

Proposals for a new stage in the construction of the European Union

Pierre Calame, July 2021

Europe will be great if it provides its people and the world with answers to the challenges of the twenty-first century.

Faced with the crises of modernity born in Europe and symbolised by the 'Age of Enlightenment', many, particularly in China, hope that, in accordance with its universalist vocation, Europe will be able to invent a new Age of Enlightenment.

In December 2001, a World Citizens' Assembly was held in Lille for the first time, offering a summary of world society through its geographical and socio-professional diversity and the distribution of participants taking into account the demographic weight of the different regions of the world (the Chinese and Indians alone represented 25% of the total). Ten days of exchanges to conclude that despite this diversity, people could agree on the common challenges of the twenty-first century. This is essential: faced with irreversible interdependencies between societies and between humanity and the biosphere, all peoples must build a community of destiny, and this cannot be based on a common history or religion; it is the common challenges and the will to face them together based on common values that will be the cement.

Four common challenges were identified at the World Assembly. This is the roadmap for the twenty-first century. It is up to Europe to propose responses that are equal to the challenge. The first challenge is to base the world community on a common value, present in all societies, namely responsibility, i.e. the duty to take into account the impact of our actions on the rest of humanity and on the biosphere. The second challenge is to lead the governance revolution in order to invent a way of managing our societies that reconciles the global interdependencies that unite us with the diversity of contexts and cultures. The third challenge is to renew our economic thinking and policies in order to respond to the demands of justice and the protection of the biosphere through a great "return to the fore" of the economy. The fourth challenge is to establish a global community of destiny by overcoming the national logics that artificially oppose the destinies of peoples.

The twelve proposals that follow, each summarised in 1,500 characters to respect the format required by the Conference on the Future of Europe, do not exhaust the complexity of these challenges but illustrate the first steps to be taken by the European Union to show its willingness and ability to meet them. They are divided into four chapters: the revolution in governance, the "return to the fore" of the economy, the construction of a community of destiny, education.

A. The governance revolution

The sovereign nation state, representative democracy, the division of powers between different levels of governance, the separation of legislative, executive and judicial powers. Four intellectual and institutional constructions born in Europe between the seventeenth and eighteenth centuries that we have come to regard as absolute, universal, timeless truths. Yet these are four historical constructs corresponding to the state of Europe at that time. To speak of governance is to leave behind the illusion that these forms are unsurpassable or even appropriate to the challenges of the twenty-first century and to examine the invariants of governance, from one civilisation to another and from one era to another, and to ask ourselves what forms of management of societies are best suited to the challenges of our

time: managing an interdependent world, preserving the global commons. Three invariants emerge: community, objectives and legitimacy.

The community: a group of humans and non-humans considered to be in solidarity and for which all kinds of regulations have been invented, which together form governance.

Objectives: the aim of governance is to ensure the sustainability of this community by pursuing three objectives: to maintain internal cohesion; to ensure the long-term equilibrium between the human community and its environment; and to resist external aggression if necessary.

Legitimacy: power and institutions are only legitimate if they satisfy the dual imperative of justice and efficiency. The legality of the actions of rulers, which in the West we too often equate with legitimacy, and the existence of an independent judiciary are only two of the many forms of legitimacy.

Six of the twelve proposals relate to governance. They aim to: bring about the emergence of a genuine "European community", i.e. the awareness of all Europeans of a common destiny; invent a "federation 2.0" for Europe, strengthening the Union's capacity for action while respecting the diversity of situations, by implementing multi-level governance; recognise that the "territories", the living areas of Europeans, are called upon to be major players in the transition to sustainable societies and to bring together the conditions for them to really become so; establish a European law of responsibility.

A.1 Building a European people's consciousness through a citizen-based process

European construction was based on market unification, a solution of recourse after the rejection in 1954 of the European Defence Community. This strategy has been effective, but as world trade has itself become unified, the Union has become the soft underbelly of economic globalisation and a political dwarf. The difficulty of strengthening the Union has a deep-rooted cause: the *single market, the common currency and the European citizen's statute are not enough to create an awareness of a community of destiny, to bring about the emergence of a "European people"*. For this to happen, European citizens need to explain to each other their values, their vision of the world, their priorities, their fears and their hopes. Such a citizen-based process is the condition for a new stage of the EU. Nourished by the achievements of deliberative democracy, it should be organised in two stages: at the level of cities and regions; then at the European level.

At the level of cities and regions, to break with the idea of "national interests" and the fear of states that their own identity will be dissolved in Europe. These citizens' panels should work for six months around two key questions: what are the common challenges of the world in the 21st century? and what response is Europe capable of providing? Then, in a second step, a European Citizens' Assembly of 1000 citizens delegated by the local panels will pool their thoughts and proposals.

A. 2 European multi-level governance training and training cycle for national officials

The European Union has promoted the ideas of multi-level governance and active subsidiarity. In so doing, it was the first to assume that no challenge facing societies today can be met by a single level of governance and that *it is necessary to define the concrete modalities of cooperation between these different levels rather than proceeding, in a manner that is always illusory, with the distribution of competences between these different levels*. Unfortunately, this new vision of governance, which is essential if we want to give governance the legitimacy that it often lacks today, as illustrated by the crisis of representative democracy, remains alien to national administrative and political cultures. A

major programme of exchange between officials from different Member States and training in the principles and methods of multi-level governance is necessary.

The secondment of national civil servants to the European Commission by various Member States is certainly useful in opening up national civil services to Europe, but it is far from sufficient to organise this genuine cultural change. It is no longer just European colleges in Bruges or Florence that we need, it is a common training of the civil service in Europe.

A.3. A European network of thematic centres for the exchange of experience

In 2018, the European Commission translated the two founding principles of the Union, proportionality and subsidiarity, into a method of European policy-making: multi-level governance governing cooperation between the different levels of governance, based on the principle of active subsidiarity, which consists of comparing the experiences of states and local and regional authorities in a given area, identifying common guiding principles and then getting each authority to apply these guiding principles according to the context. It is a modality of continuous learning and improvement. The Open Method of Coordination is already based on the same idea but is limited to national policies.

Multi-level governance is essential: no problem in society can be dealt with at only one level. Local and regional authorities have a decisive role to play, better able than States to go beyond sectoral policies. The European Union must become a vast learning community, rich in its unity and diversity.

It is proposed to create, for each major public policy, a European pole for the animation of active subsidiarity. (exchange of experiences, statement of guiding principles, differentiated implementation). They will be distributed among the Member States.

A.4 A European factory for territorial transitions and a European training programme for elected representatives and managers of local authorities

We are witnessing the "revenge of the territories": they had lost their importance in the 19th and 20th centuries to the benefit of States and large companies. Today, the situation is reversed: the actors capable of taking charge of the transition to sustainable societies are those who are able to manage the economic, social and ecological dimensions of society simultaneously: these are, respectively, the *territories*, the living space of society, and the globalised production *sectors* which organise cooperation between thousands of actors. This gives local and regional authorities new responsibilities. But their political and administrative frameworks are little or poorly prepared for this and public policies often remain sectoral. Hence the idea of setting up a *genuine European Factory for Territorial Transitions*, creating the conditions for a permanent exchange of experiences between local and regional authorities and a common training framework for their political and administrative staff.

Three concrete actions to start with: the setting up of a European bank of experiences on territories in transition; an "Erasmus for local authorities" leading their political and administrative executives to work in an authority of another member country; a major three-year joint programme of distance training for their executives.

A. 5 Support for the establishment of Territorial Economic Agencies in all European territories

Territorial cohesion policy has been one of the success stories of the European Union and has allowed the Union to directly support sub-national communities. This perspective must now be broadened and renewed, with the new priority of the transition to sustainable societies (Green New Deal). The "territories" will be major players: they embody the links between the economic, social and ecological dimensions of the life of societies and make it possible to "think locally to act locally and globally" in their way of life and their economic model, which is still based today on the illusion that the planet's infinite resources are available to the West. We need to return to what used to be called "oeconomy": the art of ensuring the well-being of all within the limits of the biosphere.

But the territories are still intellectually under-equipped to know and understand their metabolism, to conduct a systemic transition, to develop cooperation between actors and synergies between the areas of governance that this transition requires. New professions, new modes of knowledge and new approaches to complexity must be developed. Hence the proposal to provide all territories that are committed to the transition with a Territorial Economic Agency, with the support of the European Union: this intangible investment is now a priority.

A.6. The European Charter of Human Responsibilities and the extension of the competence of the European Court of Human Rights

Human rights are now the backbone of European law. Climate inaction lawsuits against states or large corporations have not been able to point to the impact of this inaction on societies as a whole and on the climate; they have had to point to the impact... on the human rights of national communities. And rivers are given a legal personality in order to be able to confer 'rights' on them.

The pre-eminence of human rights is unique to the West. In a world still dominated by the West, they were affirmed in 1948 as a universal value, but there is no equivalent in other civilisations, and their exclusive nature has upset the balance between rights and responsibilities. The only truly universal value is responsibility because *it underpins the very idea of a community*, often composed of humans and non-humans, where each member is accountable for the impact of his or her actions on the community as a whole.

Responsibility will be the backbone of ethics and law in the 21st century. This will require the adoption of a Universal Declaration of Human Responsibilities, the counterpart to the Universal Declaration of Human Rights. The EU can take the initiative, provided that it adopts a European Charter of Human Responsibilities and extends the competence of the European Court of Human Rights to include responsibility.

B. The economy

Over the past thirty years, faced with the inadequacy of an economic way of thinking inherited from past centuries, which was based on the illusion of infinite resources, we have seen a proliferation of compound terms, sustainable development, green growth, social and environmental responsibility of economic and financial players: often oxymorons that claim to overcome our contradictions through the magic of words. Why not simply return to the concept used until the middle of the eighteenth century: oconomy, which was the art of ensuring the well-being of all while respecting limited resources that had to be preserved at all costs? This return to the past leads us to question the nature of the various goods and services and the governance regimes that correspond to them, and the legitimacy of the power exercised by economic, financial or political actors who behave irresponsibly. Two

proposals are highlighted here, not because they cover the whole economy but because they are particularly significant and urgent: the management of fossil energy by individual quotas; the renewal of the social contract between finance and society.

B.1. Combating global warming: the introduction of individual carbon accounts at European level

Since the 1992 Earth Summit, the fight against global warming has been ineffective. The carbon footprint of Europeans has not been reduced: the apparent progress on European soil is the result of the relocation of the most energy-intensive industrial activities. Traditional methods, such as taxing the price of carbon and multiplying standards, are either socially unacceptable or ineffective. A complete change of perspective is needed, which the new Green Deal does not offer.

In France, the Assises du climat held in early 2021 (www.assisesduclimat.fr) posed the problem in very different terms: to impose an obligation of result in line with our international commitments, by reducing our footprint by 5% per year, from 10t to 2t in thirty years. This means that emissions are rationed and the cap is lowered by 5% per year. Four criteria are used to judge the proposed policies: taking into account the totality of the ecological footprint; guaranteeing that the result will be achieved; ensuring social justice; and mobilising all private and public actors in the service of the common objectives. Only one policy respects these four criteria: the allocation to each citizen of an individual freely tradable emission quota, a carbon account (www.comptecabone.org). These are the perspectives that are needed at European level: by organising European Climate Conferences; by debating within the European institutions the modalities for setting up a carbon account.

B.2 Sustainable finance and the social contract

The European Union is trying to put finance at the service of the transition: climate risk assessment, taxonomy of activities, reorientation of the EIB.... And thousands of financial institutions have signed up to the UN's Principles for Responsible Investment (PRI). But despite the proliferation of 'ethical' funds, the fiduciary duty of portfolio managers remains to ensure a return for investors. Ethics are secondary.

Socialised savings systems, pension funds, mutual funds and investment companies represent a considerable proportion of the capital invested. A new European social contract between finance and society must be based on a Charter of responsibility of the different actors: shareholders, fund administrators, portfolio managers, banks.

Example: the shareholders. According to the doxa, they are the real owners of a company. They have voting rights the moment they buy a share. Do we grant nationality to anyone who crosses the border? Share ownership is often short (its average duration has dropped from 7 to 1 year since the Second World War). And the anonymous nature of shareholding means that no shareholder can be held responsible for damaging decisions made by the company at the time they held the shares. All this must change. Similar reasoning for other actors.

C. A global community of destiny

The destinies of different peoples and nations have become inseparable, and only the awareness of humanity that we are one "human family", in the words of the Universal Declaration of Human Rights,

will allow us to make the mutual sacrifices necessary for our survival. This is a long way off. Firstly, because nation states, by claiming to represent exclusively "their" people, are distancing us from the awareness of a common destiny; secondly, because a true international law of responsibility has not yet emerged. It is to these issues that the two proposals respond.

C. 1. The European Union's contribution to the emergence of a global community of destiny through the organisation of dialogue between societies

Since the 17th century, states have claimed a monopoly on international relations and have acted as if historically inherited national communities were unbreakable "natural communities". The UN has made state sovereignty sacred. Only the European Union embodies their necessary overcoming. In the context of intense and irreversible interdependence between societies, it is urgent to create an *awareness of a global community of destiny*, by realising that what unites us with other societies is more important than what sets us apart. This can only be done by organising a direct dialogue between societies, on an equal footing, involving all social circles and inviting them to confront their views on common global challenges.

The experience of the China-Europa forum (www.China-Europa-Forum.net) shows that such a dialogue is possible, exciting and reveals that on many subjects the differences within European society and within Chinese society are greater than the differences between "Chinese" and "Europeans". The European Union has not been able to financially support this forum: it has no budget line for it. It should be an emergency and a priority for the next few years to organise the dialogue of European society with Chinese, American, Indian, Latin American or South East Asian societies.

C.2 The European Union, promoter of an international law of liability

The invention of a European law nourished by the legal traditions of the Member States and reinscribed in national laws with national margins of appreciation, is a major advance of the European Union.

The construction of common legal principles is now a global issue because the absence of an international law of liability applying to actors, public or private, whose impact is global shows that by having invented in the 19th century the "limited liability company" we have built in the 21st century companies with unlimited irresponsibility!

International law, in a multipolar world, can neither be the extraterritorial application of American law nor the universalisation of the Western legal corpus. As the book "On the Road to a Universalizable Common Jus" shows, there are principles of governance and law common to the different legal traditions of the world: continental law, common law, Chinese law, Islamic law. It is therefore possible to conceive today, through dialogue between societies, the bases of a global legal system, implemented through the network of regional and national courts of justice, leading the different types of public and private actors to fully assume their responsibility towards the rest of the world. The European Union is right to take this initiative.

D. Reform of the education system

What kind of human beings, what kind of elites will we need? 2050, a little less than thirty years from now, is a horizon that has become familiar in Europe and in the various Member States. It is the time frame in which we claim to be carbon neutral (but without our imported greenhouse gas emissions...). 2050: the children we are training today in our schools will be the workers and the students in our

universities will be the managers. Are we preparing them for the overwhelming task that will be theirs because of the inability of the generations currently in charge to make the necessary changes in time? Nothing is less certain. The two proposals seek to respond to this impasse.

D. 1 Education reform: preparing young Europeans for the challenges ahead

Young people trained today will be managing the world in 2050. As climate change illustrates, they will have to take on the irreversible interdependent nature of our societies and lead a systemic transition: managing relations between human beings, between societies, between humanity and the biosphere in a new way; thinking about and linking together numerous changes without giving in to the illusion that the problems will be resolved by science and technology.

Training for transition, management of complexity and global citizenship: the foundations of education, often characterised by a split between knowledge and values, teaching by discipline, and a separation of the physical, biological and social sciences, need to be completely revised.

Education must be rooted in local territories: places where the interrelation between things and beings is discovered, they offer the opportunity to develop cooperative projects, on the scale and within the reach of each age group, geared towards the discovery of the power to act. At all ages, exchanges between schools, colleges and high schools from all over the world should enable students to discover other cultures but also and above all to discover that they are citizens of the world facing the same challenges, called upon to cooperate. These are the foundations of the education reform.

D. 2 A new social contract between the university and society

The Lisbon Declaration proclaims Europe's desire to become a world leader in the knowledge society. This illusion that more knowledge built and transmitted by mono-disciplinary faculties guarantees progress is reflected in the 1998 Final Declaration of the World Congress on Higher Education: "fund universities extensively while respecting their autonomy and your development is assured"! This is not true. The 2009 World Congress has already recognised that the priority of the university is to educate responsible citizens.

The financing of higher education is based on a social contract inherited from the past: the autonomy of the university built in the face of the church and the civil authorities; the organisation of faculties by discipline dating back to the beginning of the 19th century. The university as a place of innovation? it is self-reproducing! The European Union must redefine the social contract between the university. There are several avenues:

- a core curriculum common to all higher education, an introduction to the basic knowledge and methods of understanding our complex world and its challenges;
- rooting the training in territorial realities, putting students at the service of society and in direct contact with the complexity and exercise of responsibility;
- interdisciplinary training mobilising a diversity of knowledge to address concrete issues;
- an overhaul of teacher training, from primary to university level.