



## Federalism and Citizenship

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I want to thank to the Hebrew University for the honor of inviting me to address the Guest lecture marking the launch of the Annual Ortega y Gasset Lecture Program on Contemporary Spain at the European Forum under the direction of Prof. Ruth Fine. I want to extend my recognition to Ambassador Fernando Carderera for the very active support given by the Spanish Embassy in Israel and his kind presentation.

I bring a message of Prof. José Varela Ortega, President of the Fundación Ortega Marañón (FOG) confirming the message sent to Prof. Ruth Fine, expressing their interest in developing an active cooperation with its centre in Toledo.<sup>1</sup>

Toledo, the heart of the Golden age of Jewish presence in Spain, has a mystic parallel with Jerusalem. It was the seat of the school of translators and the Kabala, with two of the oldest synagogues in Europe, el Tránsito and Santa Maria la Blanca. When I was coming to the UCLM University, normally I entered in the old town by the Mosque of Cristo de la Luz of the year 1000 with a roman church attached. The Spain of the three cultures.

I am not talking only of nostalgic remembrance. The challenge of living together of peoples from the three religions of the book is always present. We witness it now with the debates on the dramatic recent events in Europe and the Middle East

The Ph. D. work of Ortega y Gasset had as subject “The terrors of the year thousand”. He wrote a very fine foreword to one of the most beautiful books of love of Islamic culture “The ring of the dove” of Ibn Hazam de Córdoba. A poet that lived in the Caliphate at that time, is considered a pioneer of comparative religious and linguistic studies including Hebrew. I quote from it: “The European Middle Age is, in reality, inseparable from the Islamic civilization, because it consists precisely in the positive and negative coexistence (convivencia) of christianism and Islamism in a common area permeated by Greek and Roman culture”.

This text opened my novel “The error of the millennium”. I wrote this thriller when I was reviewing my book “Europe at the dawn of the millennium”<sup>2</sup> for its English version on the eve of the Millennium bug, the Y2K problem that threatened to erase all informatics data. The subjects of the book were the Arabic numbers arriving into Europe through the Caliphate. The main characters were the French monk Gerbert d’Aurillac (later the Pope Silvester II) that smuggled them from the Cordoba of

<sup>1</sup> [www.fogtoledo.com](http://www.fogtoledo.com).

<sup>2</sup> “Europe at the dawn of the millenium”. Mcmillan.London.1997

Abderraman III, his great General, Almanzor and the influential Jew Hasday Ben Saprut. Through this way arrived medicine and philosophy texts. These numbers that the Arabs were conveying from India made possible the 2.0 world, unthinkable with the roman numbers. These facts, not easy understood even today in Europe or America, are part and parcel of the long lasting and complex relationship among our countries and civilizations.

But Ortega is more known for his “philosophy of life”. “There is no me without things and things are nothing without me: "I" (human being) cannot be detached from "my circumstance" (world). This led Ortega y Gasset to pronounce his famous maxim "*Yo soy yo y mi circunstancia*" ("I am I and my circumstance") which he always situated at the core of his philosophy. He considered “the lack of interest on the part of our thinkers in “human life “as one of the great deficiencies which to its shame have been displayed by the European civilization. For it should be noted that the oldest texts we possess from the most ancient cultures- the Egyptians, the Babylonians – consist of meditations on this thing. A literature called “wisdom literature”. In the book of Job, one of the most ancient texts of the Old Testament, you find an example and at last echo of this primordial wisdom literature” (from his conference “Concerning Bicentennial Goethe” in Aspen Colorado 1949).

Let me come closer to the theme of my speech “Federalism and Citizenship “with one of the Scholars that knew better the work of Ortega y Gasset. Thomas Mermall, a Carpathian Jew survivor of the Holocaust became a leading Hispanist by chance, narrated in his autobiography “Seeds of Grace: Memories of Love, War and Friendship” .He made a superb critical edition of Ortega y Gasset's “The Revolt of the Masses. He put the accent on personal responsibility as a core element of democracy in front of what Ortega defines as Fascist as “a type of man who *did not care to give reasons or even to be right*, but who was simply resolved to impose his opinions.”<sup>3</sup>

In the current globalised world we must not resign ourselves to accept a new war of faiths or clash of civilizations. It is clear that we have to conduct a protracted and painful struggle against jihadism, a growing terrorist threat inspired in a fanatic vision of Islamism. In my case, I lived most of my political life in my home country building up a democracy suffering a constant attack of a domestic terrorism inspired in nationalism. I learnt that a strong will pursued with resilience and perseverance is the most effective weapon, managed with active security policies. Later, on the European stage I have been participating in building up a new political reality that I defined as “the European union, weaver of peace” in the University for Peace of the UN<sup>4</sup>. I do not need to explain the meaning of it on the eve of the 27<sup>th</sup> of January, that will commemorate the 70<sup>th</sup> Anniversary of the Liberation of Auschwitz.

For the first time in history, we Europeans are creating a political system in which we do not kill each other for religious or political reasons. The result can be explained shortly: when we were debating the European Constitution, there was an intensive lobbying trying to include Christianity or God in the Treaty. As President of the Socialist group in the European Parliament I submitted the “*invocatio Dei*” to debate in the plenary of the Group. It lasted less than 5 minutes among a group of 200 people

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<sup>3</sup> ( The revolt of the masses: Chapter 8: Why the Masses Intervene in Everything )

<sup>4</sup> [http://www.upeace.org/news/former-president-of-the-european-parliament-enrique-baron-visits-the-university-for-peace-campus\\_2013-10-17](http://www.upeace.org/news/former-president-of-the-european-parliament-enrique-baron-visits-the-university-for-peace-campus_2013-10-17)

coming from 27 countries and diverse faiths – Christians from several churches, Jewish, Muslims, Buddhist, freemasons, agnostics ... We were unanimously against.

The reason was double: we shared the belief that the freedom of thought, conscience and religion is a Fundamental Right (enshrined in art.10 of the Charter, binding after the Treaty of Lisbon ) and that the EU is based on a secular covenant, following the principle that government should be separate from religion. A decisive change after centuries of religious fanaticism and internecine wars. Nevertheless, we are not short of contradictions. Some of our monarchies have the King or the Queen as head of the national Church and some of our republics invoke God in their preamble. As Paul Valery said” you can recognize the level of a civilization in the amount of contradictions that it can cumulate”.

Finally, we Europeans have adopted clearly this principle of separation between religion and power enshrined in the 1<sup>st</sup> Amendment of the US Constitution. The Constitution that first established in history citizenship as the corner stone of the political system and federalism as political organization.

The second key element is the consideration of European citizenship based in shared values as a cornerstone of our common endeavor. It is a citizenship based in “constitutional patriotism” not in blood, race or faith. It took 40 years to put it in the center of the institutional system. The paradox is that the accepted founding statement of the EU, namely the Declaration read by Robert Schuman in the Quai d’Orsay the 9<sup>th</sup> of May of 1950, defined it as “ a first step in the federation of Europe” but did not mention citizenship. It took the end of the Cold War to include it in the Treaty of Maastricht. I had the honor of making the proposal on behalf of the European Parliament.

When we see the time and the suffering that took to eliminate the ghettos for the Jews or to make peace among the different branches of the Christians we do not need to overstate the importance of this step. Now the main challenge is to integrate the growing Muslim presence in Europe. These European Muslims are Europeans citizens living in a democratic and pluralist Europe with a deep concern in combating the radical interpretation of Islam. The biggest mistake would be to convert more than 20 million European Muslims in hostages of the radicals.

I had the opportunity to debate it in a meeting organized past December in Brussels by the EMN (European Muslim Network), with Muslims of 17 European countries<sup>5</sup>, many of them academics, civil servants or business man. The subject was “De ‘l’Etat islamique’, du ‘djiadisme’ et de ‘la radicalisation’ “with the burning question about the youngs of second or third generation that become fanatic terrorists and commit suicide after a bloody massacre.

The question of citizenship is key in this sense. There is a substantial difference between the concept of political citizenship based in values and the concept of belonging to a universal political community defined by a religious faith, the umma, with a policy of tolerance towards the minorities, essentially Jews and Christians, subject to the payment of a special tax, the “yizia” and considered as subject of second class. This debate is not only European. Look what is happening now with the new

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<sup>5</sup> <http://www.islamic-events.be/event/etat-islamique-jihadisme-radicalisation/>

Constitution in Tunisia, Egypt or with the federal proposals in a more dramatic way in Iraq or Lybia or Pakistan

This is a global challenge in a globalised world. The answer is what I call I the era of federalism<sup>6</sup>. Today, the majority of the great power members of the G 20 are federal states. Some of them with a substantial Muslim presence like India or Russia. There is too Saudi Arabia, ruled under one of the strictest versions of Islam. Altogether, the general trend is towards strengthening common power through pooling of sovereignty among diverse powers and at the same time devolving power, looking for more flexible sharing of power and responsibilities. Federalism is the democratic answer able to balance these opposite forces, harnessing the positive potential among diverse entities of what otherwise might be counterproductive forces.

The definition of federalism is made more on political experience than in theory. It is more complex than to define a monarchy or a republic. Federalism is not a belief or a doctrine as such, but a political system based on the unity in diversity, and the common will to share a destiny within the rule of law.

The simplest way is to describe it through its main characteristics. After the pioneering case of Switzerland, the main characteristics of federalism were first described by Madison as member of Publius with Hamilton and Jay in the Federalist papers in the constitutional debate of the United States. The battle of New York was the great debate among Federalists and Antifederalists in the process of the ratification of the US Constitution in 1787 that changed the nature of the Confederation. Its main characteristics are: the will to share destiny in a union, non-centralization, subsidiarity, territoriality, constitutionalism, balance of power, autonomy, willingness to negotiate. The checks and balances.

In the case of the European Union, the aim of the founding fathers was the European Federation. In fact, the institutional framework since the first Treaty of the European Coal and Steel Community (ECSC) would ultimately form the blueprint for today's European Commission, European Parliament, the European Council and the European Court of Justice. It can be described as a laborious ongoing Federalizing process. The EU building process is advancing from Treaty to Treaty through crisis as said Jean Monnet

The passage from the EC to the EU, from the falling of the Berlin Wall was made in the Maastricht Treaty with the pillars of the single currency and the European citizenship. It was considered then a simple case of paying lip service in a great declaration. In fact, it is changing the political landscape, clearly with the elections of 2014 and the link of the vote with the appointment of the President of the Commission. Now the main challenges are: the answer to the crisis and the progress of the Monetary and Economic Union, the advancement towards fiscal federalism and a proactive answer to nationalist and xenophobic reactions.

The federal debate rages in Europe, especially in the United Kingdom and Spain, two countries that have a quasi federal structure since the middle age. It is not surprising the fact is that most of the Federal States of the G 20 come of British or Iberian traditions.

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<sup>6</sup> Barón Crespo, Enrique “*La era del federalismo*”. RBA 2014

In the case of Spain, the current Constitution of 1978 is the seventh after the Constitution of Cadiz in 1812, in a turbulent journey with two monarchs expelled and one imported, two republics, and several dictatorships and civil wars. Its balance is the most stable and prosperous period in the last two centuries. Moreover, it has created the Spanish way to federalism consolidating the democracy and the autonomic system drafted in the 2<sup>nd</sup> Republic. It is interesting to remind that Ortega y Gasset participated actively as an MP in 1931 in the debate related with the Statute of Catalonia, He defined his position as being critical to federalism but considered that the relationship with Catalonia was of “conllevarse”, verb that like the English verb to bear has a lot of nuances between to suffer till to help. A multileveled government with devolution and tolerance. I

In this sense, Federalism is the best answer to the tension of staying or leaving, an answer to what American scholars call “Guess who’s coming for dinner tonight” dilemma.<sup>7</sup> As a founding father of the current Constitution I share the view that after making a success the “Estado de las autonomías “, time is ripe for reforming it in a federal direction.

Now let me conclude with some thoughts on federalism and the Middle East. I am not trying to export an exotic plant. Prof. Daniel Elazar, a leading political scientist in federalism and Jewish political tradition, founder of the “Jerusalem Center for Public Affairs” wrote that the first federal experiment in History were the twelve tribes of Israel. The Hebrew word brit, as covenant, pact or alliance is very often used in the Torah. I cannot judge this statement from the religious point of view not being an expert in the matter, but I can say that I feel myself closer to the siblings of Jacob than to the Egyptian Pharaoh.

Coming closer to the current times, I read with interest his essay “Two Peoples--One Land: Federal Solutions for Israel, the Palestinians, and Jordan”. More recently, I have read the summary of a study of Prof. Ruth Gavison of this University on “moving to a federal or semi-federal regime based in cantons”<sup>8</sup>.

As President of the International Yehudi Menuhin Foundation I support fully too his statement when he received the Wolf Prize in the Knesseth: “the only possible guarantee of long term survival for the Jews in Israel is an eventual confederation, on the Swiss model, of neighboring culture, with Jerusalem becoming a shared capital”<sup>9</sup>.

It was the message that I expressed as President of the European Parliament in my address to the Knesseth the same day of the beginning of the Madrid Conference for Peace in 1991. We have had the opportunity since then of verifying at this is not only about peace in a land so charged with history and drama; this concerns our home too.

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Guess Who’s Coming to Dinner (1967). Director: Stanley Kramer. cast: Spencer Tracy, Sidney Poitier, Katherine Hepburn. Matt and Christina Drayton are a couple whose attitudes are challenged when their daughter brings home a fiancé who is black.

<sup>8</sup> Gavison, Ruth. "The necessity of strategic thinking: A constitutive vision for Israel and its implications," under the auspices of the Samuel Neaman Institute at the Technion - Israel Institute of Technology.

<sup>9</sup> Menuhin, Yehudi “ Unfinished journey”. Metuhen.London. p. 455

