

Dick Howard

Europe as a Political Project

by
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In the 1980s, with several friends, I helped produce a radio program called “Europe-in-Formation” in the New York left-wing public radio station WBAI. This was a time well before the ultimate internal weakness of the Soviet Union became apparent and when a true or good or purified socialism remained a hope for many leftists. Our idea was that the model of a European Union, enlarging the welfare state and challenging the *realpolitik* cynicism of a U.S. government that supported repressive regimes in the name of fighting the communist enemy would encourage political criticism that was still leftist even while it contained a dose of realism. The process by which Europe was coming into being was to serve as an inspiration for the creation of a left that was at once democratic and social.

Two decades later, the question of Europe remains relevant but the challenge it poses is different. Whereas the left had been the stubborn victim of its own ideological dreams or hopes, today, after the end of the Cold War and with the victory of liberalism and capitalism, there is no serious left wing political project. In the earlier moment, the left was full of ideas, inventing Projects (with a capital P) and knitting together the undeniably important but always partial, and often temporary, successes into a global vision. Today, the left has few ideas; its politics consists in opposing the most egregious elements of the economic free-marketeers and the attempts by social reactionaries to roll back the achievements of modernity.

The European idea has gained some attractiveness as, even in the countries that Secretary of Defense Rumsfeld refers to as the “new” Europe, healthy majorities have appeared to oppose the pre-emptive unilateralism of the U.S. foreign policy. On the other hand, that “old” Europe has been denounced—not without some grounds—as the weak-kneed “Venus” whose well-being depends on the military strength of the American “Mars.” What is more, in at least some countries (such as France), large minorities within the orbit of the socialist party considered seriously the idea of voting against the ratification of an eventual European constitution if it were put to vote in a referendum. Europe seemed to them the vehicle of an expanded capitalism; its advances in the sphere of human rights standing only as a concession to

liberalism. Europe, from this perspective, is said to suffer from a “democratic deficit”—although it is often not clear just what is meant by this vague concept.

In order to get some perspective on the status and implications of the European model today, I propose to return to the old distinction between two kinds of liberalism, and the two models of democratic politics with which they are associated. The roots of this distinction are both historical and conceptual, while its manifestations can be seen in the contemporary political cultures of the Europeans and the Americans.

One appealing approach to the Euro/American distinction between the two cultures is suggested by Pierre Hassner, who traces the difference back to the geo-political fact that Europe is a continent composed of nations defined by their borders, which entails the need to form alliances and to understand the need to maintain a balance of power, whereas America is a continent that can choose isolation, decide when to use force or can opt to employ the peaceful arms of commerce. As a result, Europe has learned to recognize the usefulness of rules that bind sovereignty, while ensuring that war is limited to those who are actually fighting, whereas the U.S. refuses to accept limits on its sovereign will and, when it does go to war, it accepts no constraints (such as worry about “collateral damage”). Old Europe calls the agreed-on rules “civilization,” while virile young America treats them as limits, and denounces them as a sign of weakness of will.¹ This difference is manifest, for example, in the different attitudes toward the creation of an International Court of Justice.

But Hassner recognizes that the European solution is threatened. Its civilized rules were based on a Westphalian notion of a sovereign national will (and the material reality of states that could protect their citizens as well as their economies); that vision may be simply a dream in a globalized and “postmodern” society that cuts across national boundaries and transforms the citizen into a mere consumer. This could explain some of the complaints about a “democratic deficit” in the EU. But that is too simple. The institutional question depends on cultural premises. To denounce the incompleteness of democracy is a facile ploy, as nationalists and communists know only too well. By its very nature, democracy is never, and can never be, a true or fully realized political form; to think otherwise is to dream of an end to history. That is why it’s better to take some distance on the problem of Europe and its “democratic deficit,” appealing to those vague but perhaps for that reason fruitful notions of culture and history.

The contrast between European and American political culture dates from the French and American revolutions. The Americans had to free themselves from the control of the British empire. Their new institutions sought to preserve an independent society in which material inequality co-existed with the absence of status hierarchies. That latter absence (rather than the material inequalities) explains Americans' anti-statist liberalism in which the (pre-political) rights of the individual elevate pragmatic self-interest over collective goals.² It also explains the oft-remarked absence of social solidarity in a brutally competitive society whose liberalism, in principle, protects the rights of the individual.

In France, on the other hand, monarchical power had created national unity out of feudal diversities but it had at the same time consecrated an hierarchical society of orders. As a result, it was necessary to seize, and then to use state power in order to institute a society based on (at least the principle of) equal rights for all. The liberalism that resulted appealed to rights that, although they were said to be "natural," could be made effective only by state intervention. Individualism (which Tocqueville saw as the new threat arising in American democracy) is a threat to rule-based and self-limiting civilization created by European states; its concern with private interest is an anti-political threat to the kind of solidarity needed in a competitive (and anomic) society based on rights that protect the individual from the power of the collective. We can't of course expect that the associative democracy that Tocqueville hoped would provide a corrective in this regard will be reproduced in the new Europe of the twenty-five. But is there, as another Frenchman would ask a generation later, a functional equivalent?

As Emile Durkheim recognized, forms of solidarity are cultural products whose consequences that are neither immediate nor simple. One might ask why the European³ political culture that emerged from its particular path to liberalism and democracy produced the (non-identical) twins of socialism and nationalism which were never able to gain more than a temporary foothold in the U.S. The answer depends on cultural *expectations*. The attempt to institute rights by means of state action cannot stop with the achievement of merely formal equality; the notions of equality and of rights drive each other forward in the (utopian) quest to realize what I call a *democratic republic*. This project seeks to add democratic social policies to the formal framework of the political republic. Its goal is to free social relations from the stain of particularity or hierarchy; unity would replace difference as

the alienation of political life is overcome as society becomes fully rational. The problem, however, is that this complete realization of equality and of rights *can* conflict with the basic liberal right to have rights—which is particular, differential, and individual(ist). For this reason, rights-based liberalism may seem to be the enemy of social solidarity.

A different institutional history produced an American political culture oriented toward *republican democracy*. The distinction is not simply rhetorical. When they freed themselves from Britain, the Americans tried to insure that their democratic self-rule would not be infringed by the political state (whose existence, said Paine, is a sign of human sinfulness). But they soon learned the necessary limits that sin imposes on pride; more concretely, they recognized that self-governing society needed to adopt political forms in order to conserve its own autonomy. Their national confederation was too weak to attract the ambitious, who instead made a mess of local politics (particularly in Pennsylvania). A new national constitution was produced, and ratified by specially elected conventions. An illustration of the way this republican document not only conserved but encouraged democracy can be found in the justification of Senate (in *Federalist* 63). While a senate is supposed to represent the aristocratic order, no aristocracy existed in egalitarian America. What then does the Senate represent? It represents the people—as, *The Federalist* insists significantly, do *all* of the institutions of a republican democracy. And that means, in turn, that *no institution can claim to incarnate fully* the sovereign people. Yet that is just what the democratic republic seeks to do.⁴

This distinction suggests why Europe could become the showplace of both nationalist and socialist ideologies. (America is of course *not* exempt from these temptations, particularly in moments when the nation itself feels threatened.) The European model of a democratic republic that seeks to overcome the separation between the society and its political representative illustrates what I call a *politics of will*. The will must be one and harmonious; a divided will is incapable of willing. Socialism on the one hand, nationalism on the other attempt—each in its own way, of course—to overcome division, to create unity and homogeneity while absorbing (or eliminating) particularity and difference. This tendency to think of politics as depending on the will, whose unity must be achieved and conserved, reached its extreme form in the twin totalitarianisms that disgraced the 20th century.

The reference to totalitarianism brings us toward our own time. After 1945, nationalism was so discredited that even the all-dominant U.S. recognized the need for a multi-lateral world. But the outbreak of the Cold War, exacerbated by the socialist dream of *real democracy* as incarnated in a democratic republic that remained alive in Western Europe, suggested to many Europeans the need to find a third way. Fearful of renewed nationalism, but needing also to keep their domestic working class satisfied, they took steps toward common economic politics that culminated in the 1956 Treaty of Rome. But the political implications of what was first called simply a “Common Market” became apparent when it was challenged by Britain’s creation of a rival, purely economic association called the “European Free Trade Association” (EFTA). That reduction of political to market relations (like the critique of the Rome treaty for consecrating the injustices of international capital) could be said to represent another variant of the *politics of will*, but based this time on the assumption that the invisible hand of the market would transform competitive individual action into a rational and unified society. Just as the democratic republic reduces politics to social relations, this time politics is reduced to economic relations. The denial of the autonomy of the political sphere was based on the vision of a society (or economy) wholly transparent to itself. The failure of the British alternative meant that the EU would have to learn to articulate the political essence of its own culture. The third way could not just mediate between two kinds of economic society.

While the Cold War continued, the European project could advance only slowly. But the turning point came already *before* the end of the Soviet Empire. The anti-totalitarian politics that emerged in the wake of the Helsinki Accords⁵ made clear that human rights are not only *not* granted by the state; they are also *not* the private rights stereotypically identified with American liberal individualism. The politics of human rights went together with the idea of an autonomous civil society. But this new vision was still open to the temptation of a politics of will that sought to overcome the separation of state and society in the unity of civil society. (This may explain the attraction of movements like *Solidarnosc* or *Chater 77* to some of the normally “anti-anti-communist” Western left, who could see here the *mise en oeuvre* of their own goal of self-managed socialism.) The imposition of a state of siege in Poland should have made clear the need for some kind of political state to protect the rights of the individual without which civil society cannot maintain itself. But what kind of state? *It is at this point that “Europe” begins*

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its contemporary career; the notion of “third way” now no longer conceived in economic terms; it has now to be conceived politically.

With the unification of Germany, and the May 2004 integration of states formerly belonging to the Soviet bloc, what could become of the European political project? The first task is negative, to avoid the missteps of the various forms of what I have called a politics of will. It is clear that the enlarged EU cannot be expected to realize the socialist (or the nationalist) project; nor can it restrict itself to simply economic homogenization. It is also clear that it has to face up to the denunciation of a “democratic deficit.” But this issue is less institutional than it is cultural; the proposed European constitution cannot on its own solve the problem. Europe has to create a paradoxical kind of unity, one that is more solid because it is plural. Solidarity is the key concept; and it is not based on identity or on the exclusion of difference. This is where the European project can come to a better self-understanding by comparison with the American attempt to maintain a liberal political culture by creating a republican democracy.

A return to the historical roots of America’s republican democratic culture illustrates the difficulty of overcoming the unitary temptations of what I have called a politics of will. Twelve years after the ratification of the new constitution, Thomas Jefferson was elected president in what contemporaries called “the revolution of 1800.” The term is surprising, and it has fallen out of use by historians.⁶ Since Jefferson’s support for the French revolution was well-known, it led to the belief that he would bring social change, a kind of American version of 1793. What was in fact revolutionary was not the social content of Jefferson’s politics, but rather the political fact that *power passed peacefully from one political party to another*. This had never happened before; it was made possible by the unique political culture that was described at the outset of this argument: “the” people (in their plurality and difference) are represented in all the institutions of the republic, which means, therefore, that they are incarnated in none. But Jefferson’s republicans themselves did not understand this republican democracy, as they showed shortly thereafter when they refused to confirm the (“midnight”) appointment by the outgoing government of a federal magistrate. They, after all, were now the democratically elected majority who, they assumed, represented the actual will of the people and were not bound by the action of the previous majority. In 1803, in *Marbury v. Madison*, the Supreme Court issued the decision that was the foundation of its own independent power—a power that, *like all*

powers in the United States is based on the constitution rather than on the will of any temporary majority.

These two institutional innovations were made possible by the culture of a republican democracy. The foundation of that political culture can be understood by its contrast to the forms of the politics of will. It rests on what can be called a *politics of judgment* that begins from the plurality of rights-bearing individuals in order to make possible a kind of solidarity that need not claim to incarnate the unitary will of a homogeneous nation. Leaving aside the philosophical foundations of this concept, its institutional form can be described in general terms by a closer look at the American constitutional practice of republican democracy. At issue is the relation between the particularity and plurality of socio-economic relations and the juridical-political framework that unifies society. On the one hand, political parties articulate particular problems that emerge within civil society and aggregate them in the form of a proposed law. The temptation for the parties is to reach for the lowest common denominator, and to avoid issues that concern only minorities, with the result that the laws may prove inadequate to protect the rights of this or that group or individual. At this point, the Court enters the picture, providing a republican check to ensure that the temporary legislative or executive majority cannot claim to incarnate once-and-for-all the *vox populi*. This interaction of particular and universal can be repeated in the other direction. There will be times when political debate is blocked, issues appear too hot to handle; and at this point the Court intervenes, this time in order to make certain that the particular is not blocked from debate. Now it becomes the task of the parties to find a way to deal with the issue at the level of the everyday political life of the citizenry (rather than at the constitutional level).⁷

Two conclusions and a *caveat* follow from this comparative account. The *caveat* is most important. It insists that the cultural politics of judgment is not attained once and for all; a fall back to the politics of will is always possible. One cannot expect to introduce (or impose) the American institutional structure in foreign contexts, as if their own political culture and history did not matter. What one can learn from the American experience is what kind of political culture would satisfy the structural imperatives of a politics of judgment. This permits a negative conclusion. The hope that “Europe” will become that third way formerly identified with the *economic* policies of “Social Democracy” will not be realized. As indicated at the outset, the problem for a liberal political culture is not to add social and material

predicates to the formal rights of the individual; the problem, rather, is to imagine and understand the new forms of *solidarity* that, paradoxically in the eyes of some, are based on the individual right to have rights. Europeans need to look at their achievements since the 1956 Rome Treaty with an eye toward finding the functional equivalent of the American politics of judgment. Meanwhile, from their side, the Americans have something to learn from the “civilized” political culture of modern Europe (which Pierre Hassner, in search of a ringing paradox, too quickly identifies with postmodernism). A republican democracy, after all, is only possible when it gives itself rules that limit its will while making necessary the exercise of judgment and the assumption of responsibility for it. Contemporary America seems to have forgotten that basic lesson.

Notes

¹ The debate between such “civilization” and the virile energy of nature can be found already among Greek sophists such as Callicles. It reappears as the Roman republic becomes Hellenized . . . before it rediscovers its supposed virility and becomes the world-encompassing Empire. The astonishing parallels between Roman history and that of America are well-illustrated by Peter Bender in *Weltmacht Amerika. Das neue Rom* (Stuttgart: Klett-Cotta, 2003).

² C.f., Gordon Wood, *The Radicalism of the American Revolution. How a Revolution transformed a Monarchical Society into a Democratic one Unlike any that had Ever Existed* (New York: Knopf, 1992). The subtitle of this fascinating book points to the thesis expressed here, since “monarchical” implies the existence of a status-hierarchy.

³ I am equating “French” with “European” for the sake of simplicity.

⁴ It might be noted that this refusal to admit that any power can incarnate the sovereign will of the people explains why, in the long run, America will prove to be incapable of becoming a truly imperial power.

⁵ It is worth noting that the chief negotiator of the Helsinki Accords, Henry Kissinger, did not intend the so-called “third basket” that treated human rights to be taken seriously; he was operating within a *realpolitik* framework that sought to make permanent *détente*.

⁶ I have been able to find only one book specifically devoted to the theme. C.f., Daniel Sisson, *The American Revolution of 1800* (New York: Knopf, 1974). The book is out of print, and the author seems to have written no other book since that time.

⁷ Illustrations of this process in recent history concern such questions of racial integration, sexual (or gender) discrimination, the rights of women and other minorities. Such contemporary illustrations may suggest that 19th century politics, particularly in the period leading to, and then emerging from the Civil War, were at best only approximations to the kind of republican democracy that has come to exist in the 20th century.

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