

Survey Article: The Nascent Political Philosophy of the European Polity*

HEIDRUN FRIESE and PETER WAGNER
Sociology, European University Institute

OVER the past decade, that is, since the signing of the Maastricht Treaty, emphasis in the analysis of the European Union has shifted from understanding the process of European integration towards exploration of the specific features of the emerging European polity.¹ In terms of scholarly approaches, this shift has entailed a move from the field of international relations, with its focus on intergovernmentalism, towards institutional analysis, policy analysis and political theory, thus expressing the by now largely consensual view that the European Union (EU) can be analyzed as a polity in its own right, certainly a very complex one and possibly even one of an entirely new kind, but no longer merely a set of treaties between sovereign states.

Within this rapidly increasing literature, questions of political theory have acquired salience, not least as a consequence of the widely debated theorem of the 'democratic deficit' of the European Union, that is, as an issue of normative political theory.² However, the increased awareness that the available register for conceptualizing polities by means of political theory and philosophy is largely inadequate for understanding the emerging European polity has hardly yet led to a full exploration of the two central questions that, in our view, need to be explicitly addressed: What is the contribution that political theory and philosophy have to make in understanding the European Union, and—possibly—in investigating the normative underpinning for that specific polity? And, inversely, what is the challenge for political theory and philosophy that the creation of a novel kind of polity such as the European Union entails? Most of the discussion in what follows will be devoted to the first of these questions. But since that discussion will be based on our own view about the answer to the second question, we need to give that answer, at least in broad terms. The creation of a

*Versions of this argument were presented at the University of Bergen, the Social Theory Centre at the University of Warwick, the 2001 meeting of the International Social Theory Consortium at the University of Sussex, and at the University of Berne. The authors are grateful for comments offered at those occasions as well as for those made by two anonymous reviewers for the *Journal of Political Philosophy*.

¹For a recent overview, see Craig 1999.

²For general discussions of the question of legitimacy for the European polity, including the so-called 'democratic deficit', see Beetham and Lord 1998; Curtin 1997; Schmitter 2000; Weale and Nentwich 1998.

European polity, in our view, lays bare the limits of an approach to political philosophy that focuses on addressing general issues of relevance for all polities at all times and points to the need for politico-philosophically exploring a polity in its specificity, that is, its being situated in space and time.

On closer inspection, the current debate about the political philosophy of contemporary Europe is marked by a subtle, often hardly visible but nevertheless significant, divide. On the one hand, there is a strong, probably dominant strand that is concerned with applying general principles to the European polity. By and large, contributions to this strand can be seen as working with combinations of liberalism and rationalism; in the centre of its concerns are—with variable emphasis between the two—‘democracy and efficiency’, to use widely employed terminology, as general commitments for which in the European context only the best institutional expression needs to be found.³ The relation between the principle and the case is here one of model to application. On the other hand, parts of the debate start out from the specificity of the contemporary European situation, partly even underlining the uniqueness of the situation, to then emphasize enablements and constraints—mostly constraints, as will become clear—that emerge from that situation for polity-formation.

This latter move is certainly unusual in contemporary political theory, and it is not unproblematic either. In the given case, it has often proceeded by aiming at understanding what we may call the sociohistorical context, often in fact called ‘social substrate’, of European political institutions.⁴ The main guiding assumption is that a given structure of social relations, or of ‘relations of association’,⁵ prefigures the range of viable and/or normatively desirable possibilities for polity-formation. Thus, any proposal for a political philosophy of the European polity needs to be based on an analysis of the sociohistorical conditions under which that polity is created. Put in these terms, this move is a step away from the tradition of abstract, hypothetical theorizing in political philosophy, the latest landmark work of which was John Rawls’s early *Theory of Justice*, and towards a reasoning that relates the political form to the issues at stake in a given situation at a given moment.⁶ It reopens the conceptual relations between historical sociology, on the one hand, and political philosophy, on the other—relations that have been strong in classical works, such as those by Alexis de Tocqueville and Max Weber, but that were thinned out, if not entirely destroyed, in the course of disciplinary specialization during the twentieth century.

³For instance in the subtitle to Scharpf 1999, as one among many appearances.

⁴The term ‘substrate’ in different connotations has been used for instance by Dieter Grimm (1995, p. 289), Claus Offe (1998, p. 107) and, more critically, Jürgen Habermas (1995, p. 305; 2001a, pp. 64, 71, 76).

⁵Offe 1989, p. 755.

⁶Rawls 1971; for our own observations about the relation between social practices and political institutions, see Wagner 1996; for an analysis of the range of approaches to political theory, see Wagner 2001, ch. 2.

Based on the assumption that such reconnection has the potential of considerably enriching the political philosophy of our time, the following discussion will focus on contributions to the political theory of the European polity that address Europe in such specificity.⁷ At the same time, however, the reconnection of historical sociology to political philosophy needs to be pursued in awareness of the risks it entails, and this has not always been the case in the recent European debate. This debate has, almost without exception, failed to explicitly address the question of how to relate ‘social context’ to ‘political form’ without falling into some form of social determinism, indeed identifying constraints rather than possibilities. In this light, it is our ambition, first, to briefly review the current debate with a view to identifying the ways in which theoretical assumptions and/or empirical knowledge about the current European social context have been mobilized to sustain particular ideas about the European polity. In a second step, then, we will use our observations on the positions in this debate to elaborate some alternative ideas for the elaboration of a sociohistorically rich normative political philosophy of the emerging European polity.⁸

I. THE CULTURAL THEORY OF THE POLITY (I): A EUROPE OF NATION–STATES

The assumption common to most of the contributions under review here is that the creation of a European polity takes place against the background of the existence of nation–states as the predominant form of the polity in recent European history. Without arguing that the European polity supersedes and replaces the nation–state, it is seen in all but a few cases as some prolongation of a political history marked by the national form. Naturally, one may be inclined to say, the elaboration of a political philosophy for Europe starts out from that political philosophy that underlies the nation–state. Thus, political debate in Europe currently experiences a rather sudden revival of the cultural–linguistic theory of the polity.⁹ This theory served to underpin national–liberal movements in Europe during the first half of the nineteenth century and the building of nation–states during the second half of that century, culminating in the

⁷The existence of some connection between an empirical, historical assessment of the European social condition and the European political form provided the major criterion of selectivity in the following overview in which it was impossible to do justice to a field of scholarship that grows at an enormous pace.

⁸Within the space of this article, only the outlines of such a perspective can be given. Our first attempts in this direction, upon which we build here, are: Friese and Wagner 2000; 2002; Friese 2002a,b.

⁹Given that European states were basically just regarded as ‘advanced liberal democracies’ during much of the earlier post-Second World War period, the renewed interest in the definition of the boundary of those polities needs to be seen in the context of the challenges to this boundary that accompanies European integration—as well as, of course, the reopening of the boundary between Cold-War Western and Eastern Europe.

application of the principle of national self-determination to the task of reconfiguring the European political order at the end of the First World War. In as far as the theory contributed to shaping the dominant form of polity that exists in Europe, it should not be surprising if some reassessment of its reasoning takes place in the context of a major reshaping of those polities. It is striking, however, to see such theorizing basically just being reapplied without any profound scrutiny of its record, both in historical and in politico-philosophical terms. As to the former, it is not our intention here to review the experience of the long nineteenth century with the cultural–linguistic theory of the polity, or to comment on the renewed application of the principle in East Central Europe and the Balkans after 1989. Rather, we concentrate on the latter aspect, namely, on some of the politico-philosophical presuppositions that are re-mobilized in the discussion about the contemporary European Union.¹⁰

In this context, basically two versions of the argument can be found. First, by drawing directly on politico-legal philosophy, ‘the people’ is considered as the only legitimate giver of the constitution, as the codified self-understanding and ground-rules of a polity.¹¹ This entity, ‘the people’, is then rather inadvertently endowed with certain requirements of cultural–linguistic commonality such that only national peoples can be seen to exist in Europe, and no European people, at least not in the foreseeable future.¹² The most widely debated version of this approach, as proposed by the German legal scholar Dieter Grimm in the debate around the Maastricht Treaty, is far from using any *völkisch*, or as one would now say, essentializing, notion of ‘the people’.¹³ The

¹⁰Against this general background assumption about European integration, namely, that it is cultural–linguistically defined polities, that is nation-states, that are about to merge into a larger polity, a number of issues pose themselves immediately, issues which, though, can be phrased in a variety of theoretical terms. First, assuming that there are national cultures, the new polity will be multicultural. On this assumption, the recent political theory of *multiculturalism* could be mobilized. Second, assuming that the merger falls short of creating a unitarian polity of, say, the kind of the French Republic, theories of *federalism* could be invoked (see, for instance, Føllesdal 1997). In both cases, interesting debates could be held comparing the degrees of *particularism* of the member states/cultures with the degree of *universalism* of the larger polity (see Delanty [2001] for an argument along those lines and in many respects substantively similar to our own). In politico-legal terms, the question of a *constitution* of Europe and its relation to the constitutions of the member states has been raised (Weiler 1999; Joerges et al. 2000); and the politico-philosophical relation of the *citizenship* of the European Union to national citizenship, including the differential relation of both to the concept of universal human rights, has been discussed (see most recently the special issue of *Law and Philosophy*, edited by Føllesdal 2001; see also Preuss and Requejo 1998). While all the aforementioned issues will be touched upon in the following, for reasons of space we will not be able to discuss any of them in much detail.

¹¹Grimm 1995, p. 290. In 1931, Paul Valéry (to whom we return later) had already observed that ‘the very notions we employ in thinking and talking of political matters . . . have gradually become deceptive and inconvenient. The word “people”, for instance, had an exact meaning when it was possible to gather *all* the citizens of a town together, round a hillock in a public square. But the increase in numbers, the transition from the order of thousands to millions, has made the word “people” a monstrous term whose sense depends on the sentence into which it enters’ (Valéry 1996a, pp. 15–16. On the use of political words, see Friese 2002c.

¹²Grimm 1995, p. 294; for a first comprehensive discussion of what has become known as the ‘no-demos’ thesis, see Weiler 1995.

¹³Grimm 1995, pp. 292, 297.

argument is a politico-functional one with regard to the workings of democracy: human beings have to be able to communicate effectively about the rules they give themselves for those aspects of their lives they intend to regulate in common. For that to be possible, they have to share a language and a basic set of historically grown institutions which mediate between society and the state.¹⁴ As a consequence of the combined effect of theoretical presupposition and interpretation of the current European reality, however, a European polity is seen as normatively undesirable because those requirements are not met, and all important political decisions would need to remain for the time being within the nation–state context. ‘For the foreseeable future there will be neither a European public nor a European political discourse.... There is as yet no European people.... Converting the European Union into a federal State can in these circumstances not be an immediately desirable goal’.¹⁵

To some extent drawing on Grimm, the second version of the argument, Claus Offe’s reasoning, leads to a similar conclusion, but on a slightly different path. Rather than a political or legal philosophy, he uses a politico-philosophically informed historical sociology as a basis for his argument. It is, thus, not directly the existence of a ‘people’ that is at the foundation of his polity (although he also uses the term cautiously), but a certain level of trust between its members. Such trust, in turn, is a precondition for the development of effective solidarity, at least under—normatively desirable—conditions of democracy, that is, conditions in which the members of a polity themselves decide about the rules that govern their lives in common and, in particular, rules that redistribute resources among them.¹⁶ The idea of a connection between trust and solidarity under conditions of democracy is an important contribution to what we may want to call a social theory of politics. Offe’s reasoning, however, takes a sudden and unwarranted turn when he suggests that the European nation–state is the largest container of democracy and solidarity that has historically become possible, showing the widest extension of relations of trust ever achieved, and that one needs to be skeptical about the likelihood that human history could go beyond that achievement.¹⁷

This argument—and *mutatis mutandis* the following observations also apply to Grimm—is first of all counterfactual, since it reasons in terms of impossibility, or at least strong improbability. Since both Grimm and Offe are cautious enough

¹⁴Ibid., pp. 293–5.

¹⁵Ibid., pp. 296–7.

¹⁶Offe 1998, pp. 104–5, 107, 132–3; similar ideas can be found in Ulrich K. Preuss’s lead contribution to Preuss and Requejo 1998.

¹⁷Offe 1998, p. 133. Offe starts out from, as he himself calls it, the ‘skeptical conjecture that political resources (understood as the capacity of society to exercise control over its own quality and development by means of domination) will not be added, but will in contrast get lost on the way to “Europe”’ (Offe 1998, p. 99). At the end of his reasoning, maybe not unsurprisingly, he arrives at the conclusion that any thoughtless abolition of boundaries will undermine the political community’s power to commit its members to its rules and policies, not least to redistributive sacrifices (Offe 1998, pp. 133–4). He paints a sombre picture of spreading amorality, ruthlessness and irresponsibility as a result of the weakening of the nation-state—and, one is led to infer, of the building of a political Europe.

not to suggest that the conditions for a European democratic polity cannot be fulfilled under any circumstances, the only way of underpinning their argument is historical analogy. For these authors, rightly, the European nation-states—and other democratic polities—have not been erected on meta-historical foundations. The ‘people’ rather is ‘self-constituted with reference to history and territory’.¹⁸ Any only slightly more nuanced historiography of the European nation-state, however, would have suggested that some of these political forms were created over relatively short periods—certainly in Germany and Italy, but also elsewhere—with all the public discourse, trust and solidarity that may or may not have existed between their members. Given that the process of European integration has now gone on for half a century, one may indeed argue that relations of trust and solidarity have been considerably strengthened compared to the ‘starting point’ in 1945, which nobody will deny was marked by an extremely low level of trust.

Similarly, doubts must arise as to whether the history of European nation-building can be satisfactorily described as predominantly a process of building trust, solidarity and structures of free and equal political participation. Internal and external warfare, exclusion and oppression have entirely disappeared from view, so that the rather inclusive and egalitarian Keynesian welfare state of about 1970 appears as the telos of historical progress—which then gets derailed by thoughtless Europeanizers. To complicate the picture further, Grimm and Offe could of course try to argue that it was precisely the lack of trust and solidarity that caused the short-lived democracies in Italy and Germany during the inter-war period to collapse. In turn, though, one could attribute this failure to the reconstitution of national polities and the abortion of the first debate about a European polity after the First World War. Since this is not the place to develop these points, all one can conclude is that the method of historical analogy has to be employed with much care. Certainly, Grimm and Offe fail to provide any convincing reason why relations of communication, trust and solidarity should not possibly grow further, beyond the boundaries of existing polities.¹⁹

II. POLITICS BASED ON ‘OUTPUT-ORIENTED LEGITIMATION’: TOWARDS A EUROPEAN TECHNOCRACY

Grimm and Offe share a normative concern for democracy, which, given their views of the required ‘social substrate’ of democracy, brings them into tension

¹⁸Ibid., pp. 106–7.

¹⁹In the limited understanding of the social bond that characterizes much of social science and social theory today, ‘willingness to pay’ is often taken to be a key indicator for ‘thickness’ of relations. Whatever this may tell us, it is striking that the willingness of West Germans to pay for East German reconstruction is taken to be a sign of a strong *national* bond (Scharpf 1999, p. 9) and the willingness to pay for flood victims in Bangladesh (Offe 1998, p. 121) as a *globally* valid moral commitment, while the *European* solidarity that finds pecuniary expression in the regional and structural funds is hardly mentioned by these authors (a remark can be found in Majone 1996, pp. 295 and 298).

with the recent moves towards creating a European polity. Even accepting a somewhat similar diagnosis of the problem, other authors have arrived at radically different solutions—enabled to do so because their concern for democracy is much less pronounced than Grimm's or Offe's.

Most consistently, Fritz Scharpf has proposed distinguishing between 'input-oriented legitimation' and 'output-oriented legitimation' of government measures. The former is translated back into the traditional language of political thought as 'government by the people', the latter as 'government for the people'.²⁰ For the former, the social requirements are by and large those outlined by Grimm and Offe as well, and they are fulfilled also in Scharpf's view only in the settings of the national polities.²¹ The move that allows him to have a more appreciative view of the existing European polity than the other two authors is the separation of the two forms of legitimation by policy area. European decisions may well be legitimate, but only in as far as 'they do in fact respect the limitations of their legitimacy base—which implies that European public policy is, in principle, only able to deal with a narrower range of problems, and is able to employ only a narrower range of policy choices for their solution, than is generally true for national polities'.²² In his view, not all policies require input-oriented, or to put it bluntly, democratic legitimation. Among those that do, one finds, in particular, redistributive measures, such as welfare state policies; Scharpf thus agrees with Offe on the conceptualization of the national democratic polity as the container of solidarity. Other policies, however, in particular regulatory policies, may well be based, if need be, on output-oriented legitimation alone, that is, efficient management and accomplishment of the policy objectives.

A basically similar position is taken by Giandomenico Majone in his analyses of 'regulatory Europe'. More radically than Scharpf, he suggests that regulatory policy-making based on expertise and legitimated by its outcomes refers to a 'model of democracy' different from standard ideas about democracy as (varieties of) majority rule. In turn, in his view, the 'democratic deficit' of the EU only exists in the light of the 'standards derived from the majoritarian model'.²³ Since, however, 'most democratic polities rely extensively on non-majoritarian principles and institutions', which are seen as 'more suitable for complex plural societies', the EU would be well advised to follow a non-majoritarian model in the area in which it alone has acquired features of statehood, namely 'economic and social regulation'.²⁴ Even though legitimacy problems remain, which Majone discusses against the background of the US model of 'regulatory legitimacy', there is a limited but clearly identifiable space

²⁰Scharpf 1999, p. 6.

²¹Ibid., p. 9.

²²Ibid., p. 23.

²³Majone 1996, p. 284.

²⁴Ibid., pp. 285, 286, 287.

for governance by regulatory agencies: 'The delegation of important policy-making powers to independent institutions is democratically justified only in the sphere of efficiency issues, where reliance on expertise and on a problem-solving style of decision-making is more important than reliance on direct political accountability'.²⁵

If one looks in detail, Majone and Scharpf differ with regard to the extent to which the legitimacy requirements of policy-making at European level can be covered.²⁶ However, they both agree that there is a certain need for EU policy-making, since policy demands exceed the possibilities of the nation-state in the current context of 'globalization', and that those demands can often be met at the European level. In Scharpf's words, the effectiveness of European policy 'is limited to certain policy areas of relatively low political salience in which its legitimacy is not really in doubt'.²⁷ However, in as far as the European Union can achieve a level of policy efficiency in such areas that could not be achieved by national governments, European policy-making would pass the test of 'output-oriented legitimation'. The range of those policy areas may be large enough to reproduce the national 'embedded liberalism' of the Keynesian era at the European level, even though, given the lasting limitations to further integration, 'the European Union will not, in the foreseeable future, become a democratic polity'.²⁸ Majone's formula differs, since the conceptual problem for him is precisely the strength of the 'paradigm which equates democracy with majority rule'.²⁹ Both agree, though, that there is a special, limited form of political legitimacy of which European-level policy-making avails itself already in its current institutional form.

In this perspective, thus, there is no gap between the European political reality and the political philosophy that is proposed for it; the one matches the other nicely. Rather than addressing what has widely been called the problem of the 'democratic deficit', however, these authors reason it away. Were one to use words in a more conventional sense, they would be seen as arguing that efficiency may be more important for some political questions than democracy or, in an even more sinister way of putting the issue, that for some questions democracy can be entirely uncoupled from the idea of 'government by the people'. The problem here is not so much that certain day-to-day decisions, even if they are generally of a political nature, are left to experts who handle them efficiently. All large-scale democracies resort to such means, and it is difficult to see how they could not. In Scharpf and Majone's conceptualization, however, there is an entire layer of political decisions that cannot be returned to the verdict of the ultimate source of authority, the people, at all—unlike in all the familiar

²⁵Ibid., p. 296.

²⁶As Scharpf (1999, p. 23) himself notes.

²⁷Ibid., p. 203; see chapter 3 for details.

²⁸Ibid., p. 200.

²⁹Majone 1996, p. 287.

delegations of decision-making to experts. This is nothing else but the divide of the polity into one realm of ‘national democracy’ and another one of ‘European technocracy’.³⁰

As this may sound like an overly harsh verdict, a brief textual analysis may be in order. Towards concluding his reasoning, Scharpf reiterates his view that ‘for the time being and for all currently practical purposes, the European polity will lack the quality of *government by the people*’.³¹ This is no problem for him, however, since ‘everywhere’ input-oriented arguments are ‘supplemented’ or ‘displaced’ by ‘output-oriented arguments showing how specific institutional arrangements are conducive to *government for the people*—meaning that they will favour policy choices that can be justified in terms of consensual notions of the public interest’. The crucial question here is how that ‘consensus’ is arrived at, if nobody is asked about it. The wording suggests that there are policy areas in which such consensus exists, is well known, and is stable over time.³² The whole time-honoured argument about democracy, in contrast, demands that ‘the people’ have to be the ultimate source of judgement precisely because one can never be sure whether consensus exists, what it is at a given moment, and whether it will persist. Scharpf continues by saying that ‘in the language of democratic self-determination, what matters is the institutional capacity for effective problem-solving, and the presence of institutional safeguards against the abuse of public power’. While ‘effective problem-solving’ does matter—and the merits of Scharpf’s book are in the exploration of that question, unfortunately accompanied by an extremely doubtful political philosophy—the language used here is not the one of ‘democratic self-determination’, but rather of enlightened absolutism. If there is any ground in calling this terminology ‘Kantian’, as Scharpf does, it is precisely because Kant was living in an era of enlightened absolutism, a fact that shows in some of his writings addressed to contemporary concerns. In the last sentence of this passage, Scharpf shifts into reverse gear, apparently afraid of what he just said: ‘In principle, at any rate, there is no reason

³⁰Majone (1996, p.291) at least poses the issue in clear terms: ‘Is government by judges and technocratic experts compatible with democratic principles?’ The precise wording is important: hardly anybody would doubt that the activity of judges and experts is, in principle, compatible with democracy; Majone, however, speaks of ‘government’.

³¹This and the following quotations are from p. 188 in Scharpf 1999 (orig. emphasis).

³²It is not only difficult to envisage how such a conceptually radical separation of policy spheres should ‘function’ over the long run, that is across changing circumstances; it is bound to not even live up to its own guiding criterion of efficiency. The concept of an independent central bank, run on the basis of economic expertise, is a case in point. In a national setting, ultimately, that independence could always be revoked or qualified by political decision. In a European scenario, as envisaged by Scharpf and Majone, this would not be possible. It is our expectation that democratic commitments are so firmly rooted in Europe that the establishment of the European Central Bank will at some point in the not-too-distant future be followed by the creation of an ‘input-legitimated’ body for its control, even if certainly at a distance and by granting considerable independence. While Majone (1996, p.40) would consider this a step in the wrong direction, Scharpf (1999, p.167) does observe increased ‘political sensitivity’ in EU institutions towards policy consequences, although he does not translate this observation into the possibility of a trajectory leading towards institutionalizing ‘input-oriented legitimation’ at the EU level.

why governance at the European level should not also be supported by output-oriented legitimacy arguments'. Indeed, there is no such reason, but the meaning of that phrase hinges on the word 'also'. Earlier, though, Scharpf has made clear that there is in his view no input-oriented legitimation at the European level, and that his reasoning is less about 'supporting' or 'supplementing' it, but about 'displacing' it by output-oriented legitimation. That argument, however, is incompatible with democratic theory and practice.³³

III. THE CULTURAL THEORY OF THE POLITY (II): A EUROPEAN COMMUNITY OF VALUES

Continuing our presentation of the various positions as if they were proposals and responses to those proposals, we have now moved to a point at which a European polity is considered to be necessary, contra Grimm and Offe, in the light of recent 'globalization'. However, the technocratic Europe proposed by Scharpf and Majone is to be rejected as certainly normatively, and possibly also functionally, deficient. The evident response to this latter proposal, bringing the debate full circle, is to envisage a Europe that can provide 'input legitimation', in Scharpf's terms but contra Scharpf, that has a 'European people' as the ultimate source of authority, in Grimm's terms but contra Grimm, and that shows 'relations of association' that can sustain high levels of trust and solidarity, in Offe's terms but contra Offe.

Such a cultural approach to the European polity—an 'enlarged' cultural theory of the polity, so to speak—is indeed currently proposed, in various forms. One basic version suggests that there is a European commonality that is larger and older than the national cultural-linguistic one. Reference is then most often to Christianity and/or humanism.³⁴ Some such ideas were in the background of the 'founders' of Europe after the Second World War. It is noteworthy, though, that the debate about a European polity based on broad cultural commonality, which itself is, in turn, grounded on the observation of the diversity of Europe, was already held during the Enlightenment.³⁵ Thus, it preceded the period of nation-building in Europe, which is now the standard historical point of reference for the

³³For a broader discussion on 'the dimensions of legitimacy', see Bellamy and Castiglione 2001 (on whose approach more below). In a recent paper, Scharpf (2001) all but abandons the dichotomous conceptualization of two forms of legitimacy and recommends 'closer cooperation' and 'open coordination' as ways of dealing with intra-European diversity without risking the achieved level of integration.

³⁴While the political theory that underpinned the nation-state saw commonality of language as a key ingredient, often quite simply also as the most useful indicator, of cultural commonality more broadly understood, this 'enlarged' theory dissociates the former from the latter. Sometimes the historical use of Latin as the common written language—and the development of a common second language today—is nevertheless evoked. The more fundamental—and theoretically more interesting—argument, though, is the one about the long existence of a space of interlinked communicative practices, for which terms such as 'Christianity' or 'humanism' are just shorthand expressions, referring more than anything else to a common hermeneutic relation to the world.

³⁵See Friese 2002b for more detail.

origins of the cultural theory of the polity. With the discussion about the need for a ‘European identity’—often explicitly conceived as going beyond functioning institutions—such debate is now being revived.³⁶ The latest controversial instance was the debate about the inclusion of a reference to the ‘spiritual–religious heritage’ of Europe in the preamble of the Charter of Fundamental Rights. In this ‘strong’ form, the enlarged cultural theory of the polity risks becoming a version of what is now often called essentialism and identitarian thinking—which had already been questioned in Enlightenment thought.³⁷ It is prone to repeating the political errors of the national–liberal projects, which were certainly full of well-meaning intentions but nevertheless provided the ground for aggressive nationalism and politics of exclusion and annihilation. In particular, the reference to organized religious traditions plays with registers of the worst parts of the European heritage. It also tends to underestimate—or willingly suppress the insight about—the degree to which Europe is multireligious and multicultural beyond most of the conceptions brought forward in this debate about European identity.

However, under the broad heading of an enlarged cultural approach to the European polity, we can also subsume some ‘weaker’ versions that do not show the same problematic features. There is, on the one hand, the reference to Europe as the birthplace of philosophy. While drawing on a long tradition, it was, significantly, evoked again in the context of diagnoses of ‘European decadence’³⁸ and of a ‘crisis of European humanity’³⁹ after the First World War, that is, at a moment when Europe had just suffered from extended internal warfare and was threatened with being relegated to the periphery of the world by new forms of social organization in America and Russia. There has been a revisiting of such reasoning more recently from quite different politico-philosophical positions, such as by Jacques Derrida in *L’autre cap*, and by Rémi Brague in *Europe, la voie romaine*.⁴⁰ In philosophically much more limited and politically much more pressing terms, on the other hand, some authors also refer to the twentieth-century experience of war and totalitarianism as having provided the ground for a European commonality of a new kind, creating commitments towards Europeans of other nationalities than one’s own and towards the world

³⁶One rather common way of addressing the question of a politically relevant cultural commonality in Europe has been the debate about a ‘European identity’, which was at least to some extent triggered by the increasing use of such a formula in the politico-administrative circles of the EU. From survey research about current attitudes towards Europe among its citizens to historic-cultural studies, including issues of boundary-setting to the outside, to investigations explicitly put in the context of ‘the search for legitimacy’, a great variety of approaches to the issue have been explored; see, e.g., Passerini 1998; Garcia 1993; Neumann 1999. For a critical historical overview see Delanty 1995a; and for an attempt to separate a necessary debate about ‘political identity’ from more dubious general identity claims see Henry 2002.

³⁷See critically Delanty 1995b, pp. 31–2.

³⁸Valéry 1996b [1926].

³⁹Husserl 1970b [1935].

⁴⁰Derrida 1991; Brague 1999; see also Manent 1997; Cacciari 1994. For a postcolonial perspective on the evocation of this reference point, see Chakrabarty 2000, e.g., pp. 29–30.

outside Europe.⁴¹ These ‘weaker’ forms of the cultural argument about European commonality are normatively more sustainable and for the contemporary period empirically more plausible than the ‘strong’ ones. However, they are often far from providing any actual political philosophy beyond the mere reference to shared experiences and modes of thinking.

IV. EURO-REPUBLICANISM

All the approaches to theorizing the European polity selected for discussion up to this point have postulated some ‘sociocultural substrate’ as an empirical phenomenon that somehow precedes and shapes possible political forms. While they thus satisfy our interest in addressing the specificity of the European polity, as mentioned at the outset, they do so in rather problematic terms. Although some remarks about a possibly altered future situation are made, by Grimm and Offe for instance, they are immediately moved towards a long-term horizon beyond any actual relevance for current debate. Some implicit, but nevertheless rather strong sociological determinism is at work here, a diagnosis that surprises not only in the light of at least three decades of critique of such an epistemic–ontological attitude, but even more so in the face of the ‘empirical fact’ of quite rapidly moving institutional arrangements in European politics.

To move beyond such determinism, but nevertheless retain the idea of an empirical specificity of a political situation, requires a change in conceptual perspective, namely, by analyzing European integration as the historically rare event of the deliberate *founding of a polity*. This conceptual move has two immediate important implications. First, it demands, as mentioned programmatically at the outset, a connection between the conventional social and political sciences and the register of political theory and political philosophy. The process of polity foundation has been at the centre of attention of the latter, from Machiavelli to Hobbes and Locke to Arendt and Lefort, and similarly in the political historiography of founding moments, such as the one of the American Revolution. Second, this move changes the place of empirical sociohistorical knowledge in the analysis. Neither is it to be relegated to a secondary position, as in mainstream political theory, nor can sociohistorical features be taken to determine the outcome of a founding process. Rather, an analysis of the sociohistorical background of the founding process serves to identify the resources available to the actors in the present, and thus permits the assessment of the conditions of possibility for particular forms of polity to emerge from the process of foundation.

Even though we failed to identify any position in the ongoing debate that explicitly develops such a perspective, elements of it can well be found. There is a

⁴¹See, importantly, Ferry (2000, p. 146) on the emergence of a ‘self-critical relation to national memory’ as a specificity of contemporary Europe and as a key component for ‘reconstructive justice’, or what Habermas calls the expansion of normative horizons.

fourth position, which maintains the concern for specificity that characterized the three viewpoints discussed above, but that works with a somewhat more open relation between the empirical–historical and the politico-philosophical. In the established terms of political philosophy it is associated with republicanism, and indeed it can be seen as aiming at a contemporary European rendering of a republican perspective. Its most pronounced version can be found in Jürgen Habermas' recent 'post-national' writings.

Committed to democracy, Habermas normatively envisages a republican Europe that cannot just be derived from existing sociopolitical structures, but that needs to be constructed with given resources in the given situation of a certain necessity (which for him as well is characterized by processes of economic and cultural globalization). Well aware of the cultural–linguistic theory of the polity, and not inclined to discard it easily in the light of dangers to democracy, he introduces a distinction between 'national cultures' as particularistic sets of beliefs and values and a 'political culture' of civic rights and participation that Europeans have in common. It is on the basis of the latter that a European polity can be erected, and since it will expand horizons beyond the existing national limitations, such European political construction will indeed lead towards a greater humanity.⁴²

Put like this, one may have the suspicion that this perspective, as much as it admirably opens up the debate, glosses over some rather profound conceptual problems. Is the distinction between a political culture, on the one hand, and deeper (national) cultural orientations not a mere sophisticated rewriting of the liberal divide between the public and the private, with all the well-known difficulties that follow from it? Habermas certainly introduces a new layer, the national culture, but in terms of political theory this culture assumes a form of group privacy so that it does not interfere when issues of European-wide political relevance are at stake. The common European political culture, in turn, may prove to be so thin that it can hardly be distinguished from a commitment to proceduralism. But would the political Europe then not just be a step and stepping-stone on the way to a thin liberal cosmopolitanism, thus ultimately bypassing the question of a European specificity?

There will be a need to return to Habermas later, but first of all a distinction within the by now quite large and varied field of Euro-republican reflections needs to be introduced. As with the enlarged-cultural-communitarians, a strong version may usefully be distinguished from a weak one. Proponents of the strong version, Habermas among them, perceive a quite pronounced necessity of coherence and consistency of such a project of rebuilding polities.⁴³ In contrast,

⁴²Habermas 2001a, pp. 73–4 and 83.

⁴³Habermas (2001a, pp. 83–4) speaks of the need for a 'renewed closure' of political institutions after the 'opening' of the national ones—in the course of a reasoning in which he indeed misreads as 'postmodernist' contributions that explicitly pose the question of the need for closure (Habermas 2001a, pp. 87–8).

weak republicans are willing not only to accept the piecemeal and somewhat undirected fashion in which European integration actually proceeds, they also see little need to envisage a coherent politico-institutional layout at the end of the process. In these versions, with Richard Bellamy as one of the proponents, a layered federalism leads to multi-level governance, sometimes weakly guided by a notion of positive subsidiarity,⁴⁴ without any ambition to define competences at the various levels in terms of a general political philosophy. In contrast, the multiplicity of levels retains some elements of communitarian requirements, leaving decisions close to where there is a common basis for dealing with them. And the refusal to provide a blueprint for how to define the layers and entities acknowledges the openness of current societies and the interchanges between them, and thus avoids falling into cultural (or functional, for that matter) essentialism. Bellamy thus labels his own approach ‘cosmopolitan communitarianism’.⁴⁵

As long as one can be confident that standard issues of representation and legitimation shape the consciousness of the European political actors so that they will be satisfactorily dealt with along the way, this approach does not only appear realistic in terms of actual steps taken, but also sound in terms of political philosophy, notwithstanding initial suspicions. The question is only whether the openness of the institutional approach (that is, its declared disinterest in consistency and coherence) would not overburden political deliberation in the emerging Europe if the question of existing commonality on the European level is entirely disregarded. Or in other words, do Bellamy and others not take it for granted that there is agreement about the Europeanness of many political questions so that deliberation will indeed happen within such a multilayered setting? Is not the European polity for them already a given so that nothing that happens in the ongoing debates could challenge its existence, in stark contrast to Grimm and Offe for instance? These authors may even be generally right if they work with such an assumption. But they would nevertheless disregard the question of any substantive orientation of the European polity, the sense in which it is a distinct polity among the other political units of the world. At this point, they may indeed join Habermas for whom the existence of a political Europe is an important step in overcoming the national polities and in safeguarding the possibility of collective self-determination in an increasingly globalized environment, but—at first sight, at least—nothing more than that.

While such an objective may be agreeable, two intertwined objections need to be raised, one of which is analytical and the other one normative. First, venturing for a moment into constructing an argument by historical analogy, it can be

⁴⁴See, e.g., Endo 2001 as well as MacCormick 1997.

⁴⁵Bellamy 1999, p. 224; Bellamy 2000, p. 236; see also Bellamy and Castiglione 2000. Such ‘weak’ republicanism is in terms of institutional analysis often accompanied by ideas on, and observations of, ‘multilevel governance’ in the European Union; see, e.g. Zürn 1999.

suggested that such projects of deliberate political construction, of the founding of a polity, are rare events in history. Looking at such events more closely, it may well appear that attempts to consciously found a polity thrive only in contexts of either war or the quest for liberty (or both, that is, wars of liberation). Since these conditions, however, are largely absent in contemporary Europe, at least the Europe of the European Union, because most Europeans live both peacefully and free, it is an unlikely prospect.⁴⁶ Second, in more normative terms, one may ask whether the objective of safeguarding collective self-determination under conditions of globalization is not indeed too narrowly defined. Among the European elites, arguably, the drive towards Europeanisation of the existing national polities is motivated by some kind of an analysis of the current historical situation and its challenges, and by the identification of some urgency in that situation. That urgency, though, does not seem to find a sufficient response in the mere attempt, important as it is, at safeguarding collective self-determination. Especially given that the requirement imposed by the situation is the very redefinition of the collectivity that aims to secure its self-determination, something more must be at stake. And this something more cannot be anything else than a substantive understanding, in what are precise terms, of the collectivity and its polity. These are the arguments that leave us somewhat dissatisfied with European republicans, all agreement in other matters notwithstanding. And these same arguments lead us towards a reappraisal of the debate about a ‘crisis of European humanity’, discussed above as a weak version of enlarged culturalism, with a view to a more explicit elaboration of the specificity of the European polity at the present moment.

V. INTERIM CONCLUSIONS: TOWARDS A SITUATED EURO-REPUBLICANISM

These considerations can start out from a brief second look at Euro-republicanism, trying to find indications about the substantive difference Europe would make in a broader world context. In such light, it may be noted that Habermas, despite the conceptually neat separation between diverse national cultures and a common political culture among Europeans, cannot work without a broader historico-cultural embedding of the latter. After having discussed the need for ‘normative impulses’ for effective social integration in Europe, impulses that can only come about ‘through overlapping projects for a common political culture’, he immediately reassures his readers that such projects ‘can be constructed in the common

⁴⁶A note of thanks to Claus Offe for a skeptical discussion along those lines of reasoning. Sergio Fabbrini (2001, p.20), in contrast, suggests that a large and complex ‘compound republic’ with ‘fragmented sovereignty’ may need to consolidate over relatively long periods in the absence of external threat, such as the US did, protected by the British navy, and the EU, possibly, protected by NATO and US military hegemony.

historical horizon that the citizens of Europe already find themselves in'.⁴⁷ And a moment later he indeed identifies an already existing 'normative self-understanding of European modernity'.⁴⁸

In portraying the specificity of this European modernity, main emphasis is placed on the commitment to solidarity, which in Habermas' view has now to extend beyond national horizons and indeed become conceivable within an EU context.⁴⁹ From here, an argument could develop that focuses on the need for European integration with a view to defending the historical achievement of the European welfare state under altered global conditions. This argument, we agree, should be an important component of a European project, and both sociological and economic research have provided evidence that it is a feasible project as well.⁵⁰

Important as this component is, however, it is not the sole centre of an argument for a political Europe. When first introducing the distinction between 'national culture' and 'political culture', Habermas adds—in passing—an observation on the global cultural context marked by the increasing imposition of a 'commodified, homogenous culture' that he describes as being expressed in 'the standardized products of a mass culture (overwhelmingly shaped by the United States)'.⁵¹ In his earlier writings, Habermas became known both for his turning away from the cultural criticism adopted by the older Frankfurt School, not least because of its elitist leanings, and for his stand in favour of 'Western integration' of the Federal Republic of Germany with a view to strengthening democratic commitments. The cultural observations quoted above may surprise against this background. They are fully plausible, however, against the assumption that 'Western integration' of (West) Germany has been successfully accomplished and that the commitment to democracy is now certainly no less pronounced in Europe than in the US. In such an altered historical situation, new concerns impose themselves—or rather, older concerns acquire new salience.

At least a sense of such new salience can be gathered from Habermas'—skeptical—concluding remarks about cosmopolitanism. He insists on the need for a 'political community' smaller than the globe that, even though 'grounded in the universalist principles of a democratic constitutional state, still forms a collective identity, in the sense that it interprets and realizes these principles in light of its own history and in the context of its own particular form of life'.⁵² From Habermas' pen such principled commitment to particularism may sound astonishing. It begs the question as to what is wrong with the larger, or outside, world so that a particular political community's 'own history' cannot be world

⁴⁷Habermas, 2001a, p. 103.

⁴⁸Ibid., p. 103.

⁴⁹Ibid., pp. 98–9, 105.

⁵⁰See Hall and Soskice (2001), Rhodes (2001) and Therborn (1999), among others.

⁵¹Habermas 2001a, p. 74 and p. 75

⁵²Ibid., p. 107.

history and ‘its own particular life’ not an integral part of a global form of life. Habermas’ response to this question oscillates between various possibilities: The world could just be too large for “‘thick” communicative embeddedness’.⁵³ While this may well be true, it raises the possible objection—by Claus Offe, for instance—that Europe may also be too large, that it was the nation–state that had the ‘right size’. Or the world may be too diverse, so that common commitments become too thin: Only ‘within the framework of a common political culture, negotiation partners also have recourse to common value orientations and shared conceptions of justice, which make an understanding beyond instrumental–rational agreements possible’.⁵⁴ Even though Habermas refers here to ‘political culture’ and consciously not to ‘national culture’, such an argument sounds dangerously close to a communitarianism that focuses on intranslatability between cultural communities within the global context. Since this is certainly not what Habermas means (as his comments on the post-September 2001 world crisis have made clear, if there was any doubt at all), the emphasis of that phrase must be on the second part, the need to go ‘beyond’ instrumental rationalism.

The risk that Habermas diagnoses in our time is that the ‘thinness’ of instrumental rationalism may become a ‘value orientation’ in its own right that imposes itself on particular cultures, ‘colonizes’ them, rather than serving merely as a means to communicate across cultures. The critique of neo-liberalism and of ‘commodified, homogenous culture’ offers elements of a reformulation of the idea of ‘colonization of life-worlds’, beyond the well-ordered systemic picture of society given in the *Theory of Communicative Action*.⁵⁵ Significantly in our context here, it even involves a re-spatialization of the idea when, namely, the colonizing dynamic is located ‘overwhelmingly’ in the US, and the possibility of an alternative in Europe.⁵⁶ In a later elaboration on the same theme, Habermas has been even more explicit on the opposition between the ‘normative self-understanding so far prevalent across Europe’ and ‘the social model now imposed by the predominant global economic regime’, the latter being described in terms of three features: ‘by an anthropological image of “man” as rational chooser and entrepreneur, exploiting his or her own labour-power; by a moral view of society that accepts growing cleavages and exclusions; and by a political doctrine that trades a shrinking scope of democracy for freedoms of the market’.⁵⁷

Such a reading of Habermas’ reasoning brings the current proposals for a republican Europe in proximity to the ‘philosophical’ rendering of the idea of a European commonality, and indeed a European ‘task’ (Husserl). Let us, then, briefly recall these debates, with a view to at least outlining one possible

⁵³Ibid., p. 109.

⁵⁴Ibid., p. 109.

⁵⁵Habermas 1984–87.

⁵⁶On such spatial reference in social theory, see Wagner 1999.

⁵⁷Habermas 2001b, pp. 11–12. An explicit critique of the neo-liberal understanding of politics is also found in various places in Habermas 2001a, such as on pp. 88 and 94 (see also p. 84).

trajectory for a political philosophy of the European polity that takes Europe's specificity into account.

After the First World War, in the diagnoses given by Paul Valéry and Edmund Husserl among others, a crisis of the European sciences combined with a profound crisis of European humanity.⁵⁸ The crisis of the sciences is the consequence of the split between the successful specialized sciences, on the one hand, and the failing attempts at providing a viable philosophy that could hold those sciences together, on the other. After this split, philosophy has continued to aim at something universal by adopting what Husserl calls 'the theoretical attitude', but all it provided was contested particular versions of metaphysics.⁵⁹ However, the sciences, in contrast, effectively universalize their knowledge (by focusing on that which is transmissible, separated from a particular context, as Valéry says)⁶⁰ by means of a practical attitude, based on the autonomy of a human spirit distanced from the world and thus on one-sided rationality, but no longer on understanding. Even though Europe is the birthplace of philosophy and the sciences, this split allows the transmissible sciences to flourish out of context—but also without the quest that held them together.

Neither Valéry nor Husserl went beyond general remarks when transferring this 'philosophical–historical' analysis⁶¹ into a political–historical one, although it is clear that they reasoned in some form of 'geo-philosophy'.⁶² Jan Patočka, who studied with both Husserl and Martin Heidegger, in contrast, did. Reading European twentieth-century history, he identified the rise of a particular collective project based on (universalisable) organisation and technology, which attempts to respond to the failure of the European nation–state system at combining particularity and universality in peace and liberty. The failure, in turn, of the attempt at avoiding the crisis of European humanity—which Patočka identifies with Imperial Germany—leads into the wars of the twentieth century and into the twentieth century as war, to the dissolution of all conventions and the rise of nihilism, that is, an aggravation of the very crisis to which the attempt meant to respond. This is what marks the post-Second World War constellation.⁶³

Over the past half century, a related kind of thinking has remained alive in critical theory, at least of the kind of Adorno and Horkheimer, and in some versions of post-structuralism—elements, at least, can be recognized in the works of Lyotard and Derrida. However, Patočka's few steps being almost the only exception, it has hardly ever been convincingly translated into a social and political philosophy, and certainly not into any historically rich one. The

⁵⁸Valéry 1996b; Husserl 1970b.

⁵⁹Husserl 1970a, p. 11; 1970b, p. 282.

⁶⁰Valéry 1996c, p. 100.

⁶¹The term is Husserl's, see 1970b [1935], p. 269.

⁶²Cacciari 1994. Delanty (1995b) emphasized the separation of culture from politics in the discourse about Europe during the inter-war period.

⁶³Patočka 1996, pp. 120–7 in particular.

European commitment to philosophy, though, may still be a resource, both for diagnosing a contemporary crisis of humanity and for the search for ways to overcome this crisis, both diagnosis and remedy however needing to relate more explicitly to political issues and to the specificity of the contemporary situation.

At the centre of this crisis diagnosis is the observation of the rise to dominance of a 'misguided rationalism', a 'one-sided rationality',⁶⁴ that is, the quest for human mastery of the world and of human beings themselves that operates by taking a distance from the world and by acting upon it as an object. In most critical theories, the diagnosis develops then into a critique of science and of the 'frenzy of unfettered technology',⁶⁵ further into the critique of capitalism as an economic regime driven by the 'unlimited expansion of instrumental mastery',⁶⁶ and yet further into the critique of an 'administered world'.⁶⁷ These theories, however, suffer from a basic neglect that, far from just being an element missing, makes them themselves one-sided. What is almost entirely missing is a basic critique of politics, or more precisely, of a politics, and associated vision of society, at the centre of which stand the political philosophies that operate in a similar mode.

The argument, which cannot be fully unfolded here, would proceed as follows: the democratic revolutions were in many respects the onset of political modernity. From then onwards, neither first philosophy, as argued by Husserl, nor social and political philosophy have been able to withstand the reinterpretation of the world in terms of an emphasis on instrumental rationality, again argued by Husserl and others, and on individual autonomy. The latter was difficult to resist because of the valid commitment to autonomy in combination with difficulties in developing a viable political philosophy starting out from collectivist, or even intersubjectivist, assumptions. 'One does not have the power to refuse the idea of individual liberty as human liberty', as Claude Lefort rightly maintains.⁶⁸ The European debates around nationalism, socialism and social Catholicism, among other approaches, aimed at such an alternative, but in these forms they always contained normative difficulties that could not be overcome. They often abandoned commitments to individual autonomy during the first half of the twentieth century, and they were increasingly weakened by the outcome of the wars, and ultimately by developments in the later twentieth century, with 1968 and 1989 marking important dates. Since then, a combination of individualist liberalism (from [Hobbes-] Locke to Rawls) and

⁶⁴Husserl 1970b [1935], pp. 290, 291

⁶⁵Heidegger 1983 [1935], pp. 40–1.

⁶⁶Castoriadis, e.g., 1997a, p. 166.

⁶⁷Adorno, e.g. 1962 [1960], p. 67.

⁶⁸Lefort 1992, p. 58. The difficulties are of a different, even opposed, nature. Collectivist approaches tend to presuppose, by various means, the collectivity and the way it relates to the individual. As a consequence, their concepts of freedom tend to be restricted. Intersubjectivist approaches may give autonomy and creativity their full due. Their difficulty lies in developing a plausible argument for the viability of the polity, without making further presuppositions.

rational choice theory (from Hobbes to Becker) provides the theory of justice and the theory of action that are derived from the philosophical position criticized by Husserl as ‘misguided’, because of starting out from the objectivizing distance to the world.⁶⁹

It is at this point that the link to the more explicit political philosophies of a European republicanism can be created, since such republicanism takes a—cautiously—critical view of individualist liberalism.⁷⁰ The advantage of a current combination of the diagnosis from the inter-war debates with republicanism is that such a stand is now inseparably shaped by a democratic commitment. At least equally important, however, is its advantage over more abstract versions of liberal–democratic thinking of our time (including some of Habermas’ writings), namely its grounding in the specificity of the situation, its attempt to identify the political stake, or ‘task’, for Europeans at this particular moment of history. Without such a grounding, an appeal for a political Europe, even though not entirely without merit, is bound to fail to convince Europeans that the project is worth the effort. And some degree of conviction and commitment is required, since—as Habermas, too, notes—the project is also not without risks.

Thus, Europe can be positioned in this constellation, and its nascent political philosophy would be in opposition to that socio-political philosophy that combines individualist liberalism with rational choice theory. Since the latter is currently dominant, almost hegemonic, and well represented also within Europe, the struggle can be seen as a struggle for a kind of liberation, for a liberation from domination and for a different combination of freedom with rationality, of autonomy with mastery. In other words, it is a struggle for a specifically European variety of modernity.

REFERENCES

- Adorno, Theodor W. 1962. Kultur und Verwaltung. Pp.48–68 in Max Horkheimer, Theodor W. Adorno, *Sociologica II. Reden und Vorträge*. Frankfurt/M: Europäische Verlagsanstalt.
- Beetham, David and Christopher Lord. 1998. *Legitimacy and the European Union*. London: Longman.
- Bellamy, Richard. 1999. *Liberalism and Pluralism*. London: Routledge.
- Bellamy, Richard. 2000. *Rethinking Liberalism*. London: Pinter.
- Bellamy, Richard and Dario Castiglione. 2000. Democracy, sovereignty and the constitution of the European Union: the republican alternative to liberalism. Pp.170–90 in Z. Bankowski and A. Scott (eds), *The European Union and Its Order*. Oxford: Blackwell.

⁶⁹The place of origin of those approaches is—geo-philosophically—located inside Europe, but their stronghold has always been located outside, in particular in North America (Wagner 2001, ch. 5); they are among that which is transmissible, as Valéry says, but precisely for that reason they lack understanding.

⁷⁰We have seen that Habermas includes a critique of strategic–instrumental orientations into his argument about Europe. For the broader debate about republicanism see Pettit (1997) and Skinner (1998).

- Bellamy, Richard and Dario Castiglione. 2001. Normative theory and the European Union: legitimising the Euro-polity and its regime. Mimeo., Department of Politics, Universities of Reading and Exeter.
- Bellamy, Richard and Alex Warleigh. 1998. From an ethics of integration to an ethics of participation: citizenship and the future of the European Union. *Millennium: A Journal of International Studies*, 27, 447–70.
- Brague, Rémi. 1999 [1992]. *Europe, la voie romaine*. Paris: Gallimard.
- Cacciari, Massimo. 1994. *Geo-filosofia dell'Europa*. Milan: Adelphi.
- Castoriadis, Cornelius. 1997. Quelle démocratie? Pp. 145–80 in *Figures du pensable. Les carrefours du labyrinthe VI*. Paris: Seuil.
- Chakrabarty, Dipesh. 2000. *Provincializing Europe: Postcolonial Thought and Historical Difference*. Princeton, N.J.: Princeton University Press.
- Craig, Paul. 1999. The nature of the community: integration, democracy, and legitimacy. Pp. 1–54 in Paul Craig and Gráinne de Búrca (eds), *The Evolution of EU Law*. Oxford: Oxford University Press.
- Curtin, Deirdre M. 1997. *Postnational Democracy: The European Union in Search of a Political Philosophy*. The Hague: Kluwer.
- Delanty, Gerard. 1995a. *Inventing Europe: Idea, Identity, Reality*. Basingstoke: Macmillan.
- Delanty, Gerard. 1995b. The limits and possibilities of a European identity: a critique of cultural essentialism. *Philosophy and Social Criticism*, 21 (4), 15–36.
- Delanty, Gerard. 2002. Models of European identity: reconciling universalism and particularism. Mimeo., University of Liverpool. Paper presented at the 13th Conference of Europeanists, Chicago, 14–16 March 2002.
- Derrida, Jacques. 1991. *L'autre cap. La démocratie ajournée*. Paris: Minuit. Translated as *The Other Heading: Reflections on Today's Europe* (Bloomington: Indiana University Press, 1992)
- Endo, Ken. 2001. Subsidiarity and its enemies: to what extent is sovereignty contested in the mixed commonwealth of Europe? Mimeo., Robert Schuman Centre for Advanced Studies/European Forum, European University Institute.
- Fabbrini, Sergio. 2001. The puzzle of the compound republic: the EU, US and the implications of federalization. Paper presented at the European University Institute, November 2001.
- Ferry, Jean-Marc. 2000. *La question de l'État européen*. Paris: Gallimard.
- Føllesdal, Andreas. 1997. Democracy and federalism in the European Union. ARENA Working paper, no. 5. Oslo: ARENA, University of Oslo.
- Føllesdal, Andreas. 2001. Union citizenship: conceptions, conditions and preconditions. *Law and Philosophy*, 20 (3: May), 233–7.
- Friese, Heidrun. 2002a. L'Europa a venire. Pp. 59–75 in Heidrun Friese, Antonio Negri and Peter Wagner (eds), *Europa Politica. Ragioni di una necessità*, Rome: manifestolibri.
- Friese, Heidrun. 2002b. The (im)possibilities of Europe. Pp. 247–60 in Jari Ehrnrooth and Niilo Kauppi (eds), *Europe in Flames*. Helsinki, University of Helsinki Press.
- Friese, Heidrun. 2002c. 'As that world awakened, the word passed away'—on the (im)possibilities of representation. In Ronit Lentin (ed.), *Re-presenting the Shoah for the 21st Century*. Oxford: Berghahn (forthcoming).
- Friese, Heidrun and Peter Wagner. 2000. L'Europe comme enjeu politique. *Multitudes*, no. 3 (Nov.), 51–63.
- Friese, Heidrun and Peter Wagner. 2002. La repubblica europea. Verso una filosofia politica della costruzione europea. Pp. 77–99 in Heidrun Friese, Antonio Negri and Peter Wagner (eds), *Europa Politica. Ragioni di una necessità*. Rome: manifestolibri.
- Garcia, Soledad, ed. 1993. *European Identity and the Search for Legitimacy*. London: Pinter.
- Grimm, Dieter. 1995. Does Europe need a constitution? *European Law Journal*, 1, 282–302.

- Habermas, Jürgen. 1984–87 [1981]. *The Theory of Communicative Action*. Boston: Beacon Press.
- Habermas, Jürgen. 1995. Remarks on Dieter Grimm's 'Does Europe need a constitution?' *European Law Journal*, 1, 303–7.
- Habermas, Jürgen. 2001a [1998]. The postnational constellation and the future of democracy. Pp. 58–112 in *The Postnational Constellation*. Oxford: Polity.
- Habermas, Jürgen. 2001b. A constitution for Europe? *New Left Review*, 11(September/October), 5–26; a slightly different German version appears as 'Braucht Europa eine Verfassung?' in Habermas, *Zeit der Übergänge* (Frankfurt/M: Suhrkamp, 2001), pp. 104–22.
- Hall, Peter and David Soskice. 2001. *Varieties of Capitalism*. Oxford: Oxford University Press.
- Heidegger, Martin. 1983 [1935]. *Einführung in die Metaphysik*, Frankfurt/M: Klostermann.
- Henry, Barbara. 2002. Identities of the West: reason, myths, limits of tolerance. In Heidrun Friese (ed.), *Identities*. Oxford: Berghahn (forthcoming).
- Husserl, Edmund. 1970a. *The Crisis of the European Sciences and Transcendental Phenomenology*. Evanston, Ill.: Northwestern University Press.
- Husserl, Edmund. 1970b [1935]. Philosophy and the crisis of European humanity (The Vienna lecture). In Husserl 1970a, pp. 269–99.
- Joerges, Christian, Yves Mény and J. H. H. Weiler (eds) 2000. *What Kind of Constitution for What Kind of Polity? Responses to Joschka Fischer*. Florence: European University Institute/Robert Schuman Centre for Advanced Studies.
- Lefort, Claude. 1992. Tocqueville—démocratie et art d'écrire. Pp. 55–90 in *Ecrire—à l'épreuve du politique*. Paris: Calmann-Lévy.
- MacCormick, Neil. 1997. Democracy, subsidiarity and citizenship in the European Commonwealth. *Law and Philosophy*, 16, 331–56.
- Majone, Giandomenico. 1996. *Regulating Europe*. London: Routledge.
- Manent, Pierre. 1997. *L'interrogation philosophique, cœur de l'identité européenne*. Lyon: Ecole de management Lyon.
- Neumann, Iver B. 1999. *Uses of the Other: 'The East' in European Identity Formation*. Minneapolis: University of Minnesota Press.
- Offe, Claus. 1989. Fessel und Bremse. Moralische und institutionelle Aspekte, intelligenter Selbstbeschränkung. In Axel Honneth et al. (eds), *Zwischenbetrachtungen. Im Prozeß der Aufklärung*, Frankfurt/M: Suhrkamp.
- Offe, Claus. 1998. Demokratie und Wohlfahrtsstaat: Eine europäische Regimeform unter dem Streß der europäischen Integration. Pp. 99–136 in Wolfgang Streeck (ed.), *Internationale Wirtschaft, nationale Demokratie*, Frankfurt/M: Campus.
- Passerini, Luisa, ed. 1998. The question of European identity: a cultural historical approach. EUI working papers HEC no. 98/1. Florence: EUI.
- Patoåka, Jan. 1996. *Heretical Essays in the Philosophy of History*. Chicago: Open Court.
- Pettit, Philip. 1997. *Republicanism*. Oxford: Clarendon Press.
- Preuss, Ulrich K. and Ferran Requejo, eds. 1998. *European Citizenship, Multiculturalism and the State*, Baden-Baden: Nomos.
- Rawls, John. 1971. *A Theory of Justice*. Cambridge, Mass.: Harvard University Press.
- Rhodes, Martin. 2001. Why EMU is—or, may be—good for European welfare states. In Kenneth Dyson (ed.), *The European State and the Euro: Playing the Semi-sovereignty Game*. Oxford: Oxford University Press.
- Scharpf, Fritz W. 2001. European governance: common concern vs. the challenge of diversity. Working paper 01/6. Cologne: Max Planck-Institut für Gesellschaftsforschung.
- Scharpf, Fritz W. 1999. *Governing in Europe: Effective and Democratic?* Oxford: Oxford University Press.
- Schmitter, Philippe C. 2000. *How to Democratize the European Union and Why Bother*. Lanham, Md.: Rowman and Littlefield.

- Skinner, Quentin. 1998. *Liberty before Liberalism*. Cambridge: Cambridge University Press.
- Therborn, Göran. 1999. Il futuro dell'Europa: la Scandinavia del mondo? *Europa Europe*, nuova serie, 7 (5), 69–81.
- Valéry, Paul. 1996a [1931]. Avant-propos. Pp. 9–26 in *Regards sur le monde actuel et autres essais*. Paris: Gallimard.
- Valéry, Paul. 1996b [1926]. Notes sur la grandeur et la décadence de l'Europe. Pp. 27–33 in *Regards sur le monde actuel et autres essais*. Paris: Gallimard.
- Valéry, Paul. 1996c. L'Amérique, projection de l'esprit européen. Pp. 97–100 in *Regards sur le monde actuel et autres essais*. Paris: Gallimard.
- Wagner, Peter. 1999. The resistance that modernity constantly provokes: Europe, America and social theory. *Thesis Eleven*, no. 58, 35–58.
- Wagner, Peter. 1996. Crises of modernity: political sociology in historical contexts. Pp. 97–115 in Stephen P. Turner (ed.), *Social Theory and Sociology: The Classics and Beyond*. Cambridge, Mass.: Blackwell.
- Wagner, Peter. 2001. *Theorizing Modernity. Inescapability and Attainability in Social Theory*. London: Sage.
- Weale, A. and M. Nentwich, eds. 1998. *Political Theory and the European Union: Legitimacy, Constitutional Choice and Citizenship*. London: Routledge.
- Weiler, J. H. H. 1995. Does Europe need a constitution? Demos, telos and the German Maastricht decision. *European Law Journal*, 1, 219–58.
- Weiler, J. H. H. 1999. *The Constitution of Europe*. Cambridge: Cambridge University Press.
- Zürn, Michael. 1999. The state in the post-national constellation—societal denationalization and multi-level governance. ARENA working paper WP 99/35. Oslo: ARENA, University of Oslo.