of a European electorate, the ratification of the Lisbon Treaty on reform) resulted in the concept of Europe increasingly shifting towards the federal state option. In this context, the German foreign minister Joschka Fischer liked to discuss the question of the end goal. After his speech in Freiburg on 30 January 2001 on "Die Zukunft Europas und die deutsch-französische Partnerschaft"<sup>46</sup> he was asked when the completion would be complete. Making reference to the accent of the person who had asked the question, he answered jokingly "Wenn die Schweiz dabei sein wird" (When Switzerland is in it). The question, which actually referred to the internal development (the deepening) of the European Union and not its external development (expansion), remains an open one. Whether the development will continue to follow the trend towards integration to date, or whether there might even be setbacks, only time will tell.

Georg Kreis (→ Media Link #ay)

## Appendix

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## Notes

- <sup>1</sup> Lipgens died in 1984 at the age of only 58. See Loth, *Walter Lipgens (1935–1984)* 2006, pp. 317–336. Loth continued Lipgens' work in an indirect way, see for example his publication: *Entwürfe* 2002.
- <sup>2</sup> Lipgens, *Europa-Föderationspläne* 1968; Lipgens, *Die Europäische Integration* 1972; Lipgens, *Die Anfänge der europäischen Einigungspolitik* 1977; Lipgens, *45 Jahre Ringen* 1986.
- <sup>3</sup> See Foerster, *Die Idee Europa 1300–1946* 1963; Chołuj, *Europa als Wille und Vorstellung* 2008; Chołuj, *Europa-Modelle* 2008.
- <sup>4</sup> On the important question of whether the policies of the Pan-European Union should be determined from above by the pan-European leader Count von Coudenhove-Kalergi, or from below by its members, see Kreis, *Der "vierte Tag"* 1991.
- <sup>5</sup> On the Briand Plan, but also on many other ideas and plans, see the recent publications: Gehler, *Europa* 2010, pp. 65–141; Fleury, *Le plan Briand* 2007, pp. 339–354.
- <sup>6</sup> Lipgens, *45 Jahre Ringen* 1986, p. 38.
- <sup>7</sup> Lipgens, *45 Jahre Ringen* 1986, p. 58.
- <sup>8</sup> Lipgens, *45 Jahre Ringen* 1986, document 12, pp. 71ff.
- <sup>9</sup> Lipgens ends the second period in 1954 with the EDC (see below). I am of the opinion that the launch of the ECSC with the Schuman Plan in 1950 was a more important turning point.
- <sup>10</sup> See Chanier, *Entreprise et intégration européenne* 1993.
- <sup>11</sup> Resolution of the European Federalists of 25 March 1945: "If the European peoples wish to rescue their shared democratic civilization, they must come together in a federation." Translated by N. Williams. "Wenn die europäischen Völker ihre gemeinsame demokratische Zivilisation retten wollen, müssen sie sich in einer Föderation zusammenschließen." In: Lipgens, *45 Jahre Ringen* 1986, document 46, p. 210.
- <sup>12</sup> "that demand the construction of democracy from the bottom up" Translated by N. Williams. "die den demokratischen Aufbau von unten nach oben verlangen" In: Lipgens, *45 Jahre Ringen* 1986, document 48, p. 217.
- <sup>13</sup> "It does not just bring a new political context, but also new social, economic and cultural structures." Translated by N. Williams. "Sie bringt nicht nur einen neuen politischen Rahmen, sondern auch neue soziale, wirtschaftliche und kulturelle Strukturen." In: Lipgens, *45 Jahre Ringen* 1986, document 49, pp. 220ff. "the greatest possible decentralization of economic

powers on all levels" Translated by N. Williams. "größtmögliche Dezentralisation der wirtschaftlichen Mächte auf allen Stufen" In: Lipgens, 45 Jahre Ringen 1986, document 49, pp. 220ff.

14. ^ Lipgens, 45 Jahre Ringen 1986, document 50, pp. 225.
15. ^ Lipgens, 45 Jahre Ringen 1986, document 57, pp. 255ff.
16. ^ Lipgens, 45 Jahre Ringen 1986, document 47, pp. 214ff.
17. ^ Lipgens, Die Anfänge der europäischen Einigungspolitik 1977, p. 321. The most detailed of the unionist papers that are accessible does not come from Great Britain but from France and was written by the Gaullist Michel Debré (1912–1996) in January 1953. See Lipgens, 45 Jahre Ringen 1986, document 78, pp. 329–334.
18. ^ Lipgens, 45 Jahre Ringen 1986, p. 198.
19. ^ Lipgens, Die Anfänge der europäischen Einigungspolitik 1977, p. 326.
20. ^ See Lipgens, 45 Jahre Ringen 1986, document 54, pp. 240ff.
21. ^ On the OEEC, see Bauer, La participation de la Suisse 1984, pp. 305–323.
22. ^ See Holtz, 50 Jahre Europarat 2000.
23. ^ It would centre on the question of whether the unionist attitude of the British precluded their participation in the ECSC. See Dell, The Schuman plan 1995.
24. ^ After the history of the ideas to the history of the institutions, see: Gehler, Europa 2010, pp.165ff.
25. ^ This seminal text in the history of European integration is reproduced in a number of places, but see also Lipgens, 45 Jahre Ringen 1986, document 67, pp. 293ff.
26. ^ See Gerbet, La construction de l'Europe 1994, pp. 121ff; Thiemeyer, Vom "Pool vert" zur Europäischen Wirtschaftsgemeinschaft 1999.
27. ^ See Lipgens, 45 Jahre Ringen 1986, documents 76–79, pp. 316ff.
28. ^ Lipgens, 45 Jahre Ringen 1986, pp. 335–360.
29. ^ "It was a very carefully thought out constitution that would have enabled a decisive step towards the continuing realization of federal state consolidation." Translated by N. Williams. "Es war eine mit großer Umsicht durchdachte Verfassung, die einen entscheidenden Schritt zur fortschreitenden Verwirklichung bundesstaatlicher Zusammenschlüsse ermöglicht hätte." In: Lipgens, 45 Jahre Ringen 1986, p. 198.
30. ^ On the ECSC, the EU published an informative publication after the treaty expired: see Europäische Gemeinschaft für Kohle und Stahl, CECA 1952–2002 2002. Historians (like legal experts) are generally primarily interested in the creation of institutions and are scarcely interested in how they function or fail to function.
31. ^ Lipgens, 45 Jahre Ringen 1986, p. 383.
32. ^ Lipgens, 45 Jahre Ringen 1986, document 98, pp. 455ff.
33. ^ "to transform the entirety of the relationships between the member states into a European Union [...] by the end of this decade" Translated by N. Williams. "vor dem Ende dieses Jahrzehnts (...) die Gesamtheit der Beziehungen der Mitgliedstaaten in eine Europäische Union umzuwandeln" In: Lipgens, 45 Jahre Ringen 1986, document 116, pp. 569ff.
34. ^ Vote in the Bundestag on 18 June 1970; "The federal formula applied from the beginning not because of institutional dogmatism, but because it is the only way of thinking that is able to combine two European imperatives: on the one hand, the continued existence of the states that had joined together; on the other hand, the formation of an overarching political authority through the bundling of elements of sovereignty." Translated by N. Williams. "Die föderale Formel galt von Anfang an nicht aus einem institutionellen Dogmatismus, sondern weil sie die einzige Denkform ist, die es erlaubt, zwei europäische Notwendigkeiten miteinander zu vereinigen, einerseits den Fortbestand der Staaten, die sich zusammenschließen, andererseits die Bildung einer übergeordneten politischen Gewalt durch Zusammenlegung von Souveränitätselementen." In: Lipgens, 45 Jahre Ringen 1986, p. 526.
35. ^ From the Swiss perspective, it is important to distinguish between whether subsidiarity provides for the delegation of power from the bottom to the top (as in Switzerland) or from the top to the bottom (as in the EU). The subsidiarity principle was defined in the preamble and in Article 2 of the Treaty on European Union (TEU) and in Article 5, Section 2 of the Treaty establishing the European Community (TEC). It had already been introduced in the SEA of 1985 on environmental policy. See Europäisches Zentrum für Föderalismus-Forschung, Das Subsidiaritätsprinzip in der EU 1996.
36. ^ See Schulz, Regionalismus und die Gestaltung Europas 1993.
37. ^ Lepsius, Nationalstaat oder Nationalitätenstaat 1991, pp. 19–40.
38. ^ Scharpf, Kann es in Europa eine stabile föderale Balance geben? 1991, pp. 415–428; Scharpf, Optionen des Föderalismus 1994 ("Can there be a stable federal balance in Europe?").
39. ^ Sidjanski, L'avenir fédéraliste de l'Europe 1992; Sidjanski, Europa auf dem Weg zu einem neuen Föderalismus 2004, original French version from 2001.
40. ^ Hrbek, Föderalismus sui generis 2003, pp. 430–446.
41. ^ Fischer's appearance coincided almost exactly with the 50th anniversary of the Schuman speech on 9 May 1950 (see above) ("From a grouping of states to a federation – thoughts on the end point of European Integration").
42. ^ Held as part of a series of lectures organized by the Walter Hallstein Institute for European Constitutional Law. At the time, Fischer was viewed as a prospective candidate for the position of foreign minister of the European Union that was planned for

2006 under the proposal for a European constitution.

43. <sup>^</sup> "the transition from the confederation of states of the union to full parliamentarization in a European Federation, as Robert Schuman called for 50 years ago. And this means nothing less than a European parliament and a corresponding government, which would actually exercise legislative and executive power within the federation. This federation will have to be founded upon a constitutional treaty" Translated by N. Williams. "den Übergang vom Staatenverbund der Union hin zur vollen Parlamentarisierung in einer Europäischen Föderation, die Robert Schuman bereits vor 50 Jahren gefordert hat. Und d.h. nichts Geringeres als ein europäisches Parlament und eine ebensolche Regierung, die tatsächlich die gesetzgebende und die exekutive Gewalt innerhalb der Föderation ausüben. Diese Föderation wird sich auf einen Verfassungsvertrag zu gründen haben" In: Fischer, Vom Staatenverbund zur Föderation 2000.
44. <sup>^</sup> "I say this precisely with our friends in Great Britain in mind because I know that the term 'federation' is an emotive term for many British people. But I have never been able to come up with a different term. It is not intended to provoke anyone. [...] The nation-states will continue to exist and they will retain a considerably stronger role at the European level than the German states have at the federal level in Germany. And in such a federation, the principle of subsidiarity will in future be enshrined in the constitution." Translated by N. Williams. "Dies sage ich gerade mit Blick auf unsere Freunde in Großbritannien, denn ich weiß, dass der Begriff 'Föderation' für viele Briten ein Reizwort ist. Aber mir fällt bis heute kein anderer Begriff ein. Es soll hier niemand gereizt werden. [...] Die Nationalstaaten werden fortexistieren und auf europäischer Ebene eine wesentlich stärkere Rolle behalten als dies die Bundesländer in Deutschland tun. Und das Prinzip der Subsidiarität wird in einer solchen Föderation künftig Verfassungsrang haben." In: Fischer, Vom Staatenverbund zur Föderation 2000.
45. <sup>^</sup> "The European constitution is not the capstone of the European edifice, it must become a foundation. The European constitution should lay down that Europe is not going to be a centralist superstate, and that it is a 'federation of the nation-states' that we are building. I am aware that the terms 'constitution' and 'federation' appear suspect to some people in Europe. However, is this not often just an argument about terminology?" "If we want the European Union to be a federation of nation-states, then we are improving the democratic legitimacy for joint action and at the same time we are securing for the nation-states the powers that they want to retain and should retain. [...] No one wishes to remove the nation-states and their sovereignty – on the contrary, we will continue to need them with all their differences for a long time to come as guarantors of diversity in Europe. [...] And precisely because European integration is not progressing and should not progress towards a unitary state, we have to find an ordering principle that corresponds to this wish, that protects our different traditions while also being appropriate to our time. The federation is this ordering principle." Translated by N. Williams. "Wenn wir die Europäische Union als eine Föderation von Nationalstaaten wollen, dann verbessern wir die demokratische Legitimation für gemeinschaftliches Handeln und sichern zugleich den Nationalstaaten die Kompetenzen, die sie behalten wollen und sollen. [...] Niemand will die Nationalstaaten und ihre Souveränität beseitigen – im Gegenteil: Wir werden sie in all ihren Unterschieden noch lange brauchen als Garanten der Vielfalt in Europa. [...] Und gerade weil die europäische Entwicklung nicht hin zu einem Einheitsstaat läuft und nicht laufen soll, müssen wir ein Ordnungsprinzip finden, das diesem Willen entspricht, das unsere unterschiedlichen Traditionen wahrt und zugleich auf der Höhe der Zeit ist. Dieses Ordnungsprinzip ist die Föderation." In: Rau, Ansprache an das Europäische Parlament 2001.
46. <sup>^</sup> Fischer, Die Zukunft Europas und die deutsch-französische Partnerschaft 2001. ("The Future of Europe and the German-French Partnership").

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**Eingeordnet unter:**

Models and Stereotypes › Model Europe › Concepts of Europe

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## Indices

DDC: 321 341 940

## Locations

America DNB [↗](http://d-nb.info/gnd/4001670-5) (<http://d-nb.info/gnd/4001670-5>)  
Amsterdam DNB [↗](http://d-nb.info/gnd/4001783-7) (<http://d-nb.info/gnd/4001783-7>)  
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Cologne DNB [↗](http://d-nb.info/gnd/4031483-2) (<http://d-nb.info/gnd/4031483-2>)  
Eastern Bloc DNB [↗](http://d-nb.info/gnd/4075730-4) (<http://d-nb.info/gnd/4075730-4>)  
European Union DNB [↗](http://d-nb.info/gnd/5098525-5) (<http://d-nb.info/gnd/5098525-5>)  
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Nice DNB [↗](http://d-nb.info/gnd/4075416-9) (<http://d-nb.info/gnd/4075416-9>)  
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#### Link #ad

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Richard Coudenhove-Kalergi (1894–1972)

#### Link #ag

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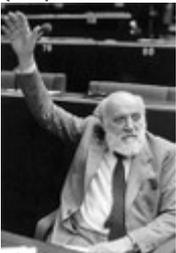
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Winston Churchill (1874–1965)

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Robert Schuman (1886–1963)

#### Link #al



-  (<http://www.ieg-ego.eu/en/mediainfo/signing-the-treaty-of-rome>)  
Signing the Treaty of Rome

#### Link #am

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Pierre Werner (1913–2002)

#### Link #ao

- Max Imboden (1915–1969) VIAF   (<http://viaf.org/viaf/49297989>) DNB  (<http://d-nb.info/gnd/118708775>) ADB/NDB  (<http://www.deutsche-biographie.de/pnd118708775.html>)

#### Link #ap

- Valéry Giscard d'Estaing (born 1926) VIAF   (<http://viaf.org/viaf/89736626>) DNB  (<http://d-nb.info/gnd/118717685>) ADB/NDB  (<http://www.deutsche-biographie.de/pnd118717685.html>)



- <http://www.ieg-ego.eu/en/mediainfo/valery-giscard-destaing-1926>  
Valéry Giscard d'Estaing (\*1926)

#### Link #aq

- Helmut Schmidt (1918–2015) VIAF <http://viaf.org/viaf/12314986> DNB <http://d-nb.info/gnd/118608819> ADB/NDB <http://www.deutsche-biographie.de/pnd118608819.html>



- <http://www.ieg-ego.eu/en/mediainfo/helmut-schmidt-191820132015>  
Helmut Schmidt (1918–2015)

#### Link #ar

- Walter Hallstein (1901–1982) VIAF <http://viaf.org/viaf/108819836> DNB <http://d-nb.info/gnd/118701150> ADB/NDB <http://www.deutsche-biographie.de/pnd118701150.html>



- <http://www.ieg-ego.eu/en/mediainfo/walter-hallstein-190120131982>  
Walter Hallstein (1901–1982)

#### Link #as

- Mario Rainer Lepsius (1928–2014) VIAF <http://viaf.org/viaf/29608273> DNB <http://d-nb.info/gnd/121629538> ADB/NDB <http://www.deutsche-biographie.de/pnd121629538.html>

#### Link #at

- Fritz Wilhelm Scharpf (born 1935) VIAF <http://viaf.org/viaf/22180934> DNB <http://d-nb.info/gnd/119241668> ADB/NDB <http://www.deutsche-biographie.de/pnd119241668.html>

#### Link #au

- Dusan Sidjanski (born 1926) VIAF <http://viaf.org/viaf/17517> DNB <http://d-nb.info/gnd/124300928>

#### Link #av

- Rudolf Hrbek (born 1938) VIAF <http://viaf.org/viaf/72262984> DNB <http://d-nb.info/gnd/121960951> ADB/NDB <http://www.deutsche-biographie.de/pnd121960951.html>

#### Link #aw

- Joschka Fischer (born 1948) VIAF <http://viaf.org/viaf/46938201> DNB <http://d-nb.info/gnd/118821660> ADB/NDB <http://www.deutsche-biographie.de/pnd118821660.html>



- <http://www.ieg-ego.eu/en/mediainfo/joschka-fischer-1948>  
Joschka Fischer (\*1948)

#### Link #ax

- Johannes Rau (1931–2006) VIAF   (<http://viaf.org/viaf/5727320>) DNB  (<http://d-nb.info/gnd/118803379>) ADB/NDB   
(<http://www.deutsche-biographie.de/pnd118803379.html>)



- <http://www.ieg-ego.eu/en/mediainfo/johannes-rau-193120132006>  
Johannes Rau (1931–2006)

#### Link #ay

- Georg Kreis (born 1943) VIAF   (<http://viaf.org/viaf/108682134>) DNB  (<http://d-nb.info/gnd/122860039>) ADB/NDB   
(<http://www.deutsche-biographie.de/pnd122860039.html>)

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