

Towards a Post-Lissabon EU

A bounded federalism for Europe

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Current EU treaties

= Lisbon Treaty 2009 = de facto current EU Constitution

- **History:**

- Constitution (2005) rejected (France, Netherlands): no unanimity
 - No clear support by EU citizens
- Lisbon Treaty:
 - = Constitutional text minus some EU symbolic terminology
 - Replaced by treaty of > 1000 amendments, 300 pages unreadable
 - Ratified by national parliaments without citizens referendum (exception: Ireland)
 - Ratified, but did MPs read it?
 - Major transfer of competences to EU

- **Key observations:**

- Major democratic deficit
- EU was not created by EU citizens but by nations who aim to keep their power
- Modeled upon nation state model with parliamentary democracy
- Yet weak in supra-national domains

The treaties today (1)

- **Competence overreach:**

- While total number of acts remained stable (~2,000–2,500/year), scope expanded to 40 new policy areas post-Lisbon.
- Rise of Delegated Acts (>3,000/year) allows Commission to regulate without full parliamentary scrutiny.
- Complexity: Single regulations (e.g., GDPR, Green Deal) now span hundreds of pages, dictating national policy in detail.
- Sector Dominance: In key domains (environment, trade, digital), EU law constitutes >80% of applicable rules, marginalizing national legislation.
- In other domains: 13 – 62% (UK survey)

- **Eurocratic regulation overreach hampers economy**

- **Europe is no longer worldwide competitive**

The treaties today (2)

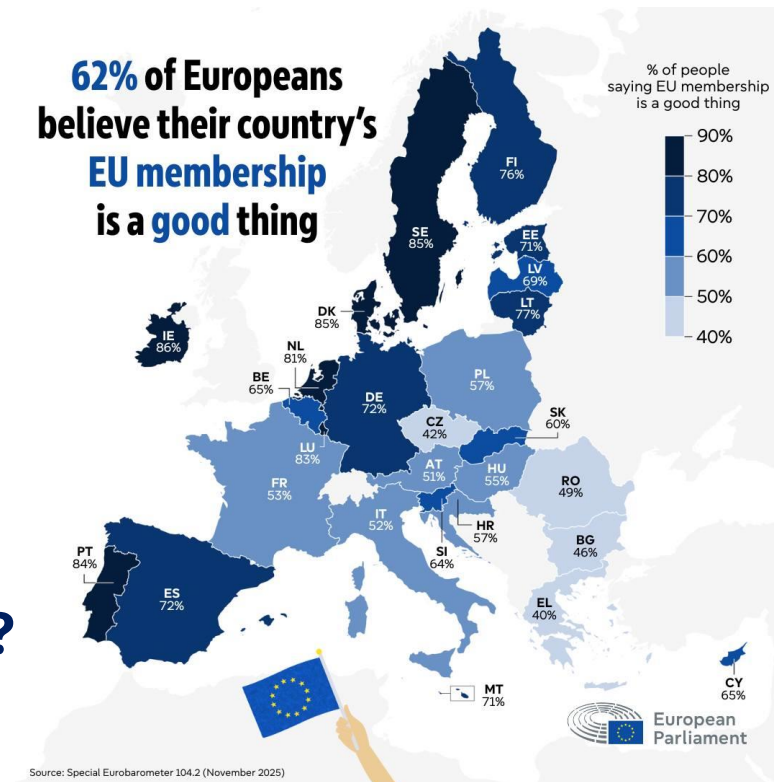
- **Democracy checks and balances don't work:**
 - MEPs do not represent citizens, but political blocks
 - Green/orange card from national parliaments
 - Not practical to use => seldom used
 - Not binding for Commission
 - Citizens Initiative:
 - Very high threshold => almost never used
 - Not binding for Commission (3% out of 100+ECIs)
 - Council of ministers dominate, Commission drafts regulations
 - EU Parliament often rubber stamps (similar issue at national level)
 - Parliament's amendment power structurally limited towards Council and Commission initiative
 - Confusing structure: 2 “presidents”, 2 “councils”
 - Driven by Commission initiative with limited bottom-up citizen input ex. Green Deal, GDPR, AI Act, SDG

The treaties today (3)

- **Weakness:**
 - **No strong federal level**
 - National state heads steal the show
 - Unanimity vote results in deadlock
 - Increasingly use of loopholes and exception clauses
- **Remedy:**
 - Structural changes needed
 - New treaty or amendments?
 - Is federation the solution?
 - Extrapolation of current structure will make things worse
 - Does federation address the democratic deficit and competence overreach?
 - Structural and procedural issues
- **Issue:** current treaties require unanimity for treaty changes

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- **Europe is very large (EU27 + UK, No, SW,...)**
 - Not practical to decide on unanimity
- **Europe (larger than EU) is very diverse**
 - > 28 nations, > 28 languages, > 28 cultures
 - Each member state itself has large diversity, culturally
 - Each member state has its own history, political system and constitution
 - Important to respect regional identity and sovereignty
- **Are member states and its citizens ready for a U.E.U?**
 - Clearly not (e.g. eurobarometer: +/- 50%, elections, ...)
 - Sovereignty and own power remain important restrictions
- **But the geo-political context needs more**
 - Defense, international politics, energy, raw materials, economy,
...



Inspirations for reform (1)

- **Switzerland: heterogenous yet democratic and prosperous**
 - 26 cantons with own constitution, 4 languages, canton territory prevails
 - Consensus democracy vs. EU conflict democracies
 - Parties do not seek total power: they form broad coalitions to govern (“Magic Formula”)
 - Political parties are there to coach the citizens
 - Voting Booklets: neutral, state-funded guides explain complex issues to citizens before referendums (preventing populism)
 - The “government” has 7 ministers representing 80% of the voters with a rotating presidency
 - The binding referendum is the safety valve to keep the power in balance
 - Bottom-up subsidiarity is legally enforced: Higher levels only act if lower levels cannot
 - Feedback loops at all levels

Inspirations for reform (2)

- **Singapore: meritocratic and prosperous**
 - Leadership selected on proven competence and track record, not just popularity
 - Long-term planning horizons (20–50 years) insulated from short-term election cycles
 - High ethical standards enforced by independent bodies.
- **Takeway:**
 - The EU incremental approach is not effective, crisis driven, regulation driven
 - Missing is view on long-term impact and planning
 - Correction mechanisms are too slow

Requirements for reform

- **Restore bottom-up subsidiarity**
 - Competences as local as possible => member state level = confederal
 - EU = supra-national mandatory competences only = federal
 - If shared:
 - EU: only guidelines & norms but no binding legislation
 - Only binding if cross-border impact
 - Member states: national legislation
- **Drop unanimity:** Qualified Majority decides: 80% rule (participating members)
 - Today: QMV=55%/65% but not for all domains. Risks of dominance, not consensus.
- **Improve democratic control:** make ECI and green/orange card workable
 - In a digital Europe this can be swift with immediate open access to data and information
- **Reduce power grab based on political blocks**
- **Reduce necessity of nation's head of state role**
- **Enforce strong power by cohesion at federal level**

Reform roadmap: federal competences

- **Top-bottom federalism is not reachable and not sufficient solution**
- **Federal level is limited to supra-national competences**
 - Infrastructure (roads, ports, transport, secure IT-backbone ...)
 - Cross-border issues (criminality, environmental, ...)
 - Extra-EU matters, such as:
 - Defense, NATO, Space
 - International Affairs: diplomacy, economic, EU trade block
 - Strategic buffers for energy and raw materials
 - Long term planning: geo-politics, R&D, innovation
- **Federal competences are grouped in separate Councils:**
 - Not all EU members need to participate (minimum: 6, open for non-EU)
 - 80% decision rule
 - National resources are combined/pooled in single federal Council
- **New approach:** Citizen's Parliament, Statemen's Senate, Impact office

Reform roadmap: federal (The “Parliament”)

- **Restore democratic role of EU Parliament (The Chamber of Citizens):**
- **MEPs represent EU citizens / nations not political blocks**
- **Composition:** Proportional to population (degressive proportionality)
- **Selection:**
 - Direct Election via Open Lists (voters choose candidates, not parties) or delegated from National Parliaments
 - Exclusive function
- **Anti-Block Mechanism:**
 - No Political Groups: EU-wide party blocks in EU PM are dissolved
 - Randomized Seating & Committees: prevent ideological silos
 - Voting: recorded by individual MEP, not by block
 - Mandate: 5 years, non-renewable
 - Focus on topics not on political majority
- **Role:** First reading, proposals, budget approval, election and control of Council Directors
- **Controls EU Federal Councils**
 - Published accounts, freedom of information access for MEPs and Senate

Reform roadmap: federal (The “Senate”)

- **EU Senate (The Chamber of Statesmen @ Nations)**
- **Composition:** 2 Senators per member state (regardless of size)
- **Selection:** Appointed by national parliaments via Qualified Majority (80%, cfr. Switzerland)
- **Eligibility:**
 - Open to Former Heads of State, Prime Ministers, Senior Commissioners (Statesmen)
 - Open to Non-Partisan Experts (Judges, Scientists, Civil Society Leaders)
 - Exclusion: No active party officials or sitting MPs (prevents current political interference)
- **Career Pathway:**
 - Exclusive function
 - Senate service is the primary prerequisite for nomination as Federal Council Director or FEU Chairman.
 - Proven performance in the Senate demonstrates "European Competence" beyond national interests.
- **Forces cross-party consensus.** Parties must agree on candidates who are respected by $\geq 80\%$ of the chamber (e.g., former Heads of State, eminent experts, consensus builders)
- **Mandate:** 6 years, non-renewable (insulates from re-election pressure).
- **Role:** second reading on all legislation: subsidiarity check, national impact, Constitutional compliance.
- **Power:**
 - Can return laws to Parliament for revision; absolute veto only on Treaty violations.
 - Controls EU Federal Councils

Reform roadmap: federal (The “Impact Office”)

- **Independent Impact Office**
 - Technical and legal review
- **A non-partisan body attached to the Senate**
 - Permanent staff
- **Output:**
 - neutral “Legislative Impact Guides” for every proposal
 - detailing costs,
 - subsidiarity compliance
 - national effects
- **Insurance:** Senators and Citizens vote based on facts, not rhetoric
- **Aims to reduce over-regulation**
- **Note:** EU judicial courts remain as final arbiter

The EU Federal Kick-Start

- **Current Heads of State/Commission President:**
 - Are invited to become the Founding Members of the Interim Senate
 - They retain diplomatic visibility and gain a direct role in shaping the new Federal Councils
- **Path to Power:**
 - The first EU Chairman and Federal Defense Council
 - Directors will be selected from this founding Senate group.
- **Goal:**
 - Convert potential blockers (who fear losing power) into key beneficiaries (who gain a higher, lasting European legacy)

Federal reform roadmap: Structure

- **Federal Councils:** operate under an EU mandate defined by EU federal treaty
- **Single Federal Council:** for each supra-national competence domain
- **Federal Councils operational autonomy:** directly control and assign all its components, independently of national location or origin within its competence
- **Independent Impact Office**
- **Federal Councils directed by 4 Directors** (Meritocracy + Leadership experience)
 - 2 directors appointed by EU Parliament, 2 directors appointed by EU Senate
 - Must have min. 3 years of service in the EU Senate or equivalent federal executive experience
 - Exclusive mandate max. 6 years
 - Ensures leaders understand the federal system before running it
 - Motivates ambitious national leaders to join the Senate to qualify for these powerful executive roles.
- **President of Council (CEO):** rotating amongst the 4 directors (18 months)
 - Report to EU parliament and Senate
- **EU Chairman is diplomatic spokesperson for all federal Councils**

Diagram of Federal level (example: Defense)

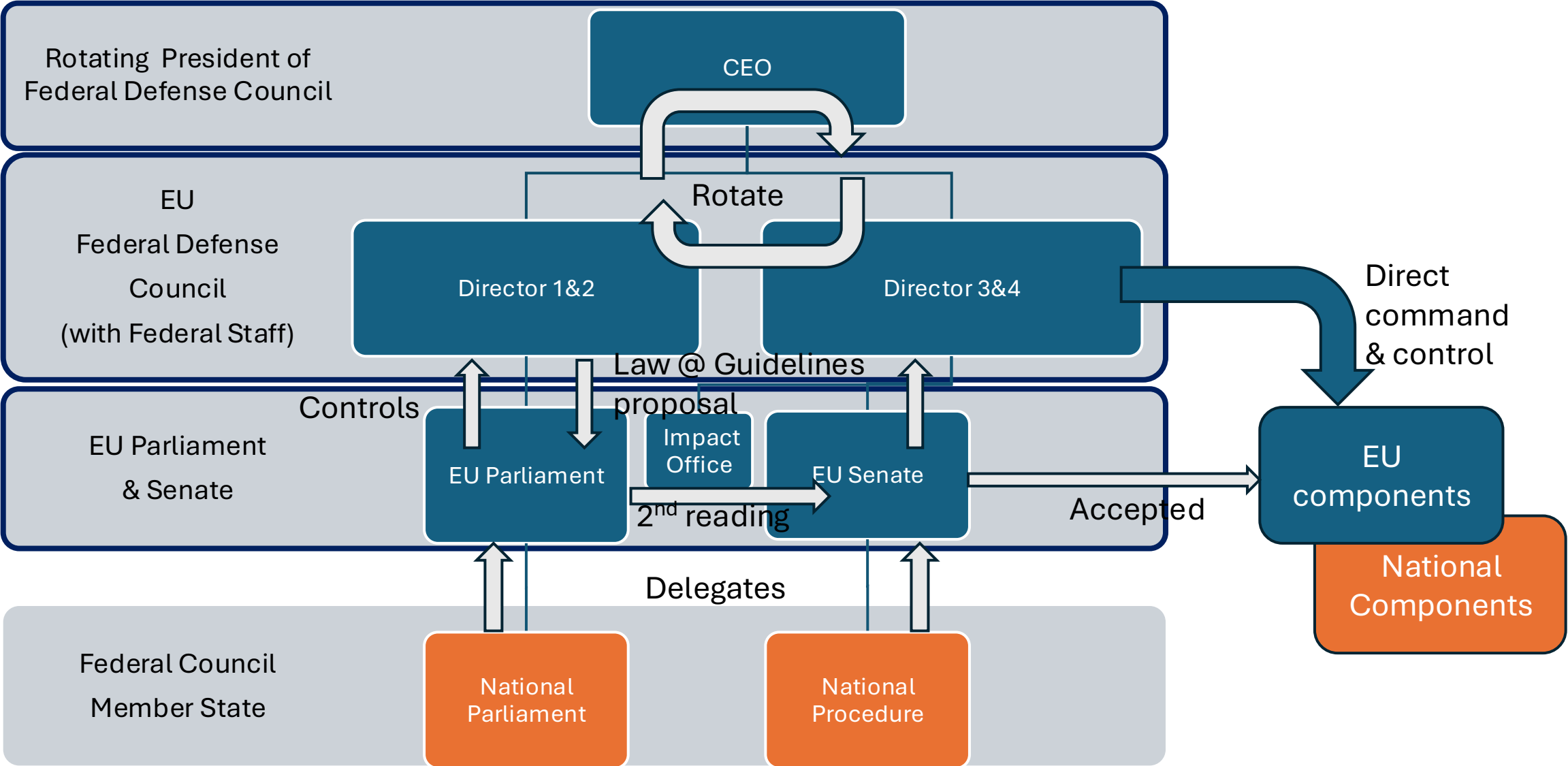
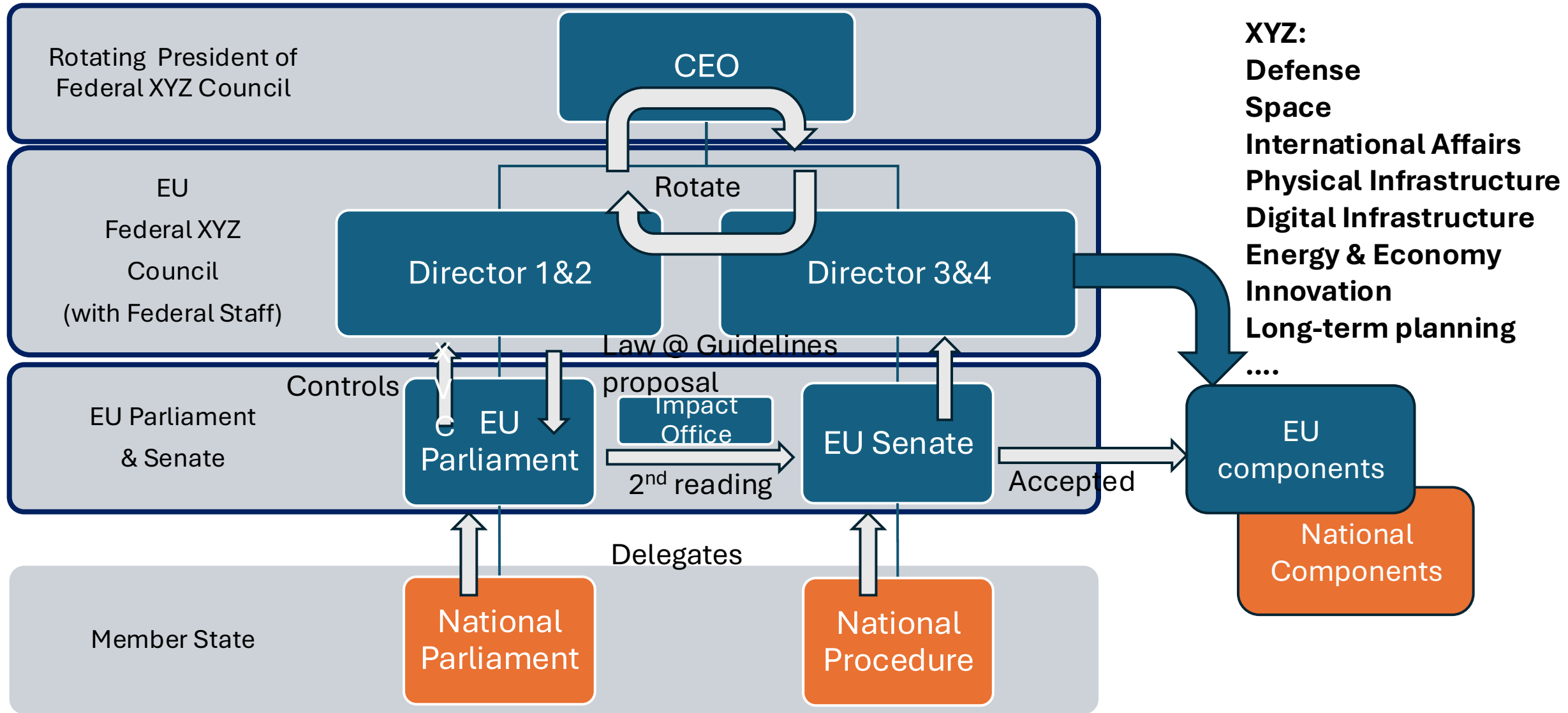
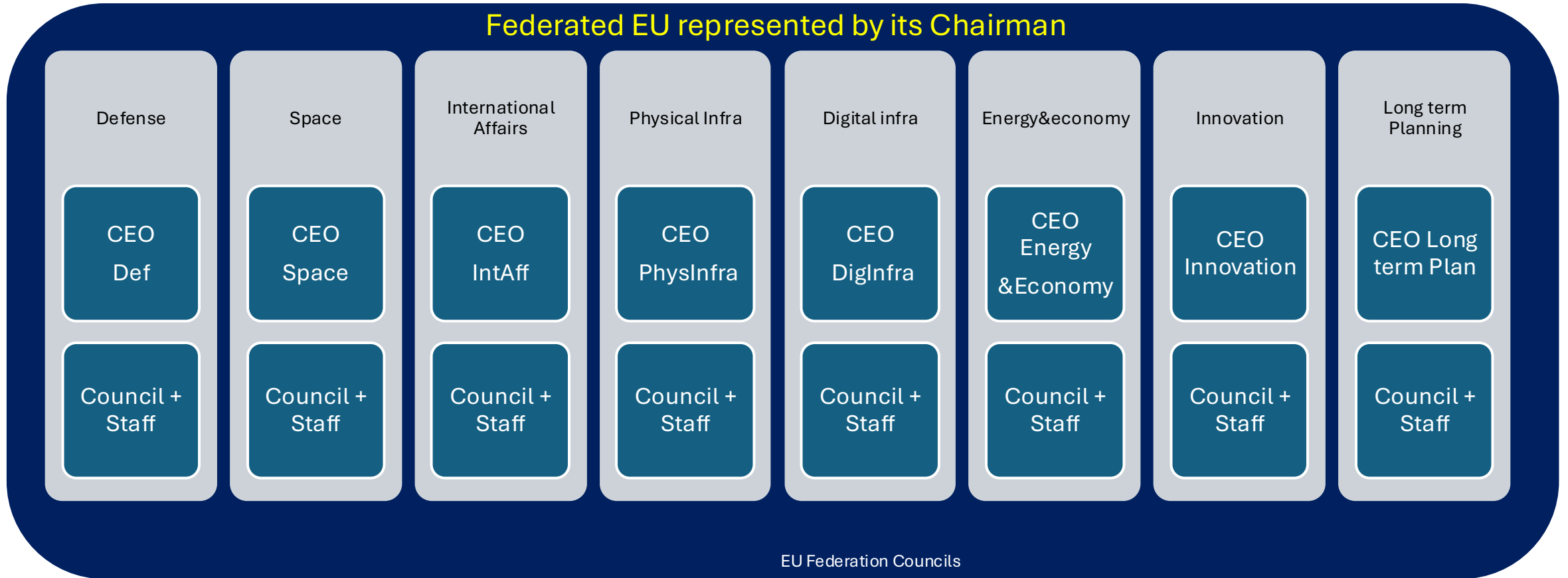


Diagram of EU Federal levels (all supra-national)

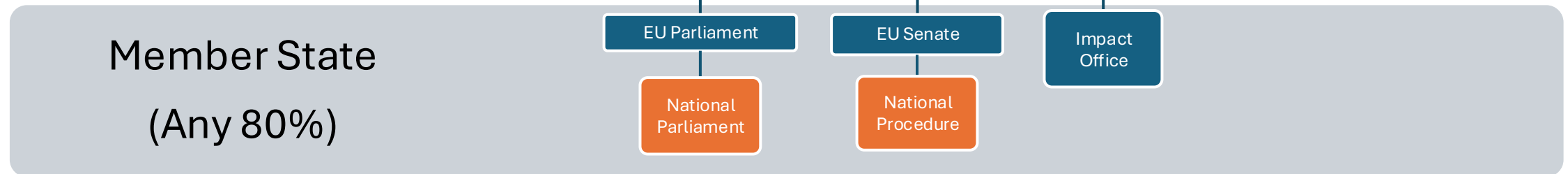


Federated EU: flexible, democratic yet strong blocks

Federated EU represented by its Chairman



EU Federation Councils



Transition steps (1)

Preamble: review current reform proposals and their status

1. **Principle:** min 6 members (upto 27) for each Council (**Art 20 TEU**)

- i. Council specific treaty but same structure
- ii. First: Federal Council for EU Defense
- iii. Next: International Affairs, Energy & Economy, Infrastructure, ...
- iv. Non-participating states can acquire observer status but no voting rights (UK?)
- v. Access to Federal resources (e.g. defense umbrella) requires financial contribution or reciprocal service."

2. **Bottom-up subsidiarity audit**

- i. Moratorium on new EU regulations and laws (unless urgent)
- ii. Clear separation EU/national, guidelines/laws
- iii. Treaties amended to reflect new subsidiarity division (**Art 48**)
 - a. Key amendment first: 80% voting rule
 - b. 80% voting rule to amend rest of treaties
- iv. Benefit: get support of sovereignty-only advocates

Transition steps (2)

3. EU treaties integrate the Council specific treaties

- i. Federal Councils operate till then based on their treaty and gentlemen's agreement
- ii. New EU treaty makes new structure official (and introduces 80% rule)

4. "Initial coalition of 6+ states launches via Article 20 TEU (Enhanced Cooperation) outside the unanimity constraint. The '80% Treaty Amendment' applies *within* this new framework, not the old Lisbon one."

Transition and final organization (ex. Defense Council)

- **NATO:**

- Federated states remain member, non-federated as well
- Objective: EU Defense Council becomes a single member

- **Build-up Federal Council**

- Groundwork in place: PESCO, EDF
- Assignment of the 4 directors
- Build-up of Federal Staff
- Build-up of secure communications
- Build up of secure and distributed infrastructure
 - Distributed & redundant Command and Control (Ops, Int, Log, ...)
- Integration of national resources
 - Impact on defense industry and suppliers
 - Phased over e.g. 12 years: joint planning -> integrated command -> permanent assignment
- English as main language
- Budget: 2% of each member state GNP (1% to remain national)

Financials & budget

- **Each member state contributes to selected Federal Council only**
 - Agreed upon % of GNP (based on agreed upon calculation)
 - Typical rule: 2/3 federal, 1/3 national
 - Each Federal Council runs his own budget
 - Published accounts, freedom of information access for MEPs and Senate
- **Each Treaty specifies initial structure and budget**
 - Assignment of 4 directors for EU Parliament and Senate
 - Budget for Staff
 - Secure communication structure
 - Allocation of available national resources
 - Plus exclusion of specified national resources at start
 - Federal Council has authority to reallocate or deactivate redundant national assets to avoid duplication."
 - Objectives for first 4 years

There is a EU reform momentum

- **The Draghi Report (September 2024)**

- EU regulatory burden is identified as a key factor in Europe's competitiveness decline
- Calls for streamlining decision-making and reducing regulatory complexity
- Supports the need for joint defense procurement and strategic autonomy
- But ignored?

- **PESCO, EDF**

- Launched in 2017 with 25 member states, update 2025
- Slow progress because too voluntary
- Ad-hoc project based

- **Franco-German Engine & Meseberg Declaration (2025-2026)**

- Strategic coop driven by France and Germany

- **Conference on the Future of Europe (2022)**

- Many proposals for improving democracy and subsidiarity
- But ignored?

Many reform projects, little effect

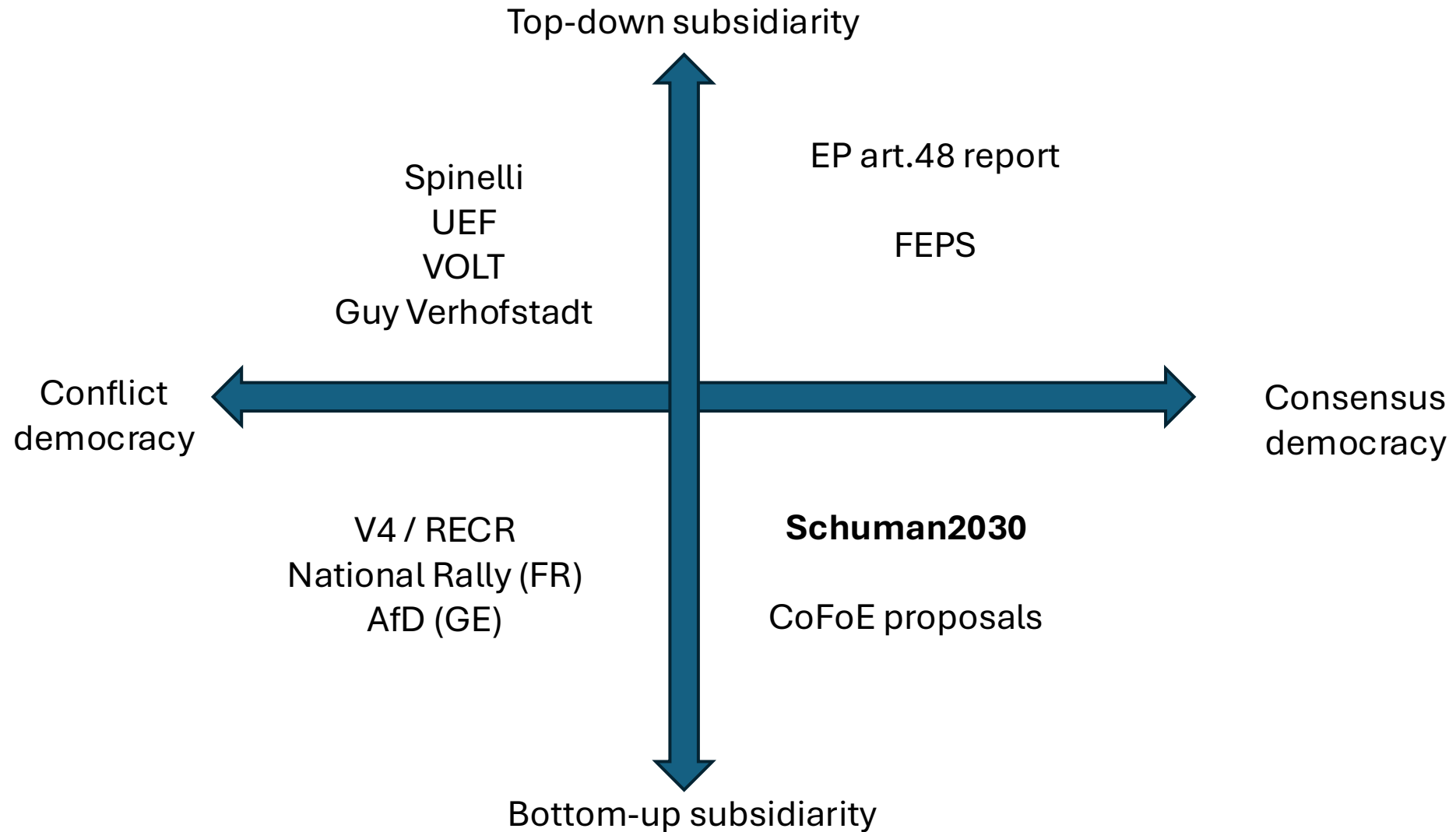
| Group | Position | Blind Spots | Impact |
|-----------------------------------------------------------|------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Union of European Federalists (UEF) (°1946) | Full federation, EU constitution | Ignores subsidiarity overreach; dismisses sovereignty concerns | Exists since 1946, no treaty changes, limited impact |
| Spinelli Group (EP cross-party)(°1984) | Federal EU with strong Parliament | Focuses on institutional power, not bottom-up reform | Mutiple proposals. 267 treaty changes. Networking impact but ignored by European Council |
| European Movement International (°1948) | Pro-integration, pro-treaty change | Broad tent but federalist-leaning | Concrete policy wins: very few. Primarily an awareness and advocacy network — influential in elite circles but with limited measurable legislative impact. |
| Volt Europa (political party) | Pan-European federalism | Explicitly wants to replace national parties at EU level | Won 7 seats in EU PM. Influence is primarily symbolic and agenda-setting. |
| ALDE / Renew Europe | Liberal federalism | Supports more EU competences, not fewer | 77 seats. Have some legal successes. Requeste for Conventon ignored. |
| Guy Verhofstadt's proposals | Radical federalism | Wants EU army, EU taxes, EU government — maximalist | Net result: high visibility, strong rhetorical influence, but zero treaty changes achieved. |
| Andrea Pisauro / Democracy International | Transnational democracy | Focuses on citizen participation but within federal frame | ECl. CoFoE. largely ignored by the Council. Limited structural impact beyond procedural improvements. |
| FEPS (Foundation for European Progressive Studies) | Social-democratic federalism | Targeted treaty changes, but still expansion-oriented | Impact is indirect — shapes elite discourse and party platforms rather than producing legislation directly. |

Why the reform initiatives fail

- **High-visibility groups (UEF, Spinelli, Verhofstadt):**
 - Achieved virtually no structural treaty reform since Lisbon, despite decades of advocacy
- **Electoral parties (Volt, Renew)**
 - Some seats but remain marginal, no federalist ambitions result in Council-level action
- **Think tanks (FEPS, EMI)**
 - Shape discourse but produce no binding outcomes
- **The CoFoE — the single most democratic reform exercise**
 - Effectively shelved by the European Council.
- **The common failure mode**

All these groups push for *more* EU power without offering anything to sovereignty-minded actors in return. None propose a grand bargain of the kind Schuman2030 envisions. *Schuman2030 rolls back regulatory overreach in exchange for creating true federalism for supra-national competences like defense and foreign policy, and other.*

Where does Schuman2030 fit in?



What makes Schuman2030 unique?

- **Many groups and diversity in proposals but often narrow in scope of just opposing the situation**
- **Almost none of these groups systematically address the system issues**
- **Schuman2030 seeks a complete system review**

- **Bottom-up subsidiarity enforcement:**
 - moratorium + audit concept
- **Regulatory overreach rollback & more democratic control**
 - separation of guidelines vs. binding law
- **Meritocratic leadership selection for federal level**
 - Senate/Director pathway
- **The tension between more integration AND less regulation**
 - There is no conflict between being federal and confederal as it reflects reality

Proven examples – Counter examples

- **Positive:**

- Schengen, euro (European Stability Mechanism, ECB)
- NATO
- ESA
- Airbus
- CERN
- Multi-nationals

- **Negative:**

- EU Framework R&D programs
 - Slow, complex, ideologically inspired
- ESA:
 - Procurement tied to national funding
- UN:
 - Veto rights by minority, ideology majority bias, not effective