WORK IN PROGRESS - DRAFT DRAFT DRAFT DRAFT-WORK IN PROGRESS

Please do not circulate without permission of author

Humanities Center Colloquium: March 07, 2013

Figuring out Europe

Russell A. Berman

The financial meltdown of 2008 at first seemed to spare Europe. For a brief moment, European commentators believed they could look with some Schadenfreude across the Atlantic and imagine that the crisis would do significant damage only in the US, and presumably deservedly so: was not the US the hotbed of that malignant neoliberalism that was the cause of it all? Such premature gloating soon passed, however, as the economic tremors resonated through Europe as well: with the real estate crisis in Spain, compounded by banking crises, the sovereign debt crisis throughout Southern Europe, and the complexities of the shared currency without a unified polity. To make matters worse, Europe had to scramble to respond with unwieldy institutions and processes. A common and binding fiscal policy was missing, while a complicated array of treaties and intergovernmental arrangements, filtered through the supranational bureaucratic structures, contribute to a general immobility: what holds for the Eurozone is different from what holds for the EU, not to mention the various special arrangements with countries as diverse as Switzerland and Norway.[1] Europe, as it exists, is a complex network, poorly equipped to respond nimbly to a crisis.

Despite the multidimensional and continent-wide character of the economic challenges, attention focused particularly on Greece during 2012. Would European institutions bail out the Greek government before it became insolvent? Which institutions would bear the costs? And according to what rules? It was not only Germany, but it gradually became primarily Germany, where a principled opposition to easy spending grew vocal, which won for Chancellor Merkel the unfavorable reputation as a cruel advocate of an austerity that would drive Greece out of the Eurozone (in which case it could presumably return to an independent currency, let it sink, and then begin to rebuild its economy). In demonstrations in the streets of Europe—especially Greece—but also in the US media, Merkel was caricatured as an opponent of Europe: an implausible position for the heiress to Helmut Kohl, one of the architects of the Euro and a unified Europe. The intra-European anti-German affect has its own distinct rationale; political actors can still easily tap memories of the world wars for political purposes.

The typecasting in the American press of Merkel as a tight-fisted taskmaster, Thatcher reborn, also reflected the projection of current American fiscal debates on to another stage. The terms of the US budget battles between Keynesians and budget hawks could be recycled willly nilly as the secret code to understand Europe, and an eagerly simplifying press believed it could fit Merkel into the mold of the budget-slashing tea party. Yet nothing could be further from the truth. German Christian Democracy is a far cry from Republican libertarianism for one thing, and, for another, Merkel is herself deeply committed to the stability of a unified Europe—given her own background in Communist East Germany she has a lot at stake in anchoring Germany in a unified West.

Yet her critics shared a predisposition to misperceive her as anti-European because that mischaracterization fit so well into the main narrative of the US media during the summer and fall of 2012. It corresponded as well to the message attributed to Secretary of Treasury Timothy Geithner when he was sent on a photo-op mission to scout out German Finance Minister Wolfgang Schäuble during the latter's summer vacation on Sylt. In the end, the US administration's hectoring the Europeans on their fiscal matters only contributed to provoking some irritated anti-Americanism, especially in the face of the blatant inability of the US government to respond to its own debt crisis: Schadenfreude again.[2]

To begin to comprehend the problem of Europe and the German debate, the ambiguity with regard to Merkel's position is a good place to start: outside of Germany she was judged—to my mind incorrectly—as anti-European, allegedly pushing toward a hard-hearted exclusion of Greece and the breakup of the Eurozone in the pursuit of some narrowly national German interest. Yet within Germany, across the broad center with its own deeply Europeanizing commitments, she hardly faced any opposition, i.e. even the main opposition party, the SPD, in effect never challenged her on Europe policy, regularly voting with the government, as did the Greens in their unproblematic support of the European Stability Mechanism (which for example the Greens of France significantly opposed). Indeed domestically Merkel has encountered little opposition, nor has she faced the accusation of being anti-European. On the contrary, for the German public she seems consistently European, perhaps even to a fault. Even on the extremes, the arguments work differently inside Germany. On the left, for example, Jürgen Habermas

sees her politics less as insufficiently European than as insufficiently democratic in her support of Europe. Meanwhile on the right, especially (but not only) around the Christian Socialists, she has been viewed as too European, too prepared to surrender aspects of national sovereignty, and too willing to concede power to "Brussels."

We will return later for a closer look at this domestic German debate, but for now let us merely register the fact that the various perspectives gauge the Europe question in different ways. While the broad German center supports the government's endorsement of European institutions to resolve the Greek debt crisis, the opponents on left and right agree that the challenges cannot be reduced to getting this or that economic or technocratic fix just right. For Habermas, issues of democracy and cosmopolitanism are in play, while for the Bavarian regionalists like Peter Gauweiler the crisis involves traditions and cultural difference. In both cases—albeit in different ways—the questions of democracy, Europe and the mandate to unify a democratic Europe—involve significant philosophical and cultural historical issues, very different kinds of material from the details of fiscal and monetary policy. The question then for us, as we try to understand the series of current events pertaining to the Euro and Europe, involves the relationship between these merely specific administrative problems and a set of separate cultural problems. Is the problem of Europe exclusively a matter of managing the currency and tweaking the governance structures? Or can we read the Euro crisis as well as a set of indications of a more profound malaise in Europe, a decline of the West, so to speak, and if so, in what sense? What's the nature of the cultural analysis that might explain the specifics of the Euro crisis and the stymied European response by looking at

deeper problems in the very nature of the project called "Europe?" What registers of cultural and social analysis are required to figure out this elusive Europe?

Origins of Europe as Philosophy: Kant and Novalis

Instead of treating the difficulties of the EU exclusively in terms of the vicissitudes of the bond markets and the European Central Bank, what analytic paths open when we ask about the fundamental possibility of Europe, in particular, its prospects as a union in light of the philosophical tradition from which it emerged? Europe is surely not only its currency (which is not even the currency of much of Europe, after all); nor is Europe only a geographical convention. At stake is rather a set of ideas and aspirations that define Europe as a project. In particular, a vision of a unification surpassing the political divisions of Europe pervaded a utopian thinking in German around 1800, at the cusp of enlightenment rationality and romanticism, a distinct intellectual-historical moment, but also and not coincidentally a moment of a real process of unification through Napoleonic conquest. An *ancien régim*e was coming to an end: what better alternative might structure the future of Europe and, in the spirit of cosmopolitanism, humanity in general? But if there was once a philosophical aspiration for Europe that inspired its pursuit, can we explain the quagmire of the EU in terms of the obsolescence of the idea?

Two key texts can help us recover the utopia of unification while teasing out some of the immanent fissures in the project of Europe. These fissures—such as is my hypothesis—continue to define the malaise of the EU: Immanuel Kant's *Perpetual Peace* of 1795 and Friedrich von Hardenberg, i.e. Novalis' essay of 1799 which he had entitled simply

'Europa" but which, in the course of its transmission, received the more polemical designation from an anonymous editor, *Christianity or Europe*. The former is arguably the political testimony of the central thinker of the German enlightenment, the latter a manifesto of early German romanticism. Each poses the question of Europe, while illuminating the contemporary limitations of the European Union.

In *Perpetual Peace*, Kant projects his moral philosophy onto international politics, assuming that a natural antagonism among nations can only be surpassed through a process of international treaties pushing toward forms of unification. Yet if Kant's agenda for international law involves containing a natural inclination to conflict, the post-WWII narrative, i.e. the claim that European unification was a response to the violence of the war, amounts to a reprise of Kant's argument a century and a half later: "[…] reason, from its throne of supreme moral legislating authority, absolutely condemns war as a legal recourse and makes a state of peace a direct duty, even though peace cannot be established or secured expect by a compact among nations."[3] Peace is rational, but it requires proactive coordination, going beyond *ad hoc* resolutions to a more systematic solution. In this sense, Kant continues, "[…] there must be a league of a particular kind, which can be called a league of peace, and which would be distinguished from a treaty of peace by the fact that the latter terminates only one war, while the former seeks to make an end of all wars forever." Kant's terminology demonstrates how he anticipates the League of Nations and the UN as forms of a supranational force to control international conflict. Yet while such leagues place a limit on the actions of individual nation states, Kant simultaneously limits the league itself, restricting it to maintaining the peace,

without other incursions into the lives of nations, what we might today discuss in terms of social policy: "This league does not tend to any dominion over the power of the state but only to the maintenance and security of the freedom of the state itself and of other states in league with it, without there being any need for them to submit to civil laws and their compulsion, as men in a state of nature must submit."

Some problems emerge that are relevant to our question of Europe. Kant compounds his argument for the league with the universalism of his categorical imperative (54) ultimately implying that there should be no limit to this league. The logical consequence is a global peace league, rather than a narrowly and necessarily restrictive European union. The teleology of reason involves an ever greater grouping, from which no nation should be excluded. Hence, ultimately, a global regime ought to emerge as the destiny of an unlimited and, implicitly, undivided humanity. Nonetheless, reading the text, one cannot escape the impression that Kant's reference point is a geographic Europe: his second "preliminary article" refers (8)to forms of territorial acquisition he claims are unique to Europe (and which he explicitly condemns; this is a self-critical Eurocentrism). The essay is sprinkled with references to distant locations as well—America, China, Japan. Kant appears to struggle with the question of limits to the league in the face of his own universalist logic: is his point a reshaping of Europe, narrowly defined, or a global institutionalization of a universal law or—and this will be Habermas' point—is the unification of Europe itself a step in a universal teleology?

Parallel to this question of geographical limits on the league, the limit on its legislative power points to an ambiguity in the interior of the mission itself: should the league maintain peace narrowly or to legislate morality extensively? The latter program could issue into a bureaucratic regime imposing an instrumentalist logic on its subjects, precisely an outcome that Kant would otherwise abhor.[4] In this *Urtext* for a rational utopia of a regime of a supranational union, two of the flaws in the European project are therefore evident. First, the difficulty in designating limits to Europe or defining a European specificity within a universalist logic. Clearly the current EU is burdened in part by its rapid expansion; criteria for inclusion, exclusion or any limits at all are very difficult to articulate: hence the painful deliberations over Turkey, among other examples. Secondly Kant warned against but in effect predicted the possibility of an oppressively "mechanical" regime. The league may emerge from a rational process of legalization, but it is full of politicians whose actions have little to do with a spirit of freedom. Precisely this is the complaint of the Eurosceptical critics against the Brussels bureaucracy. The contemporary crises of the EU seem to have been implicit in the philosophical origins around 1800.

Novalis' fragment, completed four years after Kant's text (but only published posthumously in 1826), could not be more different in its philosophical orientation. In contrast to Kant's placing reason on a throne, Novalis celebrates religion, opening with a utopian account of the coherence and unity of the Christian Europe of the Middle Ages. Yet despite the gap between the two perspectives, what Novalis performs in the text—not unlike Kant's agenda in *Perpetual Peace*—is a panegyric to European unity, in terms of

both territorial integration and an integrated community. It was that unity that the single faith, the unified papacy and the overall Christian order guaranteed, without force, solely through the power of faith. Needless to say, Novalis' account is full of hyperbole and descriptive claims that would not stand up to historiographic scrutiny. It is rather an early example of the rhetoric of criticism that contrasts the alienation of modernity with an imagined organicism located in the medieval past. Our concern here is not that historical claim but the hypotheses that a coherent Europe requires a hegemonic culture—the current German term would be *Leitkultur*—and, a separate claim, that religion in particular is indispensable.

Christianity or Europe recalls an admittedly fictional medieval Europe with nostalgia, before proceeding to describe its gradual decline through the impact of modernity. Novalis traces this descent through the Reformation up to the age of the French Revolution, the present of his writing. In a recognizably idealist fashion, he develops a three-part historiographical account: from the primary unity, through separation and development, to—in the last section—a potential return to unity and integration. It is that conclusion that is relevant for the Europe project. In Novalis' words: "Let us turn now to the political drama of our times. The old world and the new are caught in struggle; the failings and misery of inherited political institutions have become evident in terrible events. But what if […] a closer and more complex connection and integration of the European states were the historical purpose of the war, if a new movement of Europe, dormant until now, came into play, if Europe were to awaken and a state of states […] were to stand before us?"[5] Like Kant, Novalis too sees the imminence of European

unification and applauds it. To be sure, Kant's "league" is more amorphous than Novalis' "state of states." Yet the crucial difference lies elsewhere: that the pursuit of Europe is no longer—as it was with Kant—a rational moral imperative. "It is impossible for worldly powers to put each other into balance; this problem can only be solved by a third element, that is both worldly and supernatural." (86) For Novalis, then, only a spiritual renewal that penetrates European life—a renewal that is worldly in the sense that it is not sequestered in monastic mysticism but instead transforms the culture—can address the crisis of Europe. "Only religion can reawaken Europe and save its nations, while installing Christianity with new splendor visibly in the world, with its old mission of establishing peace" (87) for, so Novalis argues, peace is impossible without religion, and specifically, Christianity. At stake however is not a claim about a specific denominational or narrowly defined Christian tradition in Europe—Novalis seems to distance himself explicitly from any such backward-looking account—but an assertion that a vibrant European culture depends on the prominence of religion: without religion, without a spiritual rebirth, the new Europe cannot emerge. Nor can Europe thrive without a coherent culture, core values, so to speak, a *Leitkultur.* As in Kant's *Perpetual Peace,* then, in this essay too, one can identify features of our present, in which a half-hearted commitment to European unification coexists with a discomfort with the status of Christianity, as witnessed in debates regarding the drafting of the preamble to the European constitution. That textual dispute betrayed anxieties regarding loss of traditions, secularization, and the status of Islam in contemporary Europe.[6] At the very least, Novalis' essay forces the uncomfortable question as to whether the loss of religious identity in much of Europe has contributed to the quixotic character of the effort to

establish a shared European polity. Are the travails of the EU a symptom of the cultural contradictions of secularism?

While the gap between *Perpetual Peace* and *Christianity or Europe* is significant, Novalis was a close reader of the idealist tradition, especially Kant and Fichte. The two texts therefore share the assertion of a desideratum of unification driven by a philosophical reference. Without attempting to level the difference between Kant's reason and Novalis' religion, one can recognize how the non-denominational and, at least in tendency, universal character of Novalis' treatment of religion begins to approximate Kant's cosmopolitanism. Both address the connection between a unification process—initially European and potentially global—and a universalist idea. It is this commitment to an ideational goal bridging the particular and the universal that, in both cases, defines the European project. Both are also inherently optimistic about the teleological process, although in each case there are threats—a regression to a mechanical instrumentalism for Kant, and a generalized loss of faith for Novalis. What are their philosophical legacies? Surely Husserl's Vienna lecture in the *Crisis of the European Sciences* articulates a similar vision of a European legacy as the foundation of a transnational unity, yet he was also well aware of the multiple threats to that legacy in the 1930s: not only politically but also from tempting capitulations to less ambitious philosophical agenda—the reductionism to naturalist facticity on the one hand or, on the other hand, a historicist cultural relativism. Each threatened the inherited prospect of a European transcendental subjectivity. Yet Husserl still retained an optimism for the European teleology, despite that most powerful critic of the European potential, Nietzsche—a critic of local

nationalisms, especially German, but well aware of the decadence that had gripped the continent, a philosophical indolence, the "death of God," eroding the capacity to articulate a credible mission. The European loss of faith in Europe has deep roots—and it is inseparable from a larger loss of faith as such.

That same loss of faith still frames the crisis of Europe today. There is no longer a credible discourse on Europe with intellectual substance. One piece of evidence, as Karl Heinz Bohrer has pointed out, is the lack of significant interest among French and German intellectuals in each others'work.[7] A more dramatic piece of evidence is the explicit break with the European tradition of philosophy that had once supported the notion of a European identity. Jacques Derrida's project of a critique of western metaphysics builds, no doubt, on Heidegger's break with Husserlian phenomenology but amplifies it, radically, into a rejection of the Platonic legacy, compounded by the anti-Eurocentrism associated with discourses of decolonization. Building on his reading of Valéry, Derrida defines the European project as one that grants to Europe a priority of access to the universal: "the idea of an advanced point of *exemplarity* is the *idea of the* European *idea,* its *eidos,* at once as *arché*—the idea of beginning but also of commanding […] and as *telos,* the end of the end, of a limit that accomplishes, or that puts an end to the whole point of the achievement […]."[8] Yet for Derrida, this discourse on the West is obsolete. "It dates, it is dated. […] It dates from a moment when Europe sees itself *on the horizon,* that is to say, from its end (the *horizon,* in Greek, is the limit), from the imminence of its end. This old discourse about Europe, a discourse at once exemplary and exemplarist, is already a *traditional discourse of modernity*."[9] It is

therefore, Derrida argues, no longer tenable. If Derrida's diagnosis is correct, then the trouble with contemporary Europe is that it cannot thrive, as Europe, cut off from its traditions.

Does the disappearance of a once credible philosophical discourse on Europe help explain the ineffectiveness of the politics of the European Union? The problem presents an opportunity to think through the relationship of theory to practice, of philosophy to politics, on which Kant would have much to add, including from *Perpetual Peace*. Or should we exempt Derrida's dicta from considering their political implications, in the spirit of Kant's *clausula salvatoria*? To be fair, while Derrida declares the datedness of the old European discourse, he quickly proceeds to enumerate the duties of a contemporary European agenda that reflect his own insistence on the non-identical as inherent to identity, i.e. the imperatives of difference, "opening Europe […] onto that which is not, never was, and never will be Europe."[10] Yet the agenda Derrida elaborates is hardly a specifically European project any longer, considerably reduced from the philosophical aspirations of the past.

Only one last time would Derrida advance a strong notion of Europe, in a collaboration with his otherwise philosophical opponent, Jürgen Habermas. The two authored a statement in opposition to the policies of, the United States during the Iraq War. Yet they also seized the chance to articulate a European identity by way of a contrast with America. "We may have cause to regret [the] social *privatization of faith* in other respects, but it has desirable consequences for our political culture. For us, a president

who opens his daily business with open prayer, and associates his significant political decisions with a divine mission, is hard to imagine."[11] Secular Europe versus religious America? However one judges their understanding of America, one can certainly question their assumption about the vitality of European "political culture," especially in light of the recent clumsiness of the institutions of the EU. Kant and Novalis, differently, envisioned surpassing the political divisions of a fragmented continent, but that stance is difficult to separate from a desire to erase politics as such: hence the privileging of economics and the political deficit in the project of European unification. In fact however even the proponents of unification, in theory, maintain separations in practice: in their open letter, Derrida and Habermas privilege "the core of Europe," highlighting the endemic tension between core and periphery and the old European problem of borders.

Foreign Policy

In their opposition to the Iraq War, Habermas and Derrida vindicated the positions critical of the Bush administration policies articulated by the governments of Francois Mitterand and Gerhard Schröder and echoed in large demonstrations in many European cities. This was the moment of the apparent emergence of a European identity, defined in opposition to Washington. Yet consolidating this unanimity in foreign policy seemed to require a single European voice. Habermas and Derrida were, however, skeptical: "The future constitution will grant us a European foreign minister. But what good is a new political office if governments don't unify in a common policy? A Fischer with a changed job description would remain as powerless as Solana."[12] Their hesitation was not only a matter of personalities or even of constitutional structures; that constitution of course

would be voted down in France and the Netherlands, and eventually the intergovernmental Treaty of Lisbon of 2007 would take its place. More important than the elusive constitution was the real disunity within Europe itself: Paris and Berlin opposed the Washington course of action, but London and Madrid did not, let alone the formerly Communist countries of Central Europe. In Berlin and Paris, being European meant the primacy of international law to prevent violence, but in Prague it could mean resisting dictatorships, including through the use of force. Vaclav Havel could therefore endorse the anti-totalitarian rhetoric supporting a regime change in Baathist Baghdad. Yet expressions such as this from the "new Europe" famously provoked Mitterand's angry response that the Central Europeans should keep quiet. Evidently Parisian resistance to imperial Washington could coexist with an intra-European imperiousness. Here too a substantive European union proved elusive.

This is not the place to rehearse a full history of Europe's relations with the Bush administration. More important is the contrast with the Obama administration's stance which has generally just asked less of Europe: the Afghanistan surge was largely an American affair, putting little pressure on other ISAF members; trans-Atlantic relations have lost their dramatic importance, especially in the context of the pivot to Asia; and the only significant point of conflict across the Atlantic has involved Washington emissaries trying to jawbone European leaders on the Euro crisis, with negligible impact and even less public attention. Yet with the disappearance of an American challenge to Europe, that once could even bridge the gap between Derrida and Habermas, the moment of European coherence seems to pass, and instead intra-European conflicts have come to the

fore. The distance between old and new Europe, between the historic core of unified Europe in the West and the new democracies of the former Soviet Empire remains, but other issues have come to the fore in some recent foreign policy crises. These altercations, in the European core itself, make Europe's inability to address the financial crisis seem plausible: there is no single European voice, neither in economics nor in foreign policy. Let us consider in particular of the debates prior to the NATO intervention in Libya in April 2011 and the current French role in Mali, as of January 2012. European division is the norm, not the exception.

Important issues defined each: the potential for a humanitarian catastrophe in Benghazi in light of Gaddafi's threats and the security concerns regarding the possibility of a jihadist powerbase in northern Mali or even the fall of Bamako. Yet in both cases, the waters were also muddied by complex histories of colonialism and, in Libya, the history of the European relations with Gaddafi. A full analysis of either case would require taking these and other issues into consideration. For our purposes, however, the matter of interest is the lack of European unanimity. Less than a decade earlier, much of Europe seemed to unify in opposition to Washington; yet in these two conflicts, in which key members of the EU chose to engage in military action, they found themselves without robust European support. This was blatantly the case in Libya, when the UK and France sought Security Council authorization to act but encountered an abstentionist block. The ten supporting votes were sufficient to carry the resolution, but it was a shock to find Germany, otherwise a reliable western vote, siding with Russia and China, along with Brazil and India. True, Germany did not vote in the negative, choosing rather only to

abstain. Still, it was disturbing to find unified Germany siding with Russia in what was at that point presented as a human rights and humanitarian crisis, eliciting images of the difference between German and "the West," from earlier eras of European history. Moreover the abstention could be taken as evidence that Germany might be tempted to vote in accord with its export-dependent economy and side with the BRIC countries in the future rather than align itself as part of a western community with western values. Or was the pull toward energy rich Russia going to impact the future of a German foreign policy, given other doubts one might harbor regarding the depth of the German commitment to human rights?

Yet other commentators have personalized the affair, attributing the German abstention to Foreign Minister Guido Westerwelle, his own predispositions and the particular textures of the liberal philosophy of his Free Democratic Party. After the vote, Westerwelle faced considerable criticism in the German press for maneuvering Germany into a diplomatic isolation, at odds with its traditional allies. Yet no one could credibly argue that the German public would have endorsed active German participation in the Libyan War. At best Germany could provide logistical or other peripheral support. The pacifist predisposition in the German public will always tend to put it at odds with military action undertaken by allies, including even its closest European partners.

In Libya, the key European participants were France and the United Kingdom. (The US, famously, "led from behind," and that American reluctance may have increased the potential for European disunion.) While other Europeans provided ancillary support, the

German absence was the defining feature, as far as European cooperation is concerned. Libya has therefore cast a long shadow on the subsequent discussions regarding support for France in Mali. Would Germany again leave its allies in the lurch? At first, the Germans offered nothing, but the prospect of appearing to repeat their Libya abstention led the Merkel government to reconsider.[13] Moreover the Mali question coincidentally became urgent on the eve of the fiftieth anniversary of the Elysée Treaty between France and Germany, the friendship treaty of 1963 signed by Charles de Gaulle and Konrad Adenauer, an iconic moment in the history of European reconciliation. There was serious concern that Germany might be seen as ignoring France at the moment of the historic celebration. As of this writing, German support still has not amounted to much, merely the provision of some cargo planes to assist the French logistics. For the French, the Mali intervention responds to the ominous prospects of a jihadist base in North Africa (a fear amplified by the January attack on the oil facilities in Algeria) but it also builds on France's traditional interests in the larger region, in part colonial legacies. For Germany, the issues are less clear. While former German Defense Minister Peter Struck could proclaim in 2004 that German participation in ISAF represented an effort to defend German security in the Hindu Kush, a corollary argument regarding Mali has less resonance—especially in the wake of the pending pull out from Afghanistan. Comments in the German press suggest a degree of suspicion of French motives, further undermining any German willingness to support its ally. No doubt some of the German hesitation on the Mali question reflects other considerations regarding President Francois Hollande's politics: he has been seen as opposing Merkel at various points in the debates over the Eurozone economic policies, and parts of the German public refuse to abandon

their suspicion of him. Put somewhat polemically: because the Hollande opposed the Germans on Greece, they were not about to support him enthusiastically in Africa.

How do these events, the expeditions in Libya and Mali, help us figure out Europe? These are examples of less than unified foreign policy initiatives emanating from Europe. To what extent do differing understandings of national interest operate within the EU or even against the prospect of deepened unification? Consider this: one explicit motivation in Westerwelle's abstention at the Security Council was his more extensive dissatisfaction with the structure of the Council itself. In public speeches he couches this criticism in terms of its non-representative character, the lack of permanent seats for countries of the importance of Japan and India, for example, or for Latin America and Africa altogether. Yet clearly Westerwelle's discomfort with the structure of the Security Council also reflects a sense of the discrepancy between the status of permanent members France and England on the one hand and Germany on the other. A reform of the Security Council could be in Germany's interest; it would be difficult to make the same claim for France or England.

Yet if national interests of this ilk are at stake in today's Europe, despite the pretenses that national differences have disappeared, how can there be a plausible discussion of a unified European foreign policy, in the spirit of the open letter from Derrida and Habermas? In addition, if ulterior motives are in fact in play, then it is surely the case that there are suspicions about motivation as well. To what extent do French or English (or American) doubts about German commitment to rights, in the context of the Libya

abstention, reflect deeper cultural stereotypes? Alternatively, to what extent do German doubts about French aims in Mali draw on corollary traditions of negative images? The discourse of the European Union celebrates the success of burying the belligerent past that tore Europe apart repeatedly, but how much of that older culture is still in play? Is that subterranean legacy at odds with the teleological spirit of Europe? If, as Derrida claimed, that European teleology has grown obsolete, does the disappearance of the European aspiration mean a return of the nationalist impulses, which the continental agenda once tried to tame?

Nearly a century ago, in an open letter dated August 29, 1914 and published in the *Journal de Génève* on September 2, Romain Rolland published an open letter to Gerhardt Hauptmann, an exchange between two literary giants of the age. Rolland opens by insisting that "he is not one of those French who considers Germans to be barbarians," and he continues by referring to his own long-standing admiration of German culture. Yet the invasion of Belgium and the character of the German occupation compel him to write in protest. How, he asks, can the Germans treat the Belgians so brutally, even though they are only resisting the way the Germans themselves did in 1813, against the French? Yet Rolland reserves his sharpest barbs for other offenses: "And not only fighting against living Belgians, you also wage war against the dead, against the glory of centuries. You bomb Malines, you burn Rubens, Louvain is nothing more than a pile of ashes—Louvain with its treasures of art and science, the holy city!—But who are you, and how do you want to be called, Hauptmann, when you reject being called a barbarian? Are you the grandson of Goethe or of Attila the Hun? Are you waging war against armed enemies or

against the human spirit? Kill the people, but respect their works! That is the patriotism of the human race." Rolland's rhetoric, responding to the brutality of the first month of the war, gives expression to cracks in European identity: Germans are suspect, placed beyond the border of civilization, Huns, not Europeans.

Hauptmann's response appeared in the September 13 edition. Like Rolland, he invokes the standard rationalizations of the war: where Rolland pointed to the German abuse of Belgian neutrality, Hauptmann references the encirclement of Germany and the French alliance with Russia. Yet beyond those political arguments, the competing stereotypes are crucial, betraying underlying prejudices: for Rolland, the Germans may not be genuinely European after all, while Hauptmann imputes an inhuman materialism to Rolland and, by extension, the French: "No doubt, it is deplorable that during the fighting a Rubens was lost, but I belong to those for whom a bayonet in the chest of a man deserves a deeper sadness" than the loss of a work of art for which Rolland seemed to shed more tears.

Rolland's "Attila" accusation echoed the imagery of Kaiser Wilhelm's notorious "Hunnerede" of July 1900, an address to the troops leaving German to suppress the Boxer Rebellion. The German government recognized the embarrassing character of the colorful imperial rhetoric and tried to limit its impact, but the image of the Germans as 'Huns' had been unleashed. Ironically this foundational element of anti-German propaganda took shape at an explicitly European moment: far from acting alone, Germany was leading a European expeditionary force against the Chinese uprising. Yet in the moment of 1914, the topography of rhetoric placed Germany outside of European

civilization—and therefore a descendant of Attila—while the civilization of the West appeared, from the German standpoint, coldly inhuman in Rolland's preference for the killing of humans over the destruction of art works. Hauptmann zeroes in on that point, and so did two subsequent statements. Writing in the *Frankfurter Zeitung* of September 12, the poet Karl Wolfskehl wrote that Germans would be prepared to "destroy every monument of our holy past" if that were the price of victory: at stake is not the past, but the future. In a similar vein, the critic Friedrich Gundolf, also in the *Frankfurter Zeitung* of October 11, contrasts a merely curatorial relationship to culture associated with the West, i.e. France, with an alternative of spiritual creativity: "We are not fighting to preserve the past but for preserving the eternal and the creation of the future, not for objects, no matter how valuable, but for humanity. In contrast with what can become, all accumulated possessions are pointless."[14]

What's the point of dwelling on the cultural commentary that accompanied the guns of August, 1914? Is there a point to reviewing the war crimes and the propaganda? Haven't the decades of war and the decades of peace settled these disputes? In many ways this is certainly ancient history, except that stereotypes and images may have retained an undercurrent of plausibility, enough so as to influence the character of public opinion. Germans as barbarians? Chancellor Merkel was able to shepherd the European Union through the Greek crisis, at least so far, but she has been vilified as a Nazi—itself an odd claim given her background in Communist East Germany. Similarly the Libya abstention raised questions about Germany's commitment to a human rights agenda. Meanwhile in Germany, suspicions evidently linger about the French ulterior motives in North Africa

which may be more venal and colonial than ideal, and about a different set of economic values. Are these concerns distant echoes of 1914? Figuring out the durability of stereotypes and suspicions could help us understand the limits that constrain political actors in each country that prevent them from pulling their respective constituencies toward a deepened European Union.

The German Debate and Sovereignty

The resonance between European nation-states and the durability of national stereotypes contributes to what I regard as the foreign policy dimension of the EU problem. (It is noteworthy than in David Cameron's January 2013 speech in which he announced plans for a referendum on the UK's membership in the EU, he invoked "the character of an island nation: independent, forthright, passionate in defense of our sovereignty. […] And because of this sensibility, we come to the European Union with a frame of mind that is more practical than emotional."[15] Yet if national character—or imagined stereotypes—are in play, then a further dimension of analysis would have to involve the domestic foreign policy, i.e. the debates around the integration of immigrants and the development of multicultural societies. Given the limits of this presentation, that discussion will have to be deferred to another opportunity. Suffice it to say that the resistance to European integration and the challenges to immigrant integration within Europe—as well as the challenges on the limits of Europe, e.g., Turkey—all shed light on the challenges to unification. So does the question of Islam in Europe.

In the UK one can be for or against Europe. In Germany, the same kind of euroscepticism

makes little sense. In the broad political center, there is no nationalist hostility to Europe. There is however a concern about the legal, constitutional and political consequences of the structures and policies of the EU, particularly to the extent that they are seen as potentially impinging on German sovereignty. By and large however the sovereignty debate has less to do with a defense of German particularity (which could issue into a genuine anti-European stance) than with arguments about democracy as popular sovereignty: to what extent can governments negotiate away aspects of self-rule, ceding authorities to the EU administration? When is a referendum required? How can the distinctly federalist structure of Germany be preserved in what is perceived of as the inexorably centralizing dynamic of the EU? These concerns became particularly pronounced during 2012 in the face of the pending establishment of the ESM and its challenges before the German Constitutional Court. In September, the Court declared the ESM constitutional, with certain qualifications, although it may revisit the issue in the future.[16] However the September decision cleared the way for the ESM and ended a summer of dramatic debate. That debate, symptomatic of German anxieties over sovereignty and democracy, is worth reviewing.

Several rounds of European negotiation had led to the proposal for the establishment of the ESM, an international organization designed to provide funding to Eurozone member countries in need of financial support. The ESM emerged in tandem with the so-called Fiscal Compact, an intergovernmental treaty among Eurozone members placing certain restrictions on national fiscal policies. Although the German Bundestag adopted both the ESM and the Compact in late June, they faced significant objections—from across the political spectrum—and appeals to the Constitutional Court. The dissent was so

significant that German President Joachim Gauck refrained from signing off on the Bundestag decisions, until the Court would rule on their constitutionality.

After the Bundestag vote, the constitutional situation in Germany around the ESM and the Compact became particularly fraught because both are international treaties: Had the President ratified them and the Court were to find subsequently that elements of them are unconstitutional, the Germans would have faced an irresolvable mess, since they would not be able to exit the international arrangements easily (i.e. without unanimous approval from all the other signators). The September decision largely annulled that concern. However, critics of the ESM—on the right and on the left—have asked whether the transfer of budgetary authority to an unelected, international body is allowable in light of the responsibility of the legislature for the power of the purse. Moreover, while the German constitution does allow for the delegation of elements of sovereignty to a unified Europe, aspects of the German political structure, especially the federal states, have to be sufficiently involved. Alternatively a national plebiscite may be necessary. Indeed even the pro-Europe Minister of Finances Wolfgang Schäuble has posited the need for a national referendum. Yet in Germany—as in England, after Cameron's speech—the prospect of a referendum is viewed primarily as a threat to Europe: why are referenda seen as a threat to greater European integration? Are Europe and democracy at odds?

Anxiety about a pending loss of national sovereignty was not restricted to the right, but it was articulated most passionately by conservative politicians, such as Peter Gauweiler, a member of the Bundestag from the Christian Social Union, the Bavarian wing of

Chancellor Angela Merkel's Christian Democrats. Gauweiler was one of the main plaintiffs in the case before the Constitutional Court. He has compared the pending centralization of European authority to the nineteenth-century unification of Germany, especially the loss of Bavarian sovereignty to Bismarck's Reich—not a positive from his regionalist point of view.[17] On the contrary, he argues that the "Prussian" centralization of power led directly to the guns of August of 1914 and then the terrors of the Nazi era. Gauweiler does not predict the same outcome, but he conveys a deep worry about an analogous centralization of bureaucratic power, beyond democratic control, in what the German poet Hans-Magnus Enzensberger has dubbed *Brussells, the gentle monster, or the disenfranchisement of Europe,* a sardonic description of the culture of government among the bureaucrats of the EU. This is no laughing matter, however, for Gauweiler because "it is becoming increasingly clear that it is not about the currency—which would be bad enough but could be fixed—but rather it is about the erosion of freedom and democracy." Gauweiler's agenda has been to try to steer public discussion in this direction, toward a reflection on autonomy, local self-rule and a critique of bureaucratization. He is fearful of the excessive accumulation of power in any centralized authority, removed from popular control, just as he fears the suppression of local histories and cultures in the name of a homogenized Europe.

Former Constitution Court judge and current professor of law at the University of Heidelberg, Paul Kirchhof, evaluated the adoption of the ESM, bluntly, as a constitutional crisis.[18] The expansion of the European regime represents, in his eyes, a threat to the rule of law. The European Union's original sin involved the adoption of the

common currency while intentionally refusing any political union. The Maastricht Treaty did include formal constraints on deficits and debt ratios, but no sanctions were put in place, and most EU members simply ignored them: a disregard for law therefore lies at the root of the crisis and indelibly marks the Europe project. Even more troubling, according to Kirchhof, many politicians are willing to stretch interpretations of existing treaties and statutes to the point of compounding the illegality in the name of achieving short-term economic stability. This path can only exacerbate the crisis. "Instability in law is worse than instability in finances. […] If the authority of law can only be rebuilt through a temporary sacrifice of growth or through a limited reduction in prosperity, then we would have to choose that route." In other words, a financial stability achieved through infringements on the law would not be stable at all.

One of Kirchhof's key conclusions is an explicit suspicion of the proposals for centralizing fiscal authority. In the current crisis, the pressure to make good on private losses with public funds, i.e. to bail-out banks with taxpayer money, will only grow more intense, if the control over those funds is centralized, for example in the ESM. As long as control over national budgets remains decentralized, the temptation to expropriate the public in order to pay for private losses meets resistance at multiple points. Should budgetary authority move from democratically elected legislatures in national capitals to an uncontrollable and legally immune ESM? In Kirchhof's words: "What politicians regard as a problem is in fact a virtue in terms of the legal relationship between the state and financial markets." Better a slow federalism than a corrupt centralism.

Not all Germans are such Euroskeptics. During the same summer when Gauweiler and Kirchhof worried about the consequences of centralization, another conservative, Ulrich Wilhelm, a close political ally of Chancellor Merkel, argued cogently for the establishment of an explicitly political union in Europe with the polemical slogan "Give Up Sovereignty!"[19] Precisely the loss of sovereignty is the goal, as he argues that national democracies should cede power to a genuine European Union. In fact Wilhelm's position is not far from the course that Merkel herself follows, despite the public misperception that her insistence on fiscal discipline only represents the German national interest. The Merkel policy involves, on the contrary, the potential for shared budgetary mechanisms—that is precisely why she has advocated so forcefully for the ESM and the Fiscal Compact.

However an even more vociferous pursuit of a post-national Europe pervades the work of the social-democratic philosopher Jürgen Habermas. In recent writings he has developed his long-standing themes of cosmopolitanism and democracy.[20] Habermas' vision involves the establishment of a shared European sovereignty with fiscal responsibility shifted out of national institutions. His most expansive treatment of the topic is a 2011 essay on "The Constitution of Europe."

For Habermas, the Europe project has achieved its original goal, the prevention of continental wars. [21] Yet a more ambitious goal still lies ahead, the establishment of a cosmopolitan legal order: "The European Union can be understood as a decisive step on the path toward a politically constituted global society."[22] Even his economistic

opponents, so Habermas, recognize the need for greater political coordination, as in the Fiscal Pact and the ESM, but they offer nothing but a technocratic management without genuine political legitimacy. Europe stands, therefore, at the crossroads between the model of postdemocratic executive federalism (as exemplified by the "Merkozy" period with its rule by the European Council) and the possibility of a genuine transnational democracy.

That latter term is the crux of the Europe problem today: it implies separating democracy from assumptions regarding national sovereignty. The problem is complicated moreover by the particular history of the EU: the prominence that the Treaty of Lisbon gives to the European Council and the Council of Ministers reflects "the historical role of the member states as initiators and the driving forces behind European unification." Europe, in other words, was the result of state actors and elites; it did not issue from a popular movement. "In contrast to the national constitutions of the eighteenth and nineteenth centuries, the constitution of the Union is the work of political elites. While in the former case revolutionary citizens joined together to overthrow old regimes, this time it was states, i.e. collective actors, which collaborated in limited political areas by using the instruments of international treaties" (63). Nonetheless, Habermas sees a shift to the advantage of the citizenry underway, not the least due to the civilizing impact of "legalization" (Verrechtlichung). The EU is not a monster—it has little executive power (62); however as it limits the arbitrary power of states, it increases the security of the citizens. This progressive spread of law and regulation in Europe is part of an ultimately universal and global process.

Yet while Habermas, ultimately, envisions a globalization of the European Union, he simultaneously wants to protect Europe—indeed, he writes "old Europe"—against globalization (82) in order to preserve cultural differences against forces of leveling. There is a tension in his argument between the utopia of universal law, a latter day version of Kant's *Perpetual Peace,* and a clinging toward cultural specificity. Similarly Habermas moves gingerly around the issue of massive social differences: the mandate to eliminate crass inequality in the German Basic Law may work within Germany, but such solidarity remains controversial within Europe (the polemics against a "*Transferunion*") and utopian on a global scale, despite the universalism of the legalization process.

While the challengers from the right, such as Gauweiler and Kirchhoff, suggest that Europe might dissolve—or ought to dissolve—into nations or even regions, for Habermas the thrust of the argument dissolves Europe into the global. The very universalism that might have once fuelled the idea of Europe pulls Europe beyond itself—in his argument—and gives it at best a merely transitional status. A Europe between the global and the local appears to lose its tenability.

Europe, then, remains elusive, but that is a conclusion that the headlines from 2012 would surely suggest to any attentive reader. What we can see however is that the cascading crises during the past year and which will surely continue—if only in the wake of Cameron's challenge—are not the result of some lack of talent in the European Central Bank, bad chemistry among political leaders, or the perception that Angela Merkel

channels Margaret Thatcher. Much more is at stake. Europe is not just an unmanageable managerial question or a bureaucratic behemoth. It has been an idea with utopian substance that inspired the post-war European leaders to pursue cooperation. Yet precisely at that moment of the post-war, the credibility of the European idea was at its nadir, as Europe lay in ruins due to its own doings, and the violence of its colonial empires undermined stripped the idealism of the tradition of most of its credibility. The idea of Europe, or the West for that matter, has not survived the critiques it has faced since Nietzsche, Heidegger, and Derrida or in the modalities of anti-colonialism and multiculturalism. With the disappearance of explicit adversaries—the Soviet Empire before 1989 or the US as the one superpower during the Bush administration—the motivation for European comity declines, and old suspicions and self-interests reemerge. What remains are discrete efforts by European institutions to collaborate in the face of global economic challenges; hence the priority of economistic rule—it was after all initially a common market, not a common polity, and that has not changed. To become something else would require a revival of the philosophical idea, a credible ideal of Europe, as well as democratic, not managerial subjects.

[1] Of the 27 members of the EU only 17 are in the Eurozone. Phillip Blond argues for a multi-tier vision of Europe rather than simple binary of inside/outside. Indeed he suggests that the pursuit of the single currency zone is itself a threat to the coherence of the EU. "On the EU side there is almost no consideration given to the idea that what might be in the interest of the Eurozone is not in the interest of the European Union. In part this stems from the almost universal insistence on the part of the governing elites in Europe that the Euro must be saved, and a deep irritation that Britain is doing nothing to help. Understanding this Euro resolve requires understanding European history and the visceral fear that all Europeans have of another conflict. In short what Britons cannot understand is that the Euro now stands proxy for European peace and European security.Yet the opposite analysis that the Euro is the fundamental threat to European security is a sustainable and rational position, especially given the on-going economic crisis. On this account the Euro forces different and divergent economies into one fiscal model under which all cannot prosper." Phillip Blond, "Inside Out—The EU and the UK," *SocialEurope*, November 26, 2012. http://www.zimbio.com/Phillip+Blond/articles/cNgI0VtJLZw/Inside+Out+EU+UK+Phillip+Blond

[2] Patrick Welter, "Amerikas Reisediplomat in der Krise," *FAZ* July 30, 2012 http://www.faz.net/aktuell/wirtschaft/europas-schuldenkrise/tim-geithner-besucht-deutschland-amerikas-reisediplomat-in-der-krise-11837852.html

[3] Immanuel Kant, *Perpetual Peace* (Filiquarian Publishing, 2011), 19.

[4] "[Politicians] make a great show of understanding men (which is certainly something to be expected of them, since they have to deal with so many) without understanding man and what can be made of him, for they lack the higher point of view of anthropological observation which is needed for this. If with these ideas they go into civil and international law, as reason prescribes it, they take this step in a spirit of chicanery, for which they still follow their accustomed mechanical routine of despotically imposed coercive laws in a field where only concepts of reason can establish a legal compulsion according to the principles of freedom, under which alone a just and durable constitution is possible." Ibid.,51-52.

[5] Novalis (Friedrich von Hardenberg, *Fragmente und Studien; Die Christenheit oder Europa* (Stuttgart: Phillip Reclam jun., 1984), 86.

[6] The Constitution of Europe, which failed after rejections in France and the Netherlands, involved a compromise formulation in the first paragraph of its preamble, mixing religious and non-religious references: "Drawing inspiration from the cultural, religious

and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law […].” The solution omitted, obviously, any reference to god, but it does include religion in a general sense. It simultaneously blurs the relationship between specifically European traditions (“inheritance”) and “universal values.” Is the point that European values are by their nature universal? In which case what happens to European specificity? Or is the point that this specific culture surpasses its specificity and achieves a universal status? The implication, which would surely resonate with Kant and Habermas, is that the process of European unification is a step in global teleology. The phrasing from the preamble was carried over into the 2007 Treaty of Lisbon.

[7] Karl Heinz Bohrer, “’Europe’ as Utopia: Causes of its Decline,” unpublished ms.
[8] Jacques Derrida, *The Other Heading: Reflections on Today’s Europe* Trans. Pascale-Anne Brault and Michael B. Naas (Bloomington: Indiana University Press, 1992), 24
[9] Ibid., 27-28
[10] Ibid., 77
[11] Jürgen Habermas and Jacques Derrida, “February 15, or What Binds Europeans Together: A Plea for a Common Foreign Policy, Beginning in the Core of Europe,” trans. Max Pensky, *Constellations* 10:3 (2003), 295-96. Cf. Martin Beck Matustik, “Between Hope and Terror: Habermas and Derrida Plead for the Im/Possible,” *Epoché*, 9:1 (2004), 1-18.
[12] “February 15”, 292.
[13] Klaus-Dieter Frankenberger, “Zwei Transporter,” *FAZ* January 16, 2013; Thomas Scheen, “Auf sich allein gestellt,” *FAZ* January 17, 2013.
[14] Cited in Ludwig Lehnen, “Translation imperii. Europa und europäische Identität im Werk Georges und seines Kreises,” unpublished ms pp. 3-4.
[15] “David Cameron’s EU speech—full text,” *The Guardian*, January 23, 2013 http://www.guardian.co.uk/politics/2013/jan/23/david-cameron-eu-speech-referendum

[16] “Die Vorbehalte des Gerichts:

- Die Haftungssumme für Deutschland ist zunächst auf gut 190 Mrd zu beschränken.
- Deutschland muss ein Kündigungsrecht eingeräumt werden, wenn der ESM ausgeweitet werden soll.
- Die Geheimhaltungsvorschriften des ESM-Vertrags sind so zu ändern, dass sie einer umfassenden Information des Bundestags und des Bundesrats nicht entgegenstehen.”

http://www.timepatternanalysis.de/Blog/2012/09/12/bvg-esm-ist-verfassungskonform/

The Court’s decision is at: BVerfG, 2 BvR 1390/12 vom 12.9.2012, Absatz-Nr. (1 - 319), http://www.bverfg.de/entscheidungen/rs20120912_2bvr139012.html
[17] Peter Gauweiler, “Alles so großtuerisch, so herzlos und leer!” *FAZ* August 1, 2012. http://www.faz.net/aktuell/feuilleton/debatten/europas-zukunft/peter-gauweiler-zur-zukunft-europas-alles-so-grosstuerisch-so-herzlos-und-leer-11840299.html

Cf. Wilfried Scharnagl, *Bayern kann es auch allein: Pläydoyer für den eigenen Staat* (Berlin: Quadriga Verlag, 2012).

[18] Paul Kirchhof, "Verfassungsnot!," *FAZ* July 12, 2012 http://www.faz.net/aktuell/feuilleton/debatten/europas-zukunft/paul-kirchhof-zur-krise-der-eu-verfassungsnot-11817188.html

[19] Ulrich Wilhelm, "Gebt Souveränität ab!" *FAZ*, July 7, 2012 http://www.faz.net/aktuell/feuilleton/debatten/europas-zukunft/ulrich-wilhelm-zur-zukunft-europas-gebt-souveraenitaet-ab-11812592.html

[20] Jürgen Habermas, Peter Bofinger and Julian Nida-Rümelin, "Für einen Kurswechsel in der Europapolitik: Einspruch gegen die Fassadendemokratie" *FAZ* August 3, 2012. http://www.faz.net/aktuell/feuilleton/debatten/europas-zukunft/kurswechsel-fuer-europa-einspruch-gegen-die-fassadendemokratie-11842820.html

[21] One might respond skeptically that it was not the Common Market that maintained peace in Europe but, as Schmitt describes, the end of the Westphalian order and the integration of Europe into the two Cold War camps.

[22] Jürgen Habermas, *Zur Verfassung Europas* (Frankfrut: Suhrkamp, 2011), 40.