

Judith Dellheim

This paper was written before the European elections. It should help to better understand the ongoing political struggles over the development of the European Union.

European policy strategies of ruling and opposition forces

On 15 July 1943, the anti-fascist resistance group "European Union¹" was founded in Berlin. Its aim was to "unite all anti-fascist forces in Europe" in order to seize power after the "collapse of Hitler". This was seen as a condition for overcoming "all economic and political foundations of fascism by establishing a socialist social order". The Soviet model was not seen as an orientation and it was said: "The idea of the united states of Europe is an old hope of the Europeans ... Today, Europe is prepared and ready for this radical solution. Hitler's resettlement actions and the deportation of huge masses of foreign workers to Germany have prepared the ground for a pan-European solution." The appeal was directed in particular at the forced labourers. Of the main members of the resistance group, which included Russian and Ukrainian deportees in particular, only Robert Havemann, who later became an opposition activist in the GDR, lived to see the liberation.

Following on from this, this text discusses EU political strategies based on three premises: firstly, the goal of an EU that creates the conditions for progressively solving social, ecological and global problems in a democratic, sustainable, just and solidary manner; secondly, the principle of internationalism of emancipative and solidary actors; and thirdly, historical and self-critical reflection, because concrete social conditions are the result of socio-political power relations and the constitution and strength of emancipative and solidary actors.

Some thoughts lead to the presentation and discussion of the basic theoretical models of EU development. This is followed by an analysis of concepts from the current EU debate. The article concludes with a reference to emancipative and solidary actors and left-wing politics.

I. Basic models of the European Union

Five thoughts for discussion:

1. The anti-fascist resistance group European Union has not been able to influence the history of the EU: At no point was the integration process about an internationalist peace project. The continuity of the military did not end with the end of the Warsaw Pact. Defence policy and economic measures against the USSR and its sphere of influence had been in place since the Brussels Pact in 1948². NATO had been acting against it since 1949. When the European Coal and Steel Community (ECSC) was

¹ <https://www.havemann-gesellschaft.de/publikationen/buchpublikationen/robert-havemann-und-die-widerstandsgruppe-europaeische-union/> Documents, pp. 138-139.

² Military assistance pact between France, Great Britain, Belgium, the Netherlands and Luxembourg.

founded in 1951, actors who waged brutal colonial wars were at the table. With the exception of West Germany, the ECSC founders were also NATO members. The European Economic Community (EEC) and the European Atomic Energy Community (EURATOM) were created in 1957 exclusively by NATO countries. Accessions to NATO and participation in military missions repeatedly preceded enlargements of the EU/its predecessors. The Single European Act of 1986 set the course towards strengthening the global position of the European Community, geo-economically and geopolitically in alliance with the USA.

2. The discussion about the basic models of integration goes hand in hand with the unfolding of capital relations, with the confrontation of capital owners and their managers with restrictions on their capital utilisation due to the quantity and quality of resources, location and market conditions, regulatory law, their own competitiveness and the socio-political balance of power. The necessary capital minima and cooperation, the availability of labour and means of production of particular quality, the real and necessary technical and economic proportions in the company and in the economy as a whole, state and supranational or EU laws for the regulation/deregulation of capital profitability and competition, qualification, employment and migration, the state and supranational organisation of new markets, currency and monetary systems, internal and external security, infrastructures, etc. are of interest.
3. The model debate is characterised by a clash of interests among the owners and elites of capital. In addition to economic competition, there are divergences in the assessment of the political, European and global situation, in dealing with specific crises and human existential issues, with regard to the centralisation and decentralisation of political decisions, militarisation, the role of financial market players, sustainable industrial policy, democratic, social and ecological standards, migration, quotas for women, cost-benefit and risk-opportunity considerations etc.
4. Anyone who feels connected to the European Union resistance group or the ideal of a society of free and equal people acting in solidarity and ecologically can accept the following principle: Those involved in the production of concrete use values/goods, those interested in their results and those affected by their effects should be able to maximise their participation in production decisions. The satisfaction of needs through production should be maximised, while the resources used, necessary transport and ecological impact should be minimised - in relation to the specific product, company and territory as well as to social production at its various levels.
5. The emancipative and solidary forces, which are currently in structural crisis and on the defensive in socio-political terms, should analyse the consequences of the actual and/or possible processes of reform/organisation, enlargement, disintegration, decentralisation and centralisation for the preservation and realisation of the orientation discussed under 4. On the basis of the socio-political balance of power and the history to date, the disintegration or dismantling of the EU would incite racism and nationalism. The capital elites would pass on their economic losses to the

wage earners and the majority of the population. Selfishness and violence would continue to escalate. Opportunities and resources for a sustainable solution to social, ecological and global problems would be destroyed.

The two basic models of integration

In the course of the aforementioned conflicts of interest and contradictory developments, those in power and those in government have agreed on three interlinked principles that characterise the Lisbon Treaty:

- a) The aim is to achieve ever closer union (C 326/49).
- b) The aim is to realise an economic policy "based on close coordination of the economic policies of the Member States, the internal market and the definition of common objectives and committed to the principle of an open market economy with free competition" (C 326/96).
- c) EU Member States must consistently improve their military capabilities and "close the gaps identified in the framework of the Capability Development Mechanism" (C 326/276)³.

In the following, these principles are referred to as the "unity triangle".

This means that the EU members should gradually merge with each other, but the final goal, the finality, is unclear. The EU is to become permanently more globally competitive and more capable of military action. On the one hand, this unity triangle with its "ever closer, ever more powerful" characterises EU law. On the other hand, however, the opposite tendencies must be taken into account: "ever closer" is not a consensus among the socially and politically heterogeneous member states and political players in the EU. The current constitution of the EU is the result of conflicts of interest over organisational and administrative principles, which lead to compromises and constantly give rise to new "reform debates". From a solidary-emancipative perspective, the unity triangle and the "ever closer, ever more powerful" should be rejected.

The debate was/is dominated by two basic concepts:

- a supranational order with strong institutions and the primacy of common law
and/or
- close intergovernmental cooperation that involves no or only a minimal transfer of sovereignty from the member states to a supranational level.

The federal state and/or confederation of states was and remained a contentious issue. The orientation towards a federal state or the "United States of Europe" goes hand in hand with the interest in a common constitution and the recognition and realisation of common

³ <https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:12012E/TXT>

fundamental values and principles. In the communitised policy areas⁴, EU law determines the law of the member states, and a qualified majority applies to decisions on the EU internal market⁵. The confederation model, on the other hand, relies on strong sovereign states with final decision-making powers and cooperation between governments. Decisions are made by consensus among the member states. The European Parliament only plays a very subordinate role; the parliaments of the member states should not see their competences and rights curtailed. Decision-making power is delegated to the transnational level for only a few policy areas.

Representatives of the founding states of the ECSC in particular have so far pursued the model of the federal state, the trend of "ever closer, ever more powerful". However, this does not apply to all representatives of all six founding states at all times. French President de Gaulle, in particular, adopted the concept of a "Europe of fatherlands and freedom"⁶ from his prime minister and prominently promoted the confederation. The AfD also uses the term "Europe of fatherlands" in its European election programme⁷. Both de Gaulle⁸ and the AfD⁹, who do not belong "in the same pot", stand for their countries becoming "ever more powerful" in the global economy and in military armaments. Historically, the concept of a confederation of states has been favoured in the Scandinavian countries and the UK in particular¹⁰. While many nationalistically oriented forces call for a confederation of states, internationalised hard neoliberals with an orientation towards globalisation gains or geoeconomics and geopolitics usually want the federal state, the "ever closer, ever more powerful". This makes it even more difficult for internationalist left-wing forces: they are called upon to radically criticise both the unitary triangle and the concept of the confederation of states, which ignores the results of more than 60 years of contradictory integration history.

The central question for the forces of the left is: how to become more politically effective in order to come closer to socially and ecologically sustainable development - at all contradictorily interconnected levels, from the local level to the regional, national, EU and European levels, right up to the global level? How can we act so that profit maximisation, competition, militarisation, violence against people and their natural living conditions can be stopped and increasingly structurally combated and ultimately overcome in the conflicts with

⁴ In the areas listed below, only the EU is authorised to adopt legislation. Unless it expressly authorises the member states to adopt certain legislation themselves: Customs union, rules for the internal market, monetary policy for the "euro countries", trade and certain international agreements, objects of the common fisheries policy. In addition, there are shared, supporting and special competences of the EU (see https://commission.europa.eu/about-european-commission/what-european-commission-does/law/areas-eu-action_de)

⁵ 55% of Member States representing at least 65% of the EU population vote YES.

⁶ <https://www.gaullisme.net/europe-gaulliste.html>

⁷ https://www.afd.de/wp-content/uploads/2023/06/2023-06-14_Leitantrag-Europawahlprogramm_.pdf

⁸ De Gaulle was in favour of France's nuclear armament.

⁹ The AfD is competing with the Federal Government and the CDU/CSU for the pace of Bundeswehr rearmament: <https://www.bundestag.de/presse/hib/kurzmeldungen-957084>

¹⁰ <https://www.politische-bildung-brandenburg.de/themen/die-europ%C3%A4ische-union/leitvorstellungen-und-motive>

the advocates of the unity triangle and nationalism? Of particular interest are the intermediate forms in the integration dispute between the federal state and the confederation of states, the potentials and contradictions of flexible and differentiated integration.

Intermediate forms - differentiation concepts

Advocates of the unitary triangle in particular are also discussing the question of whether and how flexible and differentiated integration with intermediate forms can benefit them when "ever closer, ever more powerful" meets with dissent. In the intermediate forms, EU law is applied and updated differently to different Member States or groups of Member States and to individual third countries: In EU practice, flexible and differentiated integration has been or is being realised in a variety of forms, opt-out options are claimed and accepted. In this way, different interests of the member states in specific sovereignty rights are to be balanced out, and it is possible to refrain from delegating specific jurisdiction to the EU level for the time being or in the long term. Vetoes are avoided in this way. However, advocates of the confederation of states, nationalists and various right-wing forces also want to use differentiation concepts to become stronger. In many cases, they want to block the implementation of UN climate and sustainability agreements or international agreements to protect particularly vulnerable people. However, differentiation concepts can also be developed in order to forcefully realise such agreements and promote socially and ecologically sustainable development.

The different forms and effects of flexible and differentiated integration are the subject of an elaboration by the German Bundestag;¹¹ it speaks of "concepts of differentiation"¹². In terms of basic orientation, it distinguishes between the

- Europe of different speeds
- Promotional core Europe
- Flexible Europe à la carte.¹³

The multi-speed EU takes account of the differentiated integration development of the Member States: some Member States do not initially participate in specific integration steps, but implement them with a time delay.

The core Europe model is based on a fixed circle of integration pacemakers centred around Germany and France (Schäuble/Lamers¹⁴). The other Member States can and should join in. The EU model of concentric circles should be understood in a similar way: overlapping and

¹¹Differentiated integration in Europe (2020).

<https://www.bundestag.de/resource/blob/810866/e2015ec67fe07f73390cba33eb2fa229/PE-6-090-20-pdf-data.pdf>

¹² Ibid, p.4.

¹³ Ibid.

¹⁴ Wolfgang Schäuble/Karl Lamers: Reflections on European policy, in: Blätter für deutsche und internationale Politik 10/1994,

non-overlapping clubs of different member states are formed for specific policy areas. They can reach agreements for individual projects that go beyond the status quo of integration and should serve as a model or example for other EU members to follow.

The model of a flexible Europe à la carte stands for the freedom of EU member states to choose integration regulations and projects that suit them. The following would apply:

- The EU has no solid core. The goal of harmonised integration while preserving the *acquis communautaire* is no longer valid.
- Federal EU objectives are being abandoned.
- The EU is increasingly orientated towards the interests of its members.

This model was also used in the UK until Brexit.

The German Bundestag's draft does not contain the term "variable geometry" or "geometry of integration", although it is used in the public debate. There it stands for the possible participation of EU members in various groups of graduated cooperation, each with a different composition.

The current EU primary law¹⁵ offers selective scope for flexible and differentiated integration, which can be supplemented by the instrument of enhanced cooperation. For example, at least nine member states can agree to participate in a project in binding legal acts. A special form of enhanced cooperation is the military Permanent Structured Cooperation (PESCO) within the framework of the Common Security and Defence Policy (CSDP). On the other hand, opt-out regulations belong to the selective areas of freedom. The Economic and Monetary Union (EMU) shows that the EU of different speeds has already been in practice for a long time: the EU member states agreed to introduce the euro when they joined the treaties (Article 3 TEU and Article 119 TFEU). No deadline was set for this. A temporary derogation applies to member states that do not yet fulfil the convergence criteria. However, the former EU member state United Kingdom and Denmark have announced that they will not participate in the third stage of EMU and therefore do not wish to introduce the euro. Currently, only Denmark enjoys the derogation to participate in the third stage of EMU, which it can, however, terminate. Primary law also allows for sectorally differentiated integration steps according to their different functionalities or subject areas:

- Maintaining the status quo or strengthening protective measures under EU law,
- Suspension of the legislative procedure to take account of country-specific features in the area of social security and police and judicial cooperation,
- Consideration of national and regional particularities,

¹⁵ Regulation of the distribution of competences between the EU and its members, legal framework for the formulation and implementation of policy by the EU institutions.

- Exemption of Member States from following integration in certain policy areas or granting voluntary participation in integration steps, in particular on the basis of opt-out provisions in protocols¹⁶.

The degree to which EU regulations are binding in the area of the Common Foreign and Security Policy (CFSP) is controversial. This relates in particular to the direct enforcement effect in the member states and the precedence of EU law over the law of the EU member state. In principle, the CFSP is subject to the principle of unanimity. However, a special bridging clause opens up the possibility of switching from unanimous decision-making in the Council to decision-making by qualified majority if this was previously decided unanimously by the European Council. For Germany, there are high constitutional hurdles to the transfer of sovereign powers to the EU in the area of CFSP.

Combinations of different legal elements can be used for specific political projects. For example, the banking union is a legal combination of EU secondary legislation¹⁷, far-reaching interpretation of the EU treaties and a supplementary international treaty, combined with the possibility of enhanced cooperation¹⁸.

In the context of flexible and differentiated integration, the model of a Europe of the regions, which - as the name suggests - follows the idea of strong regions, is also of interest to emancipative and solidary actors. They should have a greater say. Since the Maastricht Treaty, the Committee of the Regions has been institutionalised as an advisory body in the political structure of the EU. It is based on the principle of subsidiarity, according to which problems should be solved at the lowest political level. However, there is no universally valid definition of "region" and the resources and competences of the regions vary greatly in the EU member states. Many representatives of the regional level and federally organised states focus on the Europe of the regions¹⁹. However, this is not a fight against competition between regions and while the left is aiming for democratisation in favour of socially and ecologically sustainable development, the extreme right and right-wing populists are concerned with increasing influence to structurally weaken those who think and are different.

II. The current debate

At the beginning of October 2023, 35 former high-ranking EU representatives such as Jean Claude Juncker presented a "Manifesto for a European Union in the era of the new Cold

¹⁶ <https://www.bundestag.de/resource/blob/810866/e2015ec67fe07f73390cba33eb2fa229/PE-6-090-20-pdf-data.pdf>, S. 9-10.

¹⁷ legal provisions based on the principles and objectives of the Treaties in the form of regulations, directives, decisions, recommendations and opinions.

¹⁸ <https://www.bundestag.de/resource/blob/810866/e2015ec67fe07f73390cba33eb2fa229/PE-6-090-20-pdf-data.pdf>, S. 12.

¹⁹ <https://www.politische-bildung-brandenburg.de/themen/die-europ%C3%A4ische-union/leitvorstellungen-und-motive>

War"²⁰. They identify the "protracted war in Ukraine" and the "intensification of the conflict between the USA and China" as "the defining moments of our time". "A new world order" is "in the making, and if the European Union remains a half-baked construct, it will play no role in shaping this order." Drawing on the Conference on the Future of the EU²¹, the 35 call for the need to recognise a "new articulation between national policies (horizontal coordination) and between the national and the EU level (vertical coordination). We could label this evolution a 'gradual and pragmatic federalism'." In order to be able to meet current and future challenges, the EU must therefore "equip itself with a combination of a stable regulatory framework and adequate budgetary powers.

Long-lasting open work streams such as Banking Union and Capital Markets Union should be brought to a positive conclusion, overcoming the sterile debate on risk sharing versus risk reduction." Without achieving a Fiscal Union, the EU would "continue to be at the mercy of external events, thus remaining vulnerable domestically and on the global scene." The voting procedure must be reformed in the run-up to future EU enlargements, as these enlargements are geopolitically necessary and both a veto and sanctions against "dissenters" would be devastating. It must therefore be possible to "push forward the integration frontier, to proceed with variable geometry and member states' 'clubs'." ²²

These reforms would therefore push the unity triangle and apply differentiation concepts in a targeted manner. In the opinion of the 35, they should play an important role in the election campaign for the composition of the European Parliament.

For its part, the European Parliament called for a convention to revise the European Treaties in June 2022. Its Committee on Constitutional Affairs submitted a report to the plenary session in November 2023, which put forward proposals for a revision of the treaties. The EP adopted these proposals²³ and thus decided on the following orientation: A genuine bicameral system is to be created and the voting procedure in the Council is to be changed. Parliament is to be given the full right of initiative and the co-decision role for the long-term budget. The rules for the Presidency and the composition of the Commission, to be known in future as the "European Initiative", are to be revised. The number of Commissioners is to be limited to 15 and a rotation principle between the Member States is to be introduced. The President of the Commission should be able to choose his/her college on the basis of political preferences, whereby geographical and demographic balance should be ensured. The Council should become much more transparent and publish the positions of the Member States on legislative issues. The population should be given a greater say and the role of European political parties should be strengthened. MEPs should be given more EU

²⁰ The European Union at the time of the New Cold War: A Manifesto.

<https://cepr.org/voxeu/columns/european-union-time-new-cold-war-manifesto>

²¹ https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/new-push-european-democracy/conference-future-europe_de

²² All quotations in this section refer to the "Manifesto"; see footnote 22.

²³ <https://www.europarl.europa.eu/news/de/press-room/20231117IPR12217/die-zukunft-der-eu-vorschlaege-des-parlaments-zur-anderung-der-vertrage>

powers in environmental matters. Public health, civil protection, industry and education are to fall under the EU's shared competence in future. Shared competence in the areas of energy, foreign affairs, external security and defence, external border policy and transnational infrastructure is to be expanded.

The Robert Schuman Foundation has analysed the various proposals. In terms of content, it follows the manifesto of the 35th European Parliament, pointing out that the dilemma between deepening and enlarging the EU is taking on a new dimension and that it can only be resolved by combining deepening and enlargement. The foundation focuses on a "real EU industrial policy" and a "genuine common defence policy comprising its own operational military force". A comprehensive geopolitical concept is needed as a basis for foreign policy in order to be able to make direct decisions on arms deliveries and sanctions, for example²⁴. The Federation of German Industries (BDI) can only support what benefits "industry" in an "open market economy with free competition". It is calling for the EU institutions to prioritise specific "initiatives" in the "interests of the economy" and "security" in the coming legislative period, which it has set out in great detail²⁵.

In clear contrast to the Manifesto of the 35, the resolutions of the EP, the Schuman Foundation, the BDI etc., the content of the *BSW* election programme argues against the unity triangle and in favour of the corresponding use of differentiation concepts. "Today, the limits of political integration are becoming apparent"²⁶, it says in the preamble, and on increased cooperation against liberalisation and militarisation and military deployments, for example, it states "... from digitalisation ... to sensible financial market regulation, from an independent European foreign policy to a response to the increasing conflicts in the world, we urgently need concepts that are at least jointly supported by a larger number of European countries."²⁷ This can be understood as a struggle over the direction and manner of the EU's development, which socialist actors should accept as a challenge for debate.

III. A short note to emancipative-solidary actors and for left-wing politics

The EU, as a capital-elite project in the transatlantic alliance that must be radically criticised from the outset, is a fragile hybrid construct consisting of various organisational and administrative models. The internationalist, emancipative and solidary actors are called upon to make this critique their own political practice, in particular as a search for political possibilities for action and a struggle for their utilisation and expansion. This means, among

²⁴ <https://www.robert-schuman.eu/en/la-lettre/1043> PP. 2 and 3.

²⁵ <https://bdi.eu/publikation/news/europas-herausforderungen-meistern-mit-einer-wettbewerbsfaehigen-industrie>

²⁶ <https://bsw-vg.de/programm/europawahlprogramm-2024/> P. 1.

²⁷ Ibid, p. 2.

other things, seeking out free spaces and resources in EU law and in the EU institutions, even if this law is opposed from an internationalist, emancipative-solidarity perspective. Political strategies are needed that incorporate a variable geometry in favour of socially and ecologically sustainable development. This requires knowledge of EU law and the EU institutions and involvement in its updating in such a way that opportunities for action in the sense of the 4th Thought are preserved and expanded.

At the same time, however, this requires us not to fixate on the law and to be able to break it democratically if it prevents urgent solutions to problems. All instruments of democratic politics must be used for this purpose - from protest by means of street blockades to local politics and trade union work, work in parliaments and administrations and participation in governments. All of this must go hand in hand with a consistent fight against the misanthropy of racists, nationalists, political and religious fundamentalists.

However, as long as the left in Germany - especially DIE LINKE - and in Western Europe do not analyse their political failures, especially since the global financial crisis and above all the attempted Greek Spring of 2015, there will be no effective left-wing EU policy. In 2010, the European Social Forum movement petered out, and since 2015 there has been no broad European debate on the common left struggle for a necessary change of direction in the EU. The "historical mission" of the new Left Group in the European Parliament would be to help prepare the overdue new beginning. The study of the European Union resistance group and similar projects such as the Italian "Ventotene Manifesto"²⁸ can provide inspiration, especially for the debate on fascism, right-wing extremism and "right-wing populism".

²⁸ https://www.cvce.eu/content/publication/1997/10/13/316aa96c-e7ff-4b9e-b43a-958e96afbecc/publishable_de.pdf