

SECOND EUROPEAN URBAN AND REGIONAL STUDIES CONFERENCE

Durham, UK 17-20 September 1998

Identity and Legitimacy: A European Dilemma

Paolo Dardanelli

Department of Government
London School of Economics and Political Science
Houghton Street
London WC2A 2AE
UK
p.dardanelli@lse.ac.uk

Abstract

The paper examines the interplay between the concept of collective identity and that of political legitimacy in European integration. It first analyses the nature of European identity and its influence on the integration process. It then discusses the concept of identity building and, drawing on the historical experience of the EC/EU, it compares two theoretical models of supranational identity: 'regional cosmopolitanism' and 'supernationalism'. As the degree of integration is about to be dramatically increased by EMU, the paper argues that the current prevailing model, regional cosmopolitanism, is unlikely to provide the level of legitimisation required. Applying the 'concentric circles' theory, it argues that the 'supernationalism' model could be successfully adapted to the European situation and significantly increase the legitimacy of the European Union. It then concludes by considering the implications on the vertical distribution of powers between European institutions, national governments and subnational administrations.

I Introduction

The reason this paper is being presented at a conference attended mainly by geographers and students of planning is two-fold. First, it is because it deals with the opposition between 'territory' and 'function' understood as political categories. Secondly, it is because the analysis of the issues of legitimacy and identity in Europe sheds fresh light on the wide-ranging process of territorial restructuring of the nation-state currently under way in the EU, with particular reference on the expanding role of regional administrations.

This paper is committed to tackle these issues in a spirit of highlighting problems and exposing fallacies rather than providing ready-made answers, although a specific approach for the future will be proposed.

The paper is divided into three parts. In the first one it analyses the theoretical connections between the idea of legitimacy and those of identity and democracy. In the second part it relates this theoretical discussion to the actual process of European integration with special regard to Economic and Monetary Union (EMU). In the third part, it proposes an analytical framework for investigating the idea of European identity. Finally, it considers the options available to policy-makers at various levels of governance in Europe to deal with the dilemma of 'identity building'.

II Legitimacy, Identity and Democracy: A Conceptual Approach

The issue of legitimacy of political bodies has acquired significant salience in the recent political science debate. This is particularly true in respect to comparatively new entities, which do not correspond to the traditional nation-state such as the European Union and regional governments.

As will be discussed below, the concept of legitimacy is intimately linked to those of identity and democracy both in the theoretical analysis and in the practice of contemporary liberal democracies. The problem with new political entities is that this interconnection is not present or it does not reach a satisfactory level. Hence, the growing debate that relates this issues to the EU.

It is important to bear in mind that there is another debate about political legitimacy currently under way, namely about a supposed overall decline of legitimacy even in long-established nation-states (see Barker 1990). Discussing this type of legitimacy erosion is beyond the scope of this paper, for what we are primarily concerned with here is the legitimacy of new political entities vis-à-vis established ones rather than the decline in the legitimacy of all

political entities. This paper thus focuses only on those factors which concern us assuming other things being equal.

The academic debate on legitimacy and identity is constituted by two related but distinct strands: the 'normative' one and the 'scientific' one (Beetham 1991: 5). The former, closer to the domain of political philosophy than to that of political science, discusses the features a given political system should possess in order to be regarded as legitimate. The latter is more interested in evaluating the level of legitimisation of a polity, i.e. assessing to what extent the acquisition and the use of power there can be considered legitimate on the basis of the values and beliefs of the population living in that polity (ibidem: 11). It is also interested in legitimacy's role in the functioning and ultimately in the survival of a polity. From the 'scientific' perspective, legitimacy is an important variable which affects the performance and the life-chances of a political system. This aspect is particularly important when we, as political scientists, are concerned with the assessment of comparatively new political actors such as the European Union and the regional administrations in several member states. This paper primarily deals, therefore, with the social scientific concept of legitimacy, even though some normative assumptions such as the desirability of democracy over non-democratic orders are implied.

Legitimacy is intimately linked to power and is essentially concerned with controlling it. Beetham has summarised the whole concept in a few, very effective, words: "power...is a highly problematical...feature of human societies. And because it is so problematical, societies will seek to subject it to justifiable rules...Where power is acquired and exercised according to justifiable rules and with evidence of consent, we call it rightful or legitimate" (1991: 3).

From this definition, it follows that there are three elements in the idea of legitimacy. A certain authority must acquire power according to rules, these rules must be justifiable in terms of common beliefs and values and there must also be evidence of consent to this exercise of power. There exists a difference between 'illegitimacy' and 'lack of legitimacy' (Beetham 1991: 18-20). The former arises when power is acquired and exercised in violation of recognised rules; i.e. it pertains to the first element in the idea of legitimacy. The latter relates to the second and third elements identified above and arises when those elements are present to an extent which is perceived as inadequate to furnish legitimacy to the polity. In the light of this distinction, it becomes clear that legitimacy, strictly defined, is not an all-or-nothing affair; rather one should speak of degrees of legitimacy.

Since in this paper we are primarily concerned with the interplay between legitimacy and identity in the European Union, our analysis will mainly be concentrated on the second aspect of the question.

With regard to the second element in the concept of legitimacy, it is important to point out that the idea of a common culture relates to two different levels.

The first one is the need to justify the rules according to which power is acquired and exercised in a society by embedding them in the values and beliefs of a common political culture. This political culture is defined as common in the sense of being shared by both the governing and the governed (see Barker 1986: 7; also Beetham 1991: 69). This common set of values and beliefs is necessary for justifying rules upon which some people rule and others are subordinate. As Obradovic has written, "rules cannot justify themselves simply by being rules, but require justification by reference to considerations beyond themselves" (1996: 197).

The second one is to satisfy citizens' need to belong to, and to identify with, a political system. Many contributions to the literature on identity have emphasised the importance of feeling of both belonging and identification in providing support that goes beyond material interests (see among others Herz 1978: 318; Melich 1986: 149; Obradovic 1996: 209).

If one combines these two aspects of the connection between legitimacy and identity, what emerges is a concept of a community sharing a common culture and usually bound together by memories of the past, realities of the present and expectations about the future.

Our contemporary concept of legitimacy is closely connected to the concept of democracy, so much so that the two are frequently merged in the idea of democratic legitimacy (see Herz 1978: 322). This is because since the French Revolution the body that legitimates a democratic state is the people living within the boundaries of the state and possessing a distinctive political identity, generally referred to as constituting a nation (see Herz 1978: 321; also Beetham 1991: 75). In this sense, it is clear that democracy is closely linked to identity as well. As noticed by Habermas, the democratisation of government was built on the basis of an achieved cultural and ethnic homogeneity: "The meaning of the term 'nation' thus changed from designating a prepolitical entity to something that was supposed to play a constitutive role in defining the political identity of the citizen within a democratic polity" (1992: 3). The frequently mentioned contrast between 'republican' and 'cultural' citizenship or identity, is much less clear-cut than generally assumed, for a link between citizenship and national identity has always been implicit. In the words of Taylor "the universalist principles of democratic states need an anchoring in the political culture of each country" (quoted in Habermas 1992: 7).

Another aspect of the connection between legitimacy, identity and democracy which is of particular relevance to the newly established entities is that these bodies should harbour a 'space of political debate'¹ if they are to be regarded as truly democratic. As Beetham reminded us, the liberal-democratic ideal is "an ideal in which all power rules are open to revision by public debate and decisions between equal citizens" (1991: 113). This is why the absence of a 'space of political debate' coinciding with a given polity seriously undermines the latter's democratic character.

III The Idea of Legitimacy and the Process of European Integration

In the light of the discussion in the previous section, as the process of European integration advances so should the extent to which people living within the European Union regard it as democratic and feel to belong emotionally to it for the EU to enjoy legitimacy as a political body (for recent academic discussions see Howe 1995; Munch 1996; Obradovic 1996). As has been seen, for a political system to be legitimate the people living within its boundaries should share some degree of common identity. The most radical formulation of this proposition is embodied in the principle of nationalism, according to which territorial dimension of collective identities and geographical boundaries of political units such as states should coincide (see Smith 1991: 170). If we accept this approach, "the issue of legitimacy goes to the heart of the discussion on the EU as a polity in formation" (Obradovic 1996: 193).

The question of the extent to which the European Community/Union is a legitimate source of governance has been latent ever since the inception of the process of integration. Despite the initiative in the mid-eighties which led to the Adonnino report (*A People's Europe* 1985), the issue enjoyed a low profile for a long time. It was not until the Maastricht treaty ratification process that did it gain centre stage in the political debate in Europe. However, since then there has not been any major initiative concerning the question of legitimacy and identity in the EU. Since integration is about to be dramatically increased by EMU, the EU legitimacy deficit is set to grow deeper and deeper. It is difficult to underestimate the overall significance of EMU, yet its significance for the legitimacy of the European Union has barely been discussed. It is a contention of this paper that EMU is not only another step in the process of integration but it represents a qualitative change for the integration process. For

¹ on the concept of space of political debate see *L'identité des Régions en France et en Europe* 1995: 29-39

the first time there will be a truly federal institution, acting independently from the member states, which will be responsible for policy-making affecting the whole of Europe. It is a qualitative change, not just a quantitative one, because it marks the transition from 'pooling' to 'sharing', from 'common' to 'single'. Wallace remarks in the wake of Maastricht that "little has been done to explain to the public at large that the shift from policy to polity would require new forms of democratic accountability" (1993: 101) are even more relevant today.

Integration so far has been based on a so-called 'permissive consensus'. As clearly emerges from the regular opinion polls carried out by Eurobarometer, this has been mainly made up by a favourable disposition, in fairly general terms, towards co-operation and integration among the European states. Support for specific institutions or identification with the EU, though more difficult to measure, seem to be far weaker (see Reif 1993). The prevailing consensus in the literature is that this traditional 'permissive consensus' is no longer able to legitimise the post-Maastricht phase of integration, during which more and more important competences have been transferred to the EU institutions (ibidem: 134). EMU will only bring this tension between policy-making and legitimacy to the extreme.

In the framework sketched above, the academic debate concerning these issues has developed on two levels, the second of which is in turn divided into two schools of thought. The first level concerns the nature of the post-EMU European Union and it can be summarised in the opposition between a territorial-democratic conception and a functional-technocratic one. The first conception is expressed by those who argue that not only is the EU a completely new type of political body but is also more of an international 'agent' set up by national-states 'principals' to pursue their goals than a federal state *in nuce*. It thus follows that there is no need of either identity-based legitimacy or democratic accountability in the EU, for this is a purely functional, technocratic body (on the idea of functionalism, see Mitrany 1965). From their perspective, EMU far from being a decisive step towards the transformation of the European Union from 'policy to polity' is only reinforcing the functional character of the EU. To support their approach they cite the recent evolution of the status of monetary policy. Over the last twenty-five years, monetary policy, once regarded as one of the very symbols of governments' power has undergone a process of de-politicisation generally pursued through granting independence to central banks. In many ways, the creation of a single European currency managed by a politically independent central bank constitutes the culmination of this trend. Following this line of thought, 'functionalist' analysts have argued that the euro will not represent a dramatic step towards the demise of national sovereignties but will be a largely technical affair.

Advocates of the second conception point out that an event such as EMU will activate wide-ranging spillovers far beyond monetary policy. From their perspective, EMU represents a fundamental step towards a transformation of the EU into a fully-fledged confederation or indeed a federal state. The legitimacy problem of the EU will thus become ever more acute unless the European institutions become aware of the seriousness of the question and start doing something to redress it. Unfortunately, part of the problem is that the institutions that will bear the full force of the legitimacy deficit, such as the European Central Bank (ECB), are not those who might adopt policies to tackle the problem, such as the Commission or the Parliament. Hence, the problem of legitimacy of the new ECB will just magnify the legitimacy problem of the EU as a whole (for an earlier discussion of this point see Garcia 1993: 4).

On the second level, the debate has been dominated by the opposition between two schools of thought. On the one hand, some have argued that new political structures, *in primis* the European Community/Union, require a legitimacy based on new kinds of identities and citizenship rights, different from those of the traditional nation-states (see, for example, Habermas 1992). On the other hand, others have argued that a liberal-democratic order can only be sustained and legitimated by the concepts of identity and citizenship developed over two centuries within the framework of the nation-state. Political bodies larger or smaller than the nation-state, such as the EU or a regional government, require a different scale but the same nature of the legitimising ideas of a nation-state. Aron, writing about the then European Community, made clear this point: "the broadening of a political entity entails a transfer, not a transformation, of citizenship rights" (1974: 646). As far as identity is concerned, this 'traditional' legitimisation requires a common identity rooted in the past similar to that of a nation. On this point, even some analysts who consider the EU as a completely new kind of political entity acknowledge that eventually it will need something similar to a 'national' identity. According to Tassin, for example, "if there is to be a political community, presumably it should be rooted in a common experience and a tradition of thought and history that reside equally in all the peoples of Europe" (1992: 171).

This paper's approach falls within the second school of thought and argues that the latest developments in the integration process raise a dangerous tension of legitimacy between rulers, who already possess a European identity and who are obliged to pursue a European common-wealth, and governed, still with a purely national frame of mind and under the obligation to pursue their nation's welfare. In this gap-in-the-making between 'European' rulers and 'national' ruled, language has, as always in Europe, a very delicate role. The rulers are increasingly pluri-lingual and communicate among themselves in Euro-English or Euro-French while the ruled are still overwhelmingly monolingual (on the role of language in

collective identity see among others Melich 1986: especially 150). What Habermas observed in 1992 is still very much the present reality: “the political public sphere is fragmented into national units...by and large, the national public spheres are culturally isolated from one another. They are anchored in contexts in which political issues only gain relevance against the background of national histories and national experiences” (Habermas 1992: 9-12). This growing divide makes a mockery of concepts such as common identity or common political culture thus running counter any attempt to strengthen the legitimacy of the European Union and its institutions. The people at the helm of these institutions are fully aware of the challenge they face, as Wim Duisenberg declared: “perhaps the most important challenge for the ECB is to win the confidence of the citizens of Europe” (*The Wall Street Journal Europe* 1998: 13)

IV European Identity: A Framework of Analysis

Identity is a very complex concept whose many aspects go far beyond politics. Following Duchesne and Frogner, this paper focuses on “whether or not European citizens consider themselves members of a political community” (1995: 193).

As with the issue of legitimacy, the debate on the nature and sometimes the very existence of a European identity has always been part of the wider debate about the integration of Europe. At times, such as in 1985 after the Adonnino report and during the Maastricht ratification process, the issue acquired particular salience in the context of the broader question of legitimacy. An identity dimension, implicitly or explicitly, has always been latent in the process of integration but has rarely been spelled out. It is possible to detect two different conceptions underpinning this dimension, namely whether this identity replicates the characteristics of national identities or is a different phenomenon. In Anthony Smith’s words, whether it is a *supranational* or *supemational* identity (1991: 143-77 and 1995: 116-46).

These two conceptions have both been present in the policy towards identity adopted at different times by the European institutions, notably the Commission (see Wintle 1996: 9-24). Following Smith’s distinction, they can be called ‘regional cosmopolitanism’ (RC)² and ‘multi-level nation’ (MLN) respectively. The former is based on a cosmopolitan vision applied to the European continent. It does not attempt to build a common identity on the national

² Regional in this case is to be understood in its International Relations literature meaning, i.e. referring to broad subdivision of the world such as Europe as opposed to the European political science usage in relations to subcentral units of states.

model, but on the contrary puts a strong emphasis on the existence and preservation of diversity among the nations of Europe. From this perspective the European identity is essentially an attitude of tolerance and co-operation after centuries of war. RC is usually represented symbolically as the national flags or other national emblems put together.

The other approach has tried to build a European political identity on the foundations of the more or less precisely defined cultural identity. The building of this MLN is supposed to replicate some of the ways in which the European nation-states built their identities in the past. Even if it does not intend to replace the present national identities with a single European one, it comes close to the model of 'super-nationalism' for it imitates the characteristics of nationalism. Its main symbolic features have been the adoption of a common flag, a common anthem and a common passport (Wintle 1996: 9-24).

Historically speaking, the former approach prevailed in the earlier period of integration and has regained currency in the post-Maastricht phase, while the latter was adopted during the high tide of integration from 1985 to 1992. This time frame might suggest that RC is a more defensive approach suitable for periods when the integration process has to overcome many difficulties while MLN emerges in periods of strong support for integration. It also might explain why in the fifties the choice of the RC approach was almost inevitable. Europe had then to deal with two main problems. On the one hand, war memories were still so fresh that the idea of overcoming differences was much stronger than the idea of emphasising similarities. On the other hand, the tragic experience of Nazism and the Holocaust put into doubt the very existence of a European 'civilisation' (see Tassin 1992: 176) which was therefore useless as a framework for a common political culture.

The MLN approach has generally associated European identity with its civilisation or cultural tradition and has seen a political identity emerging from it. In Tassin's words, "whatever the difficulties posed in defining a European identity, it is clear that the idea of Europe has denoted, and continues to denote, a common tradition of thought and culture rooted in that constant interchange over two millennia which has given this part of the world a certain unity of the mind" (Tassin 1992: 171). In this sense, one can distinguish between the idea of a 'pre-political' culture and that of a 'political' one (see Barnard 1978: 21; see also Duchesne and Frogner 1995: 193). A political culture is part of and emerges from a wider and generally older 'pre-political' culture. The central problem advocates of MLN face is to what extent it is possible to extract a 'political' identity from a 'cultural' one and to what extent a cultural identity "can induce in the great majority of Europe's populations a sense of commitment and passion" (Smith 1993: 133). In contrast to what happened in many processes of identity building at the national level, in the case of European integration the

link between the 'wider' pre-political culture and the 'narrower' political one has been crucially missing. By and large, the idea of European political integration emerged in a climate of intellectual indifference, which has "introduced a sharp break between the new European community and Europe as a historical and cultural entity" (Tassin 1992: 171).

The opposition between RC and MLN has sometimes been related to the long-established dichotomy in the history of European thought between universalism and particularism. Yet, the tension between universalism and particularism present in the ideas of some crucial phases of European civilisation has been largely overemphasised and does not stand closer scrutiny. Several authors have made it clear that the principles of the Enlightenment, as those of Western Christianity and of classical philosophy before them, aspired to universality but were in reality deeply rooted in the European cultural experience of their time (on the relationship between universalism and particularism see Tassin 1992: 175; Rodriguez-Salgado 1992: 12; Majumdar 1994: 649).

The opposition between RC and MLN is also linked to another debate in the literature on identity: namely whether collective identities can, and should, be 'inclusive' rather than 'exclusive'. Many analysts, especially those supporting the RC approach believe that a successful European identity can only be an 'inclusive' one, meaning an identity which do not differentiate between what is European and what is not. RC clearly attempts to be an 'inclusive' form of identity for, as Harle wrote, the logic of "cultural diversity and tolerance suggest co-operation beyond the 'borders' of Europe and the elimination of distinctions between 'Europeans' and 'non-Europeans'" (1992: 44).

However, this paper argues that the available evidence (see, for example, Melich 1986: 149; also Mortimer 1991: 10; Neumann and Welsh 1991) suggests that collective identities tend to follow, by and large, the same pattern of individual identities. Now, individual identity is always defined in relation to something else, a self in relation to a non-self. Indeed, any unity, any distinction is based upon a contrast with something different. It follows that a so-called 'inclusive' identity cannot define a distinct unity of any kind and therefore an 'inclusive' European identity on the lines of RC is unable to provide a distinctive identity for Europe.

From a MLN perspective, existing national identities are not the only form of territorial collective identities existing in Europe today. Together with some form of European identity, older and newer regional identities, which sometimes are acquiring national characteristics, are asserting themselves (see Harvie 1994; Laffan 1994; *L'identité des Régions en France et en Europe*. 1995). The trend towards devolution of power in many previously

unitary states is poised to add momentum to this process. The existence of regional identities alongside national ones, both in today's well known examples such as Britain or Spain and on similar lines in the past, proves empirically what has been postulated in theory, i.e. that it is possible to have multiple territorial collective identities (see Smith 1993: 133 and Smith 1981: 383).

A theory of concentric circles has been developed to explain the coexistence of outer, lighter identities with inner, deeper ones (Smith 1991: 175). Applying this theory, one can conceptualise European identity as constituting the outer circle of a 'system' of identities including the national and regional ones. Despite its success in conceptualising the coexistence of multiple identities, the 'concentric circles' theory leaves unanswered an important question it raises in the first place. Namely, whether territorial identity is a finite space or can be expanded or reduced. In the first case the assumption is that an individual has a fixed amount of territorial identity structured on what can be conceptualised as a series of concentric circles. An expansion of a given 'circle' of identity, e.g. the European one, must necessarily come at the expense of other circles. More specifically, one would assume that there is a 'zero-sum' game between contiguous circles. In other words, a regional identity is in competition with national and local ones, not with the European one. The latter, vice-versa, is only in competition with national ones, being at the outermost circle of identity. If, on the other hand, territorial identity is an expandable dimension then a European identity can simply be juxtaposed with existing ones and itself expanded without affecting the strength of other circles.

Which one is the correct answer is still an open question. A popular fear is that an increase in the European dimension of identity implies a reduction, if not the disappearance, of the national ones. A European identity is seen as an alternative to national ones. Yet, empirical research by Duchesne and Frogner has shown that there is no direct relationship between pride in one's own nationality and feeling of European identity (1995: 202). Indeed, it seems that "national pride tends to foster the development of European identity" rather than vice-versa (*ibidem*: 203; see also Smith 1993: 134).

Whatever the answer, it appears that advocates of both the RC and the MLN approaches can agree on the necessity and the desirability that a strengthened European identity complement national ones rather than replacing them (see Habermas 1992: 7 and Duchesne and Frogner 1995: 193, respectively).

V Legitimacy Deficit versus Identity Building: A European Dilemma

Is the present level of European political identity strong enough to legitimise EMU and further moves towards an even more integrated Europe? The contention of this paper is that EMU is much more than a purely technical matter and its implementation in the context of the present level of popular identification with the EU raises to a worrying level the tension between policy-making and democratic legitimacy. However, after the high profile enjoyed during the Maastricht treaty ratification process, when many thought the EU had reached the limits of its legitimate activity (see Obradovic 1996), the issue has since fallen back to a rather low profile. Indeed, in the run-up to EMU, the legitimacy issue has been virtually absent from the EU official debate.

As explained in section III, the main approach to the identity-legitimacy nexus adopted by the European institutions has been the RC one, which is still currently the more favoured one. Now, in the light of the situation delineated above, one has to evaluate its record in bringing about a European identity strong enough to be able to fully legitimise an economically unified EU. The evidence suggests that RC, however attractive is it, has conspicuously failed so far to deliver it. To summarise in one sentence, it has not given to Europeans what Kielmansegg called “the consciousness of ‘an obligation toward the European commonwealth’” (quoted in Habermas 1992: 9). More specifically, opinion polls research has shown that RC has failed to give the European Union political significance vis-à-vis its member states and the rest of the world. Many surveys have found that the item ‘Europe’ shares the same political relevance as the item ‘the world’ and seems in opposition to the items ‘town’ and ‘region’ rather than ‘country’ (Duchesne and Frogner 1995: 208). This suggests that Europe is perceived in the same conceptual category as the world on a non-political cosmopolitanism/localism spectrum. What the four item bar ‘country’ have in common is that they are not, or they are to a very limited extent, autonomous political actors. Far from being perceived as a super-state in the making, the EU is thus regarded as a smaller scale world in a radically different category from nation-states.

This paper would argue that RC has failed because, due to its ‘inclusiveness’ and cultural ‘blindness’, it is the wrong instrument for the task. It was a useful and probably inevitable approach in the fifties but it is plainly inadequate in the nineties³. Even some of those who advocate a new kind of identity for Europe, different from the national model, acknowledge that is virtually impossible to build any kind of identity without reference to the cultural

dimension: “It is evident that European identity is more than a political identity; it embraces a wide range of questions that are cultural and are historically rooted” (Delanty 1995: 15). However, others reject this view and support a sort of *Verfassungspatriotismus* (Habermas 1992) while some authors go as far as stating that a culturally defined identity is just the old ethnicist/racist identity dressed in more politically correct clothes (see Taguieff 1993-4). Some authors, notably Smith (1993: 134), have considered the possibility that a MLN identity would grow more or less spontaneously with the passage of time and generations. However, it seems more likely that a spontaneous dynamics will rather point towards the RC model because once the identity 'national limits' are broken, it is difficult to stop this process and to recreate a 'limit' at the European border (on this point see Guehenno 1993: 71-83).

If the above diagnosis is correct, then the European Union is facing a fundamental dilemma: either continue along the familiar path of creating institutions and establishing policies without paying attention to issues of identity and legitimacy or embarking on a process of identity-building which would face many constraints and difficulties. The core of the dilemma has been well expressed by Smith: “cultural differences between the nations of Europe persist because of the lack of a strong central authority able to unify and homogenise the people of Europe, while the lack of such a centralised and unifying authority can be largely attributed to the depth of these cultural and historical differences” (Smith 1993: 133).

For the reasons discussed above, this paper would contend that a MLN approach, though not entirely satisfactory, is the only one which seems to have any chance to deliver what it is asked for. It would also contend that the radical opposition between 'constitutional' patriotism and 'cultural' patriotism and hence between RC and MLN is more apparent than real since, as Wallace pointed out, “constitutions, if they are to function successfully, need to be founded on some set of shared values and to express commitment to some form of collective identity” (1993: 101). Even if we go to the fathers of the contrasting approaches, Herder and Rousseau, it is clear that their positions were not as opposed as it is frequently assumed. It is true that the former argued that a nation should be the end-product of a process of 'spontaneous unfolding' whereas the latter maintained that nations have to be built, but Rousseau at the same time made clear that a 'political nation' could only be built upon the foundation of a historical and cultural nation (see Barnard 1982: 15-9; see also Smith 1981: 385).

Following what has been seen above, a process of MLN identity building at the European level will need to replicate some of the characteristics of nation-building. Smith has

³ On the essential characteristics of a working political identity see, among others, Smith 1993: 135;

emphasised the importance of "memories, symbols, myths and traditions...[and] common sentiments and aspirations" (1993: 130) as a condition for the emergence of nations. As mentioned, in the case of Europe the closest thing to such an identity is the cultural tradition of European civilisation. This is frequently perceived as something immutable and backward-looking but Europe has gone through several phases of cultural change which have radically modified the way it has perceived itself (see also Garcia 1993: 5). If this evolutionary nature of the European cultural identity allow it to more easily adapt to new realities, at the same time it also makes this identity less easy to perceive as such. It thus produces the apparent paradox that European civilisation is "regarded as an entity...by those who are extraneous to it and see it from the outside, but only rarely by those who experience its everyday reality" (Ahrweiler 1993: 30). What would be needed then is a drive towards emphasising the large extent to which Europeans share the same cultural identity and subsequently to establish an instrumental link by virtue of which the 'cultural' Europe can legitimise the 'political' Europe. It would also require the formal adoption of a common second language, a new *lingua franca*, able to act as a means of communication for all Europeans. Linguistic standardisation played an important role in the establishment of nation-states and in their economic development. Likewise, linguistic integration has a vital role to play in favouring greater mobility of the European citizens, which will be of crucial importance in an economically unified Europe. As opposed to the national cases, obviously, there is no central authority, particularly with regard to its role in the education system and the army, to bring this about (see De Witte 1993: 155). In order to do so, at any rate, the myth of language equality within the EU must also be exposed. This myth is already without credibility and will increasingly be so as the next enlargements bring in even more languages. It has long been clear that "complete equality of status seems possible only in countries which have two or at most three languages" (Kloss 1967: 42).

What constraints and possibilities, would such a process of identity building be facing? It is possible to identify three negative and three positive factors. On the negative side, the first factor is that in the contemporary world collective identities are mainly shaped by forces outside and beyond government control, especially market forces. It thus follows that the very forces which in today's world are undermining the existent nation-states will *a fortiori* prevent a European MLN from coming into being (see Guehenno 1993: 71-83). The second factor is that, in contrast to XIX century national identities forged primarily by the experience of war and preparation for war, a XXI century European identity would, one is tempted to say luckily, grow in a very different environment (see Smith 1981: 375-8). The third one is that

the borders of the European Community/Union have been constantly shifting through four enlargements in less than fifty years. The absence of fixed and well-defined borders has made it more difficult to tie the European 'imagined community' to a homeland. A related, and well-known, problem is the existence of other countries of European cultural tradition beyond the European continent.

On the positive side, on the other hand, the most important factor is that modern means of communications have made it possible to build a level of identity conceptually placed on the outermost circle in a series of concentric ones, what Smith has referred to as 'Pan' nationalism. In his own words, "It is only today that the material base for a genuine 'Pan' movement and regional organisation exists" (Smith 1993: 132). A second factor is that this European 'circle' of identity does not need to be as strong and pervasive as the traditional national identities. The latter were instrumental in building and holding together highly centralised unitary states (see Smith 1981: 391), whereas the European version would only be needed to legitimise a confederation of states or a highly decentralised federal state⁴. Finally, those same enlargements which were holding back a creation of a 'homeland image' for the European Community/Union may turn out to at last work in its favour. Recalling the distinction made above about 'cultural' Europe and 'political' Europe, it becomes clear that as the EU will expand eastwards the borders of the two Europes will gradually coincide thus removing one big obstacle to citizens' identification with the European Union.

If we turn to consider the role of the institutions in this process of identity building, three different scenarios emerge. The first one would see the most 'supranational' EU institutions such as the Commission and the Parliament taking or be granted the opportunity to implement this policy of identity building from above. This is the most radical and the most unlikely scenario. A more realistic one would see the member states to agree such a policy within the framework of the Council of Ministers and enact it on an individual but co-ordinated basis. This scenario seems to be not too far removed from past experiences and present realities but its actual effectiveness is most doubtful. A third one would bank on the fact that in the EU member states with a federal constitution, responsibility for education policy is usually allocated to the regional-state level. As the trend towards regional devolution and federalisation gathers pace in Europe, this scenario would see the EU institutions teaming up with regional administrations in creating a two-legged identity-building policy bypassing, to a certain extent, state governments. This last scenario evokes the 'Europe of the Regions' concept and might be regarded as a seductive third way between the other two models. However, opinion polls findings which suggest that a regional identity

⁴ on confederations see Forsyth 1981

is in opposition to a European identity rather than in symbiosis with it, mentioned in section IV, cast serious doubts on the likelihood of such a scenario.

Finally, there is the question of what might be called 'negative externalities' of a process of identity building at European level. These externalities have three main aspects. The first one relates to the position of the non-European minorities living in Europe and to the risk of antagonise them, given the traditional European feelings of superiority vis-à-vis non-Europeans, especially with regard to the Christian component of European identity (on this point see Garcia and Wallace 1993: 175; Majumdar 1994: 652; Delanty 1995: 16-27). The second one relates to the possible backlash against a perceived drive to culturally homogenise the EU, which would achieve opposite results than those of strengthening feelings of common identity and increase the legitimacy of the EU (see Garcia and Wallace 1993: 176). Others argue, more generally, that this attempt to build a European 'national' identity is in plain contradiction with the original aim of the Communities to build a political system without any reference to the then discredited concept of nationality. The third one stresses that a European identity based on the concept of civilisation has inevitably an elitist bias and carries the risk of widening the already existing class divide between a 'European' elite and 'national' masses (on the elitist bias see Leonard 1998).

To these objections there are some counter-arguments. The first one is that distinction does not necessarily imply confrontation and, furthermore, that present-day hostile reactions against non-European cultures is based on radical nationalism, not radical europeanism (on the French situation see Majumdar 1994: 648). Secondly, as suggested by opinion polls studies mentioned in the previous section, it is possible to build a European 'circle' of identity as a complement and as an encompassing framework to the present national identities rather than as a rival to them. Finally, it has already been seen that a social and cultural divide is already in the making in today's European Union; far from exacerbating it a policy of identity building on a cultural basis is much more likely to narrow it.

VI Conclusion

This paper argues that the recent evolution of the European Union does not signal a rise of function versus territory as the fundamental framework for political entities. Contrary to functional expectations about a 'EMU-fied' EU what we are witnessing today is a territorial restructuring of collective identities away from the exclusivity of the traditional, monolithic nation-state towards both the supra-national and the sub-national levels. In this sense, the

identity questions of the European Union and of regions in many member states are two sides of the same coin. From a global perspective, the uniqueness of the integration experience in Europe suggests that a territorial collective identity is still the only available legitimising basis for a polity

The nexus between identity and legitimacy is of crucial importance for the process of integration, but, generally speaking, the issue has enjoyed a lower profile than the one it deserves. The legitimacy deficit of the European Union, far from being a conjunctural feature of the Maastricht Treaty ratification process, is growing ever wider. This paper argues that EMU will raise this deficit to worrying levels.

The approach that has prevailed so far, 'regional cosmopolitanism' has largely failed to bring about an increase in the level of citizens' political identification with the EU sufficient to furnish the latter with the legitimacy it needs. A rival approach, 'multi-level nation' appears more likely to succeed where 'regional cosmopolitanism' failed. The European institutions and member states' administrations, regional ones included, are now facing a fundamental dilemma: either refrain from adopting any policy of 'identity building' for fear of political controversies or adopt such a policy and be aware of the many problems and many risks associated with it. The suggestion of this paper is that a 'multi-level nation' identity building policy may be a difficult and risky path but ultimately a successful one.

Acknowledgements

I am indebted to Peter Stirk and Stephen Welch for precious comments and encouragement.

References

_____. 1985. *A People's Europe*. Bull. EC Supp. 7/85. Luxembourg: Office for Official Publications of the European Communities

_____. 1998. ECB Takes Step to Raise Profile at Inauguration. *The Wall Street Journal Europe*. 1 July: 13

_____. 1995. *L'identité des Régions en France et en Europe*. Toulouse: Privat

Ahrweiler Hélène. 1993. Roots and Trends in European Culture. In Soledad Garcia (ed.), *European Identity and the Search for Legitimacy*. London: Pinter

Aron Raymond. 1974. Is Multinational Citizenship Possible? *Social Research* 41/4: 638-56

Barker Rodney. 1990. *Political Legitimacy and the State*. Oxford: Clarendon Press

- Barker Rodney. 1986. Obedience, Legitimacy and the State. In Carol Harlow (ed.), *Public Law and Politics*. London: Sweet & Maxwell
- Barnard Fred. 1982. National Culture and Political Legitimacy: Herder and Rousseau. In Toivo Miljan (ed.), *Culture and Legitimacy*. Waterloo, On, Canada: Southwest Ontario Comparative Politics Council
- Beetham David. 1991. *The Legitimation of Power*. London: Macmillan
- Delanty Gerard. 1995. The Limits and Possibilities of European Identity. *Philosophy and Social Criticism* 21/4: 15-36
- De Witte Bruno. 1993. Cultural Legitimation: Back to the Language Question. In Soledad Garcia (ed.), *European Identity and the Search for Legitimacy*. London: Pinter
- Duchesne Sophie and Frogner André-Paul. 1995. Is there a European Identity? in Oskar Niedermayer and Richard Sinnott (eds), *Public Opinion and Internationalized Governance*. Oxford: Oxford University Press
- Forsyth Murray. 1981. *Unions of States*. Leicester: Leicester University Press
- Garcia Soledad. 1993. Europe's Fragmented Identities and the Frontiers of Citizenship. In Idem (ed.), *European Identity and the Search for Legitimacy*. London: Pinter
- Garcia Soledad and Wallace Helen. 1993. Conclusion. In Soledad Garcia (ed.), *European Identity and the Search for Legitimacy*. London: Pinter
- Guehenno Jean-Marie. 1993. *La Fin de la Democratie*. Paris: Flammarion
- Habermas Jürgen. 1992. Citizenship and National Identity: Some Reflections on the Future of Europe. *Praxis International* 12/1: 1-19
- Harle Vilho. 1992. Nationalism – No! Metanationalism – Yes? *History of European Ideas* 15/1-3: 39-46
- Herz John. 1978. Legitimacy: Can We Retrieve It? *Comparative Politics* 10/3: 317-43
- Howe Paul. 1995. A Community of Europeans: The Requisite Underpinnings. *Journal of Common Market Studies* 33/1: 27-46
- Kloss Heinz. 1967. Bilingualism and Nationalism. *Journal of Social Issues* 23/2: 39-47
- Leonard Mark. 1998. *Making Europe Popular*. London: Demos
- Majumdar Margaret. 1994. Extra-European National Minorities in France and the Concept of European Identity. *History of European Ideas* 19/4-6: 647-53
- Melich Anna. 1986. The Nature of Regional and National Identity in Catalonia: Problems of Measuring Multiple Identities. *European Journal of Political Research* 14/1-2: 149-69
- Mitrany David. 1965. The Prospect of Integration: Federal or Functional. *Journal of Common Market Studies* 4: 119-49
- Mortimer Edward. 1991. Christianity and Islam. *International Affairs* 67/1: 7-13

Munch Richard. 1996. Between Nation-State, Regionalism and World Society: The European Integration Process. *Journal of Common Market Studies* 34/3: 379-401

Neumann Iver and Welsh Jennifer. 1991. The Other in European Self-definition: An Addendum to the Literature on International Society. *Review of International Studies* 17/4: 327-48

Obradovic Daniela. 1996. Policy Legitimacy and the European Union. *Journal of Common Market Studies* 34/2: 191-21

Reif Karlheinz. 1993. Cultural Convergence and Cultural Diversity as Factors in European Identity. in Soledad Garcia (ed.), *European Identity and the Search for Legitimacy*. London: Pinter

Rodriguez-Salgado Mia. 1992. In Search of Europe. *History Today* 42/2: 11-5

Smith Anthony. 1995. *Nations and Nationalism in a Global Era*. Cambridge: Polity Press

Smith Anthony. 1993. A Europe of Nations – or the Nation of Europe? *Journal of Peace Research* 30/2: 129-35

Smith Anthony. 1992. National Identity and the Idea of European Unity. *International Affairs* 68/1: 55-76

Smith Anthony. 1991. *National Identity*. London: Penguin

Smith Anthony. 1981. War and Ethnicity: the Role of Warfare in the Formation, Self-images and Cohesion of Ethnic Communities. *Ethnic and Racial Studies* 4/4: 375-97

Taguieff Pierre-André. 1993-4. From Race to Culture: The New Right's View of European Identity. *Telos* 98-9: 99-125

Tassin Etienne. 1992. Europe: A Political Community? In Chantal Mouffe (ed.), *Dimensions of Radical Democracy*. London: Verso

Wallace Helen. 1993. Deepening and Widening: Problems of Legitimacy for the EC. In Soledad Garcia (ed.), *European Identity and the Search for Legitimacy*. London: Pinter

Wintle Michael (ed.). 1996. *Culture and Identity in Europe*. Aldershot: Avebury