



A three-part common framework to reflect on the future of NATO

The crises in Ukraine (2014) and Belarus (2020) show that the problem of security and peace in Europe needs a new solution, going beyond the old constraints of the Cold War. The three short chapters presented here draw on Mikhail Gorbachev's 1987 proposal for a Common European Home, a kind of "European Reykjavik". Of course, today's problems are different, but the main content of the original proposal should be reconsidered, given that the European Union is working towards creating a European defence force, and international relations between the US, Russia and China are deteriorating. The President of the European Commission, Ursula von der Leyen, in the *State of the Union Address* (Sept. 16th, 2020) said: "We are ready to build a New Transatlantic Agenda".

We hope that our proposal helps the Atlantic leaders find a path towards a more peaceful world.

1. From the Atlantic Pact to the Common European Home

NATO is a working, regional, collective security organization. The United Nations is a universal, collective security organization, but, because of the veto and great power disunity, it does not work well in providing the promised international peace and security. The North Atlantic Treaty and its military organization NATO was founded in 1949, following the Communist Party coup in Czechoslovakia, as a defensive alliance of Western democracies to meet further aggressive advances of the Soviet Union. Its Article 5 provides that, in case of armed attack against any member, all pledge to come to its assistance, including by use of armed force. Art. 4 provides for consultations. Art. 2 requires members to protect free institutions (democracy) and to encourage an open international trading regime (capitalism in practice).

When it was founded, the first secretary general, Lord Ismay, explained in a famous remark, “The purpose of NATO is to keep the Russians *out*, the Americans *in*, and the Germans *down*.” When the Cold War ended in 1989, NATO was not disbanded, as Realist theorists Kenneth Waltz and John Mearsheimer thought it would, since it had lost an enemy, but it was preserved as a regional collective security organization to keep the peace in Europe. It has since grown to 30 members, including all of the former (Communist) Warsaw pact states. Since 1994, it has included a friendly accession process, the Partnership for Peace (PfP), which at one point included 41 other states, including Russia. The PfP has been at the heart of recent controversy.

After the last major expansion of NATO in 2004, which admitted six

Eastern European states and the three Baltic ones, Russia began effective resistance to further expansion, as of Georgia and Ukraine. They accepted Membership Action Plans at the NATO Bucharest summit in 2008, which was the last straw. Moldova and Belarus were next threatened. Vladimir Putin, who came to power in 2000, saw NATO expansion as hostile to Russia in a pattern of American claims to “victory” in the Cold War, unilateral military expansion in the Middle East, and hegemonic promotion of economic globalisation. In 2005, he warned his country in terms of high geopolitics: “First and foremost it is worth acknowledging that the demise of the Soviet Union was the greatest geopolitical catastrophe of the century.” He plainly set out to restore some semblance of the old Union. He suppressed Georgia in a civil war, began the modernization of the Russian armed forces, and stopped Ukraine by the annexation of Crimea (with its naval port at Sevastopol) and by covert war in the eastern provinces of the Donbas, scenes of the greatest tank battles of World War II. The upshot is that the transition to a liberal security area in Eastern Europe has stalled, the PfP is no longer seen as a step toward membership in NATO, and Russia is resurgent. NATO itself is at a crossroads.

The West, of course, has seen the rectification of borders by armed force as aggression, and has imposed severe sanctions. But Putin justified himself with sovereign right in a speech of 18 March 2014, saying that taking back Crimea was popular in the Russian-settled parts of eastern Ukraine and was no different from the West’s seizure of Kosovo from Serbia in 1999. Curiously, Mikhail Gorbachev, in his book, *The New Russia* (2016), saw the action in Crimea as defensive in the same way:

In the West, by which I mean the ruling elites of the United States and the countries of NATO, everything was blamed on Russia. Everywhere they saw the “long arm of Moscow” but this conflict was not Russia’s making. It has its roots within Ukraine itself.

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I see the main, deep cause of the Ukrainian events in the disruption of Perestroika and the mindless, reckless “disbanding” of the USSR.... I proposed [in the spirit of the Common European Home] negotiations with Ukraine on an economic union, a common defence and foreign policy. In the course of such negotiations, we could have resolved all the thorny questions, like the status of Sevastopol and Crimea, and the Black Sea Fleet....

The Ukrainian crisis has provoked a serious and dangerous deterioration of relations between Russia and the West.... Economic sanctions against Russia have been introduced, cooperation in many areas greatly restricted, and decisions are being taken to strengthen the military presence of NATO in countries adjacent to Russia. All this is very reminiscent of the Cold War era (pp. 377-79).

This hostile situation is the context for statesmanship of a high order in Eastern Europe. The leadership could come from the countries that recently have been trying to develop a more understanding and respectful attitude toward Russia in order to end the sanctions and establish a system of common security: Italy, Hungary, Greece, Slovakia, Crete, and most notably, France. An opportunity presents itself in the rather strange decline of the United States of America. The “wars for freedom,” nation-building, and expansion of democracy, particularly in Afghanistan and Iraq, which have been foreign policy since 2002, following the terrorist attacks on the World Trade Towers and the Pentagon on 9/11, have ended in weariness and frustration, as recounted by historian Andrew Bacevich, as in *The Age of Illusions: How America Squandered Its Cold War Victory* (2020).

Bacevich writes from the perspective of a retired Army colonel who, like all soldiers, has seen the realities of the application of high policy on the ground. The Persian Gulf War of 1990-91, because it was mandated by the U.N. Security

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Council and drew coalition partners from many Arab and Muslim states, successfully halted Iraqi aggression. But not so the wars in Bosnia, Kosovo, Afghanistan, and Iraq after 2003, fought alone, with Britain, or with reluctant NATO partners. When Trump was elected president, he asked, "Why are we fighting other peoples' wars?" Despite his occasional belligerence (as toward North Korea), Trump actually has tried to stay out of wars, even to dismiss the usual American suspicion of Russia. He attacks the liberal elite among policy makers and diplomats as part of the "swamp" he has promised to drain. He has asked if NATO is not "obsolete." His objection seems to be mostly to members' failed burden-sharing, while overlooking NATO's continuing value in securing the peace in Europe.

Hence, there seems to be an opening for new European leadership. America under Trump is withdrawing into isolationism and protectionism. Britain is continuing its decline from the days of the British Empire into Brexit. That leaves the bigger players in NATO: Poland, most fearful of Russian return; Germany, cautious after the perilous process of reunification; and France, most secure in the EU and beginning, under President Macron, to exert leadership in NATO.

Where is Putin taking Russia? He is not preparing for World War III, as used to be feared from the old Soviet Union. He is on record at aiming to reestablish a wider federation of Eurasian states, in order to restore Russia as a great power on a par with the Group of 7. This might be done by persuasion, as in Gorbachev's draft union treaty of 1991. The worst process would be use of force and civil war, as in 1917-24. Putin has shown the way with the establishment of his Eurasian Customs Union, which is a value-neutral, collective security and nonaggression pact (no democracy and human rights as in the Helsinki accords). It seems to be envisaged as an equal contender to the European Union. He speaks of it as a community "from Vancouver to

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Vladivostok.” Gorbachev’s vision of a Common European Home would be more modestly confined to historic Europe, understood broadly to include Peter the Great’s Russia.

The international situation is very perilous. The disarmament treaties that ended the Cold War have been abandoned or are moribund: INF, CFE, START-3, CTB, ABM.... The international organizations established after WWII to inaugurate a liberal world order, starting with the United Nations and its specialized agencies, are increasingly neglected. Global problems beyond the capacity of sovereign states to solve alone — like global warming, destruction of biodiversity, cutting down the rainforests, neglect of human rights, failed states, and lack of regulation of the hyperconnected global economy — are not being confronted by our political establishments.

In the case of Eastern Europe, the OSCE is too weak and the EU too slow to build the necessary regional security. NATO is all that is left. A settlement there would seem to mean gradual acceptance of the return of Crimea to Russia, the protection of ethnic Russians in the Donbas, and recognition of Russia’s security interests in its “near abroad.” If respect for Russia could be reestablished, Putin might abandon some of his nastier assertions of power, such as his party United Russia’s or the GRU’s poisoning of democratic opponent Aleksei Navalny. What we wish to avoid is Putin’s return to a coercive Eurasian union reminiscent of the USSR arrayed against NATO in a new Cold War. Putin must understand, if he wants to restore Western friendliness, that fair elections are the standard for *demokratizatsia*, as Gorbachev often says.

The West’s proper conduct toward Russia, I think, is not to prepare for a new Cold War. The next step, if we can abandon labelling Russia an aggressor and cease the punitive sanctions, is to invite Russia into NATO — transformed

into a Eurasian collective security system stretching to China. The transformation of NATO into an inclusive, working collective security system in Eurasia is where new leadership is needed. It is still possible that there will be a revival of U.S. international leadership if Trump is returned to civilian life in the November 2020 elections.

And looming beyond is China.

2. Towards a new world order: European defence and the “Common European Home”

Raymond Aron, at one time, pointed out that with the nuclear weapon, the statement of von Clausewitz, according to which the war is the policy continued by other means, was no longer true. He observed that «the threat of war, including thermonuclear war, belongs to the normal climate of international relations, but war itself would in itself be mostly contrary to rationality, putting an end to politics instead of continuing it». Michael Gorbachev, when he said that, with the «entrance into the nuclear age, humanity has lost its immortality», took an extra step. This is the profound meaning of the epochal turning point that was made with the military use of nuclear energy. This is why it is necessary to reverse the dangerous trend that the failure to renew the expiring treaties on the reduction or limitation of nuclear weapons, risks setting in motion, bringing the European continent back thirty years and, with the transition from bipolarism to the most insecure multipolarism, the whole world.

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The way forward, in order to try to control the growing insecurity, has been indicated by France, the country which, for historical reasons and tradition, is probably the most sensitive to changes in the balance of power in Europe and in the world. French President Emmanuel Macron, in his address to the French ambassadors at the end of August 2019, and in his subsequent address to the Parliamentary Assembly of the Council of Europe, said, respectively, that «we need to build a new architecture of trust and security in Europe, because the European continent will never be stable, will never be secure, if we do not pacify and clarify our relations with Russia» and that: «We have forged here on the scale of a continent and despite all the headwinds, a common architecture in the name of the great European brotherhood that Victor Hugo dreamed of, with the will to build the common European home, evoked by Mikhail Gorbachev before this assembly in 1989». Macron then recovered Gorbachev's proposal for a "Common European Home" and the Mitterrand's proposal for a European confederation that includes Russia too.

The Common European Home, proposed by Gorbachev in July 1989 and that of Mitterrand for a European confederation, advanced at the end of the same year, had, among others, the following objectives: collective safety and maximum disarmament (nuclear, chemical and conventional); peaceful resolution of conflicts; and economic and trade cooperation. As we know, these proposals were not implemented, because of the American but also European responsibility, at the time which has not yet — as at present — a foreign policy extended to security and defence.

Macron has in fact realized what could be the way forward for a constructive policy in the field of security with Russia, but it will be necessary to broaden the framework of reference, well aware that we are moving on a field still largely uncertain and where we will need deep imagination and reflection in order to find viable solutions, even if difficult. Below, are only a few ideas that take into

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account the crisis that the Atlantic Alliance is going through and its military organization, NATO.

From an institutional point of view, we are not starting from scratch and, once again, President Macron has indicated the direction that can be taken. As already mentioned before, speaking during the ceremony for the 70th anniversary of the foundation of the Council of Europe (CoE), he identified in the latter the institution through which the relationship with Russia can be consolidated. The CoE is an international organisation, established in 1949, whose objective is to defend human rights, democracy and the rule of law in Europe; and it has a Parliamentary Assembly of which Russia is also a member, while the United States and Canada are part of it as observers. It can therefore be the starting point for starting a cooperative relationship with Russia. However, it is not a sufficient instrument, because security policy is not one of its aims.

It will therefore be necessary to activate another body, the Organisation for Security and Cooperation in Europe (OSCE), which, among its aims, has a security policy on the entire Eurasian continent and invites to take part, in addition to the member countries of the Council, the United States, Canada and the Euro-Asian republics. The OSCE, however, is limited by being a *sui generis* body, as the USA has always refused to make it the subject of a treaty.

In order to strengthen its role, it will be necessary to consolidate it by means of a treaty, in order to provide it with a minimum of formal common institutions: since the tasks of the OSCE and the CoE in some way overlap and in another way are complementary, the way forward could be to unify them, in order to make the OSCE the subject of a treaty. This last point, which is particularly important for relations with the United States, cannot be overemphasized. Indeed, the US has never had the experience of sharing common institutions with other countries,

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such as a supranational parliamentary assembly.

The policy of US involvement must not only be pursued and strengthened: in order to consolidate the continent's security, it will also require that the Atlantic Alliance becomes, in the future, part of the institution that will be created by the amalgamation of the OSCE and the CoE. In the meantime, it will be necessary to investigate through which policy the new institution could start, albeit gradually, a collaborative relationship that is in the interests of the EU and Russia.

Once again, it is the speech of Macron to the French ambassadors to indicate the way, when it has observed that the Russian political-economic system is weak («this great power which invests a lot on its armaments, which makes us so afraid, has the gross domestic product of Spain, has a declining demography and an aging country, and a growing political tension»). This observation seems to explain the meaning of the intervention of the Russian Ambassador in Brussels, Vladimir Chizhov, who, during a conference on foreign policy, organized by the Körber Stiftung in Berlin, in November 2018, proposed the establishment of a “economic zone” between the EU and the Euro-Asian Customs Union. This perspective was recently (2020) relaunched by the Russian Foreign Minister, Sergei Lavrov, during an interview with an Italian newspaper.

The content of this economic area, which should be implemented, has not been specified, but the proposal should be taken seriously. It goes without saying that progress in this area will have to be developed in the light of Macron's warning («moving forward on this path, once again without naivety»), and thus progress only in parallel with progress in the field of security. It would only remain to emphasize that the Euro-Russian reconciliation would be equivalent, for the Euro-Asian continent, to what the Franco-German reconciliation represented for Europe: the pacification of the entire Euro-Asian continent.

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The crucial point, however, is yet another, because the objective of stable continental security cannot be based on traditional treaties or alliances, but innovative solutions will have to be found. A contribution in this direction could come from the EU itself. The latter consists of historically consolidated national States which will hardly give up what is one of the symbols, if not the main symbol, of sovereignty, namely the armed forces. One possible solution to enable the EU to advance towards the establishment of a European defence and, at the same time, to maintain the national armed forces, is the American defence model that the Australian constitutionalist, Kenneth Wheare, called the “dual army” which for a long time characterized the American military structure. Wheare, in fact, pointed out that the American federation is the only one to have adopted a defense system based on a small federal army alongside State militias (now the National Guard). This system lasted, essentially, until 1916, on the eve of their entry into World War I, when the US began to reform its defense system, strengthening the federal level.

The EU, if it wants to make progress towards a federal defence system, could follow the same path, providing the EU with a minimum military structure to conduct peace-keeping and peace-enforcing operations outside its borders, let NATO continue to ensure the defence of the European continent. This type of defence would come close to Gorbachev’s idea of a “defensive defence”, as the EU military apparatus would be based on a minimal structure at the federal level alongside the national armed forces whose tasks would be, in fact, mainly oriented to territorial defence.

3. A Peaceful Cooperation Area from Vancouver to Vladivostok. A Proposal

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According to various political pundits, the European Union (EU) is not an international power: it is viewed as having a limited influence on peace and war, free trade and protectionism, with the main decisions taken outside Europe.

This common point of view is not correct. While it is true that the European Union is not a military power, Europe is the continent in which the interests of the USA and Russia collide, and the EU has the responsibility, and the power, to bring about a radical change. The US and Russia are stockpiling nuclear weapons and forcing people to choose between these two hegemonic areas. The Ukraine and Belarus crises are a case in point. Both countries are members of the Eastern Partnership (EaP), an economic cooperation pact proposed by the EU in 2009, and both also belong to the Eurasian Economic Union (EEU), an economic cooperation pact proposed by Russia in 2010, which in 2011 became the Eurasian Customs Union (ECU). As the EU member states in Central Europe also belong to NATO, the dilemma of these two countries is that they are crucial to both Russian security and European security. They cannot be independent.

The reason for this disconcerting arrangement dates back to the end of the Cold War and German unification. After the successful Reykjavik deal (1986) with Reagan for nuclear disarmament, in 1987, Mikhail Gorbachev proposed in Prague and Warsaw a “kind of European Reykjavik” to complete the process of disarmament between the two superpowers. Gorbachev viewed the “Common European Home”, as a kind of union among European countries, USSR included, to promote security, peace and economic prosperity. Later on, when the question of German reunification was on the table in 1990, he asked Chancellor Kohl to ensure: “the non-extension of NATO military structure onto East German territory”. The dissolution of the USSR generated a new, completely different scenario. Many central European countries, former members of the Warsaw Pact, requested to join the EU and NATO, meaning that its eastern borders now

reached up to the area viewed by Russia as vital for its security.

NATO is a military alliance that was created to contain the expansion of Soviet Union in Europe. But today there is a different issue at stake. Not only has NATO expanded eastward (originally it had 12 members, now it has 30), but it is also making inroads outside of Europe: by “contact countries” including Australia, New Zealand, Japan and South Korea, with the aim of containing China. Lastly, since 1999 it has intervened in Kosovo, Afghanistan, Iraq, Libya and Syria. Its Secretary General, Jan Stoltenberg, proposes turning it into a global alliance. So what does the future hold for the military organisation created to contain the USSR?

In order to answer this question we have to consider three hurdles. The first is the global trend towards increasing conflicts among great powers, mainly the USA, Russia and China. The Trump administration showed that the US government could refuse to accept the multilateral rules established after the end of World War II. The USA is a declining superpower, which is unwilling to relinquish its leading role in the world (“Make America Great Again”), and is interested in forging bilateral deals with other countries in which it can prevail; China is an emerging power, less powerful in military terms than the USA, but its equal technologically and economically; Russia boasts enormous military and nuclear power inherited from the USSR. These three major powers share a common ideology: nationalism. A scenario of increasing international disorder is the consequence of conflicts among them. For instance, India is following the same nationalist approach as China to international relations in Asia and the Middle East. Peace is impossible due to the conflicting interests of the major powers.

The second concern is the NATO policy of eastward expansion, and

Russia's reaction to this. In 1994, the European countries asked NATO to adopt an inclusive approach towards Russia. At the time Russia's economy was in crisis and the democratic regime was under siege by the Communist party and the ultra-nationalist party. NATO proposed the Partnership for Peace (PfP): a forum to discuss issues of cooperation, which would include Russia as a non-member country. But there was a clear difficulty. The NATO policy of enlargement eastward was viewed by Russia's government as a threat to the security of Russia. An American opponent of expansion, George Kennan, the father of containment policy, said that pushing ahead with expansion: "would inflame the nationalistic, anti-Western, and militaristic tendencies in Russian opinion, ... have an adverse effect on the development of Russian democracy, and restore the atmosphere of the Cold War to East-West relations" (Menon R., Ruger W., "NATO enlargement and US grand strategy", *International Politics*, 2020: 374). This view was based on a profound knowledge of Russia's history and people. Nonetheless, some member of the former Warsaw Pact asked for NATO's protection and President Clinton continued to push for enlargement. Russia's President Yeltsin, told President Clinton that Russia would regard expansion "as a sort of neo-isolation of our country in diametric opposition to its natural admission into the Euro-Atlantic space.... We have a different approach, one that leads to a pan-European security system". But Clinton refused to acknowledge the Russian stance. When Yeltsin requested for the Baltic states not to be incorporated into NATO, Clinton's answer was "No, I will not make that commitment.... All you are doing is moving the line of the divide between East and West...farther to the east" (Menon, Ruger, *ibid.*, 382). The EU was not able to provide military security for its members and Clinton's desire for hegemony caused him to make an historical error: enlarging NATO without the agreement of Russia's government.

This short summary of the history of NATO enlargement shows how it is now impossible to make progress in Europe towards a peaceful agreement between NATO member countries and Russia, without admitting Russia as a full member of the club, with the same duties and rights as all the other members (US

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included).

The third hurdle is the EU's defence policy. According to the Maastricht Treaty (1992), the EU was to have a European defence force. But no serious action was taken to fulfill this. As a result, the European countries that were former members of the Warsaw Pact asked to join NATO as soon as possible. The EU's ineptitude is one of the causes of the current controversies and protests in Europe. So will the EU equip itself with its own defence force? The above chapter (No 2) provides some answers, including in terms of its structure. But the big question is: how much money and personnel should be allocated to an EU defence force? Will the EU become a great power or will it remain forever dependent on US protection? EU defence should not need to have a huge budget (within NATO or outside NATO), if we consider that Russia's total military expenditure is only a little higher than France's. There is also another aspect to take into account: the difference in budget required in a scenario in which two major powers, Russia and the US, two rival great powers, are stockpiling nuclear armaments, increasing the risk of war, and alternatively, in a continent in which all countries have entered into a security pact for peaceful cooperation, a "kind of European Reykjavik", as Gorbachev proposed.

Here, I will try to show that this second scenario is possible. We do not need a revolution to resolve the European logjam of conflicts, interests and ambitions, just the full implementation of the NATO statute. Article 2 states: "The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them". Russia should be invited to join the club, as part of a plan to extend NATO's mission, at present mainly

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military in nature, in order to create an area of peaceful economic cooperation from Vancouver to Vladivostok. This can be achieved by forging agreements such as the European Economic Area (EEA), which includes the EU countries, Iceland, Liechtenstein and Norway, or along the lines of the Swiss agreement with the EU: Switzerland is not a member of the EEA, but it is part of the single European market. Of course, I am aware that these models cannot be adopted as they are today, because the US, Canada, Russia, Ukraine, Belarus and the other members of the Eurasian Customs Union will certainly demand changes. Nevertheless, the core of the proposal is clear: it would be a new Treaty implementing the four freedoms which were the foundation stone of European integration: freedom of movement of goods, people, services and capital. Of course, the New Atlantic Treaty should not be simply a replica of the EU: the most important goal is to start a process to abolish national borders, in so far as they divide people and produce conflicts among national governments.

The reform of NATO proposed here will not only change the international relationships between states from Vancouver to Vladivostok, but will change the entire landscape of international relations, especially with China, showing that the path towards peaceful, prosperous coexistence is not just a dream.



Did it go as we wanted, what are the benefits and how to continue?

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION^[1]:

“The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.”

What do you think, in pursuing an association treaty with Ukraine, has Europe respected this fundamental right to live in peace? If not, is it only Russia’s fault, or could the EU have prevented this war?

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After the fall of the Berlin Wall, November 1989, conflicts surfaced all over the world that had remained covered until then. In 2014, an armed conflict began around the EU-Ukraine Association Treaty, 110 km from the western border of the Russian Federation, 1500 kilometers east of the EU territory. A consequence of the EU neighborhood policy in the case of the Ukraine is more than 10,000 deaths. This included 298 passengers and crew members of flight MH17, a KLM flight operated by Malaysia Airlines from Amsterdam to Kuala Lumpur. It is only after this war accident that national air traffic control in Kiev closes the airspace. In addition to the dead, there are tens of thousands of injured and disabled, more than a million persons fled. Angela Merkel's first reaction to the bad news was shocked: "We would not have expected to see something like this again in Europe". But the coming decade might see a similar bloody transformation in Belorussia following pro-democracy driven militant action backed by increasing Western political, diplomatic and military and civil society support.

The EU has long and short-term planning departments. They must have known about the likelihood of a civil war, or they did not do a solid and reliable job. The EU supported the demonstration on Maidan Square and strengthened the Association Treaty including military support and cooperation in the area of homeland security and justice.

The armed conflict in South-Eastern Ukraine is an example of a failed implementation of the United Nations Charter. Failure by the North American United States federation, the Eurasian Russian Federation, the old colonial European states, the Ukrainian government and its divided population. Failure by a series of regional organizations as allowed by Chapter VIII of the UN Charter: the European Union, Council of Europe, OSCE, NATO, CIS. Fortunately, as aspiring world citizens, we still have the Red Cross, which actually provides humanitarian aid where governments fail.

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Following the success of 'EuroMaidan' the civil war predicted by experts broke out. The lives of many people in Ukraine have been devastated, immediate living conditions degraded. That cannot be according to European values, is not in line with the lessons learned from the series of German - French wars. That should be done better.

Does the Association Treaty contribute to the development of Ukraine?

The current Ukrainian population lives in three areas: (A) Western Ukraine with Kiev as the undisputed capital, (B) Donbass and Luhansk region and (C) Crimea. A roadmap to peace is not provided by the EU Association Treaty, but crucial to a healthy development and a dignified existence of the citizens.

The EU contributes to positive development through its stabilizing influence, reduction of corruption and slow transformation of a corrupt oligarchy into an integer democracy. The US continues military support, such as the lethal anti-tank weapon "Javelin" in 2018 for Western Ukraine, more than a commercial arms supply^[2].

Kiev and Brussels will normally take further steps in economic, judicial, police and military cooperation. Implementation of the current treaty helps to meet the Copenhagen obligations. EU standards are introduced into legislation and practice. The deep free trade area will make Ukraine more independent from Russia. There is also massive financial support. "Since 2014, the EU has contributed EUR 18 billion in loans and guarantees. We have opened our borders and enabled free trade. Ukraine's exports have increased. That's more than the US has done. " says EU advisor Elmar Brok^[3]. For the time being, these

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advantages apply only to area A.

Area C, Crimea, may present a similar situation to what existed between East and West Germany for decades. Military intervention could trigger a major regional war, taking that risk is unwise. We have seen in Syria what the Russian military was able to do after its Mediterranean base was attacked. There will be more casualties than the one killed commander in the Russian action of 2014 to take back the Crimean peninsula given away in the 1950s. Also, the large Russian-minded majority in Crimea will not change their mind and suddenly opt for the Kiev based regime. Why not respect the right of the majority in Crimea the country of belonging? Do we want to award nationalists and maintain an outdated Westphalian state system in a globalized interdependent world?

Area B, Eastern Ukraine, should be embedded in a new constitution as part of a sustainable peace settlement. This is a necessary step, the current, not really respected, armistice is an insufficiently stable basis to enable healthy and dignified development. Alternatively the Ukraine risks to split into a sort of Belgium, the Netherlands and Luxembourg of Eastern-Europe. If not ongoing low intensity conflict for years to come, devastating living conditions in that European region.

What does Ukraine offer the EU?

The major advantage for the EU is the expansion of the European area ruled from the capital, Brussels. Kharkov's weapons factories no longer produce for the Russians. The trading volume is increasing in size and also in quality. Police and judicial cooperation offers more possibilities for the investigation and trial of offenders. Security cooperation covers partially the NATO military requirements.

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In theory, a corrupt oligarchical society turns into an incorrupt transparent democratic society with a constitutional state incorporating the European values.

In 2014, a greater area of freedom, security and justice was not created while preserving human dignity. Initially, the development of all of the Ukraine has fallen back. The main negative outcome is the unstable situation in Eastern Ukraine and the deterioration in relations with the EU's large neighboring country, Russia. What went wrong is not only due to Russia, EU actions have also played a role in this. Current and future generations have to learn how to better implement the decision of the peoples of Europe to share a peaceful future based on common values by establishing an ever closer union^[4]. As an emerging power, the European Union can draw on a rich history. The experience of the reconciliation between Germany and France in the post-WW II reconstruction phase, including a large civil society of organizations such as Pax Christi and ARTE, can inspire community building on the Eurasian continent . Let us hope the peace negotiations in the Normandy format, with the help of France and Germany, succeed in the short term and are not stalled nor sabotaged by a Ukraine-US refusal to a peaceful settlement of the dispute. This will be good for all citizens, from the Pacific Ocean to the Ural mountains.

^[1] the Charter of Fundamental Rights of the European Union

OJ C 326, 26.10.2012, p. 391-407, first sentence proclaimed

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:C:2012:326:FULL>

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[&from=EN](#)

[2]
<https://www.atlanticcouncil.org/blogs/ukrainealert/lethal-weapons-to-ukraine-a-primer/>

[3] See:
<https://www.promoteukraine.org/elmar-brok-who-has-done-for-ukraine-more-than-the-eu/>

[4] Similar to the original text in the Charter of Fundamental Rights of the European Union

OJ C 326, 26.10.2012, p. 391-407

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:C2012/326/02&from=EN>



A turning point for Europe and the World

The coronavirus outbreak has shaken Europe and the whole world. It has put a stop to our most important freedoms, changing our way of living and working. Our healthcare systems have been put under severe stress and, most sadly, people have lost their loved ones.

The public health challenge quickly became the most drastic world economic crisis of the last century. Given the uncertainty of the situation, it is hard to provide accurate estimates of the economic slowdown we are facing. Anyway, the calculations of the European Commission suggest that overall the EU economy should shrink by more than 7 per cent in 2020, reaching even 16% in case of a

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second wave and extended new lockdown measures.

As expected, the European Central Bank (ECB) has been the first one to provide support to the economy. Under the Pandemic Emergency Purchase Programme (PEPP) initiated in March 2020, which is added to the older QE programme still in place, the ECB is due to buy 1.600 billion Euros in public and private sector debt in 2020, equivalent to 14 per cent of the Eurozone last year's GDP. Moreover, the ECB is not buying assets in line with its Capital Key, giving instead more support to the countries hit hardest by the pandemic. The intervention of the ECB aims to provide the necessary liquidity and guarantee a smooth functioning of the financial markets.

Secondly, the European governments stepped in. The EU encouraged national supports by allowing the full flexibility in the budgetary and State aid rules. The European Commission took the decision to suspend the Stability and Growth Pact, based on the provisions included in the Treaties. As a result, the intervention has been of an unprecedented scale. This is surely welcome, since this package of measures provided vital support to workers, businesses and in general to the Member States' economies in the first phase of the emergency.

Yet it is also a cause of concern since it risks to deepen the differences between countries and to provoke an unbalanced recovery. The main problem is that the economic crises has been symmetric in the sense that everyone has been affected, but it has been asymmetric in the magnitude of the resulting economic slowdown. In particular, the economies relying mainly on services, tourism, exports and composed in large part by small businesses have been hit much harder than others. Worryingly, this description fits best with the countries having higher government debt ratios, such as Italy, Spain and France. As a consequence, the fiscal stimulus provided by those relatively less affected by the pandemic (like

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Germany) are greater than the ones put in place by the countries facing the most severe economic damage.

In this context, it is absolutely necessary a European response. Acting at European level is the only way to ensure a fair and balanced recovery. The European Commission has proved to be well aware of this, and in May has officially proposed a new Recovery Plan for Europe, including an instrument called Next Generation EU, within a revamped EU budget. First of all, it can be argued that a larger EU budget is needed regardless of the current economic situation. Indeed, a large centralised federal budget is required for a currency union to work properly. In any case, history has shown that often dramatic events are needed to spur a decisive political action.

Next Generation EU

Specifically, the Next Generation EU proposed by the European Commission amounted to €750 billion - €500 billion in grants and €250 billion in loans to Member States. The European Council on July 21st decided to change the amounts to €390 billion in grants and €360 billion in loans, leaving the total to €750 billion. The funds will be borrowed on the financial markets and will be repaid starting from 2028 until 2058 through future EU budgets. In addition to the Next Generation EU, the Commission has proposed a revamped 2021-2027 EU budget, amounting nearly to €1.100 billion, which has been confirmed by the European Council.

The agreement reached by the national governments is a sort of watered-down compromise with respect to the initial proposal of the Commission, due to the unanimous approval required to pass the Plan (the perfect example of fake

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democracy that needs to be urgently reviewed). Nevertheless, this represents a historic moment for the European integration and its way of addressing common challenges. As a matter of fact, the crucial aspects of the plan have been confirmed by the Council: common European debt and new own resources. Now the hope is that the Member States will propose a set of credible reforms to be implemented with the upcoming funds.

For a detailed description of the actual programs proposed, the reader can refer to the documents released by the European Commission (the documents can be reached at the following links. “Europe’s moment: Repair and Prepare for the Next Generation”:

<https://ec.europa.eu/info/sites/info/files/communication-europe-moment-repair-prepare-next-generation.pdf>. “The EU budget powering the recovery plan for

Europe”:

https://ec.europa.eu/info/sites/info/files/about_the_european_commission/eu_budget/1_en_act_part1_v9.pdf). Hereby a few considerations are made about the plan

trying to highlight the most relevant aspects, which in fact make the European Union one of the global player most ready to affirm the liberal values and aware of the modern, global challenges we all are facing.

Firstly, it is worth noticing that the Plan includes both short term support and medium to long term investments. Indeed, although supporting workers and businesses is very important, it is not enough to provide a stable economic recovery. The immediate support has been provided mainly via the SURE program (temporary Support to mitigate Unemployment Risks in an Emergency), as well as by the measures taken by the Member States. These kinds of interventions are essentials to protect the livelihood of people in the short run.

But the Next Generation EU also recognises that a proper economic recovery

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requires new jobs to be created. Indeed, there are only two ways in which the economy can grow: by increasing the number of workers (more precisely, the total amount of time spent at work) and/or by increasing the output per worker (the output per unit of time). The EU acknowledges this by proposing a number of new investments capable of creating new jobs. In particular, it focuses on the European Green Deal and on the Digital Single Market. It is also important to bear in mind that this intention is not new, but it was already included in the program of the previous Commission (the Juncker Commission), resulting from the discussion between the Commission itself and the European Parliament. The pandemic has thus accelerated and made more urgent something already thought by the previous Commission.

It makes sense for the EU to focus mainly on these two topics. The two of them represent a shared interest of the whole European people, so a common coordination at federal level is welcomed. Moreover, such policies look at the present and at the future - and can serve as a guide for the world in two areas where a global response would be preferable. Preserving our planet is a duty we have for the next generation (or we can say even for ourselves, given the most pessimistic climate-change forecasts). And a deeper Digital Single Market is needed for a fairer and easier business environment, now and especially in the coming years.

The tech industry is object of a fierce debate. As of now, it seems hard to state that the tech giants represent a problem, since the users enjoy free and innovative services. But the point is that, first of all, such services are not really free, since users give up their data which are extremely valuable - a lot more than they can imagine. And secondly, the dominance of a few firms in an under regulated environment prevents smaller businesses to grow and compete. In the long term, the lack of competition inevitably results in less innovation, less grow, and more inequality. Thus, the Commission stresses the importance of striking a

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balance between the free market and the need to prevent the abuse of market power and to ensure a fair market place for potential competitors. The importance of a Data Act is also highlighted, to handle data sharing across Member States and sector.

Another relevant aspect is the need to retrain workers. The pandemic has accelerated a trend that was already in place, in which some sectors of the economy are losing importance at the expense of others. As a consequence, workers need to acquire new skills and to adapt to the new jobs. It is somewhat understandable that this process can create fear, especially among the low skilled workers. But this is precisely how the economies should work. Moving towards more productive industries boosts the economic growth; in turn, this improves the living standard over time. It is up to the politics creating the conditions to minimise the short term costs of this transition. The “Skills Agenda for Europe” (another point of the Recovery Plan) will address this very important topic.

The issue of public debt is also very telling. The common eurosceptic argument among the southern States goes that the European Union is obsessed by the public debt and is against it in any circumstance. If this can be the case for the group of countries that defined themselves as “frugal”, the Commission has instead shown a different approach. As said, the Next Generation EU will be financed on the financial markets, i.e. by public European debt. Here the Commission is making a crucial point. First of all, the deficit spending is useful to help the economies to escape from a recession; this has been immediately clear when the Escape Clause has been triggered. And secondly, the public debt is desirable when it is used to finance long term, structural investments - as the ones proposed in the Next Generation EU. As a matter of fact, the benefits of the plan will be released over the years, so it makes sense to pay for them over time as well. In other words, the payers and the beneficiaries of the investments tend to be the same. On the contrary, the EU opposes the deficit spending for

financing current expenditures, since the next generations are left with the burden of more debt but with no benefits at all.

A special consideration has to be done for the implications of the European bonds, whose guarantor will be the EU budget that needs to be expanded accordingly. A first way to do this would be an enlargement of the contributions by the Member States. But this is not a desirable method because basically it would translate in an increase of the national debts. The Commission has therefore proposed a number of new own resources, such as a Carbon Tax based on a Carbon Border Adjustment Mechanism, a new Digital Tax building on the work done by the OECD, and the proceeds from fighting the fiscal dumping and money laundering. Fortunately, such proposals have been accepted by the European Council. It stated that “the Union will over the coming years work towards reforming the own resources system and introduce new own resources”. As examples, it cited a carbon border adjustment mechanism, a digital levy and a Financial Transaction Tax (the final document released by the Council can be found here: <https://www.consilium.europa.eu/media/45109/210720-euco-final-conclusions-en.pdf>). This aspect of the plan is truly revolutionary: it marks the beginning of a genuinely fiscal capacity of the European Union, which is added and works in parallel to the one of the Member States. This has been possible by taking advantage of the “implicit” federal powers of the EU, without reforming the Treaties. Some observers are finally referring to this as the European “Hamiltonian moment”.

Last but not least, Europe will pursue a model of “open strategic autonomy”. By this term, the European Commission means to reduce dependency and strengthen security of supply in areas like pharmaceutical or raw materials. Far from having a self-sufficient spirit in general, the Commission wants instead to create an environment more protected by future shocks in certain key areas. In order to make this clear, the word “open” stands to indicate the commitment to open and

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fair trade, as well as to international cooperation and common solutions for shared global questions. One of the most misguided concept of the sovranist parties is that international trade and in general international affairs are zero-sum games in which one country can gain only at the expense of another. This is just wrong. Everyone has to gain from fair trade and international cooperation. The Commission is thus pushing for a stronger Europe in the world, capable of leading the global response working closely with the international organisations, as it is actually already doing. The necessity of addressing certain issues at global level is arising, and the EU is in fact stressing the need of a global sovereignty in such key areas.



European Parliament calls for paradigm shift

Ahead of the presentation of the European Commission's "Chemicals Strategy for Sustainability", announced for October 2020, the European Parliament was called on July 10 for a tightening of chemicals policy and concrete ban on toxic chemicals in a resolution initiated by the Greens/EFA Group. Endocrine disruptors in cosmetics, toys and food packaging and long-lasting fluorochemicals in coatings on drinking cups, pans and clothing have to be banned. The text has been adopted with a large majority of Christian Democrats, Socialists, Liberals, Greens and Leftists, and they called on the European Commission to tighten the European chemicals law REACH. The same standards should apply to new products and products made from recycled materials, so that no dangerous chemicals are kept in the circular economy.

The protection of human health and nature as well as the planetary boundaries are at the core of today's resolution. In the future, all forms of pollution should be prevented or reduced to a level that is no longer harmful to human health and the environment. The upcoming EU's Chemicals Strategy for Sustainability should also take into account resource depletion, energy use in chemical manufacturing, health, social and environmental standards, and human rights along the supply chain.

The European Parliament's resolution shows the way forward for the European chemical industry. The chemical sector should not fare like other key European industries. The best products must continue to be produced in Europe. The ambitious, sustainable chemicals policy demanded by the European Parliament is therefore an opportunity for industry to invest in future-proof and crisis-proof

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technologies.

Toxic chemicals are suspected of causing cancer, can adversely affect human development, reduce the effects of vaccinations, increase the risk of infection and cholesterol and lead to a reduced birth weight of children. Parliament's resolution comes just a few days after the German Environment Agency warned of more and more chemicals in the blood of children. For every fifth child, long-term damage from exposure to the extremely long-lived group of per- and polyfluorinated alkyl substances ("PFAS") cannot be excluded. The parliament today calls for the use of all 4700 PFAS substances to be banned in all non-essential applications.

As part of the European Green Deal, the European Commission announced in December 2019 its ambition of a "zero pollution ambition for a toxic-free environment". An important element of this ambition will be the "Chemicals Strategy for Sustainability", which is to be presented by the Commission in October 2020.

MEP **Sven Giegold**, financial and economic policy spokesperson of the Greens/EFA group commented:

"We are calling for nothing less than a paradigm shift in the chemical industry. To protect our health and the environment, we have to start the ecological transition the chemical industry. We need a zero tolerance strategy for toxic chemicals in Europe. A strengthening of the European chemicals law is necessary. It must finally also regulate polymers such as plastic. It is unacceptable for environmentally harmful plastic to fall through the grid. The European chemicals law must become more efficient. Instead of laboriously banning one dangerous substance after the next, we should tackle substance groups as a whole. In this

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way, we could prevent toxic endocrine disruptors such as Bisphenol-A from being replaced by the almost identical Bisphenol-F or S. The Commission must now present criteria for sustainable chemicals and set concrete targets for reducing energy and resource consumption.

The precautionary principle and the protection of people and the environment must guide the European chemicals strategy. The zero pollution ambition benefits a toxic-free environment and healthy consumers. Sustainable chemical policy not only protects our health. It is also an opportunity for the European chemical industry to invest in future-proof and crisis-proof technologies. Clean chemistry “Made in Europe” makes European industry future-proof. Only a sustainable industry can remain competitive and secure the 1.2 million jobs in the European chemical industry.

Europe has the best chemicals legislation in the world. In practice, however, enforcement is lacking. Member States must finally implement REACH consistently to help the best products penetrate the market ”

Link to the text of the resolution (no major amendments have been adopted): https://www.europarl.europa.eu/doceo/document/B-9-2020-0222_EN.pdf



POLICY PAPER

Abstract

This paper[\[1\]](#) *addresses two questions:*

- 1. What is the European Union?*
- 2. Did European Philosophy shape the creation of EU? If so, how?*[\[2\]](#)

Despite the paradoxical status of a polity still floating between the ideal status of a Political Union, in the form of a Parliamentary Super-National Democracy, as stated by the Lisbon Treaty now in force, and the present reality of an inter-

*governmental organism which has been governed most of the time by national prevailing interests, the EU disposes of all the institutional means to stop the process of dissolution which has gone on for the last fifteen years or so, and to start a new phase of political integration. **After the Covid19 Crisis we are witnessing rejoicing signals of a turn in the right direction: an opportunity which should definitely not be wasted, but accompanied and supported by all European citizen of good will.** The two levers of this process are the constitutional principles embedded in the Treaty of Lisbon and the principle of participatory democracy, allowing new and compelling forms of citizens' legislative initiative.*

1. What is the European Union?

The Treaty of Rome (1957) is universally recognized as the act of birth of what we now call the European Union, but what is the European Union?

This is a very philosophical question, that requires a very philosophical answer.

“Nobody knows” is one possible (but false) answer. The true (though seemingly nihilistic) answer is that the EU is nothing, for it does not exist.

Understanding this point is important, so let's clarify.

The name “European Union” first became the official name of the thing through the Treaty of Maastricht (1992), which is officially called the “Treaty on European

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Union.” Now, if we read the first article of this Treaty, we immediately come across the *Paradox of the Nonexistent Object*. Let’s call it the *EU Paradox*.

The original text of this treaty, which has since been replaced by a subsequent version and most recently by the Treaty of Lisbon (2007, enacted in 2009), is - with all the others- available on the official EU website: <http://eur-lex.europa.eu/collection/eu-law/treaties/treaties-founding.html>.) The Article reproduced belongs to Title 1, Common Provisions:

Article A

By this Treaty, the High Contracting Parties establish among themselves a European Union, heinafter called ‘the Union’.

This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen.

The Union shall be founded on the European Communities, supplemented by the policies and forms of cooperation established by this Treaty. Its task shall be to organize, in a manner demonstrating consistency and solidarity, relations between the Member States and between their peoples.

1. Analysis of the opening text of the EU Treaty.

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First paragraph: the performative act, “instituting” the Union – the thing exists!

Second paragraph: a curious setback – this statement leads us back from the created thing to the process of creation. Now, the institution of the Union is only a “new stage” in the process of creating a union!

Third paragraph: this one is really amazing – it dissolves the unity into a plurality: the Union is redefined as just a set of relations among States!

Weird, right?

1.2. The State of the Art: The Treaty of Lisbon

The Treaty of Lisbon (2007) is, of course, a culminating synthesis of the many steps that preceded it in a very long process, so the question, now, is this: half a century after the Treaty of Rome, has the process come to an end? Does the Union exist yet?

Yes and no. It is true that if to have causal powers is to be real: the Treaty of Lisbon (for the first time) clarifies both that the Union has powers and what they are^[3]. It also gives the EU full legal personality. The Union, for example, has the ability to sign international treaties in the areas of its attributed powers and join international organisations.

But the Treaty, once more, does not tell us *what* the Union is.

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As you may know, the Treaty of Lisbon started *as a constitutional project* at the end of 2001 and was followed up in 2002 and 2003 by the European Convention, which drafted the Treaty establishing a Constitution for Europe.

This project was tragically rejected by the negative results of two national referendums in 2005 (two referendums whose necessity was and is utterly questionable, as suggested below). Consequently the thing which should have been born - the *United States of Europe* - was not constituted.

The Lisbon Treaty, however, quite particularly keeps practically all the features of a Constitution.

1. The Axiological Foundations. Differently from the Maastricht Treaty, it does *not* say that the Union is founded on the preceding (economic) communities, but instead:

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail”[\[4\]](#).

2. The inclusion of a Charter of Rights, (like the Charter of Nice, approved in 2001), with its admirable table of 6 values articulating the four generations of civil, political, social, and cultural human rights: Dignity, Liberty, Equality, Solidarity, Citizenship and Justice.

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3. The clear definition of the Union not as an inter-government organism, but as a super-national democracy, with a super-national citizenry expressing a super-national Parliament, which nominates a Commission (or an Executive Organ); and with an independent Judiciary Power (The European Court). The Council of the State and Governments Representatives is only one of the decision makers of the Union.

4. The endorsement of the principle of *active citizenship*. In fact, here Citizenship is explicitly mentioned as an independent value for the first time ever on a charter of rights. Compared to the classic values of the XVIII Century, Dignity is also new: but it had already appeared in the German post war Constitution and, of course, in the first Article of the Universal Declaration of Human Rights (1948).

The Treaty of Lisbon expresses, in fact, the three fundamental principles of democratic equality, representative democracy and *participatory democracy*. Participatory democracy takes the new form of a citizens' initiative^[5].

1.3. Conclusions of the Ontological Analysis.

There is no nihilism in saying that the EU does not exist.

It does not (yet) exist as real, because it is (still) an ideal. Rivers of legal science have been spilt on the legal status of the EU, which is way less than a Federation and way more than a Treaty among national States. For the layman, however, a political union – as Altiero Spinelli has emphasized – is a Union only if it has a real sovereignty and a democratic polity only if it represents its citizens i. e., if it has a parliament and institutions of participatory democracy at a super-national level; if

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it is no inter-governmental organism (as the EU de facto is now) but a kind of State - a Federation of States, not necessarily with a common market and a common currency, but certainly with fiscal unity or at least the capacity to mobilize resources for common policy, and the normal institutions of a democratic (legislative, executive, and judiciary) State, plus a common military defence. The whole thing quite evidently does not (yet) exist. The EU does not exist as it should be, as it was born to be: as a Republic (*Res Publica*) or a political subject; a Federation of States or a Federal State.

1.4. Passage to the Second Question

The current state of affairs strikingly reflects the very nature of Europe, as defined by many philosophers, from classical Greece and onward.

Europe is not just a Continent, it is an idea. The Idea of Europe is the very tension between what *is* and what *ought to be*. It is the irreducibility of the Ideal to the Real, of Right to Power, of Values/Norms to Facts.

This irreducibility is definitely not a dogma - for it would be a false dogma, since the ideal has often been reduced to the real and the Right, or the Rule of Law, to actual, arbitrary power, or sheer force - as the tragic first half of the last century proves, as well as so many unbearable but absolute facts from the Near and Middle-East of present-day Europe.

“Irreducible” means “that it *ought not* to be reduced.” It is a moral stance.

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But this “ought (not)” is the central tenet of Philosophy, from its very beginning. It is the moral stance of Socratic Philosophy, which defines itself as a request of reason or justification, questioning arbitrariness wherever it is found. Socrates questions the arbitrariness of power by arguing against Trasimachus or Callias on Justice, he questions the arbitrariness of faith or tradition by arguing against Eutyphro on the Good, he questions the arbitrariness of pure thought by arguing against Gorgias on Truth and Knowledge.

So, if this is Philosophy, a Republic of Europe is a product, an incarnation of Philosophy. (Not of Christianity, or not essentially). But how, concretely? For Ideas do not have any effect but through the will of persons. So Europe, much more than by geography, is defined by a movement of liberty in two main directions:

- A “cognitive” direction: liberation from the bonds of tradition and the roots of inherited culture, towards critical thinking and quest for knowledge;
- A “practical” direction: liberation from arbitrary power toward the rule of law.

Because of these two directions of its constitutive movement, Europe is more than a continent: it is the cradle of both science and democracy.

A short reminder of the axiological contents of the Charter of Fundamental Rights of the European Union, which was ratified in Nice in 2000 and went into effect with the Treaty of Lisbon in 2009, will help us to grasp the very articulated structure of the Idea of Europe. Which, by the way, takes its name from that of a Continent just for historical, hence contingent, reasons: this Idea, and the whole

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of its articulated contents, being by definition *in principle accessible* to human sensibility, reason and experience, quite cross-culturally. In this respect, this Charter should be read side by side with the Universal Declaration of Human Rights (1948).

The Charter is organized around six chapters representing six different values—respectively, Dignity, Freedom, Equality, Solidarity, Citizens' Rights, and Justice.

Between the “alpha” of the equal dignity of persons, the foundation of what is due to each one of them, and the “omega” of justice, what makes it possible for people to live together in society, we find the values of the beginning of the French Revolution: Liberté, Egalité, and Fraternité. Like the Declaration of 1948, the Charter of Fundamental Rights represents an extension of the declarations of the 1700s, which inaugurated what Norberto Bobbio has called the “age of rights,” one that we can now see as perfectly positioned within the arc of exactly two centuries: from the Declaration of the Rights of Man of 1789 to the fall of the Berlin Wall in 1989. An extension, I said, because to the first two generations of civil and political rights that buried the Ancien Régime, the declarations of the twentieth- and twenty-first centuries have added two more generations of rights carrying the weight of the history, the axiological thought, and the battles of the centuries following the French Revolution—that is, the battles for social rights, from the movements of the nineteenth and twentieth centuries, and for cultural rights, with complex issues emerging from our multiethnic, pluralist societies. Thus, the third value from 1789 re-emerges under the name of Solidarity, which brings to mind the long history of European (and not only European) communitarian and solidarity movements. Three values that are, as it were, completed or integrated in the Charter by that of Citoyenneté^[6] (not yet named in the preceding declarations) that most directly leads back to the duties and virtues of active Citizenship and, therefore, to public ethics.

2. Did Europe as an Idea - or a Philosophy - shape the creation of EU, and HOW?

The answer is yes - at all times as the constitutional process toward the United States of Europe gained momentum.

The EU has many fathers, but in this particular respect (its ideal) the very father of the EU is a man who spent his youth in a Fascist jail meditating the greatness and tragedy of the whole European spiritual and political history, specifically the tragedy of “realised” Socialism in the Soviet Union. This man - Altiero Spinelli - came out of prison with an idea of the future of Europe - and the world - which was not only prophetic, but harboured the deepest innovation in modern political philosophy and the theory of democracy since the French Revolution. Or so I will argue.

There are *three* periods in which the federalist idea of Europe (as opposed, and yet complementary, to the functionalistic idea[\[7\]](#) which prevailed then and is prevailing most of the time - but maybe not in this very moment) gained momentum in a spectacular way:

- The very beginning: the direct or indirect influence of Spinelli on the *political* leaders which brought about the steps from the European Community of Coal and Steel (1952) to the Treaty of Rome: Churchill, De Gasperi, Adenauer[\[8\]](#);
- The Midway Period: from the first democratic election of the European Parliament (1980) to the Single European Act (1986) and leading, finally,

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to Maastricht (1992). Spinelli died in 1986, but the constitutional process in view of the creation of a super-national democratic and federal State would not have even begun without the epic effort Spinelli made to have the Draft Treaty for the European Union approved by the Parliament, which happened in 1984. This victory was followed by a famous endorsement by France's President Mitterrand. Spinelli wrote:

"Parliament recalls that the draft adopted is a Treaty in form and should therefore be adopted according to the proper procedure for treaties. *But, in content, it is a Constitution*, a fundamental law and should therefore be adopted according to the rules of the democratic assembly of the political body being created."[\[9\]](#)

- The final push for a Constitution. Spinelli was dead, but nothing better than the European Charter of Rights expresses his philosophy; we have seen that the "Common Provisions" of the Maastricht Treaty reflect the constitutional ideas rooted in his thought, and this is even more true of the Treaty of Lisbon. Not by chance, this part of the legacy of Europe is totally ignored today.

Thus we come to our last and most important point on the contents of Spinelli's vision.

Here is the famous incipit of the *Ventotene Manifesto*:

"Modern civilization has taken as its specific foundation the principle of liberty which says that man is not a mere instrument to be used by others but that every man must be an autonomous life centre. With this definition in hand, all those

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aspects of social life that have not respected this principle have been placed on trial in the grand, historical process that has begun”[\[10\]](#).

This is another passage expressing Socrates’s spirit at its best:

“The permanent value of the spirit of criticism has been asserted against authoritarian dogmatism. Everything affirmed must have reason in itself, or it must disappear. The greatest conquests our society has made in every field are due to the methodicalness of this unbiased attitude. But this spiritual liberty did not survive the crises created by the totalitarian states. New dogmas to be accepted like articles of faith, or to be accepted hypocritically, are taking over all fields of Knowledge”[\[11\]](#).

A brief comment on these two passages will conclude this paper.

Spinelli had the best European intellectuals of his generation on his side. Not only the co-authors of the manifesto and co-founders of the Federalist Mouvement, such as Ernesto Rossi, Eugenio Colorni, Ursula Hirschmann, but also Luigi Einaudi, Albert Camus, Ignazio Silone, Nicola Chiaromonte, Denis de Rougemont, André Malraux, Jeanne Hersch, Czeslaw Milosz, Adriano Olivetti, Guido Calogero, Norberto Bobbio, Mario Dal Pra and many others in all countries.

The roots of his thought, however, go deeper into that same - albeit rare, isolated, and mistreated even today - living stream of European XXth Century Enlightenment, which had its best figure in Edmund Husserl (and his writings on the Idea of Europe[\[12\]](#)) and its basest adversaries in Martin Heidegger and Carl Schmitt.

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Tracing back Spinelli's thought, nourished by his prisoner years, as he delved into the whole legacy of the humanistic tradition is no sheer scholarly worry. Europe has also provided the authoritarian and totalitarian states of the world with ideologies that have been revived, in recent times, by people capable of influencing the Present President of the US, evoking ghosts of a "Pan-European Union" based on traditional values and highly hostile to Modernity, Political Liberalism and Democracy[13]. Neo-Enlightenment, as a subtle thread in Early XXth Century Philosophy, defining itself against that kind of "dark and at times apocalyptic worldview" so popular in pre-Nazi Germany, has its theoretical core in Husserl's thought and the early phenomenological circles dispersed by Nazism.

The Idea of Europe has two Pillars according to Husserl, that constitute the exact opposites to the two principles endorsed by Heidegger in his infamous speech in 1934, the *Fuehrer Prinzip* and the Community-of-Destiny Principle of the German People (the same principles still pervading the newly published *Schwarze Hefte* written until 1948).

Here are Husserl's two neo-Enlightenment principles:

1. The principle of the Individual Person's Moral and Intellectual Autonomy, and more generally of his/her personal value-competence and value calling, source of human Dignity;
 - A Value Universalism resulting not only in Moral and Legal Universalism, but also in the idea of a "task" to embody Practical Reason into Institutions aiming to overcome a sociality based on common roots and cultural identity (including nationality) through a sociality based on face-to-face cognition-based discussion.

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These two ideas are implemented in the subtle, still too-ignored philosophy of democracy that Spinelli -autonomously, but on the same wavelength as Husserl - came to theorize. Democracy, much more than a form of government, is a form of life feeding a civilisation founded on both axiological and scientific research. Where politics and the legitimate exercise of power are essentially subject to critical reason, in which no field of human concern is dispensed from the regime of free rational and value-confrontation and in which the institutions themselves, expanding this regime to all domains of human activity, can only survive if founded on the critical wakefulness and sensible attention of (super-national) "citizens".

No theory can explain the meaning of these principles better than the inexhaustible work with which Spinelli was engaged from 1980-84 in order to have the Draft Treaty for the Constitution of the European Union discussed and approved by the European Parliament, as soon as it had been (for the first time) elected by the peoples of the Member States of the EC. This is the famous "Crocodile Initiative," whose first precious text - a Newsletter published in the first issue of the journal Spinelli founded to this purpose - is now available[\[14\]](#).

The European case is an unprecedented example of a super-national democratically elected Parliament - the Chamber of a non-existing State - managing to write the Constitution of a State yet to be built. Where

"the paradox ...is something which Spinelli feels the majority of parliamentarians do not fully understand: normally parliamentarians try to check the power of the executive, whereas the European Parliament seeks to increase it."[\[15\]](#)

...or so it should. However paradoxical, this is an actual (and difficult) task of Pure

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Practical Reason. A task, so to speak, *inscribed in the Treaty presently in force* (Lisbon) and hence somehow *embodied* in an institution - the EU. Other democracies do not embody Pure Practical Reason. The EU has to - if it wants to survive.

We - the European citizens - do have the legal and institutional means to push in that direction. Are our reasons, and our wills, up to the task?

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The basis of this paper is a draft for a conversation at the conference “The Eu at 60: Europe Since the Treaty of Rome” (European Institute at Columbia University, February 10, 2017). The term I had used in the draft was the more generic “polity”. I wish to thank Prof. Stefan Collignon of St. Anna College (Pisa, Italy) for suggesting the more explicit and classic term “Republic”, as well as the other participants for precious suggestions.

[2] The reader might be interested in consulting one of the sources of this contribution: *Phenomenology and Mind*, 8, 2015, “Philosophy and the Future of Europe”, (Habermas, Ferry, Glyn Morgan, Bauboeck, Bagnai, Bolaffi , Cacciari, Urbinati and Barbara Spinelli), with a reprint of Altiero Spinelli’s 1980 letter to the Members of the European Parliament which launched the Crocodile initiative. The online issue is available here: <https://oaj.fupress.net/index.php/pam/issue/view/517>

[3] The Lisbon Treaty for the first time clarifies the powers of the Union. It distinguishes three types of competences: exclusive competence, where the Union alone can legislate, and Member States only implement; shared competence, where the Member States can legislate and adopt legally binding measures if the Union has not done so; and supporting competence, where the EU adopts measures to support or complement Member States’ policies. Union competences can now be handed back to the Member States in the course of a treaty revision. For more information go back to the online version of the Treaty, or consult one of the numerous websites available, for example <http://www.historiasiglo20.org/europe/index.htm>

[4] http://publications.europa.eu/resource/cellar/688a7a98-3110-4ffe-a6b3-8972d8445325.0007.01/DOC_19

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[5] See the description of the ECI (European Citizens Initiative) act here:
http://www.europarl.europa.eu/ftu/pdf/en/FTU_2.1.5.pdf

[6] The French expression seems more adequate than the English (Citizens' Right), for citizenship involves not only rights, among which that of proposing referendums, but duties as well, as electing one's representatives, and respecting all the EU norms.

[7] The functionalistic approach aims at a gradual integration of European States (and not necessarily only European states) by the adoption of common rules and institutions governing their economic activities. At a global level, it is mainly bound to the work of David Mitrany (1888-1975), who was very influential with his book, *A Working Peace System* (1943), and motivated several generations of "neo-functionalists" in the Seventies and Nineties, when the modern "disregard for constitutions and pacts" through "a spreading web of international activities and agencies," predicted by this book, became evident on a daily basis. Yet the construction of the EU is more directly bound to the thought and activity of Jean Monnet (1888-1979), who - thanks to the unconditional support of the French Foreign Affairs Minister Robert Schuman - is the actual "father" of the first institutions of the EC (European Coal and Steel Community, European Economic Community, EURATOM), and the man who persuaded EC governments to turn their regular summits into The European Council. Differently from Mitrany, Monnet thought that the gradualist approach of functionalism, far from being incompatible with federal institutions, would foster the process of their construction. See J. Monnet (1962), D. Mitrany (2003).

[8] Even in the Treaty of Rome, which essentially institutes a common market (or rather the beginnings of it), the Preambles testify to the presence of Spinelli's thought at least in the last clause:

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“INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of Charter of the United Nations,

RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join their efforts

HAVE DECIDED to create an European Economic Community” (Nelsen and Stubb 2003, p. 17).

On the other hand, the idea of an European Constituency is quite clear in Spinelli’s printed works already in the early Fifties, not to mention the *Ventotene Manifesto*. Cf. following footnote. On the historical and ideal background of the first Treaties see J.P. Gouzy (2004).

[9] A. Spinelli, Forward to J. Lodge (ed,) 1986, p. xviii, our italics. Cf. A. Spinelli 1957; and Spinelli 1951.

[10] A. Spinelli (1944), p. 2.

[11] Ibid., p. 3.

[12] Especially the series of articles published in 1922-23 on the Japanese Journal « Kaizo » (Husserl 1922-37) and the Prague and Vienna Lectures of 1936, which

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constitute the early parts of his posthumous *Crisis* (Husserl 1976).

[13] “Those trying to divine the roots of Stephen K. Bannon’s dark and at times apocalyptic worldview have repeatedly combed over a speech that Mr. Bannon, President Trump’s ideological guru, made in 2014 to a Vatican conference, where he expounded on Islam, populism and capitalism” (J. Horowitz, “The New York Times”, 02/10/2017, https://www.nytimes.com/2017/02/10/world/europe/bannon-vatican-julius-evola-fascism.html?smprod=nytcore-iphone&smid=nytcore-iphone-share&_r=0). Mr. Bannon typically revives an obsession about civilizations and cultural identities which was typical for early XX century’s best sellers as Oswald Spengler’s *Untergang des Abendlandes*, a book recognized as a source even by S. P. Huntington (1996) - another favourite book of Bannon’s (“The New York Times” 02/02/2017)

[14] A. Spinelli (1980) “[Le Parlement Européen à la Croisée des Chemins](#)”, dans : *Phenomenology and Mind* 8, 2015, « Philosophy and the Future of Europe », pp. 311-320

[15] M. Burgess (1986), in Lodge 1986 p. 183

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There is growing awareness that, these days, mankind is faced with difficult choices. The unfair distribution of resources and power in the world, the resulting large-scale-migration, environmental crises and pandemics - also caused by a deteriorating connection between men, nature and the land - , the digital revolution and the conflicts between world powers; all these are signals that we are going through an *epochal change*, rather than an epoch of change.

In 1941, in the midst of World War II, a few antifascists who were interned on the island of Ventotene realised that an epoch was closing. The European system could no longer provide for the progress of its peoples. For many centuries, there had been a repetitive pattern, steady swing between fights for hegemony and attempts to strike a new balance among European powers. The actors on the

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scene were nation-states, the main instrument of their confrontation was war, and the scene was Europe - back then, the centre of the world.

The *Ventotene Manifesto* postulated the end of nation-states as a historic and political fact founded on the principle of absolute sovereignty. The first federalist movements were launched: the *Movimento Federalista Europeo* in 1943, then the *Union des Fédéralistes Européens* in 1946 and the *World Federalist Movement* in 1947. Those profound intuitions gave rise to the long process of European unification, based on the establishment of common supranational institutions. The relations between states, previously founded on violence and war, were transformed into relations based on law and peace. The start of the first supranational era in history put an end to the constant swing between balance and hegemony among European states.

For almost forty years, the world was governed by the balance of powers between the USA and the URSS, based on the nuclear deterrent. The process of European unification developed in the "west"; only here was the supranational process able to coexist with the values of freedom, democracy and social justice. In the west, the dominant power provided the two essential public goods: security and economic development, starting with monetary stability (the dollar standard).

1989 marked the end of that balance. What ensued was a short-lived attempt by the US to become the only global superpower (unipolarism), governing the world economic development. The start of European monetary unification in 1992 and the financial and economic crisis in 2007 showed that the US could not guarantee the development of the world alone, in spite of their technological and military

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power.

Other continental powers have emerged, or re-emerged: China, Russia, possibly India, and more. Seventy years of European integration have set up a state-like, though incomplete structure. The European Union has both federal traits - in those areas where its organs decide by majority - and confederal, where decisions are still made by unanimity (taxation and security, mostly).

As the world is congregating around global powers, this means that this is a *state-based world system* which, by its own nature, will necessarily swing between “*balance and hegemony*”, just as it used to do: in turns, actors will try to secure a strong competitive advantage over others (e.g. in digital or space technologies).

With its focus on the absolute sovereignty of states, this system will generally fall back on political models that were typical of the old European system and caused two world wars in the 20th Century. Back then, the development of the production process needed a continental market, the lack of which, coupled with a political framework lacking a “*common governance*”, led to war. Those confined in Ventotene became federalists because they learned that lesson and found the correct answer (“*for a free and united Europe*”).

Today, the globalization of markets, production, finance and consumption, as well as the growing pressure for international mobility for individuals, are nothing but the signs of deep movements towards a *growing world unity*. These signs can be seen in the *major revolutions and crises* that humankind is experiencing, bringing

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with them a new definition of the relationship between mankind, technology and nature. If it is not governed by global rules and institutions, the digital revolution can result in a new hierarchic order of states based on their “scientific know-how” – again, the power of a single state over others. If it is not managed by global democratic institutions, the environmental revolution risks endangering the balanced relationship between the human species and other forms of life on the Earth – again, triggering a possible fight among states to control resources and for the survival of the fittest.

What emerges is once more the historic dichotomy between the development of production, which is inherently global, and the underlying political and institutional structure, still based on nation-states (even though they are sometimes continent-sized). A few superpowers compete to be global rulers. The war with weapons is replaced by competition on international trade, digital technologies and, soon, space control. This shift is favoured by the present world order, so terribly similar to the order of European states in the 20th Century, which caused the annihilation of peoples on the old continent.

This is why it is so necessary now to go back to the alternative of Ventotene and to its fundamental truth (*political division among men produces war*) and to call to action, in order to build the first global supranational institutions: for environment, wealth, international trade, the monetary system and the digital world. Confirming the primacy of international politics over home politics, will support economic and political integration in Africa, the Middle-East and Latin America, because the unity of these areas will be a prerequisite for them to play an active role on the global stage. This, in turn, will strongly push ahead the process of political unification in Europe. Only with its own foreign policy, security policy and fiscal capacity will a united Europe be able to share the world stage on an equal footing with other continental powers, so as to lay the founding stones of a *common world home*.

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From this point of view, stronger EU institutions will turn the Union into an “open federation”, a model to be followed on the path towards a world federation.

The main point therefore is not to tackle the challenges linked to production processes and their institutional consequences on the basis of the idea of “power” (of one’s country), nor of a “closed” Europe that should balance other powers. Quite the opposite. Shaping the Union as an *open federation* is the essential prerequisite to set up an institutional framework that can strengthen the universal principle of “common interest”.

This is what mankind needs in order to progress on the path of unity.

Thus, *Ventotene is still a lighthouse for thought and action.*