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**Cultural Pluralism and European Polity-Building:
Neither Westphalia nor Cosmopolis**

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- Abstract -

The decline of nation-state sovereignty in Western Europe has been accompanied by the emergence of the EU, a new type of transnational polity. Nevertheless, all measures undertaken so far in order to set up a comprehensive and legitimate institutional frame for European governance, transcending the mere coordination of national governments, have remained hesitant. Evidently, the advances achieved in integrating sectoral policies and in extending fields of political regulation across European states are not matched by parallel processes that ought to be giving the European Union a higher degree of politico-cultural cohesion.

Therefore, in recent debates the problems of furthering the political integration of Europe have often been associated with the weak cultural foundations available for constructing a European "state". At least, this is an important starting point of what the paper calls "Westphalian" approaches to European integration. According to them, cultural heterogeneity inhibits the formation and articulation of a common political will among Europeans. "Cosmopolitan democrats", on the other hand, welcome the EU as a historically unprecedented chance for constituting a political community on purely "civic" grounds.

In view of the shortcomings of both "Westphalian" and "Cosmopolitan" approaches to the EU, the paper will follow a different path and argue that the regulation of cultural pluralism at the European level is characterized by the contradictions underlying the EU's institutional development. The principle of intergovernmentalism stresses the role of nation-states and tends to reaffirm the weight of national cultures. At the same time, however, European transnationalism offers possibilities for articulating cultural identities below and beyond the nation-state, contributing to some extent to the "denationalization" of political cultures. This is illustrated with examples taken from the area of European language policy. The last section of the paper deals with the potentials of a pluralist interpretation of the subsidiarity principle for inducing "reflexive identity management" in Europe.

During the last decade, the dynamics of European integration gave rise to lively and still continuing discussions about the political perspectives of the EU and, especially, about the desirability of providing the Union with a proper constitution. The "no demos" thesis has become a commonplace in these discussions. In its most general version, the thesis maintains that the possibilities for creating a European democracy are contingent upon the existence of a European demos. But there is not such a demos, at least not yet. Its coming into being would presuppose levels of cultural and communicative integration among "the peoples of Europe" allowing for the development of a shared public sphere. Jean-Pierre Chevènement, the former French Minister of the Interior, may be considered an intransigent exponent of such a view. In his polemics against the proposals his German colleague, Joschka Fischer, put forward in the spring of 2000 in order to establish a European federation, Chevènement, as a spokesman of the "sovereignist" currents in France, was eager to stress that the democratic debate can't be stretched beyond the institutional frame of the nation. According to him, without this frame the sovereign people would lose their genuine political identity.¹ All in all, viewpoints like the one summarized here, see cultural pluralism and its translation into different national sentiments as a main obstacle for achieving political unity on the Continent.

Critics of this line of argumentation point out that its basic shortcomings derive from the tendency to conflate political and cultural identities and to establish all too rigid links between these identities and the nation-state. In opposition to "sovereignist" and related approaches, they rather stress the multiplicity of identities that are politically relevant, both at the level of individuals and at the level of groups. From the corresponding angle, generating and supporting a set of multiple identities is considered to be a necessary antidote against the dangers of an untamed nationalism. Defining the appropriate

institutional balance between multiple identities, then, becomes a key element for Europe's future as a polity.

In this context, it may be worthwhile to recall one of those typical British new wave pop songs of the late 70s. It begins with a loud and straightforward statement: "identity is the crisis".² I would like to take this message seriously for a moment, although without sticking to its categorical undertone. By doing so, one reaches the obvious conclusion that multiple identities imply at least a great variety of crisis potentials. I have no intention to enter the vast field of "identity studies" that have flourished within and across several academic disciplines during the recent years. Let me just remark that the rapid rise of the identity concept that can be observed in the social sciences during the last two decades is an obvious symptom of a period of sweeping social and political change. We are looking so intensely at ourselves, at our identities, because of a widely shared feeling that, once again, everything solid melts into air. As the history of nationalism illustrates extensively, reasoning about identity is the result of changes in identity.

By using the concept of identity, I refer to cultural identities that are (or have been made) relevant for processes of political integration in modern society, such as nationality, ethnicity, language and religion. Hence, my approach to culture and cultural identity is rather modest and deliberately more selective than those approaches worked out in the field of social anthropology and related disciplines. For my purposes, the most interesting aspects of culture are simultaneously perhaps the most obvious ones: I understand culture as a set of strongly institutionalized collective practices, and by institutionalization I mean basically political institutionalization. Typical examples of institutionalized cultural identities of this kind are "national" histories or myths and their public visualization (in monuments, museums, street

names, on postage stamps and bank notes), educational curricula, patterns of religious identification receiving some official protection (as most visibly "state churches" do) or secular public creeds as well as officially recognized and "standardized" languages.

When the question is how to organize the coexistence of different cultural identities in the public sphere, some areas of Europe are nowadays facing highly complex situations. Think of Moroccan immigrants with a Berber background in Catalonia: They are citizens of an Arabian Kingdom and residing in the Spanish state (which, by the way, happens to be a monarchy too), but the Catalan regional government may make some efforts to consider their specific ethnic origin when providing their children with mother tongue teaching. This constellation leads to the emergence of a group who has to find a balance (or set priorities) between four identity options defined by different linguistic, cultural and ethnic or national attachments (Berber, Moroccan/Arab, Catalan, Spanish). Such a context of several, overlapping and to some extent probably colliding, politically relevant cultural identities is less exceptional than it may seem at first sight: Kurds living in Brussels or members of the Sikh minority in Glasgow are also exposed to different cultural pressures, deriving both from their regions of origin (Kurdistan vs. Turkey, Rajasthan vs. India) and from their host countries (Flanders vs. Walloon Belgium, Scotland vs. Britain). Thus, characterizing Europe as a continent of multiple identities sounds, first of all, like a rather unsurprising and even trivial statement. (In Canada, as you all know, the situation in Quebec offers several interesting points of comparison with the European cases that I just mentioned.) However, we leave the area of triviality very quickly as soon as we address the question which implications cultural heterogeneity has in the political realm in general and in the domain of European polity-building in particular.

This question is closely linked to long-lasting controversies in political theory and in political sociology. Until today, there is little agreement on the consequences diversity has for democratic governance.³ From my point of view, it is striking that normative and empirical approaches to the issue have remained largely disconnected from each other since the beginning of the debate. With only few exceptions, normative considerations are often presented without relating them in some detail to concrete historical experiences. On the other hand, empirical analysts are generally reluctant to address the normative consequences of their findings in a systematic way. Focusing on the case of the European Union might therefore offer us a good opportunity to narrow the gap between the two types of approach.

1 Culture, Identity and Politics between "Westphalia" and "Cosmopolis"

To a considerable extent, current discussions devoted to the political future of Europe seem to be influenced by basically two opposite positions, at least if one looks at them from a German perspective. On one side, there are those who are not willing to put at risk the safety net of "democracy in one country" by trying to develop a democratic frame for the EU. Although the label probably oversimplifies their positions, for the sake of clarity, I will call them the "Westphalians".⁴ The denomination is meant to pay tribute to the importance the Peace of Westphalia had in the formation of a system of sovereign states in Europe. In Westphalian approaches to the EU, one of the major concerns is that the process of European integration devalues democratic decision-making in the nation-states without creating alternative options for transnational political control. The arguments put forward by observers adopting such a view are well known: Important decisions that affect a growing number of social and economic policy issues are made at the European level. Thereby, some of the central links

between liberal democracy and the welfare state are being weakened. Market integration is accomplished without corresponding efforts at social and political integration. The EU's compatibility with existing forms of democracy is questioned, as Europeanization is contributing to the erosion of efficiency and legitimacy of democratic rule by the nation-state. At the same time - and for my purposes, this is the more interesting part of the arguments presented -, "Westphalians" are very skeptical about the possibility that the EU will become a democracy of its own kind and foster the birth of a system of transnational democratic governance, counterbalancing the loss of nation-state sovereignty. Here, the crucial problem is that there are no sociocultural foundations solid enough for providing a European democracy with the legitimation it will need: Politically relevant collective identities are still deeply embedded in the structures of nation-states. Patterns of support transcending their boundaries are scarcely in sight. In brief, the project of enhancing democratic integration in the EU is bound to fail, as long as there is no breakthrough in cultural integration across national borders. Cultural pluralism and, especially, the linguistic differentiation it entails are regarded, for the time being, as insurmountable obstacles in any attempt at creating the intermediary political structures and the public sphere that a European democracy deserving this name would require. Cultural heterogeneity and the weight of those cultural attachments that are characteristic of the well-entrenched European state system inhibit the formation and the articulation of a common political identity among Europeans.

The validity of such claims is challenged by the advocates of "postnationalism". In view of the inhospitality of Westphalia, they praise the virtues of "Cosmopolis".⁵ New political institutions based on the principle of "postnational identity" are expected to overcome the normative and functional constraints of "democracy in one country". This principle's proponents want to

overcome the idea of the homogeneous nation-state by deliberately refraining from any attempt to establish a congruent relationship between culture and political society. In the light of postnationalism, one of the EU's most fascinating aspects is the historically unprecedented possibility of grounding political rule on a "pure" civic community, a community exempt from any kind of primordial substratum. That European citizens lack a common cultural identity is interpreted as a unique chance for constituting a novel and truly "civic" type of demos, a demos which transcends culture and reflects nothing else but the collective consent emanating from shared moral values. Thus the integration of Europe would neither lead to the invention of an encompassing community of fate conceived of in the spirit of past traditions nor set the official cultural standards for a shared public space yet to be created, but rather rely on a strict separation of cultural and political identities. From such a point of view, the EU's normative attractiveness is precisely grounded in the lack of a common culture. In the end, creating a democratic polity in Europe becomes a crucial test case for the more ambitious transition to cosmopolitan democracy on a global scale that is envisaged in the long run.

If I am not wrong, both the Westphalian and the cosmopolitan position have serious difficulties to develop convincing approaches to cultural identity and its role in modern democracies. Westphalians view nation-states as political units containing uncontested and homogeneous cultures. At least implicitly, their assumption is that democratic self-government is contingent upon the loyalty of citizens who have common ties in their basic identity patterns, as symbolized by language and culture. It seems evident that there are considerable overlaps between this position and the more or less official French versions of republicanism. As democratic sovereignty is embodied in the nation-state, a close connection is made between state theory and democratic theory. Democratic deliberation and decision-making coincide with the cultural domains defined by

national rule. Political theories influenced by the Westphalian tradition usually take it for granted that states possess an indivisible source of sovereignty, which is the expression of a uniform collective identity, and presuppose societies that are culturally homogeneous. Taking an abstract, reifying and to a large extent even idealizing model of the nation-state as the point of departure for political analysis, they can hardly avoid giving a categorical and one-sided account of the effects cultural diversity and the multiplicity of identities have for sustaining democratic government.

Cosmopolitan democrats, on the other hand, seem to be inclined to throw out the baby with the bath water by simply ignoring the political implications of cultural diversity. In modern societies, culture and politics have become inextricably intermingled.⁶ Institutions offering a culturally "antiseptic" ground for liberal-democratic politics are still to be invented. Even if one is prepared to give up the rigid links established between democracy and the nation-state, one has to admit that political integration can't work without cultural mediation. Civic commitments are not developed in a cultural vacuum. An abstract universalism ignoring the specific cultural context in which political interactions take place may end up turning cosmopolitan hopes into mere wishful thinking. Or even worse: It may confuse cultural neutrality or "benign neglect" with the tacit support of dominant cultures and with the suppression of justified minority claims; thus, "benign neglect" may easily turn into "malevolent ignorance". Moreover, keeping the present-day European context in mind, in the end it is not easy to understand why people should give their approval and feel committed to the construction of a polity that is supposed to pay no attention to their cultural identity at all.

The shortcomings of Westphalian and of cosmopolitan approaches to European integration make it recommendable to look for an alternative paradigm, which, as

I think, can be found in what I call - lacking a better term so far - the pluralist approach. Before doing so, however, I would like to make a little detour that brings into focus the tense relationship between the democratic nation-state and cultural heterogeneity, i.e. the existence of multiple cultural identities within one political unit.

2 Cultural heterogeneity, the democratic nation-state and the EU

In a recent article, the British social theorist and political sociologist Michael Mann affirms that ethnic cleansing has not been an anomaly in the process of modernization and state-building, but has rather to be understood as "the dark side of democracy"⁷. This may sound provocative; nevertheless, Mann offers rich empirical evidence in order to corroborate his argument, which is developed against the historical background of both the European and the North American experience. According to him, a large majority of EU countries is today over 85 per cent culturally homogeneous.⁸ Here, a central aspect is that this homogeneity is not a "natural" outcome of a quasi-evolutionary process, but rather reflects the deliberate use of political power by majority elites. Imposed assimilation and enforced migration, not to mention more dramatic steps, played a significant role in the making of democratic statehood all over Europe. Thus, very broadly and generally speaking, one can indeed notice a long-term historical trend toward creating uniformity *within* the units that form the European state system. This is true even if the *overall* picture of the Continent shows a marked and institutionally entrenched cultural diversity.⁹ After all, one of the characteristic and somewhat paradoxical elements of the Westphalian legacy in Europe was to foster homogeneity within the units configuring the system, although the system itself was largely the result of an attempt at institutionalizing heterogeneity after a period of religious wars. Thus, the

consolidation of national forms of rule became one of the most salient features of Europe's path to modernity. At the same time, national integration often had the explicit meaning of cultural homogenization.

Being the exponents of the institutional logics of a Westphalian world, democratic nation-states have tended to create a close link between two distinct normative principles: the particularist principle of sovereignty and the universalist principle of citizenship. The connection becomes most evident in the concept of the "sovereign people"¹⁰, a concept that is central in the discourse of those for whom democracy requires the fusion of nationhood and stateness. In practice, this people or nation has nowhere exclusively been the product of a voluntary contract negotiated by autonomous individuals, but the expression of the spread of a hegemonic cultural identity among the population of a given territory.¹¹ The political cement needed for maintaining democratic consent was cultural affinity (or ethnic proximity). Where such an affinity was not "organically" pre-established or had not been imposed by predemocratic rulers, state policies sought to turn the population into a homogeneous people. Hence, popular sovereignty did not simply emanate from the spontaneous articulation of a collective will; to a considerable extent, it was an institutionally manufactured sovereignty, a sovereignty delivered "from above". All in all, the people had often already "been made", before they could become sovereign. The language of modern constitutionalism has tended to hide this situation under the cover of a great fallacy, which invites us "to confuse the juridical presupposition of a constitutional *demos* with political and social reality."¹²

Against this general background, however, two major qualifications must be made: A few states, located in Europe's medieval city belt area, can be seen as offering an important counterbalance to the mainstream trend toward internal

uniformity.¹³ They institutionalized the pluralism of groups and territories by setting up consociational or federal arrangements, thus facilitating the persistence of old identity patterns.¹⁴ In addition to this, the recurrent mobilization of subnational identities even in those states that had made great efforts in the past in order to safeguard their political sovereignty by combining territorial integration with cultural homogenization shows the limits of national integration. The unforeseen growth minority movements have experienced in recent times may be interpreted as a late response to the "original sin" of democracy regarding culture.

What does all this mean for European polity-building? Firstly, it means that the appeal of the "mainstream" nation-state model of political integration is highly questionable from a normative perspective, if one wants to take issues of "cultural justice" seriously. Secondly, and this is perhaps the more relevant point for my concerns here, it implies that the cultural dynamics of European integration will sharply differ from the dominant nation-state pattern. The growing acceptance of "diversity-sensitive" approaches to social and political reality has led to a generalization of the view that cultural differences matter and are to be respected. Thus, "multiculturalism", however willy-nilly, is becoming to some extent the official approach to diversity in the Western world. Simultaneously, the protection of minorities seems to have reappeared as one of the paramount component of a transnational European human rights regime to degrees unparalleled since the Interwar period. Finally, groups that have already been the subject of mobilizations stressing their specific cultural identity are unlikely to be "integrated" into a hegemonic domain reproducing the experiences that were typical of the "classic" period of nation-state formation. Let me put it bluntly: There are no "peasants" left on the Continent who might be happily waiting for being turned into some kind of "Europeanmen" by institutional means.¹⁵ Hence, whatever the EU will look like in the future, it

will certainly differ from the dominant nation-state pattern. Nonetheless, if one insists in looking for possible historical analogies, some useful evidence could be found studying the more complex federal and consociational variants of state-building.

West European nation-states were typically formed in a situation of latent or manifest conflict between the units of the emerging state system. Quite often, the push for cultural uniformity within state borders was supposed to contribute to securing the loyalty of the population, a loyalty which was needed in order to defend or expand a territorial sovereignty permanently threatened by neighbouring sovereign entities. State building and war making were, therefore, closely interrelated processes. European integration, to the contrary, received its initial impulses, which reflected a "supranational" moment, from an explicit agreement on ending entrenched inter-state conflicts over geopolitical hegemony in the region once and for all. At the same time, however, the member states of the EC/EU have never been too enthusiastic about sacrificing real or supposed portions of their sovereignty for the sake of Europe. From the beginning, the European project seems to have been strangely detached from visible political power. Political decision-making often remained half-hidden behind inconspicuous technocratic routines. Whatever Euroskeptics afraid of an excessive centralization of competences and resources in Brussels may think: it does not seem to be a coincidence that the place where the headquarters of the European Commission are located is not exactly a center characterized by military glory or a will to an expansive cultural *grandeur*. The symbolic presentation of Europe's supranational dimension has remained fairly modest so far. As the Norwegian social anthropologist Thomas Hylland Eriksen observes:

"When walking through the gray corridors of Brussels, meeting with one bureaucrat after another to learn about trade with the Third World, environmental policies, unemployment benefits and language policies - all the time being offered tepid instant coffee while obediently respecting the smoking ban - it seems all but ludicrous to hate the institution. It may be boring, it may be gray and inefficient - but malevolent? In its

stiff and awkward friendliness it lacks even a hint of the late Habsburg-Kafkaesque. The European Union, seen from its insides in Brussels, has more in common with Habermas' philosophy. It is an extremely thorough and slowly grinding machine, it can be deadly boring, but it is honest in its own way and important to those whom it concerns."¹⁶

At the present stage, the EU can be characterized by the confluence of two contradictory logics in its institutional framework: intergovernmentalism and supranationalism. Since the start of the integration process, the respective weight of these two principles in European politics has regularly been the subject of intense debates.¹⁷ As we apparently lack conceptual tools for determining the specific nature of the EU, the safest way of classifying the beast is to consider it to be a new kind of polity, which combines different spheres of governance with different logics of political decision-making in a system of "multi-level" governance.¹⁸ Evidently, for the moment, the main barriers against any tendency that the EU might end up acquiring nation-state-like qualities when it comes to link cultural and political identities are the European nation-states themselves. They are generally unwilling to renounce symbolic sovereignty and act as careful protectors of their alleged cultural identity. The dialectics of European integration have largely been exemplifying this, developing often enough into sheer schizophrenia, when the political medication prescribed by a "supranationally" minded Dr. Jekyll invigorates the spirit of a ferociously "nation-statist" Mr. Hyde. The tension inherent in the dynamics of the European process is nicely captured in an interview with Jacques Delors that was published in *Le Monde* in January 2000.¹⁹ In the interview, the former president of the European Commission manifested his preference for constructing a European federation of nation-states. An astute journalist immediately reacted by asking if this was not an oxymoronic concept. Obviously, the institutional fusion of state and nation is based on the assumption that the resulting nation-state should be able to act as an entity possessing undivided and indivisible sovereignty. Federations, to the contrary, presuppose the division of sovereignty between different levels of political decision-making.²⁰

But regardless of the continuing presence of nation-state prerogatives, the EU is not appropriately described as an intergovernmental organization that operates according to particularly complex rules. It is a multi-layered and contradictory institutional domain, in which nation-states do transfer sovereignty to the level of transnational decision-making. This has obvious consequences for the politics of cultural identity in Europe. The question of cultural pluralism should therefore be related to the contradictory interplay of political forces that underlies the EU's institutional development: On the one hand, the principle of intergovernmentalism emphasizes the role of the nation-states and tends to reaffirm the weight of national cultures. On the other hand, however, European transnationalism offers some possibilities for articulating cultural identities below and beyond the nation-state, contributing to some extent to the "denationalization" of political culture. Let me illustrate the juxtaposition of different identity patterns in Europe's institutional order by casting a quick glance at the area of language policies. Language has unquestionably to be seen as a central element and medium of cultural identity formation and reproduction.²¹ Accordingly, linguistic pluralism constitutes one of the main features of cultural heterogeneity in the EU. Thus, bringing the language issue into focus should offer us a good opportunity for an empirical assessment of the problems discussed here so far.

3 The example of language

Europe and the European Union are characterized by an extremely rich and politically very complex linguistic situation.²² About a dozen state languages are granted a fully official status at the level of EU institutions. Obviously, this situation implies high communicative transaction costs. Moreover, the formation of a European public sphere is seriously complicated by linguistic

pluralism. From its very beginning, the European process had to combine the goal of market (or "negative") integration with the respect for the cultural differences embodied in nation-state identities. Thus, there is an institutional path protecting diversity and counterbalancing pressures (derived from political or economic "imperatives") toward cultural "standardization" in Europe. So far, the EC/EU's declared policy has been that the equal treatment of all official languages should retain an absolute priority over all kind of financial criteria. However, at the present stage, it may be less easy to determine if such a position can be maintained without major qualifications in the course of the successive enlargements of the Union to the East. After all, it does not seem to be a coincidence that the language question has been attracting increasing amounts of attention in recent speculations on the political future of the EU, receiving an unprecedented coverage in newspapers and magazines.

In spite of the strict official support for building "polyglot" transnational institutions, the guiding parameters of European language policy have remained rather diffuse and the basic procedures designed in order to regulate linguistic pluralism are not free of contradictions. This vagueness and inconsistency matches well with the overall political form of the EU, difficult to grasp in more than one respect. To begin with, there is a consequent commitment to the cause of European multilingualism, which is seen as an essential part of a common cultural legacy. Typically, EU organs such as the Commission or the Parliament do not even restrict this commitment to the domain of official state languages, but are apparently prepared to extend it, albeit cautiously, to minority languages as well: The Commission has provided the European Bureau for Minority Languages, created in Dublin 1982, with some material support over the years, while the European Parliament has expressed concern for the protection of the rights of cultural minorities (including immigrant groups) in several resolutions. At the same time, however, it is beyond any doubt that the

principle of "integral multilingualism", as the policy granting all state languages official status is called, is basically a concession made to the tradition of the national languages - in the narrow sense of nation-state languages - in the project of uniting Europe. Therefore, it would not be too plausible speak of a European language policy designed to undermine the sovereignty of nation-states. The privileges smaller state languages such as Danish or even Irish enjoy in comparison with such languages as Arabic - brought back to Europe by millions of immigrants - or Catalan - arguably the strongest "regional" language in the EU - make this pretty obvious. Finally, the internal communication routines of Europe's political and administrative bodies do anyway not allow for a rigid application of the principle of official language equality. It is no secret that the Commission uses French and recently more and more often also English as its de facto working languages. This does not mean, however, that there were explicit norms for the de facto use of two - or occasionally three, if one wants to add German, which has seen its position somewhat enhanced, since Austria became an EU member - main languages in the administrative communication within EU organs.

The principal obstacle in attempting to specify norms of this kind, elaborated in order to pave the way for a transition from "integral" to limited multilingualism in the EU's institutional framework, is not difficult to discern: The consensus required to reach a general political agreement upon more restrictive language regulations for an "ever closer Union" of Europeans lacks political foundations. The open institutionalization of language status inequalities, resulting from the systematic promotion of one or two major transnational *linguae francae* at the expenses of the remaining European state languages, does not look like an attractive proposal for debate in the EU at this moment. The latest public controversies concerning the language issue, triggered by Germany's pushing for linguistic status equality²³, have shown that

it entails the potential for activating a never-ending spiral of aggravations and demands. As a matter of fact, recent European programs set up in the field of language policies, such as LINGUA, have been intended to point in a rather different direction. They have given strong support to an extensive multilingualism deliberately including the minor state languages.

Apparently, the EU has to confront two double bind situations produced by the interplay of politics and culture in the field of its institutional development. Firstly, the growing dominance of English on Europe's sociolinguistic map is steadily pulling down communicative barriers among Europeans, at least at the level of economic, cultural and political elites. Yet at the same time, this de facto trend will not be easily translated into a de jure reality, as any attempt to concede English an openly privileged official position in the all-European communication network provokes decidedly negative responses by those EU members fearing the political devaluation of their state languages. Hence, one can argue that English is not only part of the solution to Europe's language problem, but also part of the problem itself. The second double bind is closely related to the first one. In the long run, a legitimate and efficient European polity can hardly be conceived of without the supports provided by an extensive public sphere. For this reason, setting the foundations of a common public space should have a high priority among European "polity-builders". On the other hand, creating these political foundations will require a minimum cultural consensus - let us use this concept in order to avoid speaking of homogeneity - that is difficult to be reached without a public sphere capable of formulating its terms. Therefore, it is no major surprise that Europe's political elites have made no manifest move toward inducing the formation of a culturally more or less integrated public sphere "from above", as this would imply opening Pandora's box and might lead to such thoroughly counterproductive outcomes as an anti-European mobilization of national actors (who will, of course, be eager to articulate

their claims using the argument of cultural differentiation). Dr. Jekyll may be prepared to enter a process of "negotiations over identity", but who knows if Mr. Hyde will not run amok when such negotiations take place.

4 Pluralism, subsidiarity and reflexive identity management

The argument sketched out so far began by pointing at the flaws of both Westphalian and cosmopolitan approaches to cultural diversity and its relationship to political integration. From the Westphalian perspective, heterogeneity is viewed as something problematic; at least implicitly, this gives rise to expectations and pressures directed towards homogenization. By advocating "culture blindness", cosmopolitanism, on the other hand, is at risk of underplaying some aspects of social reality which can become highly significant in the realm of politics. If one looks at the language issue, it is quite obvious that the EU would have to face a deadlock as a political community if a rigid link between legitimate rule and cultural homogeneity was established within its domain. In addition to this, one should not forget that the Westphalian imagery offers a picture of nation-state realities that is thoroughly questionable. At the same time, making a deliberate attempt at removing questions of cultural and linguistic diversity from the political agenda, in order to avoid the institutional constraints one has to confront when dealing with them, does not look like an especially promising strategy for European polity-building either, however noble and "cosmopolitan" the motives leading to this kind of approach may be.

Against this background, the pluralist position emerges as an alternative option. In the context discussed here, the concept of pluralism refers to the postulate that the patterns of cultural diversity characteristic of a given

social reality should receive political recognition and constitute a basic feature in the architecture of democratic institutions, as long as the general principles of civic equality are not violated.²⁴ Hence, we might speak of an "intercultural" pluralism. Its realization entails the possibility that different institutional domains operate according to substantially different institutional rules within one and the same polity. By focusing on the potentials groups and associations have for self-government, the pluralist perspective aims at overcoming narrow dichotomies à la "nation-state vs. world state", when the options for political integration are to be defined. From the pluralist point of view, cultural heterogeneity is an important element of modern political communities and may well deserve some form of institutional protection. In any case, it must not be reduced to the particular identities of nation-states conceived of as homogeneous units, as the "Westphalian" view tends to do: Each state gets a different color on the political map, and, of course, each state gets only one color. Neither should it be the object of a "benign neglect" deriving from an abstract, supposedly "cosmopolitan" universalism. Thus, in the light of the present problems in European politics, there are apparently some interesting overlaps between pluralist models and the concept of subsidiarity, or, at least, some versions of this concept.

Subsidiarity can be regarded as the great - although, for most of the time, half-hidden - rival of the idea of sovereignty in modern political thinking. At the beginning of the 1990s, the concept experienced a short-lived boom because of the prominent role it was assigned in the Maastricht Treaty. Suddenly, subsidiarity was expected to become nothing less than the constitutive principle of the European Union, a principle offering basic orientations for an appropriate institutional response to Europe's diversity. In the reality of EU politics, however, the concept was doomed to remain a formula deprived of a genuine meaning. Its quick appearance in the debates on Europe's political

dimension was not much more than the reflection of an intergovernmental compromise articulated in deliberately vague terms. In the Maastricht negotiations, the principle of subsidiarity became the symbol of an unstable balance between the attempts at strengthening the EU's supranational level and the necessity of taking into account the strong variation of the propensity of the member states to intensify the dynamics of political integration. In this respect, subsidiarity was primarily taken to be a convenient mechanism for entering a political period in which differentiated integration was supposed to become the order of the day.²⁵ In the meanwhile, the unexpected revival of a venerable political term seems to have come to an unspectacular end. To write an obituary for subsidiarity in Europe²⁶ may even look like an excessive effort for many political observers today, as it seems that the concept hardly transcends the intellectual appeal of a "dead dog" (to use a blunt German phrase).

Nonetheless, subsidiarity might still serve as a helpful starting point for reactivating and reorienting the debate on cultural identity in the European polity. To conceive of subsidiarity and sovereignty as embodying distinct institutional logics can still produce some valuable insights in normative as well as in empirical analyses of political integration. Subsidiarity could play an important role in the management of cultural conflicts in the EU: The dangers of experiencing painful clashes of different cultural identities in the European polity would be reduced by splitting up identity levels and by allowing people to remain sovereign "within their own circle". All institutional attempts at cultural standardization realized at the expenses of smaller communities - the choice of a limited number of European languages for official communication in a few functional domains, for instance - should offer appropriate compensations to the members of the negatively affected collectivities. In this context, cultural diversity would be institutionalized, but to varying degrees and with different implications at different political levels. Specific loci of

deliberation or policy-making, for example, might be governed by specific language regimes; the more participatory the issue area involved, the more flexible the language regulations would obviously have to be. Subsidiarity breaks up the rigid connection between legitimate forms of rule, which are supposed to meet "democratic" standards, and the institutionalization of single and exclusive identity patterns that has typically been realized by sovereign nation-states.²⁷ A pluralist view of democratic integration recognizes the value and political significance of cultural difference. It pays special attention to the criteria of territoriality and historicity when assessing the relevance of collective attachments, but tries not to essentialize group identities.

I would like to stress that from the perspective adopted here subsidiarity is not a device designed basically in order to keep groups isolated from each other. The principle rather aims at securing the existence of a heterogeneous political community that operates as a common frame when social functions and responsibilities are divided between groups and institutional spheres. In order to produce political results which are perceived as legitimate, the differentiation of domains of self-government according to the principle of subsidiarity requires a minimum reciprocal loyalty from the parties involved, some sort of *Bundestreue* that, obviously, includes a consensus on tolerating redistribution. Empirically, it is an open question to which extent such a basic loyalty can be found in EU politics today. In any case, subsidiarity is a mode of political integration contingent upon solidarity as a shared moral resource that links communal to comprehensive levels of collective decision-making.²⁸ Seen from this angle, the lack of effective structures for transnational communication as well as of a public sphere operating on an all-European scale are certainly not marginal aspects of the current problems experienced when a solid base for subsidiarity in the EU is to be defined. As long as Europe is widely perceived as the business of economic and bureaucratic elites, it will

not be easy to motivate central actors in the European multi-level system to agree upon a political agenda that explicitly incorporates the solidarity dimension.

Hence, subsidiarity is not only a principle for delimiting competences and for fostering the self-regulation of social groups; it is also a mechanism supposed to facilitate the pooling of competences in processes of political decision-making characterized by a high differentiation of group identities and group interests. In this sense, subsidiarity might be a useful tool for familiarizing European citizens with the requirements of "reflexive identity management". In a highly differentiated institutional order, single domains of decision-making would not be subject to the control of a sovereign "common will", but constitute distinct functional and territorial levels of political deliberation, while, at the same time, the central elements of political citizenship would acquire a general and transnational character. In the end, a European Union adopting this approach might only need weak cultural foundations in order to construct a solid common civic space.²⁹ Viewed in this light, the formation of a shared European identity will not demand much more than the respect of difference and the will to tolerate "the other". Yet this does not mean that reflexive identity management will be the outcome of a smooth political process. A *conditio sine qua non* for learning to cope with the problems we face in our European patchwork made of an entrenched diversity and multiple identities is the generalization and intensification of an open constitutional debate - which does not necessarily have to culminate in a clear-cut project of constitution-making - on the polity that shall unite us in difference. The coming enlargement, involving less socioeconomic convergence, more cultural diversity and a greater role of politics, should perhaps be regarded as an ultimate catalyst for having such a debate, however contingent its results may be.

1. Cf. Chevènement's controversial dialogue with Fischer in the German weekly "Die Zeit" (21 June 2000).
2. X-Ray Spex: "Identity", on the record "Germfree Adolescents" (1978?).
3. Mill [1861] and Lord Acton [1862] can be considered as the initiators of an ongoing controversy in modern political theory.
4. See the contributions made by Greven (1997), Grimm (1995), Kielmansegg (1996), Manent (1997) and Streeck (1999).
5. A cosmopolitan mood permeates the work of Archibugi (1995), Beck (1998), Ferry (1994), Habermas (1998) and Held (1995).
6. This is why nationalism is to be considered a constitutive feature of modernity, as was emphatically shown by authors like Gellner (1997) or Deutsch (1966).
7. I am quoting the title of the article (Mann 1999).
8. Mann (1999: 41) uses the term "mono-ethnic".
9. At least when Europe is compared with America. For this reason, Colin Crouch (1999) takes the Dutch concept of *verzuiling* - pillarization - as a pars pro toto image that sets the European model against traditional views of the USA as a cultural "melting pot".
10. Giddens 1985.
11. Schöpflin 1997.
12. Weiler 2000: 2.
13. The impact of the city belt on the formation of nation-states in Western Europe has been masterfully analyzed by Rokkan (1999).
14. For good as for bad, Belgium may at present be seen as the paradigmatic case of a "consociational federalism". This makes the country an interesting point of reference for the EU and has given rise to insightful speculations about the desirability of a "Belgian" Europe (Van Parijs 2000).
15. Obviously, I am paraphrasing the title of Eugen Weber's well-known study "Peasants into Frenchmen" (1976) here.
16. Eriksen 1997: 249-250.
17. Haas (1958) may be considered a classic representative of the supranational view. For a recent approach to the EU written from the perspective of intergovernmentalism cf. Moravcsik (1998).
18. Marks et al. 1996.
19. Le Monde, 19 January 2000.

20. In spite - or perhaps rather because? - of his fuzzines, the concept has hardly lost popularity, as its reappearance in the Fischer proposal and the following discussions shows.
21. Lepsius 1997: 953.
22. This section draws largely from Kraus 2000.
23. In the second half of 1999, under the Finnish EU Presidency, the Germans insisted in the necessity of getting intepreting not only into English and French, but also into German when informal (!) preparatory meetings of the Council of Ministers took place. After the Finns made concessions in order to appease the German government, Spain and Italy began to claim an analogous standing for their state languages.
24. For normative justifications of this postulate see Taylor (1992) and Walzer (1994).
25. A discussion of the role of subsidiarity as a tactical tool before and after Maastricht can be found in Cass (1992) and Ebbinghaus/Kraus (1997).
26. Cf. Freiburghaus 1997.
27. For a systematic attempt at giving subsidiarity and its different institutional aspects a central role as a normative guideline for a European Union viewed as "a non-sovereign confederal commonwealth constituted by post-sovereign member states" see MacCormick 1999: 137-156, quotation at p. 156.
28. I am relying on the categories of communal and comprehensive subsidiarity here, introduced and elaborated with more detail by MacCormick (1999: 152-154).
29. See the plea for a "thin but thick" conception of transnational citizenship in Bader (1997).

Bibliography

- Acton, Lord John (1922 [1862]), *The History of Freedom and Other Essays*, London: Macmillan
- Archibugi, Daniele (1995), *From the United Nations to Cosmopolitan Democracy*, in: Daniele Archibugi/David Held (eds.), *Cosmopolitan Democracy*, Cambridge: Polity Press, 121-162
- Bader, Veit (1997), *The Cultural Conditions of Transnational Citizenship. On the Interpenetration of Political and Ethnic Cultures*, in: *Political Theory*, 25, 771-813
- Beck, Ulrich (1998), *Wie wird Demokratie im Zeitalter der Globalisierung möglich? - Eine Einleitung*, in: Ulrich Beck (ed.), *Politik der Globalisierung*, Frankfurt a.M: Suhrkamp, 7-66
- Cass, Deborah Z. (1992), *The word that saves Maastricht? The principle of subsidiarity and the division of powers within the European Community*, in: *Common Market Law Review*, 29: 1107-1136.
- Crouch, Colin (1999), *Social Change in Western Europe*, Oxford: Oxford University Press
- Deutsch, Karl W. (1966), *Nationalism and Social Communication*, Cambridge, MA: M.I.T. Press
- Ebbinghaus, Bernhard u. Peter A. Kraus (1997), *Die variable Geometrie der Subsidiarität: Zur Problematik territorialer und funktionaler Integration in Europa*, in: Thomas König/Elmar Rieger/Hermann Schmitt (eds.), *Europäische Institutionenpolitik*, Frankfurt a.M., 335-358
- Eriksen, Thomas Hylland (1997), *In Search of Brussels: Creolization, Insularity and Identity Dilemmas in Post-National Europe*, in: J. Peter Burgess (ed.), *Cultural Politics and Political Culture in Postmodern Europe*, Amsterdam: Rodopi, 245-273
- Ferry, Jean-Marc (1994), *Die Relevanz des Postnationalen*, in: Nicole Dewandre/Jacques Lenoble (eds.), *Projekt Europa. Postnationale Identität: Grundlage für eine europäische Demokratie?*, Berlin: Schelzky & Jeep, 30-41
- Freiburghaus, Dieter (1997), *Subsidiarität - ein Nachruf. Überlegung zur Bedeutung von "Zauberworten" im europäischen politischen Diskurs*, in: *Schweizerische Zeitschrift für Politische Wissenschaft*, 3(3), 197-227
- Gellner, Ernest (1997), *Nationalism*, London: Weidenfeld & Nicolson
- Giddens, Anthony (1985), *The Nation-State and Violence*, Cambridge: Polity Press
- Greven, Michael T. (1997), *Der politische Raum als Maß des Politischen - Europa als Beispiel*, in: Thomas König/Elmar Rieger/Hermann Schmitt (eds.), *Europäische Institutionenpolitik*, Frankfurt a.M., 45-65
- Grimm, Dieter (1995), *Braucht Europa eine Verfassung?*, München: Carl Friedrich von Siemens Stiftung
- Haas, Ernst B. (1958), *The Uniting of Europe. Political, Social and Economical Forces 1950-1957*, London: Stevens & Sons
- Habermas, Jürgen (1998), *Die postnationale Konstellation*, Frankfurt a.M.: Suhrkamp
- Held, David (1995), *Democracy and the Global Order. From the Modern State to Cosmopolitan Governance*, Cambridge: Polity Press
- Kielmansegg, Peter Graf (1996), *Integration und Demokratie*, in: Markus Jachtenfuchs/Beate Kohler-Koch (eds.), *Europäische Integration*, Opladen: Leske + Budrich, 47-71
- Kraus, Peter A. (2000), *Political Unity and Linguistic Diversity in Europe*, in: *Archives Européennes de Sociologie*, XLI, 1, 137-162

- Lepsius, M. Rainer (1997), Bildet sich eine kulturelle Identität in der Europäischen Union?, in: Blätter für deutsche und internationale Politik, 8/'97, 948-955
- MacCormick, Neil (1999), Questioning Sovereignty, Oxford: Oxford University Press
- Manent, Pierre (1997), Democracy without Nations?, in: Journal of Democracy, 8, 92-102
- Mann, Michael (1999), The Dark Side of Democracy: The Modern Tradition of Ethnic and Political Cleansing, in: New Left Review, 235, 18-45
- Marks, Gary/Fritz W. Scharpf/Philippe C. Schmitter/Wolfgang Streeck (1996), Governance in the European Union, London: Sage
- Mill, John Stuart (1993 [1861]), Considerations on Representative Government, in: Utilitarianism, On Liberty, Considerations on Representative Government, ed. Geraint Williams, London: Everyman, 187-428
- Moravcsik, Andrew (1998), The Choice for Europe. Social Purpose and State Power from Messina to Maastricht, Cornell: Cornell University Press
- Rokkan, Stein (1999), State Formation, Nation-Building, and Mass Politics in Europe, Oxford: Oxford University Press
- Schöpflin, George (1997), Civil Society, Ethnicity and the State: a threefold relationship (Paper delivered at the conference *Civil Society in Austria*, Vienna, 20-21 June 1997).
- Streeck, Wolfgang (1999), Vom Binnenmarkt zum Bundesstaat? Überlegungen zur politischen Ökonomie der europäischen Sozialpolitik, in: Wolfgang Streeck, Korporatismus in Deutschland. Zwischen Nationalstaat und Europäischer Union, Frankfurt a.M.: Campus, 67-111
- Taylor, Charles (1992), Multiculturalism and "The Politics of Recognition", Princeton, N.J.: Princeton University Press
- Van Parijs, Philippe (2000), Should Europe be Belgian? On the institutional design of multilingual polities, in: Karl Hinrichs/Herbert Kitschelt/Helmut Wiesenhal (eds.), Institutionenpolitik in kapitalistischen und postsozialistischen Gesellschaften, Frankfurt a.M.: Campus, 59-77
- Walzer, Michael (1994), Thick and thin: moral argument at home and abroad, Notre Dame: University of Notre Dame Press
- Weber, Eugen (1976), Peasants into Frenchmen, Stanford: Stanford University Press
- Weiler, J.H.H. (2000), Federalism and Constitutionalism: Europe's Sonderweg, Jean Monnet Chair, Harvard Law School