

The Future of the European Union

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Has the European Union a future? If you ask the protagonists of the populist anti-European movements, the answer is clearly: No. When the results of the British referendum on 23 June 2016 became known, Nigel Farage, the leader of the radical anti-European UKIP party, exulted:

“The EU is failing, the EU is dying. I hope this victory brings down this failed project and leads us to a Europe of sovereign nation states, trading together, being friends together, cooperating together, and let’s get rid of the flag, the anthem, Brussels, and all that has gone wrong”.¹

Of course, populist nationalists like Geert Wilders, Marine LePen and Victor Orbán immediately agreed in a euphoric mood due to the unexpected decision of a small majority of British voters. But even less partisan observers got the impression that the decision for the Brexit was the beginning of the end of the EU as they knew it. It was obvious that the gulf between prospering member states like Germany and members of the Euro-zone in economic difficulties like Italy became greater and greater, that there was a growing difference between the so-called Visegrád-states and the elder Western member states, and that anti-European movements became stronger and stronger not only in Britain but in nearly all member states. When receiving the *Karlspreis* in Aachen in May 2017 – the *prix Charlemagne* – Timothy Garton Ash spoke of an existential crisis of the EU.²

A history full of crises

However, if we look on the history of European integration we can see that the decision for Brexit was much less dramatic as it did look at first glance. In truth, crises have been a constant accompaniment to the emergence and development of the European Union. It has required and still requires a “daily plebiscite”, as Ernest Renan once formulated it in reference to the nation; and this plebiscite is by no means taken for granted.³ This stems from the multidimensional nature of the driving forces at the root of the integration process. The desire for securing the peace, the efforts toward a solution to the German question, the quest for larger markets, and the concern for self-assertion in the world have not always been equally strong and have not always

1. *The Independent*, 24.06.2016, www.independent.co.uk (last accessed 21.11.2017).
2. <http://www.karlspreis.de/de/preistraeger/timothy-garton-ash-2017/rede-von-timothy-garton-ash> (last accessed 21.11.2017).
3. E. RENAN, *Qu’est-ce qu’une nation?*, in: IDEM., *Œuvres Complètes*, vol.1, Calmann-Lévy, Paris, 1947, pp.887-906.

worked in the same direction. For example, the need for self-assertion as well as the unresolved German question made a union of Western Europe seem wholly appropriate; in terms of securing the peace, however, *this* form of union – perforce limited to Western Europe – became problematic. The common necessity of unification stood against very different sensitivities and needs of the states to be unified; the overarching interest in a common market stood against the very diverse economic needs of the individual states and the differing interests of individual production sectors. Accordingly, European policy could not be a unitary policy; it has been and remains the continuation of disputes among different conceptions of order and different interests at the European level.⁴

Nevertheless, it was a certain combination of these four impulses that led in the 1950s to the emergence of the first European institutions: the interest in incorporating the new West German state, which had become an indispensable partner in Western European security policy, combined with the Dutch interest in a rapid opening of markets, as well as the French and ultimately also German interest in self-assertion *vis-à-vis* the United States. After the decision for the European Economic Community as a modernization project cushioned by the social-welfare state, the economic motives steadily gained weight; at the same time, the development of the system of bipolar nuclear deterrence meant for an increased impulse to achieve European autonomy. The two projects did not necessarily correspond: this explains the sluggish pace of political integration even as progress has been made in realizing the internal market of an enlarged Community.

With the end of the Cold War, the goal of a European nuclear force quickly lost significance; conversely, the European Community was now needed more than ever to incorporate the central power Germany. In place of the ambivalence of the European project in the peace question, there now arose new responsibilities on the European and the global level. In the meantime, economic productivity, social consensus, and democratic stability are now no longer conceivable without the bases of the Common Market; the common interest in securing the peace tremendously outweighs potential national rivalries, and the ability to act on the global level is more dependent than ever on a common front among Europeans.

The European Union thereby constitutes an attempt to preserve and further develop the civilizational achievements of the democratic nation-state under conditions of increasing globalization. It rests on the awareness of common and complementary interests of the European nations and a knowledge of common values and traditions, which suggests that there are good prospects for taking up the common exercise of these interests.⁵ As a societal project, “Europe” thus exhibits characteristics corresponding to the nation-state projects of earlier developmental phases.

4. See W. LOTH, *Building Europe. A History of European Unification*, De Gruyter Oldenbourg, Berlin/Boston, 2015.

5. Cf. W. LOTH, *European Identity: Traditions, Constructions, and Beliefs*, in: *Du Luxembourg à l'Europe. Hommages à Gilbert Trausch à l'occasion de son 80^e anniversaire*, Éds Saint Paul, Luxembourg, 2011, pp.549-555.

This project has undoubtedly been promoted by the growing harmonization of economic, social, and societal structures that began in the wake of the enduring economic boom of the 1950s and 1960s; this is a harmonization with which the post-Communist states of the Eastern half of Europe must now catch up via a difficult process of adjustment.⁶ Likewise, the multifaceted interconnections in Europe tend to contribute to its implementation: market integration, professional and private mobility, transnational encounters and contacts, transnationally-operating enterprises, increasingly transnationally-active academic communities, and, finally, the internationalization of attitudes, fashions, and cultural production facilitated by the media. Yet, these linking processes do not encompass all parts of European societies to an equal extent; and Western civilization, which spreads along with them, extends far beyond Europe. Consequently, there is no direct path leading to the emergence of a genuinely European public sphere as a medium of self-reference for a European society.

Accordingly, the institutional development of the European Union up to now has primarily occurred in a technocratic manner without wide societal discussion or deep identification of the citizens of the European Union with its institutions. In the light of the various possibilities for conceiving a united Europe, there were always majorities for affirming Europe *in principle* in the countries that had decided to join the European Community; at the same time, however, there was also always a lack of unequivocal support for the *form* of European unification that was feasible. The discrepancy between Europe that was desired and Europe that was achievable explains, *firstly*, the outstanding significance of individual figures in the decision-making process on Europe policy from Robert Schuman and Konrad Adenauer to Jacques Delors, Helmut Kohl, and Angela Merkel: given the ambivalences in public opinion, strong leader personalities could clear the way via direct contact with their partners, circumventing the routine of the bureaucracies and pledging majorities for their projects. *Secondly*, the discrepancy between Europe that was desired and Europe that was feasible explains why a form of integration as seen in the European Coal and Steel Union as well as the Treaties of Rome could come to be, a form that placed little value on citizen participation and that withdrew the integrated political areas from public discussion: only when one left the implications vague was it possible to prevent negative coalitions from blocking the continually-contested steps toward integration.

Thirdly, with this background it becomes clear how the so-called deficit of democracy has in the meantime become the most pressing problem of the European Union: given the expansion of the Community's responsibilities and the increasing regulation that is concomitant with that as well as the majority decisions in the twilight of the various minister formations, the negotiations in COREPER and the European Council along with the low democratic legitimation of the Commission—all this is no longer

6. Cf. H. KAEUBLE, *Auf dem Weg zu einer europäischen Gesellschaft. Eine Sozialgeschichte Westeuropas 1880-1980*, C.H. Beck, München, 1987; IDEM., *Sozialgeschichte Europas seit 1945*, C.H. Beck, München, 2007; G. HEYDEMANN, K. VODIČA (eds), *Vom Ostblock zur EU. Systemtransformationen 1990-2012 im Vergleich*, Vandenhoeck & Ruprecht, Göttingen, 2013.

acceptable to the citizen, regardless of what is said by constitutional scholars who orient themselves on the category of the nation-state as a model. The technocratic roundabout route to Europe initiated by Jean Monnet in 1950 and successful over many years – at least until the launch of the Maastricht program – has now reached an end. This was clearly seen in the intense public debates over the Maastricht Treaty and the difficulties in winning its ratification. Since the rejection of the Constitutional Treaty by a majority of the French and the Dutch, it is wholly apparent. The future of the European Union is thus to a very decisive degree dependent on the extent to which there is success in making decisions in the European Union transparent, subject to oversight, and open to correction.

The upturn of populism

The referenda in France and the Netherlands have also demonstrated that this is not easy to achieve. Essentially, here was an attempt to provide more transparency and democracy that failed in its beginnings exactly because of a lack of transparency and democracy – a process that exhibits all the hallmarks of a Greek tragedy. In 2011/12, the societies of the Eurozone quickly reacted to the threat posed by the European debt crisis with a revival of nation-state reflexes, and illusionists oriented on the nation-state along with unprincipled populists did not hesitate to make use of those developments for their own purposes. In 2015/16, the refugee's surge from Arab and African countries promoted the desire to close the frontiers of the nation state even more. Solidarity between deeply and less affected member states was greatly missing. At the same time, the new member states of the Union (and similarly the new *Länder* of the Federal Republic of Germany) were confronted with a post-integration crisis: Integration in market capitalism and parliamentary democracy couldn't go (and in fact didn't go) without setbacks and un-welcomed side-effects.

Thereby, the present crisis of the EU must be seen as part of a general crisis of parliamentary democracy. It is a crisis resulting from an extraordinary increase in change of societies, economic conditions and cultural contexts in an age of enforced globalization. Indications of this crisis are a growing distance between elites and parts of the population and the corresponding upturn of populist movements. The EU is far from being the only system concerned; recent developments in the United States, in Turkey, and in some aspects even in Russia can be seen as even more dramatic consequences of this crisis. But as a very complex system of governance the EU can easily be attacked by the populist assault. As Britain was the weakest member of the Union – always ambivalent in the attitude towards the European community – a small push of nationalist aggressiveness was strong enough to initiate the exit of this country.

Nevertheless, the chances are good that the exit of the Brits will not be the beginning of an overall disintegration of the Union. Instead, European society will be-

come even more articulate. Evidence for that is provided not only by the experience of ratifying the Lisbon Treaty, the European Stability Mechanism, the Fiscal Pact, and the bank union—instruments that even with all the delays and all the half-measures actually do help deal with the acute problems of the Union. It may also be of great importance that the current extent of the economic and financial links in the Union as well as the realities of globalization are permitting of no plausible alternative to the further development of the Community, at least no alternative with a lower cost. Moreover, there is the fact that the common European tradition has at the ready wholly sufficient *stimuli* for the creation of a European collective.

Since the middle of the 1980s, the European Community has more and more come to be understood as a community of values committed to pluralism and democratic freedoms, the rule of law, human rights, and the protection of minorities. To that extent, a common constitutional inheritance has evolved in the discussions of the previous decades, one that could lead to a constitutional patriotism on the European level. This European patriotism, which expresses an affirmation of a system of values rather than an emotional affiliation, is compatible with national patriotism. In times of dynamic transformation, it even contributes to stabilizing national patriotism, which is shaped by different historical experiences as well as different languages and cultures. In this respect, one can definitely speak of a European identity in the singular. It is not however a matter of a exclusionary conception of identity but rather a universal one that respects national identities and the achievements of nations.⁷

The Brexit as an on-road test

This became obvious when the British decision to leave the Union promoted the idea of an exit for the first time from the field of visions to the field of possible realities. Contrary to the expectations – hopes and fears – after the victory of the “No” in the British campaign the Brexit decision didn’t quicken the anti-European movement. Quite the contrary was the case: the decision of the British voters submitted the visions of the anti-Europeans on a test on the road, and this on-road test turned out negatively. When within few days after the British vote the Pound was dramatically downgraded and stock prices were falling many people not only in Britain realized that the British treasury has been right: a few weeks before the referendum it has been warning that an exit from the EU would significantly put down the gross domestic product of Great Britain – about 3.6 percent within two years under the most favourable conditions, and about 6 percent under less favourable conditions.⁸ A further study by the Treasury

7. Cf. W. LOTH, *Regionale, nationale und europäische Identität. Überlegungen zum Wandel europäischer Staatlichkeit*, in: W. LOTH, J. OSTERHAMMEL (eds), *Internationale Geschichte. Themen – Ergebnisse – Aussichten*, Oldenbourg, München, 2000, pp.357-369.

8. HM GOVERNMENT, *HM Treasury analysis: the immediate economic impact of leaving the EU*, Doc. Cm 9292, London, 2016. See I. BEGG, *Brexit: warum, was nun und wie?*, in: *Integration*, 3(2016), pp.230-241.

department which was discussed in the government of Theresa May during the second week of October 2016 predicted a loss of economic performance between 5.4 and 9.5 percent within 15 years.⁹ Of course, as long as the real conditions of the Brexit are not yet fixed it is impossible to state the exact dimension of the losses and the downgrading in living standards. Nevertheless, it is evident that there will be losses. When Boris Johnson was promising the “most splendid country in the world” – as he did in his contribution on *The Daily Telegraph* in September 2017 – he was obviously whistling in the dark.¹⁰

Furthermore, many people – British and others – discovered how strong the ties between Great Britain and the rest of the EU are and how difficult and risky a separation would be. This led the enthusiasm for Brexit abruptly fall down. Whereas at the referendum of June 23 only 48 percent of the British voters were in favour of remaining in the EU, this number grew up to 56 percent at an opinion poll in August, where the Brits were asked how they would decide if they could vote again. In the other member countries, the reaction on the Brexit decision went in the same way. In Germany, the percentage of people in favour to remain in the EU grew from 61 in March 2016 to 69 in August. In Poland it grew from 68 to 77 percent, in France from 50 to 53 percent, in Italy at least from 49 to 51 percent. Altogether, the percentage of European citizens favouring a further membership in the EU rose from March to August 2016 from 57 to 62 percent.¹¹ The support for populist nationalists reached a stalemate; in some countries it even fell significantly back.

And then, Donald Trump did arrive. The victory of this ruthless populist and his ostentatious disregard for the values of the Western community let many Europeans feel that democratic order and open society were in danger and that they must be defended if they should subsist. Furthermore, by attacking the UE Trump increased the awareness of a narrow connection between the European Union and a democratic order in European countries. Taken together, these two effects of Trump’s election let the approval rates of the EU grow even more. Pro-European grass roots movements like “Pulse of Europe” did emerge, in the Netherlands the rise of Geert Wilders was stopped, in France Emmanuel Macron could win the presidential elections with a decided pro-European program, and in Germany strengthening the EU became a topic in the election campaign, thereby aggravating the isolation of the nationalist “Alternative für Deutschland” (AfD). Obviously, the Europeans – at least a clear majority of them – have in a moment of endangerment of the EU realized how high the stakes are. This taught them to appreciate the value of a common Europe once again and to engage themselves to defend this Union.

And even more. Trump’s assaults against free world trade, his challenge of NATO, and his dangerous and inconsistent behaviour in world politics did raise the Euro-

9. *The Guardian*, 11.10.2016.

10. B. JOHNSON, *My vision for a bold, thriving Britain enabled by Brexit*, in: *Daily Telegraph*, 15.09.2017.

11. *Eupinions*, 21.11.2016, www.bertelsmann-stiftung.de/de/themen/aktuelle-meldungen/2016/november/brexit-beflugelt-eu-umfragewerte/ (last accessed 21.11.2017).

pean's awareness of the need to improve EU's capacity to act. This is especially true in the field of common foreign and security policy, but also in many other fields of EU activities. This can be demonstrated by a further opinion poll conducted by the *Bertelsmann foundation* in July 2017. It shows that from August 2016 to July 2017 the approval rating for the EU has further risen from 62 percent to 70 percent. (In Germany it went from 69 to 75 percent, and in Italy from 51 to 56 percent). However, there are only 34 percent saying that in present time the EU is taking the right direction. And no less than 80 percent are wishing that the EU should play a stronger role in world politics (in Germany the percentage of the advocates of a stronger Europe is also 80 percent, in Italy even 87 percent).¹²

The future of the Union

Of course, this pro-European consent is a diffuse one. It is not always connected with the necessary readiness for European solidarity in cases where the own convenience or alleged national interests are concerned. Hence, as in earlier crises political leadership is in demand once again, especially leadership by the Franco-German couple.¹³ During the forthcoming months it will be decisive how courageous and creative Angela Merkel and Emmanuel Macron will be first in concluding and then in enforcing the compromises which are necessary to respond on the present challenges. European policy has always been the art of the possible, and top-level European politicians will in the future too be judged by the extent to which they master this art.

What are the present challenges? I see four fields of policies where decisions and progress are urgent.

- Given the growing discrepancy between so-called “Northern” und “Southern” member states of the Eurozone, the most urgent task is developing the currency union towards a real fiscal union. This means both a stronger control of national fiscal policies by authorities of the community and more substantial and quick aide for member states which are in financial troubles. At the same time, the EU must play a stronger role in promoting economic recovery.
- The second case of urgency is the establishment of a new regime of borders, refugees and immigration. This regime must offer more solidarity than was inherent to the Dublin-II-agreement, and it must also show more efficiency. It should be clear that the long run solidarity is a condition for efficiency.
- The third urgent task is strongly connected with the second: the EU must undertake great efforts to save democracy and state of law both in Poland and in Hungary. The non-respect of decisions by the European Court of Justice constitutes a de-

12. *Eupinions*, 3(2017), www.bertelsmann-stiftung.de/fileadmin/files/user_upload/EZ_eupinions_03_2017_DT.pdf (last accessed 21.11.2017).

13. See W. LOTH, *60 Years ago: The Foundation of EEC and EAEC as Crisis Management*, in: *Journal of European Integration History*, 1(2017), pp.9-28.

cisive challenge on European community-building. It cannot be accepted without endangering the whole construction of the EU.

- On the forth rank, I see steps to strengthen the Common Foreign and Security Policy. Certainly, the development of a European Atomic Force as it was recently demanded by Jaroslav Kaczynski is not yet in the offing, at least not in the medium run. But the erratic and dangerous actions by Donald Trump are urging the Europeans to define more precisely their common strategy, to make decision-making in this field more effective, and – last not least – to improve their military equipment.

I don't know – and I can't know – how substantial progress in these four fields will be in the forthcoming months. Nevertheless, I'm quite confident that there will be some progress. And that is to say: as from earlier crises, the EU will emerge also from the present crises stronger than before. The "Europe Project" will not lead to the dying off of nation-states at least for the foreseeable future. Instead, it constitutes the precondition for their survival, which can only be survival in a changed form and with restricted function, however. European identity will therefore not simply replace national identity in the foreseeable future. Instead, what seems to be emerging is that people in Europe are living with a multi-layered identity, an identity in which regional, national, and European aspects are united. This is regularly apparent in *Eurobarometer* surveys when Union citizens are asked about their self-understanding. In May of 2012, 38 percent of the citizens of the EU Twenty-Seven characterized themselves exclusively as members of their nation. Some 49 percent however saw themselves primarily as members of a European nation and at the same time in a wider dimension as Europeans too. 6 percent even saw themselves primarily as Europeans and only secondarily as members of a nation too. 3 percent regarded themselves exclusively as Europeans.¹⁴

Behind these aggregated numbers there are of course different levels of awareness in the different member states of the Union and also within each population. In examining the results more closely, it becomes clear that the orientation on Europe is correlated with a person's age, her level of education and the amount of societal responsibility. The younger, the more educated, and the higher in societal position, the stronger is the European dimension of identity. Accordingly, "Europe" is still rather an elite project; at the same time, however, the "pro-European" faction can reckon with further growth over the long term. With the increasing density of relationships within the Union, the strengthening of European institutions, the foreseeable increase in mobility beyond national boundaries, and the increasing significance of professional qualifications, the European dimension of personal and collective identity will loom larger.

Whether and how long national identity can exercise stronger binding effects than European identity must remain an essentially open question. There is no plausible evidence for the claim made by Ralf Dahrendorf in 1994 that the nation-state alone

14. Standard-Eurobarometer 77, Spring 2012: The European Citizenship.

is able to create deep-rooted bonds among societal forces.¹⁵ As the priority of European values and the increasingly transnational nature of life styles demonstrate, empirical evidence is already pointing in a different direction. It takes neither special courage nor excessive optimism to predict that the commonalities among Europeans will more strongly emerge with the expansion of social tasks and with the democratization of European politics, despite all the reactive flaring up of nationalism.

On the level of constitutional law the result of this strengthening of Europe might be termed in the words of Jacques Delors a “federation of nation-states”.¹⁶ It is true that in terms of constitutional law, this concept is not very exact; yet, it expresses quite well the ongoing tension between the nation-state and supra-nationality. This federation (even if hardly anyone dares to characterize it as such) does actually exist; it will not dissolve or mutate into a mere free-trade zone, as many fear, because the benefit all participants receive from the current construction is much too great. This becomes clear again and again in cases of conflict. On the other hand, we cannot expect any qualitative leap to a Europe capable of acting on the world stage in the way Europe enthusiasts such as Daniel Cohn-Bendit and Guy Verhofstadt have increasingly been calling for in recent times: this is because the nation-state remains too important for the overwhelming majority of Europeans and because the level of suffering occasionally caused by the unilateralism of the American world power is overall too meagre.¹⁷

An exit of Brexit?

Will Great Britain be part of this stronger Europe? It is an open question if the British people will have the opportunity to vote on the results of the exit negotiations and if the result then will find a majority. However, given the wrong-headed structure of British domestic politics it is more probable that 10 or 15 years more are needed before a new generation in Britain will once again ask for membership in the EU. In contrast to the situation on the Continent, the number of British citizens who regard themselves as exclusively members of their nation has always been higher than the number of citizens who also perceive themselves as Europeans (the figure was 60 : 42 percent in May of 2012).¹⁸ There is no doubt that the experience of Brexit will speed up the change in British minds, too. However, this change might not take place speedily enough to prevent the implementation of Brexit in 2019 or after a transition period in 2021.

15. R. DAHRENDORF, *Die Zukunft des Nationalstaates*, in: *Merkur*, 48(1994), pp.751-761.

16. J. DELORS, *Mémoires*, Plon, Paris, 2004, p.455.

17. D. COHN-BENDIT, G. VERHOFSTADT, *For Europe! A Manifesto for a postnational revolution*, Carl Hanser Verlag, München, 2012.

18. Standard-Eurobarometer 77, Spring 2012: The European Citizenship.

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