

Restructuring Democracy and the Idea of Europe

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In March 1994, Václav Havel, then President of the Czech Republic, stepped in front of the European Parliament in Strasbourg and issued a passionate plea for opening up the European Union (EU) toward the East. Nothing less was expected. What captured his audience, however, was his unexpectedly harsh criticism of the emotional poverty of European integration. In his speech, Havel called for an urgently needed “Charter of European Identity” that would clearly set out the ideas and values Europe was intended to embody. The Maastricht Treaty, which then had been in force for only three months, may have been a ground-breaking constitutional document setting out a daring institutional path toward integration. But it lacked an ethical dimension. The Treaty, Havel explained, had engaged his brain, but failed to address his heart.¹ The single most important task facing the EU now was to reflect on what it might mean to speak of a European identity and to “impress upon millions of European souls an idea, a historical mission and a momentum.”²

Debates about European identity rose to public prominence in the wake of the Maastricht Treaty. But the issue had been on the minds of the architects of the European Economic Community (EEC) at least since the 1970s. In December 1973, representatives of the then nine member states met in Copenhagen to issue a first “Declaration on European Identity” that formally introduced the concept of European identity and sought to turn it into a cornerstone of future relations of the member states with one another

1 Václav Havel, “Speech in the European Parliament (March 8, 1994),” in Václav Havel, *Toward a Civil Society: Selected Speeches and Writings 1990–1994*, trans. Paul Robert Wilson and Rostislav Vaněk (Prague: Lidové Noviny, 1995), 291–303, p. 296. For an account of cosmopolitan solidarity drawing on Havel’s diagnosis of the ethical, cultural, symbolic, and spiritual poverty of European integration, see Paul Linden-Retek, “Cosmopolitan Law and Time: Toward a Theory of Constitutionalism and Solidarity in Transition,” *Global Constitutionalism*, 4(2) (2015), 158–194.

2 Havel, “Speech in the European Parliament (March 8, 1994),” 301.

but even more so with the rest of the world.³ The time had come, the Nine explained, to develop a coherent European identity that would not only guide the path toward “the construction of a United Europe” but also improve member states’ understanding of their changing place in the global affairs of a decolonized world. Embracing European identity meant looking back at a common heritage to acknowledge how much member countries already acted in concert. But it also meant developing common interests and pursuing the “special obligation” of European unification. This path, the Declaration emphatically concluded, was in principle open to any other European nation that shared the same ideals and objectives.

The very fact that the 1973 summit met in Copenhagen itself reflected the first wave of enlargement earlier that year. In January 1973 the EEC had grown from its six founding nations to nine member states by admitting Ireland, the United Kingdom, and Denmark. Norway had narrowly rejected membership when a referendum overturned a previous parliamentary majority for joining. Over the next decades the radical promise of open-ended enlargement gradually transformed what began as an elite economic club of wealthy Western European nations into one of the most ambitious regional political experiments of the twentieth and twenty-first centuries. Where the admission of the UK, Ireland, and Denmark had merely extended the existing club to three additional Northern European democracies, the Community followed up on its more explicitly political intentions during the second half of the 1970s when it guided a recently democratized Greece to its eventual admission in 1981. Five years later, in 1986, Spain and Portugal joined after their own transitions to democracy.⁴ Almost to its own surprise, the EEC had become a major player in Cold War efforts at stabilizing Europe’s periphery.⁵

Nonetheless, few would have dared to foresee the radical enlargement toward the East and the internal transformation that swept over the continent in the following two decades. The unexpected rupture of 1989 and the end of the Cold War not only made possible a reunified Germany and triggered closer economic integration, but also paved the way for three waves of enlargement. After admitting the three formerly neutral countries

3 *Declaration on European Identity* (Copenhagen, 14 December 1973), *Bulletin of the European Communities*, no. 12 (Luxembourg: Office for Official Publications of the European Communities, 1973), 118–122.

4 The previous year, Greenland had voted to leave the EC in a referendum after being granted home rule by Denmark.

5 Barry Eichengreen and Jeffrey A. Frieden (eds.), *Forging an Integrated Europe* (Ann Arbor: University of Michigan Press, 1998).

of Austria, Finland, and Sweden in 1995, the EU embarked on its most transformative and daring experiment by admitting thirteen additional member states, eleven of which were post-Communist countries. By the summer of 2013, with the admission of Croatia, the EU counted twenty-eight member states. Alongside enlargement, meanwhile, European constitutional jurisprudence in the hands of the European Court of Justice (ECJ) worked ceaselessly to create a European single market. Since 1999 a single European currency has stretched from Portugal to Finland. Enlargement and economic integration radically remade the continent.

This recasting of the European project inevitably raised a triplet of questions: *What* was Europe? *Where* was Europe? *Who* was European? During the 1990s and 2000s, renewed attempts to give Europe normative meaning and to form a genuinely public debate about European identity and the nature of the European political experiment competed with skeptical narratives stressing distinctively national cultural legacies and democratic achievements. Was the EU a regionalist stepping-stone toward cosmopolitan internationalism and global economic governance, European intellectuals asked, or instead a hegemonic project of market liberalization? Did it pave the way for transnational citizenship or merely replicate an exclusionary identity logic on a continental scale? As this chapter will argue, these debates reflect a threefold struggle over unstable and contested identity categories that oscillate between universalistic and particularistic understandings. These contestations touch on, first, the external boundaries of the EU; second, the nature of the European project; and third, the reconfiguration of citizenship and belonging in Europe.

This chapter constitutes an early attempt at writing the history of post-1989 European integration from the inevitably disillusioned vantage point of crisis offered by the experience of politicized austerity in response to the Eurocrisis, fraught inhospitality toward asylum seekers, and the British referendum decision to leave the EU.

Any attempt to evaluate these developments requires an unflinching look back onto the European identity debates of the 1990s and the way in which Europe was remade after 1989. Thus, the chapter combines a history of debates over European identity since the end of the Cold War with a history of European integration and, ultimately, its current crisis.

Writing the history of European integration and expansion from the vantage point of crisis means confronting a period too recent to have accumulated layers of historiography. But it also brings us face to face more generally with the EU as a political experiment whose contested nature

and uncertain future inevitably shape any assessment.⁶ The crisis only underscored the treacherous difficulty involved in writing about European integration from a vantage point that is still too close to the events. Acknowledging today's sense of crisis and disappointment cannot but shape our account of integration, but by itself it cannot be a warrant to dismiss real achievements. Nor, more subtly, can it license the erasure of once-real hopes that have since been disappointed. While the current crisis must lead to a more unflinching assessment of integration, it would be a mistake to conclude that disappointment was inevitable or that the current crisis merely revealed the EU as what it always had been. Instead, particularly in moments of uncertainty, it is important to insist on the openness of past futures. This means acknowledging present disillusionment without erasing that the path to a different union was at times within reach even though it was ultimately not taken. Looking back from a moment of crisis forces us to take stock unsentimentally. But it cannot unduly license us either to project the current sense of crisis back in time as an inevitability or to fatalistically extrapolate from it an insurmountable impasse.

Creating a Common Market

While the 1970s indicated a first willingness to create a more political union of European states, the first decisive change occurred in the course of the 1980s.⁷ Under the aegis of a German–French axis between German Chancellor Helmut Kohl and French President François Mitterrand, overseen by Jacques Delors as President of the European Commission from 1985 until 1995, the European project received a new impetus. Behind the new momentum stood less Delors's high-flying rhetoric than the earlier reversal of economic policy under François Mitterrand. Elected in 1981 as the first socialist President of the Fifth Republic, Mitterrand's government struggled for two years against humiliating turmoil in the currency markets. It capitulated in March 1983 when Delors, then Mitterrand's finance minister,

6 For an overview of theoretical accounts of European integration and identity, see Jeffrey T. Checkel and Peter J. Katzenstein (eds.), *European Identity* (Cambridge: Cambridge University Press, 2009); Neil Fligstein, *Euroclash: The EU, European Identity, and the Future of Europe* (Oxford: Oxford University Press, 2008); and Christopher J. Bickerton, *European Integration: From Nation-States to Member States* (Oxford: Oxford University Press, 2012).

7 The successive waves of enlargement and integration that followed both built on older notions of collective memory and also altered them in turn. See Peter J. Verovšek, "Expanding Europe through Memory: The Shifting Content of the Ever-Salient Past," *Millennium: Journal of International Studies*, 43(2) (2015), 531–550; and Peter J. Verovšek, *Memory and the Future of Europe* (Manchester University Press, forthcoming).

won the internal struggle for austerity and monetary stabilization. Within a matter of months France turned from Europe's last socialist experiment to the leading architect of capital mobility.⁸

Only in the wake of the French turn toward economic discipline could the formation of a single European market become a point of convergence – not least because it allowed, at least initially, the projection of wildly divergent political visions. As France and West Germany sought to remake the continent in the image of their new alliance, capital mobility quickly emerged as a key catalyst. By the mid 1980s, four of the largest economies in the world – the United States, the UK, Japan, and crucially West Germany – had largely liberalized their capital accounts after the collapse of the Bretton Woods monetary system. With France's long-standing veto removed after 1983, the path was now open for a new Europe of freely flowing capital. The new doctrine was soon enshrined in a European directive (1988/361/EEC) that required all member states to remove restrictions on the movement of capital, including short-term hot money and not just among member states but also toward all non-member states. "Brussels," Rawi Abdelal explains, "became the source of the most liberal set of multilateral rules of international finance ever written. The financial integration of Europe entailed, as a matter of European law, Europe's embrace of the internationalization of finance."⁹ Within only a few years capital controls became heretical. The Maastricht Treaty, negotiated in 1991, gave this liberalization a constitutional character.

But with their capital accounts open, Western European countries were now fully exposed to the policies of the Bundesbank. The question soon arose in France whether the country might not be better served within a European monetary union than by the informal dominance of the Bundesbank.¹⁰ From the corresponding German perspective, monetary union was the price to be paid for the long-sought European flow of capital that would allow German savings to flow into Europe's periphery and discipline macroeconomic policy. With the capital liberalization directive passed in 1988, Helmut Kohl and François Mitterrand agreed to form a committee to explore monetary union. Although most observers and even many committee members did not expect the report to leave much of a mark, it proved remarkably resilient.

8 Rawi Abdelal, *Capital Rules. The Construction of Global Finance* (Cambridge: Harvard University Press, 2007).

9 Abdelal, *Capital Rules*, 11.

10 As Jacques Delors, architect of the *tournant* as Mitterrand's Finance Minister, put it retrospectively, "[we] decided that it would be better to live in an EMU zone than in a Deutsche mark zone." As cited in Abdelal, *Capital Rules*, 10.

The sudden end of the Cold War and the prospect of German reunification clinched the underlying calculations and the resulting settlement was soon codified in the Maastricht Treaty.¹¹

In retrospect, the monetary union that emerged cannot but appear as the result of an odd overlap between two fundamentally different visions. For some, monetary union constituted an ingenious stepping-stone to further political integration and European economic government. The political path forward had to rely on economic trailblazing. A European polity would come about in response to the challenges of governing a monetary union. For others, the creation of a single market and monetary union meant the depoliticization of the economy through the creation of a liberalized European market beyond statist interventions, devaluations, or inflation. Now the Bundesbank's anti-inflationist policy would be exported to the entire Euro-area while flexible labor markets would improve productivity and allow the real-wage reductions previously achieved by devaluations.

Far more than a roadmap toward integration, the Maastricht Treaty thus fundamentally reconfigured domestic democratic politics and curtailed states' ability to intervene in the economy. The new consensus of a low-inflation European monetary system combined with capital mobility, Kathleen McNamara has noted, "redefined state interests in cooperation . . . and induced political leaders to accept the domestic policy adjustments needed to stay within the system."¹² The new rules of financial liberalization exerted their most profound effect in negotiations with prospective members.¹³ With EU membership contingent on meeting the new rules, countries pursuing membership during the 1990s and 2000s comprehensively moved toward more flexible labor markets and rapidly liberalized both financial markets and international capital flows. Tied to a geopolitical logic of democratization and market liberalization, the EU shepherded post-Communist Central and Eastern Europe into the new global market order.

What is most striking in retrospect is not merely how assessments of the Maastricht Treaty could diverge, but how these starkly different visions of the EU's future could exist alongside each other. During the 1990s the single

¹¹ Martin Sandbu, *Europe's Orphan: The Future of the Euro and the Politics of Debt* (Princeton: Princeton University Press, 2015), 12–14. See also Harold James, *Making the European Monetary Union* (Cambridge: Harvard University Press, 2012), 214–215.

¹² Kathleen R. McNamara, *The Currency of Ideas: Monetary Politics in the European Union* (Ithaca: Cornell University Press, 1998), 62–65; and Eric Helleiner, *States and the Reemergence of Global Finance: From Bretton Woods to the 1990s* (Ithaca: Cornell University Press, 1994), 161–163.

¹³ Abdelal, *Capital Rules*, 12.

market became the shared fetish both of neoliberals and of European federalists. The legal trailblazing of the ECJ and the European Court of Human Rights, as well as the supranational quality of European treaties, were from this perspective celebrated as paving the transformation of the EU from a mere supranational economic organization to a distinct political entity, either as a stepping stone toward cosmopolitanism or at least as a guarantee for a pluralist post-Cold War order.

Admittedly, while member states grew together economically, democratic processes remained constituted at the level of the nation-state. The European Parliament remained largely powerless against the intergovernmental brokering in the Council of Ministers. As the German constitutional lawyer Dieter Grimm asked in this context, if the EU proceeded on its path of gradual transformation from a supranational institution grounded in intergovernmental treaties toward a postnational state, how would the resulting entity be able to meet democratic requirements of legitimation, not least a European-wide political public sphere and a common political culture?¹⁴ Conceding Grimm's diagnosis while countering its political conclusion, the critical theorist Jürgen Habermas responded by pointing to the mounting challenges of democratic legitimation that equally faced the nation-state. European federalists, like Habermas, detected from this perspective in the gradual development of European political structures the promise of an eventual counter to unregulated global market expansion. As Habermas put it, democratic processes and economic government simply "lagged behind" economic integration.¹⁵ Adapting an argument from the political economist Karl Polanyi's 1944 *Great Transformation*, Habermas suggested in 1998 that just as the economic liberalism of the nineteenth century had triggered the formation of the postwar welfare state, so would the transnational economic liberalization of the late twentieth century culminate in new forms of economic governance and democracy beyond the state, such as the EU.¹⁶

In an era of globalized capital flows and integrated supply chains, nation states' ability to regulate capitalism had become severely constrained. With states

14 Dieter Grimm, "Does Europe Need a Constitution?," *European Law Journal*, 303(1) (November 1995), 298–302.

15 Jürgen Habermas, "Appendix II: Citizenship and National Identity (1990)," in Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge: MIT Press, 1996), 491.

16 Jürgen Habermas, "The Postnational Constellation and the Future of Democracy" (1998), in Jürgen Habermas, *The Postnational Constellation*, trans. Max Pensky (Cambridge: MIT Press, 2001), 84. For a critical argument on how such narratives relied on an unspoken commitment to a fixed vision of historical development, see John McCormick, *Weber, Habermas and Transformations of the European State: Constitutional, Social, and Supranational Democracy* (Cambridge: Cambridge University Press, 2007).

locked into a struggle over national economic competitiveness, Habermas argued, the survival of a meaningful welfare state depended on the formation of institutions “capable of acting supranationally.”¹⁷ To be sure, building a supranational democracy was a political gamble with uncertain consequences. But the dystopian alternative in the case of failure was not the old cocoon of the national welfare state. Instead, what loomed was a hyperglobalized economic modernity in which corporations could pit states against one another to shed welfare programs and labor laws. The result would be a pool of increasingly alienated losers from globalization – what Habermas dubbed “the Third world within the First” – living in the nostalgic shadow of past democratic agency.

The decisive elements of this future scenario would be the postindustrial misery of the ‘surplus’ population produced by the surplus society – the Third world within the First – and an accompanying moral erosion of community. This future-present would in retrospect view itself as the future of a past illusion – the democratic illusion according to which societies could still determine their own destinies through political will and consciousness.¹⁸

Such a narrative did not deny worries about Europe’s democratic deficit. Nor did its suggested developmental path provide guarantees that deeper political integration would ultimately succeed in overcoming the democratic deficit. But it set out a stark view of the grim realities that awaited those who did not try. Building new political institutions on a European level was by contrast a constructive, if admittedly uncertain, path toward a democratic deepening of the Union and a supranational model of economic governance. The only possible solution to the democratic deficits of integration was more integration.

Where Habermas portrayed the underlying process of integration as a gradual approximation of the ideal of postnational citizenship, the French philosopher Étienne Balibar framed the EU as neither on its way toward a supranational state, nor a postnational cosmopolitical society. Instead, the EU reflected a “transnationalization of the political” that had taken politics across borders without fully erasing those borders.¹⁹ Unlike in the postnational cosmopolitan narrative, for Balibar the EU embodied the difficulties and aporias of reinventing democratic politics in a transnational context that had not erased the old ties of

17 Jürgen Habermas, “Remarks on Dieter Grimm’s ‘Does Europe Need a Constitution?’,” *European Law Journal*, 1(3) (November 1995), 305.

18 Habermas, “Remarks on Dieter Grimm’s ‘Does Europe Need a Constitution?’,” 305.

19 Étienne Balibar, *Nous, citoyens d’Europe?: Les frontières, l’État, le peuple* (Paris: Éditions La Découverte, 2001). Translated as Étienne Balibar, *We, the People of Europe?: Reflections on Transnational Citizenship*, trans. James Swenson (Princeton: Princeton University Press, 2004).

belonging but complicated them through the transnational movements of goods, capital, and people. This meant that the EU was hardly a stepping-stone toward cosmopolitan citizenship as an experiment in the construction of “transnational citizenship” and the democratization of borders. Balibar embraced in this context instead the prospect of disruptive, confrontational, and radically participatory forms of democracy, ranging from “counter-democracy” (Pierre Rosanvallon) to the construction of a new “commons” (Antonio Negri).²⁰ The insertion of democracy into the European project, according to Balibar, cannot be a developmental process but requires a radical “jump.”

Despite their divergent conceptions of European democracy, Habermas and Balibar nonetheless agreed in seeing in the EU a possible bulwark for the future governance of globalized capitalism. But such hopes have to be contrasted with the vision that motivated many of the political architects of one of the most far-reaching dimensions of European integration – the single market. For them, the construction of a European single market served neither as a step toward an incipient moral cosmopolitanism, nor as a blueprint for supranational state structures. Instead, the single market functioned as an embodiment of precisely the kind of liberalized economic hyperglobalization that Habermas and Balibar had hoped the EU would come to counter. The constitutional character of European law, this practitioners’ view celebrated, was attractive because it would place incontestable constraints upon states’ ability to meddle in the economy. After all, many of the rights and freedoms enforced by the ECJ were primarily economic in nature.²¹ The single market’s four freedoms – freedom of movement for goods, services, persons, and capital – could thereby be instituted above the heads of national legislatures and without attracting direct political opposition.

A European Constitution?

What allowed such divergent assessments of the EU to exist alongside each other throughout the 1990s and 2000s was precisely the project’s seemingly indeterminate, fluid, and contested shape. As late as 1998, even an observer as

20 Étienne Balibar, “Quelle Europe démocratique? Réponse à Jürgen Habermas,” *Libération* (September 3, 2012).

21 For a theoretical account of Europe’s functional constitutionalism, see Turkuler Isiksel, *Europe’s Functional Constitution: A Theory of Constitutionalism beyond the State* (Oxford: Oxford University Press, 2016). See also the discussion in Class Offe and Ulrich K. Preuß, *Citizens in Europe: Essays on Democracy, Constitutionalism and European Integration* (Colchester: ECPR Press, 2016).

critical as the British historian Perry Anderson could entertain the possibility that “with a modicum of luck” the EU could be turned into an engine of European socialism.²² Anderson pointed specifically to three critical issues facing the EU: the single currency, the role of Germany, and the multiplication of member states.²³ All three were harbingers of “radical indeterminacy.” But if Europe’s future would have to be built on unpredictable political quicksands, this constituted as much an opportunity as a challenge.

Part of the EU’s fluid character was of course always fueled by intentional mystification. As long as the EU could be described as an “unidentified political object,” as Delors famously quipped, its shape remained conveniently hazy.²⁴ But to present the EU as *sui generis*, without precedents or comparisons, became in this context a fig leaf that could disguise mounting tensions between radically divergent visions of Europe’s future. The shibboleth of European identity was intimately bound up with these contradictory institutional assessments. Proliferating invocations of European identity proved notoriously, and intentionally, elusive not despite, but because of, the rapid construction of an enlarged European single market.

One attempt to harness these divergent forces into a coherent narrative emerged toward the end of the 1990s in the form of calls for a European Constitution. In February 2000, almost six years after his first speech in Strasbourg, Havel returned to the European Parliament, still president of the Czech Republic but with his country now on a firm path toward membership.²⁵ Turning once more to the question of how Europe could be endowed with a political and ethical identity, Havel joined the emerging chorus of those calling for a European Constitution, not least Habermas. When Joschka Fischer, then Germany’s Foreign Minister, used a speech at Humboldt University in Berlin in May 2000 to call for a codified European Constitution as the basis for an accelerated integration of a European core, he immediately drew attention from across the continent.²⁶ At the turn of the

22 Perry Anderson, “A Reply to Norberto Bobbio,” *New Left Review*, 1/231 (September–October 1998), 91–93. Cited in Mark Mazower, “Anderson’s Amphibologies,” *The Nation* (April 8, 2010), www.thenation.com/article/andersons-amphibologies-perry-anderson/.

23 Perry Anderson, “The Europe to Come,” in *The Question of Europe*, eds. Perry Anderson and Peter Gowan (London: Verso, 1997), 144.

24 Speech by Jacques Delors in Luxembourg (September 9, 1985), *Bulletin of the European Communities*, no. 9.

25 Václav Havel, “Address to the European Parliament (February 16, 2000), www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20000216+ITEM-012+DOC+XML+Vo//EN.

26 Joschka Fischer, “From Confederacy to Federation – Thoughts on the Finality of European Integration,” Speech at Humboldt University, Berlin (May 12, 2000), <http://ec.europa.eu/dorie/fileDownload.do?docId=192161&cardId=192161>.

millennium Europe seemed to be experiencing its Philadelphia moment and widespread optimism about the prospects of European unification reigned supreme. As Havel echoed in his speech, “I welcome with satisfaction the fact that our Europeanism is starting to emerge clearly today.”²⁷

In one sense, calls for a European Constitution only acknowledged what had already become a reality. Since the 1980s the ECJ had repeatedly stressed that Community law was no longer a mere matter of treaties but had acquired a constitutional character. In 1986 the Court thus referred to the Community’s founding treaties as its “Basic Constitutional Charter.”²⁸ But while the EU’s pursuit of a single market had acquired constitutional character, its lack of a popular basis and a political statement of values had become increasingly apparent. Europe may have been operating according to constitutional norms, but it lacked a political constitution.²⁹ The leap to a genuine European Constitution offered in this context the promise of endowing the EU with the necessary spirit to hold it together as a political entity.

Such aspirations for a European postnational constitutional order during the late 1990s also formed part of a broader turn toward universalism and human rights. The explicit background to debates about European values at the time was the genocidal war in Kosovo and NATO’s intervention in response in the spring of 1999. As participants such as Havel and Fischer stressed, for the first time human rights had risen above the rights of the state. “[W]hile the state is a human creation, human beings are the creation of God,” Havel explained to the Canadian Parliament in April 1999, during week six of NATO’s bombing campaign and a mere month after the Czech Republic had joined the alliance alongside Poland and Hungary.³⁰ But oddly, such appeals to universalism were not meant to pave the way to a global civil society. Instead, as Havel stressed in the same speech, they pointed to distinct “spheres of culture and civilizations” that would require an awareness of their respective identity.

Despite the initial optimism, the idea of building a European identity on a constitutional foundation ultimately proved at once too anemic and

27 Havel, “Address to the European Parliament (February 16, 2000).”

28 Parti écologiste “Les Verts” v European Parliament, Case 294/83. As quoted in Jan-Werner Müller, “‘Our Philadelphia?’ On the Political and Intellectual History of the ‘European Constitution,’” *Journal of Modern European History*, 6(1) (2008), 137–154, p. 143.

29 J. H. H. Weiler, *The Constitution of Europe: “Do the New Clothes Have an Emperor?” and Other Essays on European Integration* (Cambridge: Cambridge University Press, 1999), 8.

30 Václav Havel, “Kosovo and the End of the Nation-State,” *New York Review of Books* (June 10, 1999), 4–6. Originally given in Ottawa on April 29, 1999 as a speech to the Canadian Senate and House of Commons.

too far-reaching. The European constitutional patriotism that Habermas had envisaged as a solution to the dilemma of European identity failed to strike roots. When French President Jacques Chirac echoed Fischer's proposal in a speech to the German Parliament in June 2000, he immediately incurred the wrath of his own government back in Paris.³¹ In 2004, less than four years after he had first floated the idea of a fast-track European core (the so-called *Kerneuropa*), Fischer had to concede that instead of paving the way for a strengthened European identity his speech had only succeeded in solidifying Eurosceptical sentiment across the continent. "I would give parts of the Humboldt speech differently today," he admitted.³² When Dutch and French voters rejected the new European Constitutional Treaty in two referenda in 2005, they fatally smashed with it any hope for imminent political unification of a European core. The prospective Constitution was silently withdrawn and replaced by the unwieldy Lisbon Treaty, which was conveniently passed on the intergovernmental level without democratic consultation. Instead of a quotable pocket constitution that would have described Europe as "an area of special hope" the result was a textual monstrosity. The democratic attempt to give Europe a political identity had failed.

European Identity and Citizenship between Universalism and Particularism

Tellingly, already the Treaty of Rome, which had stipulated that only a European state could acquire membership, nowhere defined what exactly this meant.³³ The 1973 Declaration similarly spoke of a diversity of national cultures embedded within the common framework of a single "European civilization" but failed to define the values or delineate the contours of such a civilization. Instead, it merely concluded evasively that "the European identity will evolve as a function of the dynamic construction of a United Europe."³⁴ This dynamic construction of Europe soon threw up significant forks in the road. In 1987 Morocco's application was rejected on the grounds that it was quite simply not a European

31 Jacques Chirac, "Our Europe. Address to the German Bundestag," June 27, 2000.

32 Damir Fras and Bettina Vestring, "Interview mit Joschka Fischer," *Berliner Zeitung* (February 28, 2004).

33 Peo Hanssen and Stefan Jonsson, *Eurafrica. The Untold History of European Integration and Colonialism* (London: Bloomsbury, 2014), 2.

34 1973 EEC Declaration on European Identity, 122.

country.³⁵ But again no definition was given of what it would mean to be a European country. Marked by the awkward rejection of Morocco's bid for membership and conscious of the fraught status of Turkey's application the same year, Brussels sought to steer away from definitions of cultural identity and instead set out formalized institutional conditions that it presented as culturally agnostic.

The resulting Copenhagen criteria for EU membership, pinned down in June 1993 with the question of Eastern enlargement already on the horizon, set out adherence to four constitutive values: democracy, the rule of law, the protection of human rights, and a market economy (which now included, crucially, the free movement of capital). Instead of cultural markers, legal criteria now specified conditions for membership. While this seemingly freed questions of enlargement from contentious cultural baggage, it inevitably and intentionally obscured and impoverished the question of Europe's normative purpose and identity. It was precisely this ethical poverty that Havel lamented when he addressed the European Parliament in 1994. Placing the EU in a row of "large empires, complex supranational entities or confederations of states that we know from history," Havel insisted that the only such entities to succeed had been "buoyed by a spirit, an idea, an ethos."³⁶ The nightmarish alternative, Havel implied, was dissolution and with it a return of violence, as the genocidal war in the former Yugoslavia illustrated.

But while the attempt to rest European integration and enlargement on thin liberal-democratic institutional criteria intentionally avoided debates about identity, at the same time it only thinly veiled the undiminished reliance on cultural markers of identity. Attempts to spell out European specificity remained either excessively abstract or suspiciously essentialist, or occasionally even both.³⁷ The challenge was, as Balibar put it, how to give Europe a fictive identity that was at once strong enough to guide its institutions and become part of individuals' imaginations while at the same time resisting the seductive closure characteristic of national identities.³⁸ But this meant that the quest for a European identity involved nothing less than the invention of "a new image of a people" that could negotiate anew the relation between membership in historical communities of fate and the

35 Council Decision of October 1, 1987, in *Europe Archives*, Z 207. See also Iver B. Neumann, *Uses of the Other: "The East" in European Identity Formation* (Minneapolis: University of Minnesota Press, 1998).

36 Havel, "Speech in the European Parliament (March 8, 1994)," 297.

37 Jan-Werner Müller, *Constitutional Patriotism* (Princeton: Princeton University Press, 2007), 97.

38 Balibar, *We, the People of Europe?*, 9.

lived experience of democratic citizenship. Instead of such a leap forward, debates about European identity continued to be stuck in an oscillation between liberal cosmopolitanism on the one hand and a belief in a Judeo-Christian European civilization on the other – the term “Judeo-Christian” being a pious nod to a history of European intolerance, expulsion, and eventual extermination of the Jews of Europe. The project of European integration remained constitutively beset by a dualism between universalism and particularism.

The question of Turkish membership is illustrative in this regard.³⁹ When Turkey applied to join in 1987, its application was not immediately rejected. Instead, in the context of the Cold War the country was declared to be in theory admissible, on the basis of a 1963 Association Agreement. This led observers to conclude that the term “European State” need not be interpreted in a strictly geographical sense and was subject to political assessments. But this did not, of course, preclude that such political assessments would unfold along geographical or indeed confessional lines. Eligibility in principle thus did not prevent Turkey’s bid for membership from lingering in a seemingly endless holding pattern. Turkey received formal candidate status only in 1999. Not least thanks to Germany’s strong opposition, the EU’s relation to Turkey is still no more than a mere “special partnership.” Its membership negotiations, which officially opened in 2005, are formally still pending but look, as of 2019, more doubtful than ever. While the EU has today come to rely on Turkey to prevent refugees from crossing the Aegean, President Erdoğan’s crackdown in the wake of the failed military coup of July 2016 has rendered any discussion of Turkish membership moot for the foreseeable future. This cannot hide that Turkey’s failure to fulfill the conditions of the *Acquis Communautaire* and the Copenhagen criteria, as well as its increasingly egregious flouting of European human rights norms, conveniently converged with only rarely articulated fears of adding seventy million Muslims to the EU.

Debates about European identity are bound to bring to the fore Europe’s Christian dimension, then as now. Widespread Islamophobia and suspicion dominates European public discourse. Most recently this sentiment found expression in the refusal of several Eastern European governments to accept Muslim refugees. Miloš Zeman, Havel’s successor as President of the Czech Republic, has declared Islam incompatible with Europe and ruled out that his

39 For an extended discussion, see Seyla Benhabib and Türküler Isiksel, “Ancient Battles, New Prejudices, and Future Perspectives: Turkey and the EU,” *Constellations* 13(2) (June 2006), 218–233.

country would welcome any Muslim refugees.⁴⁰ It is furthermore not only the openly xenophobic governments of the Visegrád states that unapologetically press the image of a Christian Europe. Earlier conservative thinkers of European unity, such as the Christian theologian Jacques Maritain, had long stressed a shared Christian heritage from which common rules and rights could be derived.⁴¹ It had after all been a generation of mainly Christian-Democratic politicians who forged the European Coal and Steel Community and the Rome Treaty in the postwar decades with a clear sense of ecumenical Christian purpose in the context of the Cold War.⁴² Against such essentialist visions of Europe as a common Christian civilization, alternative proposals for European unity have instead embraced the other side of the dualism.⁴³ The tentative emergence of signs of a European identity appeared from this perspective not so much as a uniquely European achievement but rather as reflecting a wider global trend that witnessed a reconfiguration of national identities within a post-Westphalian world – be it toward postnational cosmopolitanism or the transnationalization of the political.

While citizenship in Europe had traditionally been predicated upon an individual's status as citizen of a particular nation-state, European integration has challenged this model culturally, politically, and administratively. The category of EU citizenship transcends national distinctions of belonging and designates a legal identity that is granted to nationals of all EU member countries.⁴⁴ Migration within the EU, it was expected, would over time

40 “Integrating Muslims into Europe is ‘impossible,’ says Czech president,” *The Guardian* (January 17, 2016). Refugees arriving on Europe's shores, Zeman had explained earlier, constituted “an organized invasion.”

41 Samuel Moyn, *Christian Human Rights* (Philadelphia: University of Pennsylvania Press, 2015). Müller, “Our Philadelphia,” 139. For the longer historical arc, see Mary Anne Perkins, *Christendom and European Identity: The Legacy of a Grand Narrative since 1789* (Berlin: De Gruyter, 2004).

42 On the role of Christian-Democratic parties in the making of the European Union, see Wolfram Kaiser, *Christian Democracy and the Origins of the European Union* (Cambridge: Cambridge University Press, 2007); Martin Conway and Kiran Klaus Patel, *Europeanization in the Twentieth Century* (London: Palgrave Macmillan, 2011); Dieter Gosewinkel (ed.), *Anti-liberal Europe: A Neglected Story of Europeanization* (New York: Berghahn Books, 2014); and Lucian Leustean, *The Ecumenical Movements and the Making of the European Community* (Oxford: Oxford University Press, 2014).

43 Jürgen Habermas, “Citizenship and National Identity: Some Reflections on the Future of Europe,” *Praxis International*, 12(1) (1992), 1–19; and Balibar, *We, the People of Europe?* See also Kalypsos Nicolaïdis, “Our European Democracy: Is This Constitution a Third Way for Europe?,” in *Whose Europe? National Models and the Constitution of the European Union*, ed. Kalypsos Nicolaïdis and Stephen Weatherill (Oxford: Oxford University Press, 2003), 137–152.

44 Less visible, but perhaps just as important, has been the attendant regionalization of identity as forms of belonging are becoming rooted in regional or urban identities again, be they Catalonia or Tuscany, Berlin, or Amsterdam.

further level traditional distinctions between EU citizens. But while pan-European labor mobility has shot up during the Eurocrisis, it remains low in comparative terms, in particular when compared with the United States.⁴⁵ Young Europeans value their freedom of travel and residency within Europe, but neither European citizenship nor the Erasmus student exchange program, launched in 1987, have so far led to the emergence of a widespread pan-European political identity. Even where social movements have begun to conceive of themselves as acting in European networks, as is the case with anti-austerity parties in Greece and Spain, their concrete struggles for electoral representation continue to play out largely on a domestic stage.

The obverse side of Union citizenship has meanwhile meant that citizenship became delineated ever more sharply against non-members. The result has been a distinct two-tiered status of foreignness throughout Europe. While Europe's internal borders within the Schengen zone have become porous, its external borders have hardened. Moreover, different groups of residents are entitled to different packages of rights and benefits depending on the status of their residency – whether citizens, resident aliens, asylum seekers, or so-called third-country nationals.⁴⁶ This has become particularly visible for refugees and asylum seekers who find themselves confronted with “Fortress Europe,” policed since 2004 by the EU's border management agency Frontex, as well as a treacherous patchwork of immigration rules. Where Union citizenship extends the benefits of membership to all EU nationals, the principles on which European countries accept (and eventually naturalize) asylum seekers continue to differ markedly among member states. The Dublin regulations, originally signed in 1990 and in force since 1997, harmonized the processing of asylum applications by granting member states the right to decide where an application is examined (usually in the first country of entry) and preventing asylum seekers from applying in another European country until the first application has been resolved. The agreement furthermore instituted an implicitly asymmetric regime whereby an asylum rejection by one member state is valid for all member states, whereas a positive decision applies only to the member state

45 Europe's mobility rate – the percentage of people moving to another country each year – of around 0.5 percent pales in comparison with the approximately 3 percent annually moving across state lines in the United States. Furthermore, a significant share of European mobility derives from naturalized immigrants from third countries. Julia Jauer, Thomas Liebig, John P. Martin, and Patrick A. Puhani, “Migration as an Adjustment Mechanism in the Crisis? A Comparison of Europe and the United States,” *OECD Working Papers*, no. 155 (January 2014).

46 Seyla Benhabib, *The Claims of Culture. Equality and Diversity in the Global Era* (Princeton: Princeton University Press, 2002); and Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* (Cambridge: Cambridge University Press, 2004).

where the decision was made. This has made it harder to receive refugee status in Europe. As the handling of refugees in the summer of 2015 showed, immigration and asylum policies continue to straddle the sovereign jurisdiction of individual member states and discretionary intergovernmental agreements of cooperation, making it easy for those in power to evade their responsibilities and allowing a convenient apportioning of blame.⁴⁷

The underlying tension recalls the refugee crisis of the early 1990s when similar numbers of refugees and immigrants arrived from former Soviet Republics and the Balkans. Already in the course of the 1980s the number of asylum seekers had steadily risen. But with the end of the Cold War, borders in Eastern Europe were suddenly open, just as violence erupted in the Balkans. As a result, the number of asylum seekers spiked in 1991–1993. This triggered fierce debates across Europe about the required extent of hospitality. While many countries accepted asylum seekers, violence against refugees soon flared up throughout the continent, in particular in Germany where anti-foreigner attacks and riots took place in several East German cities. Official statistics of racially motivated attacks in Germany shot up from 2,426 in 1991 to 6,336 in 1992.⁴⁸ Indeed, the European Council meeting in June 1993 that produced the Copenhagen criteria culminated in the assembled heads of states being forced to condemn rampant attacks on immigrants and refugees across Europe.⁴⁹

At the same time as the European Council publicly condemned violent attacks on immigrants, the same European governments passed legislation that directly targeted migrants. In France, Interior Minister Jean-Louis Debré proposed a further tightening of the already severe immigration laws that curtailed the rights of immigrants and made it a “crime of hospitality” to shelter undocumented immigrants (*les sans-papiers*).⁵⁰ It was in this context that Jacques Derrida turned his attention to the *sans-papiers*.⁵¹ Addressing a demonstration against the Debré law in Nanterre in December 1996,

47 While Germany temporarily suspended the enforcement of the country-of-entry rule in 2015, it has since denied asylum applications on this ground again.

48 Triadafilos Triadafilopoulos, *Becoming Multicultural: Immigration and the Politics of Membership in Canada and Germany* (Vancouver: UBC Press, 2012), 137–139.

49 The Council expressed “its deep sympathy with the innocent victims of such aggressions,” pledging “to protect everybody, including immigrants and refugees, against violations of fundamental rights and freedoms.” Press Release, European Council Meeting in Copenhagen, June 1993.

50 Patrick Weil, *Qu’est-ce qu’un Français? Histoire de la nationalité française de la Révolution à nos jours* (Paris: Grasset, 2002), 165–181.

51 Jacques Derrida, “Derelictions of the Right to Justice” (1996), in *Negotiations: Interventions and Interviews, 1971–2001*, ed., trans., and with an Introduction by Elizabeth Rottenberg (Stanford: Stanford University Press, 2002), 133–144.

Derrida declared that in the eyes of the law “the *sans-papiers* are without dignity because they are unworthy of our hospitality.”⁵² As he elaborated in his essay “On Cosmopolitanism,” originally an address to the International Parliament of Writers in Strasbourg in 1996, the French treatment of the undocumented revealed the extent of French hypocrisy. France paid lip service to the ideal of cosmopolitanism but at the same time passed exclusionary immigration laws.⁵³ Building on the observation that the Latin words *hospis* (host) and *hostes* (enemy) have common roots, Derrida highlighted the historical and phenomenological entanglement of hospitality and hostility.⁵⁴ Europe was caught in the politics of *hostipitality*.

The oscillation between reluctant hospitality and violent inhospitality mirrors the larger contested dualism between universalistic understandings of citizenship and opposing particularistic claims to traditional life forms. Throughout the second half of the twentieth century former colonial populations and new guest workers had increased the share of foreign-born inhabitants of most Western European countries. In 1950, foreigners made up barely 1 percent of the Dutch and West German population, and little more than 4 percent in France and Belgium. By 2016, the share of foreign-born inhabitants had increased to around 12 percent in France and Spain, 15 percent in Germany and Norway, and 18 percent in Sweden and Austria.⁵⁵ Despite their substantial share of immigrant populations, many European countries nonetheless struggled against seeing themselves as immigrant nations. Earlier promises of European multiculturalism have since been gradually eroded or entirely retracted. The status of Muslims in particular remains a fraught one as culture wars continue to be fought over Islam’s place in Europe. Widespread Islamophobia exists alongside a small but growing number of young European Muslims who feel little allegiance to the countries in which they were born and grew up. Europe remains stuck between the challenges of integrating Muslim populations and containing frequent nationalist backlashes against them.

52 Derrida, “Derelictions of the Right to Justice,” 137.

53 Jacques Derrida, “On Cosmopolitanism,” in *On Cosmopolitanism and Forgiveness*, trans. Mark Dooley and Michael Hughes (London: Routledge, 2001), 1–24.

54 Jacques Derrida, “Hostipitalité,” *Cogito*, no. 85 (1999), 17–44. Translated as Jacques Derrida, “Hostipitality,” *Angelaki: Journal of Theoretical Humanities*, 5(3) (December 2000), 3–18. See also Seyla Benhabib, *Another Cosmopolitanism: The Berkeley Tanner Lectures* (Oxford: Oxford University Press, 2006).

55 Pew Research Center estimates based on UN and Eurostat data (June 2016), Phillip Connor and Jens Manuel Krogstad, “Immigrant Share of Population Jumps in Some European Countries,” www.pewresearch.org/fact-tank/2016/06/15/immigrant-share-of-population-jumps-in-some-european-countries/.

Political Fragmentation

Concrete contestations over European identity have periodically brought to the fore this unresolved institutional dualism between universalism and particularism. But instead of a teleology of economic integration spurring European political union, what has emerged is a disaggregation of rights and a sense of political fragmentation. Not only did the different dimensions of integration not proceed at the same pace, they did not even proceed in the same direction. Economic integration spelled not unity but political backlash. Just as global integration has proceeded alongside socio-cultural disintegration and the resurgence of ethnic, nationalistic, religious, and linguistic separatism, economic and monetary integration in Europe has been similarly accompanied by ethnic and cultural disintegration. This has left politics ambiguously torn between the contradictory pressures of economic integration and political fragmentation.

As the Turkish-American political economist Dani Rodrik pointed out on the eve of the Asian financial crisis in 1997, globalization and economic integration expose and widen social fissures between those able to take advantage of liberalized international markets, thanks to their mobility and education, and those unable to do so.⁵⁶ Rodrik concluded from this that there was a need for extensive social programs that could buffer some of the inequalities caused by increased trade in goods and services. But the EU has proven itself to be distinctly ill-equipped and unwilling to engage in what the German political economist Fritz Scharpf has called “positive integration.”⁵⁷ Instead of constructing a European social safety net or issuing European public debt, the EU has largely restricted itself to the pursuit of “negative integration” in the form of tearing down internal market barriers.⁵⁸ Driven by technocratic imperative and judicial fiat, the Commission and the ECJ could autonomously pursue negative integration behind the back of elected politicians. Positive integration, by contrast, would have had to take the form of treaty changes and therefore require difficult, politically visible bargains on an intergovernmental level. Even after qualified majority voting replaced unanimity in many policy areas, in practice this has meant increasingly complex backroom dealings in the Council of Ministers, not a path toward positive integration.

56 Dani Rodrik, *Has Globalization Gone Too Far?* (Washington: Institute for International Economics, 1997), 38.

57 Fritz W. Scharpf, “Negative and Positive Integration,” in *Governing in Europe: Effective and Democratic?* (Oxford: Oxford University Press, 1999), 43–83.

58 Scharpf, “Negative and Positive Integration,” 56.

While European integration, like economic globalization, has undoubtedly contributed to a greater fluidity and instability of identity categories, this has resulted neither in a “flat world” (to borrow a phrase from the *New York Times* columnist Thomas Friedman), nor in a European republic. Instead, economic inequalities and unstable identity categories have reinvigorated struggles over distribution and recognition. While these pressures are far from peculiar to Europe, it was the EU that was long thought to be uniquely able to respond to them.⁵⁹ What could during the 1990s and 2000s still be read as the nascent promises of a postnational cosmopolitanism has with the Eurocrisis lost much of its ambiguity, shed its normative rhetoric, and hardened into an austerity-driven economic frame guided by an interplay of increasingly asymmetric intergovernmentalism and a technocratic European executive. Clashing national democratic wills are adjudicated not in the European Parliament but behind closed doors, where the hierarchies of economic and political might inevitably structure outcomes. Even previously sympathetic and enthusiastic supporters of the European project, such as Habermas, have since denounced the maneuverings of the European Council as a disturbing form of “post-democratic executive federalism.”⁶⁰ In light of the EU’s handling of the Eurocrisis, observers have been forced to wonder how to uphold the vision of European unity without becoming, in Immanuel Kant’s words, “sorry comforters.”⁶¹

Already before the crisis much of the federalist sentiment of the 1990s had gradually been deflated. “Future historians,” Andrew Moravcsik predicted in 2002, “may someday look back on the 1990s as the decade when Europeans began to view the European Union without illusions.”⁶² While this was meant to clear the way for a sober embrace of the EU, shedding illusions could flip over all too easily into “Euroskepticism.”⁶³ There had of course long been conservative and nationalist intellectuals skeptical of European integration, especially in Britain. But it was during the 1990s that these voices

59 Dani Rodrik, *The Globalization Paradox* (New York: W. W. Norton, 2011).

60 Jürgen Habermas, *The Crisis of the European Union: A Response*, trans. Ciaran Cronin (Cambridge: Polity Press, 2012), 12.

61 Immanuel Kant, “Zum ewigen Frieden. Ein philosophischer Entwurf” (1795), in *Werkausgabe*, 12 vols. (Frankfurt am Main: Suhrkamp, 1992), vol. XI, 210. Translated as “Perpetual Peace. A Philosophical Sketch,” in *Kant: Political Writings*, ed. Hans Reiss, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1991), 103.

62 Andrew Moravcsik, *Europe without Illusions: The Paul Henri Spaak Lectures, 1994–1999* (Lanham: University Press of America, 2005), 3.

63 The concept of Euroskepticism, popularized in the wake of the Maastricht Treaty, originated in the 1970s, just as Eurobarometer surveys began to measure the identification of Europeans with their Community.

self-consciously embraced the label. Mirroring them on the left were “sovereignist” socialist critics of the EU, ranging from Régis Debray and Didier Motchane in France to Perry Anderson and Susan Watkins in Britain. The Eurocrisis has since deepened these factions and thrown into limelight a new inflection of left Euroskeptics, such as Frédéric Lordon, Stathis Kouvelakis, and Costas Lapavistas, as well as the German sociologist Wolfgang Streeck, who emerged as the most influential critic of the Euro on the German left.⁶⁴

As the Eurocrisis revealed, the rapid combination of deepening integration and Eastern enlargement did not prepare the way for a *finalité politique* but solidified a functional constitution of executive intergovernmentalism and technocratic governance dedicated to the creation of a liberalized common market.⁶⁵ For those who have always seen the EU as little more than a rather successful intergovernmental forum of nation states, this was hardly a surprise. The European states that emerged from World War II were after all democracies with consciously neutered and constrained forms.⁶⁶ An ingrained habit of delegation to unelected bodies was from this perspective a constitutive feature of the postwar European state system, rather than a bug specific to the EU.⁶⁷ But, unsurprisingly, a supranational structure based on the promise of economic integration and prosperity has proven particularly vulnerable to the disappointment of precisely such promises during the crisis. In the decade 2010–2020, youth unemployment in many regions of Southern Europe continues to hover at almost 50 percent and the EU’s favorability ratings have sunk to unprecedented lows.⁶⁸

Where they continue to exist at all, calls for a European political union beyond market integration find themselves embattled by left and right

64 See Wolfgang Streeck, “Why the Euro Divides Europe,” *New Left Review*, no. 95 (September–October 2015), 5–26; and Wolfgang Streeck, “Small-State Nostalgia? The Currency Union, Germany, and Europe: A Reply to Jürgen Habermas,” *Constellations*, 21(2) (2014), 213–221.

65 Isiksel, *Europe’s Functional Constitution*, 1–30.

66 Jan-Werner Müller, *Contesting Democracy: Political Ideas in Twentieth-Century Europe* (New Haven: Yale University Press, 2011), 128 and 149. See also Isiksel, *Europe’s Functional Constitution*, 221.

67 Instead of detecting in the reliance on intergovernmentalism and technocratic fiat the root cause of the EU’s “democratic deficit,” some have suggested that it is precisely the additional layer of European constraints that added legitimacy. See Andrew Moravcsik, “Reassessing Legitimacy in the European Union,” *Journal of Common Market Studies*, 40 (4) (2002), 603–624; and Giandomenico Majone, *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth* (Oxford: Oxford University Press, 2005).

68 Since the onset of the crisis, approval for the EU has fallen in every single member of the Eurozone. *February 2016 Eurobarometer Report*.

Euroskepticism. In response, calls for further integration have become self-consciously utopian.⁶⁹ Rejecting both a withdrawal into the shell of the nation-state as well as the EU's current market fundamentalism beyond the state, they instead hope for the creation of democratic state structures on a European level. Rather than regarding the EU as a stepping-stone, today's advocates of political union are more likely to pit themselves against currently existing European institutions.

Provincializing a Special Area for Hope

When Havel, in his second address to the European Parliament in 2000, turned once more to the question of European identity, he opened with a confession. Embarrassingly, it had only been in response to the demands of his political office that he had first asked himself whether he felt European and what, if anything, bound him to Europe. No doubt, he explained, this had primarily to do with the fact that "everything with which I have always identified myself was so naturally European that it never occurred to me to consider it as such."⁷⁰ But there was a second reason. "[I]f Europe has thought so little about its own identity in the past, that is no doubt because it considered itself, wrongly, to be the entire world; or at least it considered itself to be better than the rest of the world, because it did not feel the need to define itself in relation to others."⁷¹

From this perspective, it was European dominance that had long rendered the question of European identity mute. In turn this meant that it was precisely Europe's ultimate loss of global pre-eminence with the end of the Cold War that structured its searching quest for identity during the 1990s. This may appear counter-intuitive. After all, Francis Fukuyama's contemporary vision had ended with a distinctly European twist. The end of history was supposed to spell the universalization not of Cold War America but of the European Community as a post-ideological common market.⁷² From a European perspective, however, the supposed end of history turned out

69 Ulrike Guérot, *Warum Europa eine Republik werden muss! Eine politische Utopie* (Bonn: Dietz Verlag, 2016); and *Manifesto of DiEM25: Democracy in Europe Movement 2025* (2015), <https://diem25.org>.

70 Havel, "Address to the European Parliament (February 16, 2000)."

71 Havel, "Address to the European Parliament (February 16, 2000)."

72 Francis Fukuyama, "The End of History," *The National Interest* (Summer 1989). This was not meant as an untroubled compliment as Fukuyama's later references to Nietzsche's "last man" made clear. See also Lutz Niethammer, *Posthistoire: Has History Come to an End?* (London: Verso, 1994); and Müller, *Contesting Democracy*, 239.

to mean first and foremost the continent's accelerated provincialization. In the course of the twentieth century, the modern age of European influence had gradually given way to other regional and global configurations in the form of America's rise to global power and decolonization. Rather than heralding Fukuyama's last universalism, for Europe the end of the Cold War reflected a further deepening of this process of European provincialization.⁷³

But as the historian Dipesh Chakrabarty has explained, while the region of the world we call "Europe" has been provincialized by history itself, European *thought* is still in need of provincialization.⁷⁴ How are we then to reconcile the political facts of Europe's provincialization with the remains of its universalistic intellectual aspirations and self-understanding? Was the European project's cosmopolitan universalism of the 1990s just a "last refuge of Eurocentrism," a "bandage" to disguise irrevocable provincialization?⁷⁵ Or might it be worth pondering, in Chakrabarty's spirit, what it would mean to hold onto Europe as more than a geographic designator while at the same time provincializing it as an ideal? Like Chakrabarty's pithy characterization of European thought as simultaneously indispensable and inadequate, it is tempting to see Europe's conflicted universalism as similarly indispensable but inadequate.⁷⁶ Crucially, it is inadequate because in order to escape its violent oscillations between appeals to empty universalism and exclusionary particularism, a provincialized European identity would require an awareness that its universalism does not derive from a normative core but stands in need of constant renewal from the margins.

Even in today's environment of profound disillusionment, Europe remains the site of one of the most important political and economic experiments of our time, animated by rich intellectual and cultural traditions. But Europe's future will depend on its ability to embrace renewal from the margins in order to live up to its universalism by provincializing it. As the intellectual historian

73 François Hartog, *Régimes d'historicité: Présentisme et expériences du temps* (Paris: Éditions du Seuil, 2003).

74 Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton: Princeton University Press, 2000), 3.

75 Stefan-Ludwig Hoffmann, "Human Rights and History," *Past & Present*, 232(1) (August 2016), 279–310, p. 306. Hoffman addresses this question to the universalism of the 1990s more generally, in particular Euro-Atlantic human rights discourse.

76 Chakrabarty illustrated his claim about the indispensability of European thought by developing his own argument out of a reading of Martin Heidegger and Hans-Georg Gadamer. In his work on the Anthropocene, he has similarly relied on a productive engagement with the thought of Karl Jaspers. See Dipesh Chakrabarty, "The Climate of History: Four Theses," *Critical Inquiry*, 35(2) (Winter 2009), 197–222.

J. G. A. Pocock already pointed out during the 1990s, this would also imply a related ability to forge a historical narrative fit for Europe's peculiar contradictions, experiences, and hopes that can undergird such a provincialized universalism.⁷⁷ Europe's haphazard handling of the eurocrisis and the arrival of refugees on the continent's shores continue to test the EU's self-image as a bastion of humanitarian reason and a beacon of democracy. In light of managed inhospitality and perennial austerity, European appeals to moral leadership can easily ring hollow today.⁷⁸ The EU's "thin cosmopolitanism" appears increasingly all too content with integrating markets and merely fulfilling minimalist human rights norms. In a painful twist of irony, the only ones who still appear to take seriously the preamble of the failed European Constitution that would have described Europe as "a special area of human hope" are the refugees landing on Europe's shores or, all too often, drowning in the Mediterranean. While Europe's politicians are working hard to discourage potential asylum seekers and appear determined to prove that Europe is not a special area of human hope, refugees are voting with their feet for a life in Europe.

77 J. G. A. Pocock, "Deconstructing Europe," in *The Question of Europe*, ed. Perry Anderson and Peter Gowan (London: Verso, 1997).

78 These two pithy terms are borrowed from "Europe at a Crossroads," *Near Futures Online*, ed. Wendy Brown and Michel Feher, <http://nearfuturesonline.org>.