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*Manuel Galiñanes, Mauro Casarotto & Leo Klinkers*

## SUMMARY

The governance of the European Union (EU) through treaties and without an adequate institutional structure is complex, inefficient, lacks transparency and legitimacy, and is difficult for citizens to understand. Furthermore, there is no clear separation of powers within the EU. While successive treaties have gradually increased the powers of the European Parliament, its ability to influence and develop policies remains limited and subordinate to the European Commission and Council. A serious problem for the EU is that its citizens generally know little about their elected representatives and lack information about how political decisions are made. The large number of actors, the complexity of institutional links, the lack of transparency in consensus decision-making within the Council, and the drafting of laws and regulations by unelected technocrats instead of popularly elected representatives, are all elements that call into question the democratic quality of the EU and erode its institutions.

To overcome these important problems within the EU democratic system, it is necessary to build a common European project where different powers are strictly separated and citizens have direct participation in decision-making. To this end, a Citizens' Convention led by the Federal Alliance of European Federalists (FAEF) was held between October 2021 and April 2022. The goal was to replace the EU treaties with a Constitution and establish the Federated States of Europe. The work of the more than 70 members who participated in the Citizens' Convention was encapsulated in a Constitution with ten articles that establish the necessary government structures of the Federation and delineate citizens' rights and duties

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## SUMMARY

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*To overcome these important problems within the EU democratic system, it is necessary to build a common European project where different powers are strictly separated and citizens have direct participation in decision-making. To this end, a Citizens' Convention led by the Federal Alliance of European Federalists (FAEF) was held between October 2021 and April 2022. The goal was to replace the EU treaties with a Constitution and establish the Federated States of Europe. The work of the more than 70 members who participated in the Citizens' Convention was encapsulated in a Constitution with ten articles that establish the necessary government structures of the Federation and delineate citizens' rights and duties.*

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## I. INTRODUCTION

The European Union (EU) is a unique and complex supranational entity, with central institutions, such as the European Commission, the European Parliament and the European Council, to achieve political, economic and legal integration among Member States. However, cooperation between States is carried out through intergovernmental treaties that allow the use of the veto with the option of voluntary exclusion in the treaties, thus leaving room for national interests and selfishness. Furthermore, the dual mandate of national heads of government acting simultaneously as national and European leaders in the context of the Council of the EU and the lack of full power of legislative initiative of the European Parliament create differences between Member States and European citizens. These elements have operated over the last decades causing disaffection and loss of confidence of citizens in the EU institutions [1, 2] to provide satisfactory solutions to the important common challenges of our time such as the environmental crisis, foreign policy, defence, political economy and civil rights. Though, it must be acknowledged that the argument of the existence of a democratic

deficit within the EU, an even the need for it, is not widely accepted and has been questioned by some scholars [3].

Now, the critical question is how to achieve a more integrated and democratic Europe that meets the needs of citizens and at the same time allows their direct participation, so that they can actively contribute to decision-making during the legislature and not be limited to the election of political representatives. The best way to achieve this is the creation of a European federation that thinks and acts from below, that is, from the base of the people in a centripetal manner, and that looks after the common interests of the citizens. Altiero Spinelli [4] and Robert Schuman [5] were the pioneers in advocating the creation of a European federation, an idea that has later been endorsed with the aim of achieving greater democracy and more effective governance of the EU [6]. A recent conference on how to achieve greater EU integration also suggested that federalization of the EU would help overcome nationalism, be better place to address internal problems, and have more influence globally [7]. It should be emphasised that a federal state is very different, in terms of efficiency, transparency and democracy, from the treaty-based intergovernmental system of the EU. Within a federation, Member States and their regions can live and work together without losing their own sovereignty, language, culture and traditions. In Europe, states such as Belgium, Switzerland, Austria, and Germany are examples of federal structure.

## II. FEDERALISM IN THE WORLD

The ideas of European philosophers such as Aristotle, Montesquieu, Rousseau and Locke on popular sovereignty and the doctrine of the separation of powers (*trias politica*), as well as the development of a political method by Johannes Althusius around 1600 [8], which contains the pillars of the formation of a federal state, laid the foundations for the establishment of the first federal constitution in 1787 through the Philadelphia Convention. The essence of Althusius' thought is the fact that the authority of a State must be developed from the bottom up,

that is, starting with the family, the street, the neighbourhood, the municipality and so on.

The Philadelphia Convention held in 1787, in which fifty-five people participated, drafted a constitution of only seven articles [9] that achieved the union of the thirteen former British colonies, which, as small independent states, had entered into conflict with each other by virtue of a confederal treaty. The drafting and ratification of the US Constitution established one of the most influential federal systems in modern history, creating a balance of power between the Federal Government and the States, and clearly defining the areas of competence of each level of government. This represented an unprecedented advance in constitutional law, so that the federal concept turned out to be the appropriate recipe for growth to the current fifty Member States of the USA.

Although it was not federalism in the full and complete sense, the Federal Pact of 1291 between the Swiss cantons of Uri, Schwyz and Unterwalden is also considered an important precursor of modern federalism by establishing a defensive alliance between the cantons and laying the foundation for the development of the Swiss federalism immediately after the Sonderbund War of 1848 [10]. However, over the course of the 19th and 20th centuries, and mainly following the example of the US federation, other federated states emerged on all continents. The Commonwealth Act of 1867, also known as the Constitution Act of Canada, established a federal system that shared power between the Federal Government and the Provincial Governments [11]. Other important historical milestones of federalism in the world worth mentioning are the Federation of Australia, which in 1901, adopting a federal system similar to that of the USA, consolidated the Australian colonies into a single country with a Federal Government [12]; and in Germany, the Weimar Constitution of 1919 laid the foundations for federalism in Germany by dividing the country into States (Länder) with significant legislative and administrative authority in each of them [13]. However, in the latter case, the subsequent centralization of power in the hands of the Federal Government was one of the

reasons for the failure and short duration of the Weimar Republic. More recently, India adopted its Constitution in 1950, following independence in 1947, establishing a federal system that has been fundamental in maintaining unity in such a diverse country [14]. There is no doubt that each of these developments has significantly contributed to the evolution and understanding of federalism as a system of government.

Federalism as a government system has been a success in the countries that have adopted it. However, it is worth noting that the term federalism is sometimes not used appropriately. For example, Russia, which is officially defined as a federation and has a federal structure in its Constitution [15], actually exhibits strong central government control over the regions that over the years has reduced the autonomy of local authorities, particularly under the leadership of President Vladimir Putin. Previously, regional governors were elected locally, but in 2004 this practice was changed by a law in which governors are appointed by the president, which has led to a loss of regional autonomy and greater Kremlin influence in regional politics. In addition, the central government controls many of the country's economic and financial resources, limiting the ability of regions to make independent economic decisions. In this way, the ruling United Russia party exerts strong control over the country's political system, undermining the capacity of regional political actors and calling into question whether Russia is a "true" federation. Analysis of the Indian federation shows that India also retained more than 10 aspects of central authority when it was created in 1950. One of them grants the President the power to appoint Governors of the 28 states. In this way, the President exercises a power that does not belong to a properly constructed (centripetal) federal State [16]. It is fair to note that federalism may also be exposed to challenges such as potential tensions between the Federal and State Governments, issues of representation or conflicts over jurisdiction [17].

### III. BUILDING THE EUROPEAN UNION

The period following World War II was critical in shaping the concept of European federalism,

leading eventually to the EU as we know it today. The idea of a unified Europe was propelled not just by the devastation of the war but also by a long-standing interest in federalism among British intellectuals and politicians, dating back to discussions around the Philadelphia Convention.

Winston Churchill's 1940 proposal for an "indissoluble union" between Britain and France marked a significant, albeit unsuccessful, attempt to unite against Nazi Germany. This proposal was emblematic of the broader movement towards European integration, characterized by the creation of common defense, foreign policy, and economic systems. Although it never materialized due to France's capitulation to Germany, it underscored the urgency and the geopolitical necessity of greater European cooperation.

The Ventotene Manifesto [4], penned by Altiero Spinelli during his exile, further solidified the intellectual foundation for European federalism. Spinelli's vision, deeply influenced by British federalist ideas, advocated for a federation that could ensure peace and collective prosperity. This manifesto became a cornerstone for post-war European federalist movements, including the European Federalist Movement founded by Spinelli and others. Their activism highlights the transition from wartime resistance against fascism to peacetime advocacy for a united Europe.

Robert Schuman's later advocacy [5], inspired by Jean Monnet, introduced a more pragmatic approach to European unity. Schuman's focus on establishing concrete institutions like the European Coal and Steel Community (ECSC) in 1950 represented a shift towards functional federalism based on economic integration. This approach was seen as a stepping stone towards political federation, although immediate moves towards a political federation, like Spinelli's proposal for a constituent mandate for the ECSC assembly, were stalled by national parliaments.

This historical narrative illustrates how visions of a federal Europe were shaped by a combination of intellectual movements, pragmatic political

considerations, and the stark realities of the 20th-century European landscape. The efforts of figures like Churchill, Spinelli, and Schuman laid the groundwork for the European integration that would follow, eventually leading to the complex political entity of the EU.

Later, with the purpose of preventing the return of a Franco-German conflagration, defending freedoms and human rights and increasing prosperity through economic integration, the Common Market was established by the Treaty of Rome of 1957 [18], which, known as the European Economic Community, created the Council of Europe and the Court of Justice in Luxembourg a year later.

The Treaties of Paris and Rome established the foundations of community architecture and on April 8, 1965, the Executive Merger Treaty was signed in Brussels, establishing a single Council and a single European Commission [19]. A European Parliament and a Court of Justice were also created, joined in 1975 by the Court of Auditors, with the mission of exercising external control of the community budget.

Drawing on previous experience of community politics and the need to deepen European unification, Spinelli, as a member of the European Parliament, attempted again in 1984 to use intergovernmental institutions to create a federation by proposing a project, known as the "*Spinelli Treaty*" [20], which established an EU. The draft treaty approved by the European Parliament included the preservation of the Commission and the intergovernmental Council of the European Community to avoid doctrinal discussions, and did not explicitly mention the concept of federal constitution making. Thereby, Spinelli's initial proposal for a federation on a constitutional basis similar to the 1878 Philadelphia Convention that would overtake the intergovernmental system was not carried out, thus allowing the continuation of the predominance of national interests over common interests. Since Heads of Government and Members of the EU Parliament are elected in national/regional constituencies, it is inevitable that they operate on the basis of local demands.

The Maastricht Treaty of 1992, also known as the Treaty on European Union [21], which came into force a year later, established the EU as we know it today, with the creation of the single currency (the euro) and the definition of common policies in areas such as justice and home affairs. Despite everything, another treaty, the Treaty of Lisbon [22], which came into force at the end of 2009, conferred new legislative powers on the European Parliament such as agriculture, energy, security, immigration, justice or budgets.

It can be concluded that throughout the construction of the EU, pro-European movements and parties have mistakenly clung to Spinelli's idea of using the European Parliament, the only EU institution directly elected by citizens, as an identity capable of transforming intergovernmental treaties into a constitution. Maintaining the EU's treaty-based approach has therefore prevented the establishment of a truly genuine federal state in Europe. A clear example of how the law has been misused to legitimize a politically desired outcome within the EU is the Constitutional Treaty [23] resulting from the EU Convention on the Future of Europe (2001-2003) led by Valéry Giscard d'Estaing, that was rejected by referendum and that if approved would have meant twisting the law to serve political ends and a reinforcement of intergovernmental treaties. Treaties continue to be instruments at the disposal of public administrators, while a well-built constitution tends to place itself outside the possibility of manipulation by the political class. That is why a constitutional treaty is an oxymoron, a chimerical monster that has no plausible *raison d'être* for the needs of European citizens.

#### IV EUROPEAN UNION CRISIS

The EU faces a multifaceted crisis that stems from its structural and functional deficiencies, particularly regarding democratic legitimacy and cohesion among its Member States. The EU operates through a system of top-down binding treaties and directives that often lack robust parliamentary oversight, creating a centrifugal force that prioritizes individual Member State interests over the common good. This structure

has led to a perception of a democratic deficit, where institutions such as the European Commission, the European Council, and the European Central Bank are seen as distant and opaque, eroding trust among EU citizens.

#### 4.1 Structural and Governance Issues

##### 4.1.1 Democratic Deficit and Institutional Legitimacy

- The EU's decision-making processes are perceived as lacking transparency and direct democratic input, leading to disconnection between EU institutions and the citizens they serve.
- The European Council, an unelected body with significant influence, operates with dual mandates that would be incompatible in a democratic constitution, further undermining the EU's democratic credentials.

##### 4.1.2 Systemic Errors in the Lisbon Treaty

- The Lisbon Treaty [22], which serves as the EU's legal framework, contains contradictory articles and exceptions that undermine the principle of subsidiarity and allow administrators to make decisions without political accountability.
- Member States can sometimes ignore treaty obligations, leading to conflicts that often require judicial rather than political resolution, highlighting the EU's governance challenges.

#### 4.2 Economic and Social Challenges

- *Impact of the Global Financial Crisis:* The 2008 financial crisis had a profound impact on several EU countries, particularly Greece, Spain, Portugal, and Ireland. The subsequent bailouts and austerity measures led to significant political and social tensions. The crisis exposed the lack of economic convergence among Member States and exacerbated inequalities, contributing to the EU's internal divisions.
- *Brexit:* The UK's decision to leave the EU (Brexit) has created uncertainty and division, both within the UK and across the EU, highlighting the fragility of the union. Brexit

has also intensified debates on national sovereignty versus supranational governance, complicating efforts toward deeper integration.

- *Migration and Solidarity:* The EU has struggled to develop a cohesive approach to managing migration flows, leading to political tensions and weakening solidarity among Member States. Indeed, divergent national policies on immigration have exposed fractures within the EU, undermining its ability to present a united front on this critical issue.

#### 4.3 Political and Cultural Challenges

Falling trust in politics, politicians, and political parties across the EU is generating nationalism and populism that question the abilities of political leadership at national and EU level to manage the existing political crisis and cultural challenges, as well as the formulation of suitable solutions [24]. For this reason, the Treaty of Lisbon [22] aimed to increase political efficiency and transparency, respecting the EU rich and linguistic diversity, and enhancing its cultural heritage. Thereafter, the European Commission adopted in 2018 a New European Agenda for Culture [25] to strengthen the culture, to achieve greater social cohesion and citizens well-being, and to attain better international relations, an agenda that is being implemented through the resolution on the EU Work Plan for Culture 2023-2026 [26]. However, despite this effort, tensions between national majorities and ethnic or religious minorities are widespread and represent a significant social problem [27].

It is clear that most of these elements could have been more successfully addressed, and even avoided, if the EU had had a constitution fully demarcating the powers of the institutions and allowing for greater citizen participation.

## V. THE NEED TO CREATE A FEDERATION TO FACE EUROPE'S CHALLENGES

To address the numerous challenges facing Europe, it is crucial to consider the establishment of a federal system, as opposed to the current confederal structure of the EU. Understanding the

distinctions between federation and confederation is key to appreciating why a federal approach might offer more effective governance and greater cohesion.

### 5.1 Distinguishing Federation and Confederation

#### 5.1.1 Federation

- *Shared Sovereignty*: In a federal system, sovereignty is shared between the central government and the constituent political units (states or regions). Both levels of government have distinct areas of authority, and neither is subordinate to the other.
- *Legal Authority*: The central government in a federation has its own legal existence and can enact laws that apply directly to all citizens and regions within the federation.
- *Balance of Power*: While there is centralization in certain areas, regional governments maintain substantial authority within their jurisdictions.

#### 5.1.2 Confederation

- *Sovereignty with Member States*: In a confederal system, sovereignty remains with the constituent political units, and the central authority primarily coordinates actions between the Member States.
- *Limited Central Authority*: The central government lacks direct power over individuals and can only act through the Member States. Its powers are restricted to those explicitly granted by the States in the confederation agreement.
- *Prevailing State Interests*: The interests of individual member states take precedence over common goals, leading to potential challenges in political coordination and decision-making.

### 5.2 The Case for a Federal Europe

Historically, confederations have struggled with issues of political coordination and internal cohesion, often leading to their dissolution. Examples include the early US under the Articles of Confederation, the union of Sweden and Norway, and the Senegambia Confederation. The

EU, as a confederal system, faces similar challenges, which a federal structure could address more effectively.

### 5.3 Characteristics of a Federal System

- *Centripetal Force*: A well-constructed federal state operates from the bottom up, respecting the sovereignty of the people and ensuring that governance is grounded in the grassroots level. This approach contrasts with the EU's current top-down model, which can seem detached from citizens' everyday lives. Starting from the bottom, that is to say, from the smallest units, is well reflected in the observation of the American diplomat D.P. Moynihan:

*“Never trust a larger unit with what a smaller one can do. What the family can do, the municipality should not do. What the municipality can do, the States should not do. And what States can do, the Federal Government should not do.”*

This adage, known as the principle of subsidiarity, places the centre of gravity of the powers in the constituent States, a norm that cannot and should not be annulled in a well-constructed federal State.

- *Management of Common Interests*: A federal system would manage common interests that individual States cannot effectively address alone, such as defense, foreign policy, and major economic policies. At the same time, it would allow States to maintain their sovereignty, languages, cultures, and traditions.

Federalism has been considered successful in managing diversity, promoting regional autonomy, and preserving national cohesion in different parts of the world, such as the USA, Germany, Belgium, Switzerland, Austria, Canada and Australia, to name only a few examples. Without a doubt, Europe's best option to respond to important present and future challenges is to build a federation, the Federated States of Europe. It is regrettable that Robert Schuman's Declaration [5], which strongly advocated the

need for a federal Europe, ended up directing government leaders to base a federal Europe on treaties, and that Spinelli's initial proposal for a federation based on a Constitution [4], were not implemented.

It is important to reinforce the concept that a federation is only achieved if it is based on a Constitution while a confederation can be established on the basis of a treaty between Member States. The EU therefore does not fit into the political structure of a federation, as it is not formed on the basis of a Constitution. Its political structure would be more in line with a rather advanced confederation by having some important areas delegated to the central power, although still based on treaties. Also clarify that, by definition, it is not possible to transform a confederal system such as the EU into a federal EU, since combining a Constitution with intergovernmental elements such as treaties is a legally non-existent entity. However, Member States of a federation can conclude treaties among themselves. For example, the Netherlands and Belgium have signed some treaties to jointly ensure the navigability of the Westerschelde River, so that the port of Antwerp is accessible for large ocean-going vessels. Analyzing the reasons why some federations failed in Europe, Africa and Asia, we can see that the fundamental cause has been the political manipulation of constitutional law in favour of granting power to a political party and the elimination of democratic control.

In a recent analysis of the EU situation, former Italian Prime Minister Enrico Letta [28] pointed to the EU's regulatory complexities, with multiple stages in which amendments are proposed and negotiated, as a vital factor significantly altering its governance, which often results in legislation that lacks coherence, encourages fragmentation and undermines smooth functioning. Letta acknowledges that.

*“...the increasing complexity and volume of EU regulations pose a significant challenge to national authorities, often hampering their ability to implement these rules effectively.”*

In addition, for policies to be effective, efficient and coherent, Letta suggests the need for regulatory reform that goes beyond mere adjustments, with maximum harmonization of essential provisions and mutual recognition of procedural aspects. However, improving the legislation of intergovernmental treaties is not the solution as the EU would continue to depend on negotiations with Member States for their final approval. Thus, if the use of treaties as the basis of EU governance is inefficient, complex and lacking in transparency, the best alternative is the establishment of the European Federated States that, based on a Constitution, guarantee the functionality of the governing bodies. The proposal to use "*European citizens' panels*" to deepen democratic participation as a crucial factor for improving governance is meritorious; however, this is an impossible goal to achieve in a treaty-based EU. Real and effective citizen participation can only be achieved within the framework of a Constitution that explicitly guarantees citizens' rights.

The construction of a European federation should have as its main objective the direct participation of citizens in public decisions, which would offer a range of tangible and significant benefits for citizens who would have the ability to intervene in important issues, including: (i) greater economic prosperity with subordination of the economy to the welfare of citizens and not to profit; (ii) facilitate citizens access to common services and programs, such as education, health care and social security; (iii) effective protection of the environment and natural resources, ensuring the balance between man and Nature; (iv) play a more active and constructive role on the global stage, and (v) establish a common defense to prevent armed conflicts in collaboration with the rest of the world. In this connection, Denis de Rougemont stated that a European federation will always be neutral because, due to its great diversity, it is impossible to decide on a policy of aggression against any neighbour and, furthermore, it would have the vital interest of defending and initiating global disarmament [29]. Given the progressive evolution of the EU towards greater integration of the Member States, it is

conceivable that, as stated by Denis de Rougemont [30]:

*“Un beau jour, on s’apercevra que l’Europe fédérale est virtuellement faite.”*

In other words, the question is not if Europe will adopt a federal system but when it will do so.

## VI. A CONSTITUTION FOR THE MAKING OF THE FEDERATED STATES OF EUROPE

The need for a European Constitution is evident, as the EU has evolved significantly through treaties and intergovernmental agreements but lacks a unified constitutional framework. A constitution would provide a clear definition of the rights and responsibilities of European institutions, establish a framework for citizen participation in the decision-making process, and transform the EU into a true federation.

### 6.1 Advantages of a European Constitution

#### 6.1.1 Strengthening Democratic Legitimacy

- A constitution would enhance the democratic legitimacy of the EU by clearly delineating the powers and responsibilities of its institutions.
- It would ensure greater transparency and accountability, bridging the gap between EU institutions and its citizens.

#### 6.1.2 Consolidating Cohesion

- A constitution would foster greater cohesion among member states by providing a common legal and political framework.
- It would help build a stronger sense of belonging to the European community, promoting unity and solidarity.

#### 6.1.3 Clarifying Governance Structures

- The constitution would establish a strict separation of legislative, executive, and judicial powers, ensuring effective governance.
- It would define the relationship between the Central Government of the federation and the Member States, preserving the autonomy of the latter while ensuring coordinated action on shared issues.

### 6.2 The Citizens' Convention and the Draft Constitution

In response to the failed Conference for the Future of Europe in 2020 [31], the Federal Alliance of European Federalists (FAEF) organized a Citizens' Convention between October 2021 and March 2022. This convention brought together experts in constitutional law, humanists, and civil society leaders from across Europe to draft a Federal Constitution. The resulting document comprises ten articles that lay the foundation for the Federated States of Europe [32].

### 6.3 Key Features of the Draft Constitution

- Separation of Powers: The Constitution enshrines a strict separation of legislative, executive, and judicial powers to prevent the concentration of power and ensure checks and balances.
- Citizens' Participation: It emphasizes the direct participation of citizens in their rights and duties, promoting active civic engagement and ensuring that governance reflects the will of the people.
- Central and Regional Governance: The Constitution defines the relationship between the Central Government and Member States, ensuring that the Central Government manages common interests while the Member States maintain their sovereignty over non-delegated policies.

According to this concept, Habermas maintains that the project of a European Constitution should be supported and promoted [33], while others like Craig claim that it is preferable to proceed with a Basic Treaty [34]. It must be acknowledged that a number of practical and political concerns have been reflected upon in relation to new structural political arrangements beyond the Nation-State, as some of the existing federations suffer from a democratic deficit. However, to avoid deviations, it is essential that federations have the adequate structures and functioning [35], and in that, a Basic Treaty as Craig argues does not fit at all.

The ratification of the Constitution by European citizens based on the first words of FAEF's federal

constitution for Europe: “*We, the citizens of Europe, ... adopt the following ten articles as the Constitution of the Federation*” [32], is the *sine qua non* condition to legitimize the formation of a European federation. This Constitution, which has been designed by and for the people, guarantees the fundamental rights of citizens and establishes the basic principles of government, as well as the strict separation of powers and the rule of law. It also clearly defines the distribution of powers between the Federal Government and the Member States, including the specific powers of each level of government, the procedures for resolving disputes between them and the mechanisms for amending the Constitution itself if necessary, thus providing a stable and predictable framework for a future European federation.

## VII. WHAT BENEFITS WOULD A EUROPEAN FEDERATION BRING TO EUROPE ITSELF AND THE REST OF THE WORLD?

A European federation would bring numerous benefits to both Europe and the broader global community. By consolidating its political, economic, and defense capabilities, a federated Europe would enhance its influence on the world stage, promote democratic standards, and contribute to global stability and peace. Here are some key benefits:

### 7.1 Benefits for Europe

#### 7.1.1 Enhanced Global Influence

- A European federation would unify Member States' voices in global affairs, enabling Europe to project power more effectively and maintain a balance of power among major world actors.
- By acting as a single entity, Europe could better advocate for its interests and values in international organizations and negotiations.

#### 7.1.2 Political Stability and Unity

- A federal system would foster greater political cohesion among Member States, reducing

internal conflicts and enhancing the EU's ability to respond to crises collectively.

- Shared governance and common policies would strengthen solidarity and unity among Member States.

#### 7.1.3 Economic Strength and Resilience

- A unified economic policy would streamline decision-making and implementation, leading to more effective management of economic challenges.
- The pooling of resources and harmonization of regulations would enhance economic stability, growth, and innovation across the federation.

#### 7.1.4 Strengthening Democratic Institutions

- Common democratic standards and the rule of law would be upheld uniformly across all Member States, ensuring civil rights and individual freedoms are protected.
- A federal Constitution would prevent the erosion of democratic values, as seen in recent issues with judicial independence in Poland [36] and Hungary [37], and broader democratic concerns in Spain [38, 39].

#### 7.1.5 Improved Defense Capabilities

- A centralized defense policy and shared military resources would enhance Europe's ability to protect its borders and contribute to international security.
- Coordinated defense strategies would reduce duplication of efforts and increase overall military efficiency.

#### 7.2 Benefits for the Rest of the World

- *Promotion of Multipolarity:* A strong European federation would contribute to a more multipolar world, challenging the traditional dominance of powers like the USA, Russia, and China. This multipolarity would promote a more balanced and diverse international system, fostering cooperation and reducing the likelihood of unilateral actions by any single power.
- *Contribution to Global Stability and Peace:* A European federation would also establish

itself as a defender of democratic values, human rights and the rule of law in the world, and exercise effective leadership on global issues, including the prevention of war, climate change regulation, sustainable development, migration, collaboration in research and innovation, and international trade, among others. Aware of the potential danger of diversion of power by autocrats, the Constitution drafted by the FAEF [32] corrects some flaws of the USA Constitution, such as the granting to the President of enormous individual powers, especially in the military sphere, which, in a modern world, threatened by weapons of mass destruction, possesses an existential survival problem for the human race and the natural environment.

- *Consolidate the Construction of an Earth Federation:* An additional advantage is the potential cooperation of a European federation with existing and future regional federations with the chance of consolidating into an Earth Federation [40]. It is reasonable that the construction of an Earth Federation, based on the principle of unity in diversity [41], and with a federal system that flows from the bottom up, represents the best guarantor of cooperation between the people of Earth, and an effective alternative to the United Nations failures to respond to global problems [42].

## VIII. CONCLUSIONS

The EU is currently facing an institutional crisis and political paralysis, which hampers its ability to effectively address major challenges such as war, climate change, pandemics, inequality, and migrations. Citizens' concerns about democracy and the legitimacy of EU institutions are growing, leading to a widespread belief that the current political arrangements, based on intergovernmental treaties among its twenty-seven member countries, are insufficient. There is a pressing need to adopt new forms of governance to reinforce the cohesion and effectiveness of the pan-European project and provide fair and humane solutions to existing problems.

The EU's inability to respond adequately to urgent issues parallels the inefficacy often demonstrated by the United Nations. Therefore, the creation of the Federated States of Europe appears to be the best, if not the only, option to address Europe's challenges effectively. This federation would guarantee true democratization of government institutions and direct participation of citizens.

### 8.1 The Need for a European Constitution

A European federation must be built on a solid constitutional foundation rather than intergovernmental treaties. Recognizing this, the FAEF organized a Citizens' Convention, which concluded with the drafting of a ten-article Constitution [32]. This Constitution outlines citizens' rights and duties and establishes the necessary governing structures of the federation to replace the existing EU treaties. Crucially, this Constitution must be ratified by European citizens to come into force.

### 8.2 Beyond an Economic Entity

The European project must transcend its current status as merely an economic entity. To be successful, it requires an elaborate political framework that embodies plurality and promotes greater political stability. This fundamental objective was agreed upon at the 2001 Laeken Council [43], which concluded that economic integration must be firmly aligned with political integration based on shared values. The Council emphasized the need to strengthen the EU's governance legitimacy through *"more democracy, transparency, and efficiency."*

This commitment was reiterated in the first article of the EU Treaty [44], where all Member States pledged to *"...creating an ever closer union among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible to the citizen."*

### 8.3 Moving Forward

In conclusion, it is clear that the best path forward for Europe is the establishment of the Federated States of Europe. We have the knowledge, resources, and framework needed to achieve this

goal; what remains is the collective will to make it happen. By embracing a federal structure, Europe can enhance its global influence, strengthen democratic institutions, and allow direct citizens' participation.

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Not applicable.

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