

A stronger bond through more liberty

Structural issues of the EU

The European Union (EU) was originally constructed to guarantee peace in Europe. The construction succeeded with its values and ideas of a connected economy with a common dependence between the states.¹

Today I see a huge fundamental and structural problem in the EU as a union of several different states: The priorities in setting law and solving problems in the EU are mostly set correctly² – but the implementation in reality is almost impossible. For that reason, power has been taken from the states to let those problems be solved by the EU in order to demonstrate the functionality of the union. In the main parts of political issues in Europe, the EU has failed as a community because of several different reasons; partly because of different interests among the states, different values among the people, different political systems and partly because of other reasons. In my opinion, the main reason for most of the issues in the EU is its more and more centralized structure.

Switzerland as an example has a lot of political problems as well. But if there's one thing going extremely well, it's the integration of several different economic, social and political systems into one unity: the Swiss state. The federalism in Switzerland helps to prevent its parts (the several "cantons") from the feeling of being excluded in the political decisions in Switzerland. They're part of something bigger. Instead of centralizing the power and all the decisions, Switzerland knows the system of subsidiarity³ – and that's exactly what the EU needs as well:

The basic political issues are ruled and controlled by the villages and cities. They set their own laws. As soon as an issue gets bigger, more complicated and effects more than what the communes are able to handle legally, politically, economically etc., the "cantons" help out and have the right to set the rules and laws and to manage the issue. The same thing happens in case of an issue that's beyond the power of a canton. Those problems are managed by the

¹ Europa.eu, https://europa.eu/european-union/about-eu/history_en.

² Priorities of the European Commission, https://ec.europa.eu/commission/priorities_en#documents.

³ BIAGGINI, N 11.

Swiss state.⁴ The same system needs to be introduced in the EU – not with “cantons” but with the several different European states instead.

Every political issue that can be managed by the European states, *must be* managed by the states and not be centralized and managed by the EU. The states know their culture, their economy, the society and their country best to set law in most of the cases according to the political system that has been established long time before the EU came up. **Only the issues that stand beyond the power of each state**, are legitimated to be managed and controlled by the EU itself – for example the environmental politics, refugee problems or the international trade with big and strong economies all over the globe.

The European states are very different and diverse in terms of culture, economy, health system, social welfare, taxes, lifestyle etc. These things can't simply be integrated into a union like the EU. We need to preserve their specialities and guarantee their autonomy about managing those things on their own. The states in the EU are too diversified to be set equal in many things. That's the reason why the European Constitution failed in several states. A state needs to have the opportunity to stay different in the topics he needs to; and a state needs to accept European rules and laws in those topics in which an international regulation is needed.

In my eyes, the way of strengthening the international bond between the states in Europe won't come with more centralization; the countries won't accept that, and the people don't want it. The bond gets stronger by keeping autonomy, not by taking them away from the states. Possibly a guideline is needed in Europe, to set clear which parts of political issues need to be solved internationally and which don't.

Federalism and free decision of the states is one of the most liberal fundamentals of people living together in a union, like the EU. In fact, I believe the EU as a union can only endure the next decades if it adopts certain procedures and its priorities to the reality and according to the will of the majority of all its members. More centralization can't be the answer for the fight for more sovereignty in some countries. The EU must see itself as a supporter in those political, social and international issues, that can't be handled by the countries themselves.

⁴ BIAGGINI, N 11.

Unanimity

The other important issue in the EU that leads to an enormous incapability of action is the unanimity which is needed for the important decisions.⁵ A democratic fundament for decisions and eventually to reach the possibility to act and show strength in times of need, is the possibility to decide by majorities. It is impossible for a construction like the EU to act in important and dangerous situations, if there's the unanimity of all member states of the EU needed first.

It is mandatory for a democratic power to be capable of action in such critical situations, and this should be part of the EU's competences⁶.

Conclusion

In my opinion, there are two important learnings about the EU: The EU needs to be strengthened in its main competences. We need to establish a system that allows to set through important decisions against a minority of member states. The EU needs a system that allows important decisions to be made against a minority of member states. Only that way, a political union can work.

On the other hand, the political decisions that can easily be made by the member states and their population, shall go back into their competence. They need the right and the possibility to set laws according to their political system, their culture, their economy and the interest of the state itself. Centralization is neither liberal, nor a good way for the future of the European Union.

The EU needs to be strong on the outside – whilst keeping and guaranteeing the autonomy of each individual state; to build up the strength on the inside as well.

References

BIAGGINI GIOVANNI, in Art. 43a BV, Basler Kommentar Bundesverfassung (commentary of the Swiss Constitution)

⁵ Europa.eu, http://europa.eu/rapid/press-release_IP-19-2118_en.htm.

⁶ Reference to the chapter before.