The Desire for Europe

European Integration and the Question of State Violence

by

Stefan Borg

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Roxanne Doty, Chair
Richard Ashley
George Thomas

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ABSTRACT

This dissertation critically examines whether and how the practices involved in the crafting of the European Union may be said to go beyond modern statecraft. European integration should in part be seen as an attempt to transcend the modern state. Among many of the early proponents of European integration, the nation state had become associated with militarism, jingoism and ultimately, at least partly, to the blamed for the many devastating wars on the European continent, and even a normative order that made the Holocaust possible. Most other studies that have dealt with the EU's alleged difference from the modern state have employed an understanding of the state which confers a certain ontological standing and status onto its purported object of study. This dissertation argues that a critical approach to European integration needs to go beyond such a representationalist, ontologizing understanding of a political entity. Instead, in order to start addressing the question of state violence that European integration emerged as a response to, the crafting of the Europe Union needs to be problematized in relation to practices of statecraft. The dissertation also contends that previous engagements of European integration in relation to the modern state have neglected engaging the broader normative horizon in which the modern Westphalian state is inscribed. The first chapter puts forward a way of understanding modern statecraft. The subsequent chapters examine four different legitimation discourses of European integration against such an

understanding: EU's failed Constitutional Treaty, EU's foreign policy discourse, European integration theory, and an instance of European migration policy. The dissertation concludes that the crafting of Europe in many ways resembles the crafting of the modern state. In fact, the crafting of the European Union is plagued by similar ethical dilemmas as the modern state, and ultimately animated by a similar desire to either expel or interiorize difference.

DEDICATION

To my parents Barbro and Per-Olof, my grandmother Elsa, and my love Erin.

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Chapter 1

INTRODUCTION

> The tyranny of words is only slightly less absolute than that of men; but whereas elections, revolutions, or just the dreary passage of time can do away with human tyranny, patient analysis and redefinition are required to remedy the linguistic affliction.
>
> —Ernst B. Haas

Why today bother studying whatever practices usually pass under the name of "European integration?" Isn't the timing for such an undertaking unusually poorly chosen? Instead of grandiloquent proclamations and calls for further political, economic, and social integration as traditionally understood, the prevalent mood seems nowadays rather to be one of gloom and doom, and a general consensus of the desirability to settle for "consolidation" of taken for granted "historical achievements," rather than "moving forward." But if the European Union's failed Constitutional Treaty in 2005 blatantly precipitated such sentiments among European elites, and at the present time of writing, the debt crisis experienced by several of the Euro members has even further exacerbated popular misgivings, the crisis of European integration is nothing new. Already at the beginning of the 1990s, a tension between two major tendencies in the project of European integration was becoming increasingly evident. At the

same time as the European Union's (EU's) competences were extended and the EU moved from intergovernmental to supranational modes of decision-making in a number of policy areas, "Euro skepticism" was seemingly on the rise across virtually all of its member states. The so-called "permissive consensus"—i.e. the utilitarian belief that as long as European integration was understood to be correlated to increasing economic prosperity it was broadly supported at the mass level—that was thought to have allowed for European integration ever since the creation of the European Coal and Steel Community in the early 1950s, could no longer be taken for granted in the 1990s.[1]

Largely due to widespread popular dissatisfaction with the European project of integration as witnessed in the rejection of the Maastricht Treaty in Denmark (1992); its narrow approval in France (1992); the rejection of the Nice (2001) and Lisbon (2008) Treaties in Ireland; the rejection of the Constitutional Treaty in France (2005) and the Netherlands (2005), issues of popular legitimation became increasingly pressing. Undeniably, ever since the ratification of the Maastricht Treaty in 1993, which formally established the European Union, a general legitimation crisis has haunted

[1] Edward Best, "In Search of the Lost Constitution: The EU between Direct Democracy and the Permissive Consensus," *EIPAScope* 2 (2005): 5-13. The notion of a "permissive consensus" was first introduced by Leon Lindberg and Stuart Scheingold, in Leon N. Lindberg and Stuart A. Scheingold, *Europe's Would-Be Polity: Patterns of Change in the European Community* (Englewood-Cliffs, N.J.: Prentice-Hall, 1970), 41.

the project of European integration.[2] Such a generalized crisis is to be expected whenever foundationalist rhetorical figures of polity foundation are deployed in an era where the facile appeal to such absolutes has become increasingly questioned. Indeed, European integration could in large part be seen as an attempt at polity foundation in the age of its impossibility—i.e., in an age where the theoretical vocabulary needed for such an endeavor has largely exhausted itself. This historical epoch, which is characterized by an, as Jean-François Lyotard famously put it, "incredulity to metanarratives,"[3] usually goes under the name of postmodernity, and provides the historical backdrop to the attempted European unification.

The generalized legitimation crisis in the project of European integration animates this dissertation. The dissertation critically engages some prominent *discourses of legitimation* of European integration. I understand such discourses as practices of *Euro-crafting*, that is, as attempts to ontologize "Europe."[4] By this, I mean that such discourses are

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[2] For an empirical assessment see Jacques Thomassen, ed., *The Legitimacy of the European Union After Enlargement* (Oxford: Oxford University Press, 2009).

[3] Jean-François Lyotard, *The Postmodern Condition: A Report on Knowledge*, trans. Geoff Bennington and Brian Massumi (Minneapolis: University of Minnesota Press, 1984), xxiv.

[4] Throughout the dissertation, and as will be elaborated upon below, "Europe" is textually understood as a contested and underdetermined signifier whose bounds and referents must always be put in quotation marks. For stylistic reasons, however, I will not always do so. To place a concept within quotation marks or *under erasure* means to resist

attempting to provide a secure content to Europe, so as to place Europe on a stable foundation, and craft it into a bounded unified entity. Those legitimation discourses, hence, are not understood as describing or referring to an already existing referent object, but as performative of such a referent. That is, they continuously *enact* "Europe." Following Judith Butler, I understand the realm of performativity as always prior to the realm of constativity.[5] Hence, whereas an ontologizing mode of speaking essentializes Europe by proclaiming that it only describes a finished, sutured, and self-identical entity, a non-ontologizing mode of speaking understands Europe to be formed and transformed, by the force of a *desire* in the form of *an active judgment* of what Europe might be/come. Desire, in other words, lies in the non-space "between" being and becoming—that which strictly speaking neither *is* nor *is not*. I have chosen to entitle this dissertation "The Desire for Europe" to indicate that I will treat the "Europe" invoked, mobilized, and appealed to in the process of European integration as nothing but desire.

The main thesis of the dissertation could be stated as follows. The European Union is of course not "a state" in the legal or politico-

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essentializing the concept. Also, it is to recognize the necessity of provisionally retaining it in order to be able to examine the discursive field in which it is deployed. See Gayatri C. Spivak, translator's preface, *Of Grammatology*, by Jacques Derrida, trans. Gayatri C. Spivak (Baltimore: Johns Hopkins University Press, 1976), xiv.

[5] Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York and London: Routledge, 1990).

institutional sense of the word. But what I make a case for in this dissertation is that instead of comparing the European Union to a state—understood as a finalized, self-identical "thing," possessing some sort of ontological standing and status—we should instead compare the crafting of the European Union (what I call Euro-crafting) to the crafting of the modern state, i.e. to *statecraft*—which I understand as a desire-drive on-going performance of identification, ordering and bordering. And what I empirically set out to show at length is that the crafting of the European Union reveals similar desires as the modern Western state: namely desires for order, stability, identity, and hierarchy. What is more, I show that the crafting of the European Union is firmly embedded in what Mathias Albert and Lothar Brock have referred to as the "normative structure" of the Westphalian system.[6] A field of two polar opposites defines this normative structure: cosmopolitanism and communitarianism, around which the crafting of the modern state continuously and precariously oscillates.

This is important since the constitution of the European Union faces similar ethical conundrums as those of the modern state. As I will elaborate further below, the dissertation is mainly concerned with the

[6] Mathias Albert and Lothar Brock, "What Keeps Westphalia Together? Normative Differentiation in the Modern System of States," in *Identities, Borders, Orders-Rethinking International Relations Theory*, eds. Mathias Albert, David Jacobson and Yosef Lapid (Minneapolis: University of Minnesota Press, 2001), 33. Indeed, as Chris Brown has shown, much of the normative thinking within Western thinking about international relations is adequately captured on a communitarian/cosmopolitan continuum. See Chris Brown, *International Relations: New Normative Approaches* (New York: Harvester Wheatsheaf, 1992).

ethical implications of Euro-crafting; ethics is here understood as a problem of how Europe is crafted in relation to difference. Just like the modern state, the European Union is caught between either a logic of *particularizing* itself, i.e. attempting to draw boundaries around its self and thereby inevitably having to create various constitutive outsides that will be excluded from Europe—the particularizing gesture of "community." When this logic prevails, it will be difficult for various migrant communities or deviant groups to be able to claim belonging in Europe. The other pole of statecraft is that of trying to *universalize* a self, which means that no boundaries at all are acknowledged in the constitution of a self—the gesture of cosmopolitan "empire." The problem with the universalizing logic, however, is that otherness risks being refused. In the case of Europe, this gesture is particularly problematic against the historical backdrop of imperialism and colonialism. The crafting of Europe, I contend, is caught in the same pendular movement as the modern state—between the particular and the universal.

The tragedy of Europe, if one were to speak of such, stems from the fact that practitioners of integration (scholars, public intellectuals, and politicians) largely lack a vocabulary for thinking "beyond the state," and the "Europe" of European integration immediately started taking on all of the discursive characteristics associated with the modern state. After the end of the Second World War, the nation state as the organizing principle

of global politics had become increasingly questioned, and European integration constituted an attempt to transcend the modern state, to many associated with nationalism, militarism, and ultimately violence itself. So tragically then, what "Europe" was intended to negate is once again returning, only this time at a bigger level. Although the problems that European integration emerged as a response to were some of the most serious and pressing, and could even be understood as the question of violence itself, the solution that emerged, European integration as currently conceived, is inadequate to deal with the problems that precipitated its emergence. Although often employing softer rhetoric, Euro-crafting ends up reiterating the basic schema of statecraft and should as such be seen as part of the problem rather than any long-term solution.

This dissertation could further be described as a deconstructive critique of the notion of "Europe" upon which the project of European integration rests. I am primarily interested in the ethical implications for the space that is being enacted in the employment of certain foundationalist figures of "Europe" in discourses of European integration. My investigation of the project of European integration is guided by three major sets of issues. First, I explore the question of whether, and if so how, the construction of the EU, as is sometimes held, could be said to differ from that of the modern western state. This issue concerns the "novelty" of the EU—a question much debated within European integration studies. How are we

to conceptually understand the EU? To that end, I treat Europe as a signifier and bring some themes from deconstruction to the study of European integration. This allows me to shed some new light on the question of how one might understand the crafting of the European Union in relation to traditional statecraft. Second, I examine whether EU's foreign policy discourse, as is also sometimes held, could be said to decisively break with that of the foreign policy discourse of the modern state. Here, I engage a lively debate about Europe as a "normative"[7] or even "ethical"[8] power. And third, I examine whether western liberal political theory is well equipped to theorize the emergence of an entity which proclaims itself to go "beyond the nation state" without persistently conjuring up the modern Westphalian state as yardstick, rendering such attempts ineffective. To be sure, all of those controversies have been extensively engaged with in the literature on the EU, which has grown exponentially in the last decades. However, there is to this day no systematic, comprehensive, and critical study of the logics of Euro-crafting, which engages those questions from what one may provisionally

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[7] Ian Manners, "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies* 40, no. 2 (2002); Ian Manners, "The European Union as a Normative Power: A Response to Thomas Diez," *Millennium: Journal of International Studies* 35, no. 1 (2006).

[8] Lisbeth Aggestam, "A European Foreign Policy? Role Conceptions and the Politics of Identity in Britain, France and Germany" (PhD diss., Stockholm University, 2004); Lisbeth Aggestam, "Introduction: Ethical Power Europe," *International Affairs* 84, no. 1 (2008).

call a deconstructive perspective employing a textual understanding of Europe.[9]

This introductory chapter unfolds as follows. In the first part, I set out some of the major interpretive dispositions of this dissertation, and deal with the question of method. Here, I lay out some of the major theoretical commitments of a textual approach to the question of European integration and situate this endeavor in the context of European integration studies and critical International Relations theory. In the second section, I seek to justify the approach chosen in this dissertation in terms of ethics. Finally, I outline the chapters of the dissertation, in order to give the reader a roadmap of what to expect in the chapters that follow.

Textualizing Europe: interpretive dispositions and the question of "method"

To begin with, what do I mean by *textuality*? We might here begin by considering Jacques Derrida's famous and often misunderstood claim in *Of Grammatology* that "there is nothing outside the text. [il n'ya pas de

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[9] My dissertation could be read as a substantiation of a point that Rob Walker made in 2000, namely that "one of the important characteristics of the contemporary literatures of the New Europe is that they so often reproduce the practices of sovereignty even as they argue that the sovereignty of European states is being eroded, undermined, dissolved, superseded, transcended, or any of the many other terms that are so firmly implicated in sovereignties discourse and which now converge in claims about the integration of Europe at some higher level." See Robert B. J. Walker, "Europe is Not Where it is Supposed to Be," in *International Relations and the Politics of European Integration*, eds. Morten Kelstrup and Michael Williams (London and New York: Routledge, 2000), 16-17. In addition, his *After the Globe, Before the World* (London and New York: Routledge, 2010) elaborates on the universality/particularity binary that has framed so much thinking about global politics and speaks to my project in several ways.

hors-texte.]”[10] By this, Derrida does certainly not mean, as is sometimes claimed by his most superficial critics, that deconstruction denies the existence of anything but written text. As Simon Critchley puts is: “a generalized concept of the ‘text’ does not wish to turn the world into some vast library; nor does it wish to cut off references to some ‘extra-textual realm’. Deconstruction is not bibliophilia.”[11] How then, does Derrida understand “text?” On a textual understanding of reality, signifiers—spoken or written words—refer only to other signifiers and not to a signified, i.e. to a meaningful concept evoked by a word.[12] To exemplify, consider a dictionary in which a word can only be defined in terms of other words.[13] However hard one attempts to find the final meaning of a word, one is only left with other words, which in turn refers to yet other words and so on. As Arthur Bradley puts it: “every signifier relates to other signifiers that surround it in space and time and so we can never reach a pure thought or concept—a signified—that exists in and of itself independently of all signifiers: what is supposedly beyond language is

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[10] Jacques Derrida, *Of Grammatology*, trans. Gayatri C. Spivak (Baltimore: Johns Hopkins University Press, 1976), 158.

[11] Simon Critchley, *The Ethics of Deconstruction: Derrida and Levinas* (Oxford: Blackwell Publishers, 1992), 39.

[12] See in particular Ferdinand de Saussure, *Course in General Linguistics*, trans. Wade Baskin (New York: McGraw-Hill, 1959); and Derrida, *Of Grammatology*, 27-73.

[13] Terry Eagleton uses this example in *Literary Theory: An Introduction* (Oxford: Blackwell, 1983), 128.

plunged back into language."[14] The meaning, or the signified of the word, always *slips under* the chain of signifiers and the process of signification never comes to a halt. In Derrida's deconstructive radicalization of Saussure, the signified appears only as an *effect* of the movement of the signifying chain, so that a signified is nothing but a signifier occupying a certain position in the signifying web by virtue of its relations to other signifiers.[15] Meaning then emerges as a result of an endless play of signifiers, instead of the signified being intimately linked to a corresponding signifier as Saussure's original scheme would have it.[16] Or to be more precise, meaning emerges as a result of *the movement* of what Derrida calls *différance*—the flickering of differences and deferrals that constitutes the condition of possibility for the linkages between signifers and signifieds, which makes the world appear meaningful to us.[17]

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[14] Arthur Bradley, *Derrida's Of Grammatology* (Edinburgh: Edinburgh University Press 2008), 71.

[15] Hence, Derrida deconstructs Saussure's signifier/signified binary by displacing the need to draw a strict border between the two—since signifiers are constantly being transformed into signifieds, and signifieds into signifiers—which then leads him to develop the textual infrastructure of trace. See Derrida, *Of Grammatology*, 27-73; and see the discussion in Geoffrey Bennington, "Saussure and Derrida," in *The Cambridge Companion to Saussure*, ed. Carol Sanders (Cambridge: Cambridge University Press, 2004), 197.

[16] For a more critical take on Derrida's reading of Saussure, see Anthony Giddens, *Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis* (Berkeley: University of California Press, 1979), 28-38.

[17] See Jacques Derrida, "Différance," chap. 1 in *Margins of Philosophy*, trans. Alan Bass (Chicago: Chicago University Press, 1982).

What Derrida refers to as the "transcendental signified;" Ernesto Mouffe and Chantal Laclau as a "nodal point;" or what Jacques Lacan calls the "point de capiton" or "quilting point," is that which seeks *to get away with* halting the movement of signification.[18] To put it in other words; a transcendental signified is that which would not be defined in terms of something else, which would therefore be absolutely self-referential; in short, a *foundation*, which is the point at which further questioning simply comes to a halt. Such a sign would be unaffected by the play of signifiers, it would in other words not fall prey to the logics of textuality—it would be outside the *text*. In Laclau and Mouffe's influential statement, *hegemonic articulations* are practices precisely seeking to impose closure on the chain of signification.[19] As should be clear from the preceding discussion, such attempts are unstable and are, to use Derridean language, *always already deconstructing themselves*. Thus, when Derrida writes that there is nothing outside the text, he arguably means that there is *no-thing* that is prior to, enabling of, and exceeding the logic of textuality. No signifying practice, in other words, escapes the logics of textuality.[20] In Derrida's

[18] As Ernesto Laclau and Chantal Mouffe write: "Any discourse is constituted as an attempt to dominate the field of discursivity, to arrest the flow of differences, to construct a centre. We will call the privileged discursive points of this partial fixation *nodal points*." Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, 2nd ed. (London and New York: Verso, 2001), 112.

[19] Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy*, 105-114.

[20] However, as Derrida is well aware of, the claim that nothing escapes the logic of textuality would immediately deconstruct itself as totalizing, which for its very assertion depends on precisely *that* which would escape textuality. Negative or "weak" theologians

words, "the absence of a transcendental signified extends the domain of signification infinitely."[21]

A first implication for the study of European integration thus becomes apparent. "Europe" understood as a signifier can never achieve completion and close itself off, but always has to be made meaningful in terms of other signifiers (of what it is like, almost like, not like etc.), whose final meaning is perpetually deferred. Let us for a moment pause and reflect on the significance of this. "Europe" might be understood as competing with various signifiers over the claim to properly represent certain subjects and a certain territory. For instance, signifiers such as "the West," "the Judeo-Christian world," "the North-Atlantic Community/NATO," '"Ibero-America," "La Francophonie," "the Commonwealth," "Scandinavia," as well as of course various nation states are all systems of representation which make loyalty claims over subjects. Every piece of territory and population is in these days subject to a range of representational claims with accompanying claims of loyalties. However, as we have seen, no signifier can entirely capture and control the signified (since the signified is nothing but a signifier, which in turn refers back to other signifiers and

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such as John Caputo and Mark C. Taylor perceive some sort of analogy between God and *that* which precedes, enables, and exceeds *différance*.

[21] Jacques Derrida, "Structure, Sign and Play in the Discourse of the Human Sciences," in *Writing and Difference*, trans. Alan Bass (Chicago: University of Chicago Press, 1978), 280.

so on). Hence, there will always be overlapping and competing systems of representation, trying to represent something which none of them can fully do.

An event that might illustrate this reasoning is the controversy over potential alliances with the U.S. to invade Iraq in 2003, where some of those systems of representation came into conflict with one another, perhaps most importantly whether a “European” identity as the prime loyalty would win over a “transatlantic” identity. For some, like the Blair administration in the UK, the transatlantic and Anglo-American identity took precedence over a European identity and loyalty with, for instance, France and Germany. Hence, one may say that the identity of Europe was prevented from being sutured because there were, and will always be, other signifiers (e.g., “NATO”) that struggle for precedence over the subjects and territory that the European Union claims to represent. Since no signifier can suture itself, “Europe” can never reach closure. What those who claim to speak in its name can do, however, and which arguably is an important purpose of the project of European integration, is to make Europe *appear* at the top of the hierarchy of various systems of representation with accompanying loyalty claims, so as to make “Europe” appear hegemonic. So for example, in the case of a new transatlantic rift, “Europe” would triumph over a “Transatlantic community.”

Thus, “Europe” will in this dissertation be treated as a signifier.[22] The “method,” or, for reasons which will soon become apparent, should rather be called *interpretive dispositions* intended to guide the dissertation, could be described as *deconstructive textual analysis*. Textual analysis as understood here resembles what is often called discourse analysis and has been mostly employed in recent decades within critical International Relations (IR).[23] I prefer the looser designation “textual analysis” since discourse analysis in critical IR has in recent years become associated with research practices which too much resemble a traditional methodology. In a “second wave” of critical IR scholarship, seeking to extend early critical-

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[22] On “Europe” as a signifier, see also the pioneering piece by Thomas Diez, “Speaking ‘Europe:’ The Politics of Integration Discourse,” *The Social Construction of Europe*, eds. Thomas Christiansen, Knud Erik Jorgensen and Antje Wiener (London: SAGE, 2001): 85-100.

[23] See for instance David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity* (Minneapolis: University of Minnesota Press, 1992); Roxanne L. Doty, “Foreign Policy as Social Construction: A Post-Positivist Analysis of US Counterinsurgency Policy in the Philippines,” *International Studies Quarterly* 37, no. 3 (1993). (1993); Roxanne L. Doty. *Imperial Encounters – The Politics of Representation in North-South Relations* (Minneapolis: University of Minnesota Press, 1996); Iver B. Neumann, *Uses of the Other: “The East” in European Identity Formation* (Minneapolis: University of Minnesota Press, 1999); Lene Hansen and Ole Waever, eds. *European Integration and National Identity. The Challenge of the Nordic States* (London and New York: Routledge, 2002); Lene Hansen, *Security as Practice: Discourse Analysis and the Bosnian War* (London and New York: Routledge, 2006); and for an assessment see Jennifer Milliken, “The Study of Discourse in International Relations: A Critique of Research and Methods,” *European Journal of International Relations* 5, no. 2: (1999). This understanding of discourse analysis comes close to what is sometimes known as the “Essex School,” influenced by Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy*, and more recently developed by people such as David Howarth, Aletta Norval, and Jacob Torfing. For an overview of the concept of discourse employed by the “Essex School”, see David Howarth, *Discourse* (Buckingham: Open University Press, 2000).

textual advances,[24] several IR scholars have sought to turn discourse analysis into a more self-consciously methodological practice.[25] They have arguably in part done so in order to make discursive approaches more acceptable within traditional International Relations, i.e., for strategic purposes. In part, however, such attempts seem also to have been guided by the enticement of having their own “research programme.” Ole Waever, for instance, has sought to turn discourse analysis into a general methodological framework, and even derive predictions from a certain foreign policy “discourse” which may be “tested” empirically against predictions derived from competing theories.[26] Before moving on, let me take a step back and elaborate further on this unfortunate methodologization of discourse analysis in International Relations.

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[24] See in particular James Der Derian and Michael J. Shapiro, eds. *International/Intertextual Relations: Postmodern Readings of World Politics* (Lexington, MA: Lexington Books, 1989); Doty, “Foreign Policy as Social Construction;” Doty, *Imperial Encounters*. The first generation of scholars informed by Foucault, Derrida etc. quite explicitly rejected critical scholarship in IR to be transformed into a program. See Richard K. Ashley and Robert B. J. Walker, “Conclusion: Reading Dissidence/Writing the Discipline: Crisis and the Question of Sovereignty in International Studies,” *International Studies Quarterly* 34, no. 3 (1990), 398.

[25] Milliken, “The Study of Discourse in International Relations”; Ole Waever, “Identity, communities and foreign policy: discourse analysis as foreign policy theory,” *European Integration and National Identity. The Challenge of the Nordic States*, eds. Lene Hansen and Ole Waever, 20-49 (London and New York: Routledge, 2002); Hansen, *Security as Practice*.

[26] Waever, “Identity, communities and foreign policy,” 28, 32.

Christopher Norris was once lamenting that French structuralism in literary criticism was quickly domesticated in the UK and the U.S., seeing its radical potential diffused by Anglo-American writers: “What started as a powerful protest against ruling critical assumptions ended up as just one more available method for saying new things about well-worn texts.”[27] Norris continued by pointing out that “to trace this history in detail would provide an instructive example of Anglo-American academic criticism to absorb and homogenize any new theory that threatens its sovereign claim.”[28] It is indeed possible to detect a similar trajectory of discourse analysis in IR and European integration studies. Two examples of this rather unfortunate trend will suffice for our purposes.

First of all, one may consider Jennifer Milliken’s often-cited assessment of discourse analysis in IR from 1999.[29] Following the pioneering and often highly theoretical work by the early critical voices in the 1980s,[30] a plethora of textual approaches were thereafter developed by several writers to enable more empirical work on various aspects of global

[27] Christopher Norris, *Deconstruction. Theory and Practice*, rev. ed. (London and New York: Routledge, 1991), 1.

[28] Norris, *Deconstruction*, 1.

[29] Milliken, “The Study of Discourse in International Relations.“

[30] One should here highlight the contributions made by a highly heterogeneous group of scholars such as Richard K. Ashley, Robert W. Cox, Robert J. Walker, and William E. Connolly.

politics.[31] Milliken's piece was one of the first explicitly to call for an increased methodologization of those textual approaches that had been proliferating in IR, which she lumps together under the label of "discourse analysis." For her undertaking to be possible she must find enough coherence in whatever passes as "discourse analysis" in IR, and claims that although "this community lacks a paradigm of science meeting Kuhn's criteria… it has paradigmatic elements."[32] And "discourse analysis can be seen to form a research programme that is evolving and being developed (progressive one might even argue)."[33] The problem for Milliken is that "no *common understanding* has emerged in International Relations about *the best* ways to study discourse [my emphasis]."[34] Milliken therefore seeks to "elucidate some of the basic commitments of this community and, given its commitments, to evaluate and critique existing research within it, and to draw out criteria for and exemplars of different types of discourse studies,"[35] calling for a "normal science" of discourse analysis.[36] Milliken

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[31] Here, works by scholars such as Roxanne L. Doty, David Campbell, and Cynthia Weber have been particularly influential.

[32] Milliken, "The Study of Discourse in International Relations," 226.

[33] Ibid., 228.

[34] Ibid., 226.

[35] Ibid.

[36] Ibid., 227, 230.

justifies her endeavor by claiming that “in order *to advance* its critical agenda, discourse scholars could benefit from *more serious* reflection on how to do discourse studies well [my emphasis].”[37] Milliken believes that it is a serious mistake to refuse to engage the question of method: “First, it puts discourse analysts and their critics essentially on the same side with respect to social science standards (what these are and what it means to meet them), and thereby makes them fellow travellers in the assessment of discourse analysis, in the sense that both conclude that this type of approach is not fundamentally about doing *rigorous empirical research* or developing better theories [my emphasis].[38]

So, by refusing to elaborate on a research program along with what their critics demand, “discourse analysts”—specifically and somewhat oddly referring to Richard Ashley and Rob Walker’s article from 1990[39]—deny what Milliken takes as self-evident, namely that all serious research is “about doing rigorous empirical research or developing better theories.” All serious research, thus, must buy into a desire to establish hierarchies between what is “good, serious, rigorous” and what is “bad, unserious, and non-rigorous,” which of course presupposes a sovereign point over and

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[37] Ibid., 226.

[38] Ibid., 228.

[39] Richard K. Ashley and Robert B. J. Walker, “Speaking the Language of Exile: Dissident Thought in International Studies,” *International Studies Quarterly* 34, no. 2 (1990).

beyond various interpretations of what "good science" is from which such assessments may be undertaken. In defending predicate and metaphorical analyses, as shall we presume, methodologically sound forms of discourse analysis, Milliken claims that "using a method of 'reading' or 'seeing' can make research better organized and, therefore, easier to carry through."[40] And "through *its control over interpretive procedures*, it can also bring *greater insight* into how a discourse is ordered, and into how discourses differ in their construction of social reality. Not insignificantly, it can also be shared *to facilitate communication and debate among scholars* [my emphasis]."[41]

What is really at stake here? First of all, it is hard to imagine anyone objecting to Milliken's claim that all social scientific research is, in a loose sense, about conducting rigorous theoretical and/or empirical work. What is more problematic, however, is the question of what constitutes "good" and "serious" research. The critical researcher might be less inclined to give in to the desire to impose strict axiological hierarchies between "bad," "unserious," and "regressive" discourse analysis on the one hand, and "good," "serious," and "progressive" discourse analysis on the other. Instead, a critical researcher, having read and digested Michel Foucault's

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[40] Milliken, "The Study of Discourse in International Relations," 235.

[41] Ibid., 235-236.

writings on power, not to mention Thomas Kuhn's discrediting of any facile notion of progress within the natural sciences, would be attentive to the fact that all knowledge claims are not only contingent upon time and place, but also imbued by, and embedded within certain relations of power.[42] The question of what constitutes good research is, at least in part, a political question, and cannot be settled from some "neutral," "impartial," or "objective" vantage point somehow beyond the workings of power. Milliken's desire for secure standards against which research can be impartially assessed rather reveals one of the most deep-seated prejudices of traditional social scientific methodology: the enticement of belonging to a "flourishing research program," to which the scholar may appeal when asked about the "point" or "value" of his or her work.

As a second example of this desire to methodologize discourse analysis in critical IR, one may consider a more recent chapter on discourse analysis by Ole Waever.[43] Waever sets out to discuss the "value and limitations" of discursive approaches in European integrations studies,[44] and ends with a call for discursive approaches to reflect further on questions of method.

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[42] See Michel Foucault, *The History of Sexuality, Vol. 1: An Introduction*, trans. Robert Hurley (New York: Vintage Books, 1990); Thomas S. Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1962).

[43] Ole Waever, "Discursive Approaches," *European Integration Theory*, eds. Antje Wiener and Thomas Diez (Oxford: Oxford University Press, 2004), 197-215.

[44] Ibid., 197.

Without much substantiation, Weaver claims that "there is a widespread sense that it is time to be more 'disciplined' and self-reflective about how discourse analysis is carried out."[45] Though striking a more impersonal tone, Waever's concerns are similar to those of Milliken. Waever implies that sound theory is to guide the reading of the text that the researcher undertakes. Otherwise, one may infer, the university becomes too dependent on the "personal" idiosyncrasies of the reader. In fact, Waever defends discourse analysis in its most conservative sense; a text possesses stable meanings that the reader/student/researcher, following a manual authored by the heroic theorist, is to pick out. The reader is, using Christopher Norris phrasing, cast as the "mere attendant" of the sovereign text.[46] Such an understanding is at odds with deconstruction, which after all is a form of radical hermeneutics, in which reader and text can never be clearly separated, since neither a text (such as a book, an article, or a newspaper) or an individual are understood as self-enclosed and fully-formed entities.

But what is really at risk here? Waever never spells it out, but the fear seems to be that an injection of "personal" idiosyncrasies may threaten the disciplined thought deemed necessary for scholarly advancement. This

[45] Ibid., 213.

[46] Norris, *Deconstruction*, 24.

position is in fact not all that distant from the one expressed by King, Keohane, and Verba in their highly influential *Designing Social Inquiry*.[47] Method is ultimately defended since it supposedly aids progress within its field of study. To put it simply, method makes science *better*. Likewise, Waever implicitly champions discourse analysis as an instrument for disciplinary advancement, in order to finally arrive at some truth about how things "really" work within a demarcated sphere of the world, i.e. a discipline. And as Jonathan Culler observes, a discipline "is the idea of an investigation in which writing might be brought to an end." [48] Waever's fear is in fact nothing but a manifestation of the desire to bring closure to writing itself, or in other words, a desire to bring writing to an end.

But any student well knows that writing in fact never comes to an end. On the contrary, the stronger appeals to scientific authority that an interpretation makes, the more writing it tends to generate. No student of European integration has failed to notice that Andrew Moravcsik's strong claims to scientific legitimacy in establishing his findings about what drives European integration, have in fact led to more resistance to his interpretations, from all possible quarters, traditional and non-traditional

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[47] Gary King, Robert O. Keohane, and Sidney Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton: Princeton University Press, 1994).

[48] Jonathan Culler, *On Deconstruction. Theory and Criticism after Structuralism* (Ithaca: Cornell University Press, 1982), 90.

alike.[49] The more persistent or power-full the truth claim, the stronger the resistance to such truth claim, and the increased proliferation of interpretations. In other words, the harder one tries to put an end to the proliferation of interpretations, the more interpretation it tends to generate. And, again gesturing to sociologists of knowledge such as Kuhn and Foucault, this process cannot be understood dialectically, as resulting in "a self-perspicuous moment of total illumination," to speak with John Milbank.[50] Let me however, more fully, clarify why deconstructive textual analysis resists all attempts at methodologization.

Deconstructive textual analysis as understood here can never limit itself to the application of a set of methodological rules, given prior to the specific text under examination. In common usage, a "method" is usually understood as a body of rules and principles, which are applied to an object from some position of exteriority to that object.[51] As Derrida has emphasized, deconstruction cannot be seen as a method in this sense since each deconstructive reading is singular to the text under consideration,

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49 Andrew Moravcsik, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht* (Ithaca: Cornell University Press, 1998).

50 John Milbank, *Theology and Social Theory* (Oxford: Blackwell, 1990), 344.

51 Rodolphe Gasché, *The Tain of the Mirror* (Cambridge: Harvard University Press, 1986), 121-24.

and a deconstructive reading does not feign a position of exteriority to that text. To this extent, deconstruction is hermeneutical. As Derrida writes:

> Deconstruction is not a method and cannot be transformed into one. Especially if the technical and procedural significations of the word are stressed. … It is not enough to say that deconstruction could not be reduced to some methodological instrumentality or to a set of rules and transposable procedures. Nor will it do to claim that each deconstructive "event" remains singular or, in any case, as close as possible to something like an idiom or a signature. It must also be made clear that deconstruction is not even an act or an operation.[52]

Deconstruction rather emphasizes the *instability* of writing, thus invalidating all attempts at imposing some ready-made categories of interpretation upon a text. Due to the refusal of drawing a boundary between deconstruction and the text being read, deconstruction can "never set [itself] up independently as a self-enclosed system of operative concepts,"[53] and should instead be regarded as "parasitic, because [deconstructive readings] draw their sustenance from within the flesh of their host."[54] In fact, as Derrida claims at the end of the above quoted text,

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[52] Jacques Derrida, "Letter to a Japanese Friend," *Derrida and Différance*, eds. David Wood and Robert Bernasconi, 1-5, trans. David Wood and Andrew Benjamin (Evanston: Northwestern University Press, 1988), 3. Compare Derrida's remarks elsewhere: "The incision of deconstruction, which is not a voluntary decision or an absolute beginning, does not take place just anywhere, or in an absolute elsewhere. An incision… can be made only according to lines of forces and forces of rupture that are localizable in the discourse to be deconstructed." Jacques Derrida, *Positions*, trans. Alan Bass (Chicago: University of Chicago Press, 1981), 82. See also Norris, *Deconstruction*, 31; and Derrida, *Of Grammatology*, 24.

[53] Norris, *Deconstruction*, 31.

[54] Critchley, *The Ethics of Deconstruction*, 23.

deconstruction is not something that a sovereign author *does* to a text from some position of exteriority to the text. A text always deconstructs itself.[55] Thus, the understanding of discourse analysis as a ready-made conceptual grid of intelligibility that the sovereign theorist slavishly imposes on the text is arguably at odds with deconstruction.

Having said that, it is still perfectly feasible to provisionally tease out certain strategies of readings, or what could be called *interpretive dispositions*, of deconstructive textual analysis. Consider Jonathan Culler's understanding of deconstruction as "to deconstruct a discourse is to show how it undermines the philosophy it asserts, or the hierarchical oppositions on which it relies, by identifying in the text the rhetorical operations that produce the supposed ground of argument."[56] Clearly, on such an understanding of deconstruction, certain ways of reading seem to command themselves. Drawing on other scholars' work, the reader will for instance be attentive to classical logocentric gestures that are found in much of western thought. One would however always be wary of trying to impose such gestures on the text, to which the desire to methodologize tends,—which would invalidate the "spirit" of deconstruction by a highly

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[55] See Derrida, "Letter to a Japanese Friend,"and Derrida, *Of Grammatology*, 157-64.

[56] Culler, *On Deconstruction*, 86.

irresponsible way of applying a ready-made formula, i.e. to turn deconstruction into a *program*.

Having cautioned against the desire to methodologize, a deconstructive approach to European integration does nevertheless, like all approaches, carry certain *a priori* commitments, which inspire the reading of the texts under consideration in this dissertation. To begin with, on a textual understanding of Europe the question is not whether the "Europe" inscribed within the official discourse of the European Union is established and differentiated in opposition to other categories, since as noticed above, such differentiation is a condition of possibility for all systems of signification. The question is instead what the effects might be of the establishment of certain boundaries of differentiation for concrete sets of social relations. Most important perhaps is the question of whether a certain node of differentiation has to imply an imposition of a hierarchy.

To elaborate, one may briefly recall Henry Staten's notion of *the constitutive outside*, which he extrapolated from Derrida's critique of logocentrism.[57] Staten posits the general concept—or textual infrastructure—of a constitutive outside as Derrida's alternative to "the fundamental philosophical concept of essence or form,—that is of unity

[57] Henry Staten, *Wittgenstein and Derrida* (Lincoln and London: University of Nebraska Press, 1984).

and self-identity as the most general and inviolable boundaries of being and knowledge."[58] Derrida arrives at this understanding through a deconstruction of the Aristotelian essence/accident binary and shows that instead of accident being somehow parasitical and an aberration to be kept shielded from essence, accident is a possibility condition for essence—that is, *prior to*, *enabling of*, and *exceeding* that of essence—without which essence would be unsignifiable. Hence, as a condition of its possibility, essence is from the very beginning inevitably opened up to *the possibility* of accident—accident must remain a possibility for essence to *be*. Staten thus generalizes the notion of the constitutive outside: "X is constituted by non-X. X here means essence or self-identity as conceived by philosophy, and non-X is what functions as 'outside', or limit, to the positive assertion of this self-identity, that which keeps ideality from complete closure, yet in limiting it remains the positive condition of the possibility of the positive assertion of essence."[59] Thus, as Rodolphe Gasché notes, not only are concepts what they are because of their differentiation from other concepts. The self-constituting otherness, i.e. their constitutive outsides, must always be inscribed within themselves.[60] Throughout many of his writings, Derrida generalizes the structural relationship identified in the

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[58] Staten, *Wittgenstein and Derrida*, 22.

[59] Staten, *Wittgenstein and Derrida*, 17.

[60] Rodolphe Gasché, *The Tain of the Mirror*, 128.

essence/accident binary and argues that the characteristic move of Western metaphysics is to impose a binary opposition along with an axiological hierarchy between the two terms.[61]

Extrapolating this Derridean critique of ontology, what follows is that in the signification of "Europe" a residual category, a "non-Europe," inevitably emerges. Such a non-Europe is a necessary condition for the establishment of Europe in the first place, and is always prior to, enabling of, and exceeding that of any positive enunciation of what Europe *is* or might be/come. Europe "is" only Europe by the constant performance of exclusion of non-Europe. Thus, Europe is indeed always put at risk in this ontologizing gesture of self-enactment. Any answer to the question what Europe *is* will be an ontological one, insofar as it asks for the essence or Being of Europe, and entail an inside/outside schema of differentiation. However, granting this important point, a more difficult issue regards that of the establishment of an axiological relation between the terms of the binary. Two writers who did a lot to bring the idea of the necessity of differentiating between inside and outside in state formation, and the pivotal function of foreign policy in this process into IR, William Connolly and David Campbell considered the establishment of a hierarchy as a

[61] E.g. Jacques Derrida, *Limited Inc.*, ed. Gerald Graff, trans. Jeffrey Mehlman and Samuel Weber (Evanston: Northwestern University Press, 1988), 93.

"temptation" rather than an eternal condition.[62] Yet, as Bahar Rumelili aptly noticed and began addressing, they did not discuss the conditions under which this "temptation" might be resisted.[63] Arguably, critical scholarship has been mostly inclined to emphasize encounters where there is or has been a clear imposition of axiological hierarchy, since such a relation most evidently enacts a relation of power. In this dissertation too, I shall mostly be preoccupied with the establishment of axiological hierarchies when Europe is enacted.

However, unlike a number of discursive studies in IR employing some form of textual analysis, I am less interested in mapping out a discourse in anything approaching to its entirety than to disrupt and destabilize certain recurring motifs within it. Nor is my main concern to systematically map out self/other relationships, which has been a major concern of a lot of critical scholarship employing discourse analysis in critical IR, as well as in European integration studies.[64] When it comes to the European Union, such discursive mapping hardly seems feasible since it will no doubt all

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[62] William E. Connolly, *Identity/Difference: Democratic Negotiations of Political Paradox* (Ithaca and London: Cornell University Press, 1991), 8; David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity*, rev. ed. (Minneapolis: University of Minnesota Press, 1998), 78.

[63] Bahar Rumelili, "Constructing identity and relating to difference: understanding EU's mode of differentiation," *Review of International Studies* 30, no. 1 (2004).

[64] For an overview in European integration studies see Waever, "Discursive Approaches."

depend on what material one chooses to examine. Moreover, however valuable in laying bare hierarchical relations such mappings are, they risk partaking in the performance of the hierarchies those very relationships enact.[65] Such studies often end up inflating the importance of the discourses they examine, since if those discourses were not particularly widely disseminated, the interest in studying them would be somewhat unclear. And in doing so, such studies might actually contribute to a wider dissemination of such discourses, hence incurring a share of responsibility for their perpetuation.

To sum up the foregoing discussion, I will in this dissertation treat Europe as a highly contested signifier. In the chapters that follow, I conduct a series of readings of the textual time-space in which European integration takes place. Further, it should be clear that I find recent trends towards methodologization of textual approaches in IR unpersuasive and opposed to the "spirit" of deconstruction. While I shall exercise the greatest care in the chapters that follow, the readings follow no particular "school" of discourse analysis.

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[65] In the EU case, an example would be a work by Gerard Delanty on how Europe as a subject emerged historically. While his historical account is rather convincing, his bleak assessment of the ways in which Europe is being differentiated after the fall of Soviet communism is less helpful: European identity, Delanty claims using the broadest possible brush, is "rapidly becoming a white bourgeois populism defined in opposition to the Muslim world and the Third World." Gerard Delanty, *Inventing Europe: Idea, Identity, Reality* (Houndmills and London: Macmillan Press, 1995), 155. Such blanket assessments entirely overlook not only various progressive, but also mainstream liberal narratives highly influential in many European countries, and arguably inadvertently rather contributes to the dissemination of much nastier narratives of Europe.

Beyond the boundaries of negativity: The ethics of deconstruction and the colonial connection

If, as indicated above, I am not willing to defend this dissertation in terms of a gap- filling exercise in some "progressive" research program, on what grounds shall I defend it? Ole Waever once described "postmodern" approaches as "beyond the boundary of negativity."[66] While most scholars working within the major traditions of continental thought would object to the label of "postmodernism," a fairly common charge against works inspired by the more explicitly political work of Jacques Derrida and other scholars working in a deconstructive tradition is indeed that such work fails to make a "positive contribution" to a scholarly field. This question brings us to the often-asked question of "the point" of one's research. To start recovering the radicalism of textual approaches in IR in general and European integration studies in particular, a first step involves clarifying the purpose—political, ethical, aesthetical, analytical, or other—of one's writing.

To give a recent example from European integration studies, James Rogers, gesturing to Laclau and Mouffe's *Hegemony and Socialist Strategy* undertakes a discourse analysis of EU's foreign policy

[66] Ole Waever, "The rise and fall of the inter-paradigm debate," in *International Theory: Positivism and Beyond*, eds. Steve Smith, Ken Booth, and Marysia Zalewski (Cambridge: Cambridge University Press, 1996), 169.

discourse.[67] Rogers argues that there has been a shift from a "civilian power Europe" discourse to a "global power discourse." In short, the officials speaking in the name of the European Union are these days less inclined to speak about a norms-based foreign policy, and more comfortable with using a more traditional power political discourse when speaking about Europe in relation to the rest of the world. Be that as it may, it is not altogether clear what "discourse analysis" adds here. Rogers's argument is couched in analytical terms, so that the appeal to "discourse analysis" merely risks serving the legitimizing purpose of adding a bit of highbrow theoretical vocabulary to a descriptive, and uncritical, piece of work. Similarly, in Ole Waever's piece cited above where he discusses discourse analysis in European integration studies,[68] he almost entirely omits the critical dimension of discourse analysis, insofar as it is indebted to the works of Foucault and Derrida, and in what remains the most fully worked out poststructuralist understanding of discourse, namely Laclau and Mouffe's *Hegemony and Socialist Strategy*.[69]

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[67] James Rogers, "From 'Civilian Power' to 'Global Power:' Explicating the European Union's 'Grand Strategy' Through the Articulation of Discourse Theory," *Journal of Common Market Studies* 47, no. 4 (2009).

[68] Waever, "Discursive Approaches."

[69] Laclau and Mouffe, *Hegemony and Socialist Strategy*.

So what is really the point of deconstructive textual analysis as conceived here? Let me attempt to address that question by considering a fairly common line of criticism. If we approach a text aspiring to discipline meaning, or impose closure on any mode of identity, with a Derridean meta-model of interpretation, isn't it then inevitable what a deconstructive reading will end up telling us (closure is impossible, the outside is already on the inside, meaning emerges through a process of differing and deferral where ultimate meaning is for ever deferred etc.)? In that sense, wouldn't our "findings" or "results" be contained in the way we read the text—especially considering that deconstruction isn't really something a purportedly sovereign agent *does* to a text, one simply points to the instances in which the text deconstructs itself.[70] First of all, it should once again be noted that the characterization of deconstruction as a "meta model of interpretation" is not fortunate, since it comes too close to sounding like a framework above and beyond the subject of study, which deconstruction would resist. Nor is arguably "interpretation" a particularly well-chosen word, since it reinstates the binary between reader and text, a binary that textuality rejects.

Nevertheless, having noticed the problematic phrasing of such an objection, the question of the value or "point" of deconstruction could be addressed by considering what has become known as the "ethical turn" in

[70] See Jacques Derrida, "Letter to a Japanese Friend."

deconstruction.[71] Arguably, deconstructive textual analysis could and should be justified ethically. As Simon Critchley puts it: "the textual practice of deconstructive reading can and, moreover, should be understood as an *ethical demand*."[72] While not entering into the complex debate of whether there is a "normative void" at the core of poststructuralist notions of discourse,[73] I understand deconstructive textual analysis as primarily having to do with ethics. This understanding also amounts to a tentative defense of the "point" of my undertaking in this dissertation. Thus, in this dissertation, deconstruction is understood as a strategic way of reading that seeks to expose the dangers of, as well as disable, foundationalist desires *for Europe to have a stable content*, and an ethical demand to keep the problem of Europe as an opening rather than as a state/ment, which inevitably entails a number of repressions, marginalizations, and exclusions, and quite frankly severely limits an

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[71] In addition to many writings by Derrida e.g. *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International*, trans. Peggy Kamuf (New York and London: Routledge, 1994) and Jacques Derrida, *Of Hospitality*, trans. by Rachel Bowlby (Stanford: Stanford University Press, 2000), see Critchley, *The Ethics of Deconstruction*; Drucilla Cornell, Michel Rosenfeld, and David Gray Carlson, eds, *Deconstruction and the Possibility of Justice* (London and New York, 1992); Zygmunt Bauman, *Postmodern Ethics* (Oxford: Blackwell, 1993). On the ethics of deconstruction as discussed in Critical International Relations see in particular, David Campbell (1994) "The Deterritorialization of Responsibility: Levinas, Derrida, and Ethics after the End of Philosophy," *Alternatives* 19, no. 4 (1994); Michael Dillon, "Another Justice," *Political Theory* 27, no. 2 (1999); and Roxanne L. Doty, Doty, "Fronteras Compasivas and the Ethics of Unconditional Hospitality," *Millennium* 35, no. 1 (2006): 53-74.

[72] Critchley, *The Ethics of Deconstruction*, 1.

[73] On this debate, see Simon Critchley, "Is there a normative deficit in the theory of hegemony?" in *Laclau. A Critical Reader*, eds. Simon Critchley and Oliver Marchart (London and New York: Routledge, 2004), 113-122.

ethico-political imagination of how collective life on the continent of Europe *might be* organized in *perhaps* more ethically responsible ways. And here, the question of "the state" is obviously of fundamental importance, since as I will elaborate on in the first chapter, European integration was from its inception a critical, indeed even a radical project. Within the intellectual circles where ideas of European integration took hold, the state had been thoroughly discredited after the Second World War, and the task at hand was precisely to break with the violence that the state was thought to be closely associated to. A critique of state violence then lies at the very core of the ethos that originally animated European integration. This critical dimension of the European project has largely been lost in the contemporary academia imbued with notions of "political neutrality" and "objectivity." The dissertation thus is also an attempt to reconnect with, and bring to the fore, the critical roots of European integration discourse.

How then, is ethics understood in this dissertation? Ethics is here understood in the tradition of Levinas and Derrida as something that *occurs* when the purported self-identity of the knowing subject is put into question by its inability to assimilate, domesticate, and fully comprehend alterity. The other summons me—calls me to justice—to justify myself before the face of the other. This understanding of ethics could be contrasted to what Levinas refers to as the dominant tradition of western

philosophy as ontology, which strives to reduce otherness to sameness. As Critchley puts it: “Philosophy qua ontology is the reduction of the other to the Same, where the other is assimilated like so much food and drink—‘O digestive philosophy!’ as Sartre exclaimed against French neo-Kantianism.”[74]

As Critchley further makes clear; deconstruction, as a way of reading, attempts to locate alterities within a text, from which a dominant interpretation wedded to a logocentric tradition may be decentred:

> The very activity of thinking, which lies at the basis of epistemological, ontological, and veridical comprehension, is the reduction of plurality to unity and alterity to sameness. The activity of philosophy, the very task of thinking, is the reduction of otherness. In seeking to understand the other, its otherness is reduced or appropriated to our understanding. To think philosophically is to comprehend–comprendre, comprehendere, begreifen, to include, to seize, to grasp–and master the other, thereby reducing its alterity … As the attempt to attain a point of exteriority to logocentrism, deconstruction may therefore be “understood” as the desire to keep open a dimension of alterity which can neither be reduced, comprehended, nor, strictly speaking, even *thought* by philosophy.[75]

Deconstructive reading, or what Critchley calls *clôtural* reading, seeks to bring the self-certainly of a dominant textual logic into question, and demonstrate its indebtedness to expelled, repressed, and marginalized alterity. Deconstruction therefore amounts to “in a complex sense, *ethical*

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[74] Critchley, *The Ethics of Deconstruction*, 6.

[75] Ibid., 29.

history."[76] "Deconstructive reading responds to political topics by giving a rigorous *clôtural* reading of a text (in the general sense) and by showing how the undecidability of reading has its horizon in the thought of irreducible responsibility, an affirmation of alterity."[77] In terms of the subject matter of this dissertation, this brings us to the question of Europe's colonial past—the many historically repressed and marginalized others of Europe.

When writing of European integration, it is a serious omission for anyone wanting to write critically to neglect speaking of Europe's colonial heritage, and the postcolonial world in which European integration now takes place. A few authors have insisted that European integration should be understood against the historical background of European colonialism and the contemporary postcolonial condition.[78] Peo Hanson for example suggests that in order to construct a narrative of European integration as most fundamentally concerned with peace, the violent colonial practices that many of its founding members were engaged in, such as the French

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[76] Ibid., 30.

[77] Ibid., 199.

[78] See Peo Hansen, "European Integration, European Identity and the Colonial Connection," *European Journal of Social Theory* 5, no. 4 (2002); Gurminder K. Bhambra,"Postcolonial Europe, or Understanding Europe in Times of the Postcolonial," in *The SAGE Handbook of European Studies*, ed. Chris Rumford (London: SAGE, 2009), 69-87.

war in Algeria and Indochina, had to be forgotten.[79] On the deconstructive approach taken in this dissertation, "Europe" and "European identity" emerges as an effect of the many constitutive outsides to Europe. Whatever foundationalist figures of "Europe" one may want to evoke, such a figure is shot through with traces of what it is not. So by studying "Europe" as something that emerges "from within" so to speak, I will once again risk erasing the traces of the many constitutive outsides to Europe—to which Europe owes an elemental debt. This otherness, however, cannot be treated as a new origin, which would simply be to revert the old colonial hierarchy between Europe and non-Europe, and the constitutive outsides to Europe cannot be conceptualized as anything but effects. This rendition presents us with a problem. Although basically in agreement with Derrida concerning his insistence on the radical historicity of the present, Homi Bhabha has argued that deconstruction deprives colonial otherness of agency, so that the (colonial) other is not to be understood as anything but an effect of an assertion of the Westerner.[80] Once again, Bhabha has argued, western academia is turning otherness into a passive subject, entirely in the hands of the West.

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[79] Hansen, "European Integration, European Identity and the Colonial Connection."

[80] Homi Bhabha, "The Post-Colonial and the Post-Modern" in *The Location of Culture*, (London and New York: Routledge, 1994).

In this dissertation, I seek to be attentive to postcolonial arguments in two basic ways. First, while writing about European integration, I will also seek to as Dipesh Chakrabarty puts it, "provincialize Europe."[81] By this, I mean that I will treat as problematic Euro-centric modernist narrations of "progress," "development," and "civilization." While few public intellectuals, scholars, or even serious politicians on the European continent embrace a simplistic modernist notion of progress and universal history à la Fukuyama, as we shall see in this dissertation, rhetorical figures are still to be found in EU's official discourse that are clearly indebted to such developmentalist thinking. Since such discourses enact relations of hierarchy between the "Europe" that emerges in European integration and modes of subjectivity outside of the territorial boundaries of Europe, I will seek to problematize such figures. Second, in the sixth chapter of the dissertation, I think the problem of European integration through the prism of migration, and seek to open up the contestation of the signifier of "Europe" to subject positions marginalized by the statist desires within the official discourse of European integration. In the voice of those migrants lay the promise of an other "Europe" and "European integration," since in the subversion of official narrations of Europe in everyday practice, one may *perhaps* glimpse more ethically responsible deployments of "Europe." However flawed and incomplete, this

[81] Dipesh Chakrabarty, *Provincializing Europe. Postcolonial Thought and Historical Difference* (Princeton: Princeton University Press, 2000).

dissertation is ultimately an attempt to write but a few chapters of a contemporary ethical history of European integration.

Outline of chapters

In the second chapter, entitled *Statecraft, Desire, and the Question of European Integration "Beyond the State*," I argue that European integration needs to be problematized, and thought through in relation to—rather than *a priori* postulated to radically depart from—modern statecraft. Instead of conceptualizing the crafting of Europe as qualitatively different from modern statecraft, a critical understanding of European integration should highlight their many similarities, and grapple with the politico-ethical implications of those. The central question here is whether and to what extent discourses of European integration merely reproduces statecraft at a bigger level, something which functionalist David Mitrany famously charged Ernest Haas's neofunctionalism of doing.[82] And like Mitrany, I understand this to be important primarily as an *ethico-political* rather than as an analytical problematic. By drawing on various critical literatures and an understanding of the state made explicit by Roxanne Doty, I put forward an understanding of statecraft as desire.[83]

[82] David Mitrany, "The Prospect of Integration: Federal or Functional?" *Journal of Common Market Studies* 4, no. 2 (1965).

[83] Roxanne L. Doty, "Racism, Desire, and the Politics of Immigration," *Millennium: Journal of International Studies* 28, no. 3: (1999); Roxanne L. Doty, *Anti-Immigrantism in Western Democracies: Statecraft, Desire and the Politics of Exclusion* (London: Routledge, 2003).

I contend that the European integration should be understood and thought through as an on-going problematic of analogy between statecraft and what I call *Euro-crafting,* i.e. the discursive crafting of Europe.

In the third chapter, entitled *In Search of a Foundation for Europe: EU's Failed Constitution*, I offer a deconstructive reading of the failed European Constitutional Treaty, the most authoritative attempt to bound Europe's self ever since the inception of European integration. I show that the Constitutional Treaty attempts to establish Europe as a community of values by linking it to a transcendental signified in the shape of a set of universal values. This is problematic since a close reading of the Constitution reveals that the major condition of possibility of Europe-as-a-unified-whole, namely Europe's past resting on a set of universal values, coincide with its major condition of impossibility since this source simultaneously contains all that which has always torn Europe apart. In addition, and what I will come back to in the fourth chapter, the Constitutional Treaty expresses one of the defining gestures of modern statecraft: the universal is being compacted into a particular. Although Europe is defined by reference to a particular set of values, as proper to Europe, those values are simultaneously said to be universal.

In the fourth chapter, *Solana's Struggle: Universality, Particularity, and Exemplarity in the Crafting of the European Union*, a deconstructive

reading of the collected speeches by the person authorized to speak on behalf of Europe between 1999 and 2009, namely Javier Solana, follows. This chapter engages EU's foreign policy discourse, and the academic debate surrounding it. I demonstrate that the values that are said to sustain Europe's identity and upon which Europe would be founded are simultaneously presented as distinctly European *and* universal. Europe is being crafted in a pendular oscillation between on the one hand particularizing and on the other hand universalizing the values upon which Europe allegedly rests. I argue that this very contradictory oscillation between particularizing and universalizing Europe's values to an important extent mirrors modern statecraft. If anything could be deemed as common to the European experience of statecraft, it would be this very contradiction itself. I also spell out the risks in both universalizing and particularizing Europe.

In the fifth chapter, *European Integration Theory and the Problem of Statism: On the Limited Imagination of Neofunctionalism*, I examine how political theorists have theorized European integration. The chapter focuses on the body of theory that goes under the name of neofunctionalism, and finishes with a critique of more contemporary political theory on European integration. I offer two readings of neofunctionalism, focusing on its understanding of political community and identity. The first reading could be referred to as *the dominant logic of*

neo-functionalist discourse—as a discourse which in its desire to depoliticize social relations ends up invoking a highly traditionally statist understanding of political community. Despite its wish to go "beyond the state," it fails to conceptualize European integration in categories that break with the modalities of modern statecraft. I show in some detail that neofunctionalism is in fact heavily statist, and relies on the deeply problematic understanding of the state found in the social contract tradition. Instead of challenging the peculiar political organization of the modern western state, neofunctionalism has helped and is helping to retrench it and turn it into the implicit or explicit model, or "ideal-type," in Weberian parlance, against which the European Union is perpetually evaluated.

However, there is also a different reading of neofunctionalism that can be made. And here, I seek to unearth the radical impulse of neofunctionalism, as a theoretical body that emerged as a critique of the modern state, which had become much discredited after the Second World War. A discourse that is often read as depoliticizing social relations may in fact be read as inadvertently politicizing the question of political community and identity. On this reading, neofunctionalism may be read as demonstrating the *lack* of foundations for the Europe it seeks to perform, thus opening up for a re-politicization of the question of Europe. This reading points us away from the essentializing identity understandings of Europe that we found in the

Constitutional Treaty and in EU's foreign policy discourse. Rather, it points us towards imagining alternative ways of organizing social and political life, which may have little to do with "community" at all.

In the penultimate chapter, *Euro-Crafting at Border Zones: Desires for Europe at the Greco-Turkish Border*, I explore the crafting of the European Union through the prism of migration. I examine the recent humanitarian crisis precipitated by irregular migration into the European Union through Greece. Taking what the UNHCR in 2010 called a "humanitarian crisis" at EU's border to Turkey as a case study, the chapter draws on field research undertaken 2011 in Greece among members of what is arguably one of the most destitute migrant communities recently arrived to Europe—the Somali community in Athens. I also draw on interviews with members of EU's border force team, FRONTEX, stationed in the border area between Greece and Turkey, as well as newspaper accounts, human rights reports, and other published material. Here I examine the contestation of the signifier "Europe" in a highly concrete setting. I show how the desire for Europe is constitutive of subject positions ranging from that of "European border guard" to "migrant wishing to come to Europe" and argue that far from challenging the characteristic gestures of statecraft, practices of European integration rather appears to be solidifying them. In short, the way the signifier "Europe" is deployed and circulated by migrants as well as members of EU's border force in many ways mirrors modern statecraft. The

concluding chapter reflects on the significance of the findings of this dissertation for practices of European integration.

Chapter 2

STATECRAFT, DESIRE, AND THE QUESTION OF A EUROPEAN UNION "BEYOND THE STATE"

Countless academics, intellectuals, journalists, and politicians of all ideological stripes have celebrated European integration as something novel, innovative, and progressive. In its "Fourth Lesson about the European Union," the EU's website rehearses this familiar refrain: "The European Union is more than just a confederation of countries, but it is not a federal state. It is, in fact, a new type of structure that does not fall into any traditional legal category."[84] What is more, this "new type of structure" that the reader learns about in her Fourth Lesson about the EU, has been widely celebrated from almost all quarters and ideological persuasions. Cosmopolitan theorist David Held laments that the EU suffers from "something of an identity crisis" despite "all its extraordinary innovation and progress."[85] If the EU could somehow find a remedy to its "identity crisis" and "find herself," the reader may quickly infer, the future prospects for global life would rapidly start to look much brighter. Neo-Gramscian Robert W. Cox, contrasting the EU to *bête-noire* U.S. *hyperpuissance*, approvingly claims that the EU, by a skillful blend of

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[84] "The EU at a Glance- Europe in 12 lessons-How does the EU work?" European Union, accessed March 5, 2012, http://europa.eu/abc/12lessons/lesson_4/index_en.htm.

[85] David Held, "Reframing Global Governance: Apocalypse Soon or Reform!" *New Political Economy* 11, no. 2 (2006), 163.

realpolitik and moral preference, "tend[s] to envisage a world political order ... as the search for consensus and the elaboration of international law."[86] And perhaps most surprisingly, at the dawn of the U.S.-led invasion of Iraq in February 2003, Jürgen Habermas and Jacques Derrida jointly called for the development of a European common foreign policy, a pan-European identity, and argued that the European Union "offers itself as a form of 'governance beyond the nation-state', which could set a precedent in the postnational constellation."[87]

This dissertation will examine whether the European Union really could be said to represent something so novel, progressive, and exemplary as its innumerable supporters would have it. In order to start doing so, I will in this chapter—drawing on a variety of literatures in critical political and social theory—present a framework for thinking critically about European integration. Inspired by Roxanne Doty's work, I will present an understanding of *statecraft as desire*.[88] It will then in the chapters that

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[86] Robert W. Cox, "Beyond Empire and Terror: Critical Reflections on the Political Economy of World Order," *New Political Economy* 9, no. 3 (2004), 316.

[87] Jürgen Habermas and Jacques Derrida, "February 15, or What Binds Europeans Together: A Plea for a Common Foreign Policy, Beginning in the Core of Europe," *Constellations* 10, no. 3 (2003), 294.

[88] Doty's, *Anti-Immigrantism in Western Democracies* primarily draws on an understanding of desire found in the works of Gilles Deleuze and Félix Guattari, see for example their *Anti-Oedipus: Capitalism and Schizophrenia*, trans. Robert Hurley, Mark Seem, and Helen R. Lane (Minneapolis: University of Minnesota Press, 1983).

follow be possible to read various discourses on European integration against such an understanding of statecraft in order to address the question of EU's alleged novelty, and start addressing the ethics of European integration discourse. My main contention here is that the question of European integration should be posited as a question of performative statecraft, rather than measured against any kind of purportedly finalized and selfsame entity referred to as "a state." Before any proclamations of the EU as an entity that has moved "beyond the state" can be made, a more serious and critical understanding of "the state" than those currently on offer in European Integration Studies is called for. Second, why does it matter if the crafting of the European Union differs little from the desire-driven practices of modern statecraft? In response to this question, I will make clear that statecraft rests on a constitutive violence. Thus, the gestures made towards a greater degree of ethical awareness by some of the representatives of the European Union will largely remain futile, insofar as in the crafting of the European Union the constitutive violence of the modern state is reproduced.

The chapter unfolds as follows. In the first section, I review the literature on the question of the EU and the problem of the state, which clarifies the overall contribution to the existing scholarship made by this dissertation. In the second section, drawing primarily on Ernesto Laclau's and Chantal

Mouffe's *Hegemony and Socialist Strategy*, and some writings by Michel Foucault, I argue for a general shift from "state" to "statecraft," that is analytically needed in order to think critically of European integration. In the third section, inspired by Doty's work, and drawing on a variety of other critical writings, I put forward an understanding of "the state" as an effect of a plethora of practices of identification/bordering (i.e. *statecraft*), animated by a desire for order, stability, and foundation. In the final section, I seek to make explicit the problem with "the state," in order to clarify why "the state" cannot be considered as an adequate solution to the problem of violence in the western tradition, which harks back to the understanding of ethics as outlined in the first chapter of the dissertation.

European Union and the problem of the state

Discourses promoting European integration gained prominence during the Second World War and would in the 1950s emerge as an institutionalized response and proposed solution to the tremendously bloody history of the European continent.[89] The "Europe" of the early European movement and the theorists of European integration, the so-called neo-functionalists, started out as a *negative signifier*. What "Europe" sought to negate was the traditional construal of the nation state, which was understood to be intimately associated with nationalism,

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[89] For a history of European integration see Perry Andersson, *The New Old World* (London: Verso, 2009).

militarism, and ultimately a normative order which made the two world wars, and even the Holocaust, possible.[90] The signifier "Europe" assumed the form of a *promise* of a way of organizing political life beyond the state, hence to radically break with the violent past of European political life. Ernest B. Haas, arguably the first major theorist of European integration, entitled his magnum opus *Beyond the State*, a title largely indicative of this analytical bent that rested upon a normative anti-statism.[91] Assumed in much of this discourse was that the violence associated with the two world wars and the Holocaust constituted a radical break with an "authentic" European identity that European integration would recover, safeguard, and rest upon.[92]

Haas's neofunctionalism fell out of favor as European integration stalled in the mid-1960s, while the normative anti-statism that imbued neofunctionalism was largely lost in the desire to put European

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[90] See Menno Spiering and Michael Wintle, *European Identity and the Second World War*, eds. (Houndmills: Palgrave, 2011). And see also Dan Diner, "Restitution and Memory: The Holocaust in European Political Cultures," *New German Critique* 90 (2003).

[91] Ernst B. Haas, *Beyond the Nation-State: Functionalism and International Organization* (Stanford: Stanford University Press, 1964).

[92] Also notice the analogy here about two basic narrations of the Holocaust; one which holds that the virulent National Socialism and the Holocaust were phenomena which radically departed from and broke with Western modernity and European culture, and a more critical narration that holds that the Holocaust was not so much an aberration and departure from Western modernity as a radicalization of it. For the latter argument, see Zygmunt Bauman, *Modernity and Ambivalence* (Cambridge: Polity, 1991).

Integration Studies (EIS) on a scientific footing. In the lore of EIS, a theoretical position which became known as intergovernmentalism emerged as the main contender to neofunctionalism.
Intergovernmentalism was most closely associated with the writings of Stanley Hoffmann, who in a much-cited article in 1966 argued that the nation state was still firmly in control of the process of European integration.[93] The nation state, he argued, was not simply withering away as some of the neofunctionalists thought (and hoped), and the process of integration was not primarily driven by supranational institutions but instead by the national interests of the major states. The intergovernmentalist position would later on be merged with U.S. mainstream liberal political science by Andrew Moravcsik, whose *The Choice for Europe* proposed a "liberal intergovernmentalist" framework to explain European integration, and rapidly established itself as one of the most influential works in EIS in the late 1990s.[94] In fact, it was in early 2000 common to portray EIS as divided between neofunctionalists and intergovernmentalists. But even the hardline intergovernmentalist Moravcsik, did believe that the EU represented something rather different from an international organization.

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[93] Stanley Hoffmann, "Obstinate or Obsolete? The Fate of the Nation-State and the Case of Western Europe," *Daedalus* 95, no. 3 (1966).

[94] Andrew Moravcsik, *The Choice for Europe*.

Scholars viewing the EU purely as an international organization have in fact always been rare. Ever since the heyday of the European Coal and Steel Community in the 1950s, most observers have conceptualized the European Union and its predecessors as an entity somewhere "in between" an international organization and a federal state, often invoking a rather problematic teleological narration of political organization.[95] An example of this way of approaching the EU is to be found in the writings of Simon Hix, who has been particularly influential in Comparative Politics, asserting that the EU is not a full-blown Weberian state but should still be theorized as an entity in its own right, mainly by using theories developed for and from national political systems.[96] Hix thereby sought to bypass a question that has haunted EIS ever since its inception: the question of what the EU *is*. In 1985 former President of the European Commission Jacques Delors famously referred to the EU as an "Unidentified Political Object."[97] Fanciful images about everything from blind men touching different parts of an elephant to geese flying in formation had to be

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95 Heidrun Friese and Peter Wagner, "Survey Article: The Nascent Political Philosophy of the European Polity," *The Journal of Political Philosophy* 10, no. 3: (2002).

96 Simon Hix, "The Study of the European Community: The Challenge to Comparative Politics," *West European Politics* 17, no. 1 (1994); Simon Hix, *The Political System of the European Union* (London: Palgrave, 1999).

97 Helen Drake, *Jacques Delors: Perspectives of a European leader* (London and New York: Routledge, 2000), x.

resorted to in order to capture the alleged exceptionality of the EU.[98] Alberta Sbragia summed up this received wisdom: "the European Community is a political entity that does not fit into any accepted category of governance."[99] And although there is a massive amount of different takes on what the EU *is*, there is as Stefano Bartolini more recently wrote, almost perfect agreement that the EU is not a state. Rather, the EU is widely believed to be different from any other political arrangement.[100] So if the EU represents an exceptional way of organizing political life, wherein lies this exceptionality? In other words, how does it supposedly differ from the modern state? I will in what follows discuss some major interventions in this long-standing debate. My discussion here will focus on the *analytical* strands of this scholarship. It should be noticed that there is an openly *normative* body of work concerning the post-nationality of the EU.[101]

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[98] Jan Zielonka, *Europe as Empire: The Nature of the Enlarged European Union* (Oxford: Oxford University Press, 2006), 5.

[99] Alberta M. Sbragia, "The European Community: A Balancing Act," *Publius* 23, no. 3 (1993), 24.

[100] An important exception is found in Stefano Bartolini's work, who writes that the EU "can be defined as a state-formation attempt that is characterized to date by limited administrative capabilities, by strong regulatory powers in selected fields, by very weak fiscal capabilities, and by strong jurisdictional capabilities that have grown from the early spheres of competences. From the historical point of view, there is nothing exceptional or new in this configuration of subsystemic differentiation." Stefano Bartolini, *Restructuring Europe: Centre Formation, system building and political structuring between the nation-state and the European Union* (Oxford: Oxford University Press, 2005), xiii.

[101] For an overview of the "post-national thesis" see Marco Antonisch, "The Narration of Europe in `National' and `Post-national' Terms: Gauging the Gap between Normative

In an influential statement, John G. Ruggie argued that modernity is more than anything characterized by a specific way of *organizing territory*: "the distinctive feature of the modern system of rule is that it has differentiated its subject collectively into territorially defined, fixed, and mutually exclusive enclaves of political domination."[102] He further argued that European integration demonstrates a break in the modern form of organizing political space into "disjoint, mutually exclusive, and fixed" territories, of which the modern sovereign state is the institutional manifestation that is the hallmark of modernity.[103] Due to the "social defects" of having territory organized into separate and mutually exclusive containers ("states"), the "unbundling of territoriality" has historically been a way of rectifying this. Ruggie argued that the European Community has taken the process of unbundling of territoriality further than anything hitherto seen; that is to break with the modern way of organizing political life. The EC, Ruggie believed, "may constitute nothing less than the

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Discourses and People's Views," *European Journal of Social Theory* 11, no. 4 (2008). According to Antonsich: "In this view, a post-national Europe is a territorially vague and governmentally multiple space, filled with universal, cosmopolitan values, beyond the particularism of the nation state." Ibid., 506.

[102] John G. Ruggie, "Territoriality and Beyond: Problematizing Modernity in International Relations," *International Organization* 47, no. 1 (1993), 151.

[103] Ibid., 174.

emergence of the first truly postmodern international political form,"[104] precisely since the EU "may constitute the first 'multiperspectival polity' to emerge since the advent of the modern era."[105] This is so, argued Ruggie, since the policy of the EC, as well as *within* the member states, is no longer conducted from one single point but from 12 points:[106] "the constitutive processes whereby each of the twelve defines its own identity … increasingly endogenize the existence of the other eleven." This "reimagining," however, Ruggie conjectured without offering any specific reasons, is unlikely to result in a federal state "which would merely replicate on a larger scale the typical modern political form."[107] Although Ruggie's discussion of statehood focused on territory, his argument for the exceptionality of the EU was rather about *sovereignty*. Within the EU, sovereignty is unlike in the modern state dispersed so that the single viewpoint of the state is being replaced by several viewpoints. Hence, sovereignty in the EU is, according to Ruggie, de-centralized and dispersed. This argument, as will be made clear below, relies on a traditional, ontologizing top-down understanding of the state, which misconstrues the already dispersed character of "the sovereign state."

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[104] Ibid., 140.

[105] Ibid., 172.

[106] The EC had 12 member states in 1993.

[107] Ruggie, "Territoriality and Beyond," 172.

A few years later, James Caporaso argued that the EU might be compared to different *forms of state*. He set out three forms of state; the Westphalian, the regulatory, and the post-modern state, and compared the EU to each of those forms. Rather than postulating a fixed constellation of institutional arrangements as characteristic of a state, a *state form* is understood as "clusters of institutions embedded within distinctive historical periods."[108] Caporaso argued that each state form captures some tendencies of what is going on in the EU. He noted that "the Westphalian model encourages us to see regional integration centering on the EU as a re-enactment of the traditional processes of state-building from the seventeenth to the twentieth centuries," but argued that this is not a promising avenue since 1) the EU "falls short" of the Westphalian model; and 2) "activities [of the EU] go off in directions not captured by the Westphalian state."[109] Although Caporaso hinted at a processual understanding of the state, the processes that he considered were macrohistorical in nature. The state, as I will argue below, needs to be decentered more fully and treated as an effect of practices at the *microlevel*, rather than at the *macrolevel*.

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[108] James Caporaso, "The European Union and Forms of State: Westphalian, Regulatory or Post-Modern?" *Journal of Common Market Studies* 34, no. 1 (1996), 31.

[109] Ibid., 36.

In a more recent statement, Jan Zielonka has argued that the EU resembles a "neo-medieval empire."[110] Noticing the teleological orientation of much of the scholarship in EIS, he argues that the EU is most common conceptualized as *on its way* to become a "Westphalian federation" akin to the modern state. However, the EU will according to Zielonka not resemble the 19th century British empire or the 20th century American empire but rather a political constellation from the Middle Ages; a "neo-medieval empire." He further agued that "most of the literature applies statist analogies and terms when writing about the EU,"[111] According to Zielonka, "the use of statist terms and analogies is quite misleading because the Union is anything but a state. It has no effective monopoly over the legitimate means of coercion. It has no clearly defined centre of authority. Its territory is not fixed. Its geographical, administrative, economic, and cultural borders diverge. And the Union is a very different kind of international actor than any of the states we know from history."[112] Further, Zielonka asserted that the EU is hardly evolving into a Weberian state: "Although there are many parallels between the European-integration process and the state-building process, the end product of the

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110 Zielonka, *Europe as Empire*, v.

111 Ibid., 2.

112 Ibid., 2-3.

former is anything but a Westphalian superstate."[113] Thus, Zielonka still held on to much of the received wisdom in EIS: 1) the EU cannot be considered a state; and 2) the EU's way of organizing political life is, at least in the modern era, unprecedented.

Among the more critically oriented scholarship, there have been a few voices skeptical of this celebratory position. Rob Walker, for example, has highlighted the difficulties of thinking about European integration in ways not beholden to a statist imagination: "if Europe is not appropriately conceived as a modern state, or a republic, or a polis writ large, then it is far from clear what it means to think about Europe as a site of political life at all."[114] He went on to suggest that European integration, insofar as it is ridden with western spatial assumptions, replicates statecraft: "Modern sovereignty affirms an account of politics in space. The modern sovereign state affirms an account of politics in a geographical territory. Europe names an alternative geographical territory and invites a reproduction of state sovereignty on a larger scale."[115]

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[113] Ibid., v.

[114] Walker, "Europe is Not Where it is Supposed to Be," 21.

[115] Ibid., 27.

Few writers have empirically and systematically sought to substantiate Walker's suggestion. Anthropologist Cris Shore's body of work on the European Union certainly speaks to those issues, and his work will be examined in the sixth chapter of this dissertation. Political scientist Rainer Hülsse however has examined the German discourse on EU enlargement in the 1990s, and found that European identity was constructed more like a traditional modern national identity than in a "post-modern way."[116] Hülsse starts by identifying two criteria for what it would mean to go "beyond the state."[117] First, he draws a distinction between civic and primordial sources of identity, and argues that a post-national entity would invoke civic rather than primordial sources of identity as a foundation for itself. A primordial identity would be based upon cultural sources, whereas a civic identity would be based upon political sources. This distinction, however, is problematic for several reasons. The U.S. "national identity" is for example more likely to invoke political (such as the U.S. Constitution) rather than cultural (such as ethnicity) sources. Despite largely drawing on political rather than cultural sources of identity, it would be difficult to characterize the U.S. as a "post-national" entity.

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[116] Rainer Hülsse, "Imagine the EU: the metaphorical construction of a supra-nationalist identity," *Journal of International Relations and Development* 9, no. 4 (2006).

[117] Ibid., 398-402.

Hülsse's second criterion for post-nationalism concerns the way in which self is differentiated from other. Here, he draws on a distinction between an "analog" a "digital" mode of differentiating self from other, made by Iver Neumann.[118] A "digital" mode of differentiation seeks to define clear and unambiguous identities, where self is entirely separated from other, whereas an "analog" mode of differentiation produces more ambiguous and far less clear-cut identities. Hülsse suggests that if the EU is to be classified as a "postnational entity" it would have to operate on an "analog" mode of differentiation, and invoke civic sources of identity. He found that "The enlargement-metaphors employed in the German discourse construct a European identity very similar to national identities."[119] And he concludes that "the metaphors by which we imagine Europe do not tell us a very post-modern story, but one that reminds us of the modern, national identities."[120]

Finally, Necati Polat has recently argued that European integration fails to transcend the modern state but rather resembles a "parody" of the European nation state. Polat argues: "The nation-state confined to the mimetic, a site dismissed by the EU as contingent and secondary, has

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[118] Iver B. Neumann, "European Identity, EU Expansion, and the Integration/Exclusion Nexus," *Alternatives: Global, Local, Political* 23, no. 3 (1998).

[119] Hülsse, "Imagine the EU," 398.

[120] Ibid., 415.

effectively subverted the EU in its colonizing, supranational authority. The EU, in its efforts to overwhelm the nation-stat, has been unsettled and shaped via a number of hybrid demands, as symbolized in the imagery tied to the nation-state, which the EU has incorporated; a European flag and a hymn, currency, citizenship, a constitution, and so on. Driven apparently by a policy of appropriating the cultural and political wherewithal of these insignia, the EU has in fact been trapped and undermined."[121]

Polat posits the nation-state as "the colonized" and the EU as "the colonizer" and drawing on Homi Bhabha's notion of hybridity, argues that when the EU seeks to colonize the nation-state what emerges is a hybrid identity that ends up challenging the authority of the EU precisely because it has to appeal to the authority of the nation state. As in the case of the European citizenship "the EU appears to seek a strengthening of its authority in its operations to subjugate the nation-state; but because the EU appeals in doing so to none other than the very acclaim and prestige of the nation-state, as reflected in the plagiarized notion of citizenship, the EU becomes mimetically subservient to the nation-state."[122] Since there is no other source of authority to appeal to than the old nation state, the logic of hybridity "that comes to define the supranational association means,

[121] Necati Polat, "European integration as colonial discourse," *Review of International Studies* 37, no. 3 (2011), 1260-1261.

[122] Ibid., 1263.

however, that the end-result of the integration may be no more than simply the nation-state set out on a larger scale, as distinct from an aspired post-national entity."[123] Polat finishes, rather hyperbolically, by suggesting that "the brutalities that marked the European past continue unabated, now unleashed simply on the non-EU nationals and immigrant workers."[124]

Decentering "the state:" from state to statecraft

This dissertation seeks to add to the critical approaches to European Integration Studies, and in order to think critically about European integration, I argue in this section that a move from "state" to statecraft is needed. Unlike James Caporaso, who distinguishes between different *state forms*, I am more interested in distinguishing an actor model of the state from a performative understanding of *statecraft*. As Richard Devetak writes, a critical understanding of statecraft "focuses attention on the processes by which the state is constituted [and interrogates] the vast array of strategies, tactics techniques, practices and policies which create the effect of a completed state."[125] To approach European integration with

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[123] Ibid.

[124] Ibid., 1264.

[125] Richard Devetak, "Incomplete States: Theories and Practices of Statecraft," in *Boundaries in Question: New Directions in International Relations*, eds. John Macmillan and Andrew Linklater (London: Pinter Publishers, 1995), 20.

a notion of performative statecraft reinstates the state *problematique* at the center of an interrogation of European integration instead of *a priori* postulating any kind of exceptionality to the European Union.

Traditional theories of "the state" confer a certain ontological standing onto its purported object of study. In other words, such theories infuse it either explicitly or implicitly, with a certain is-ness. In the Liberal, Pluralist, and Marxist theoretical traditions, "the state" is broadly speaking seen as an authoritative and controlling apparatus, obstructing or enabling the freedom of the—already constituted liberal possessive or naturally community desiring—individual.[126] Further, "the state" is understood as a distinctly separate institution from the rest of society, which entails a clear distinction between the public and the private spheres, upon which it exercises a repressive negative power.[127] In Max Weber's famous definition, fully within the ontologizing social contract tradition and indeed rather Hobbesian, a "state" is defined by its monopoly to

[126] One may discern and distinguish the social contract tradition of the state, which relies on the notion of what Macpherson aptly called "the possessive individual" from the more Aristotelian and communal notion of the individual as found in Marxist state theory. See Crawford B. Macpherson, *The Political Theory of Possessive Individualism: From Hobbes to Locke* (Oxford: Oxford University Press, 1962).

[127] See Patrick Dunleavy and Brendan O'Leary, *Theories of the State: the Politics of Liberal Democracy* (Houndmills: Macmillan, 1987). Colin Hay, Michael Lister, and David Marsh, eds. *The State: Theories and Issues* (Houndmills: Palgrave Macmillan, 2006).

legitimately exercise violence within a given territorially defined space.[128] When measured against such an understanding of "the state," the EU clearly does not qualify for the designation of "a state." This was for example made clear in a recent ruling by the German federal constitutional court over whether the Lisbon Treaty was compatible with Germany's Basic Law.[129] Within the terms of such a discourse of "the state," it is hard to disagree with the Court's definition of the EU as a "long-term association of states which remain sovereign, a treaty-based association which exercises public authority, but whose fundamental order is subject to the decision-making power of the Member States and in which the peoples, i.e. the citizens, of the Member States remain the subjects of democratic legitimation." On such an understanding, the EU clearly *falls short* of a state, to use a metaphor that risks to slip into a certain teleology. This understanding of a state, however, is not terribly illuminating for the purposes of a critical understanding of how "the state" works and the ethical implications of statecraft, that is, what statecraft *does* to concrete sets of social relations in everyday life.

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[128] Max Weber, "Politics as a Vocation," in *The Vocation Lectures*, eds. David Owen and Tracy B. Strong, trans. Rodney Livingstone (Indianapolis: Hackett, 2004), 32–94.

[129] Federal Constitutional Court, Zitierung: BVerfG, 2 BvE 2/08 vom 30.6.2009, Absatz-Nr. (1 - 421), accessed March 6, 2012, http://www.bverfg.de/entscheidungen/es20090630_2bve000208en.html.

On a more critically oriented understanding of "the state," "the state" is not understood as a "thing" but as a cobweb of practices, and critical authors point to ways in which one may so to speak *crack the state open* by examining the practices that enact it.[130] Hence, by examining and laying out in the open the many discursive rationalities that are constitutive of it, the state is no longer conceived of as a singular political power but a loose assembly of various practices.[131] Thus, a critical approach fundamentally *decenters* the state. "The state" is perceived as an *outcome* and *effect* of the various rationalities, discourses, and performances that make it up, and as such is a phenomenon that stands in need of an explanation, not a taken-for-granted starting point for social, economic, or political analysis. Social order, or what Ernesto Laclau and Chantal Mouffe refer to as *hegemony*, comes about as a result of the complex interplay between various social forces rather than as the product of some either beneficial *or* sinister

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[130] See Laclau and Mouffe, *Hegemony and Socialist Strategy*; Richard K. Ashley, "Untying the Sovereign State: A Double Reading of the Anarchy Problematic," *Millennium: Journal of International Studies* 17, no. 2 (1988); Richard K. Ashley, "Living on Border Lines: Man, Poststructuralism, and War," in *International/Intertextual Relations: Postmodern Readings of World Politics*, eds. James Der Derian and Michael J. Shapiro (Lexington, MA: Lexington Books, 1989): 259-321; Timothy Mitchell, "The limits of the state: Beyond statist approaches and their critics," *American Political Science Review* 85, no. 1 (1991); Campbell, *Writing Security*; Devetak, "Incomplete States: Theories and Practices of Statecraft;" Cynthia Weber, "Performative States," *Millennium: Journal of International Studies* 27, no.1 (1998); Doty, *Anti-Immigrantism in Western Democracies*; Alan Finlayson and James Martin, "Poststructuralism," in *The State: Theories and Issues,* eds. Colin Hay, Michael Lister, and David Marsh (Houndmills: Palgrave Macmillan, 2006): 155-171.

[131] Finlayson and Martin, "Poststructuralism," 166.

controlling central authority such as the state.[132] So "the state" "itself" is ultimately an *effect* of practice. In Timothy Mitchell's words: the state "should be examined not as an actual structure, but as the powerful, metaphysical effect of practices that make such structures appear to exist."[133]

Further, of great consequence for a critical approach to the question of statehood is to recognize that signifying practices (such as for example speech or writing) about "the state" are in and of themselves *enactments* of the state, and not only representational locutions. To use John Austin's well-known distinction, statements about the state are both *performative* and *constative* locutions.[134] The critical question that one may want to ask is precisely how it becomes possible for those speaking of and in the name of the state *to get away with* using the state in a constative mode—to ontologize it—as if one were simply referring to an entity beyond and outside of language, *as if* the referent was not being (re)produced and conjured up in the moment of its naming. In short, how does the state *get away* with its claim to statehood, i.e. the claim to "being" a state? One of

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[132] Laclau and Mouffe, *Hegemony and Socialist Strategy*.

[133] Mitchell, "The limits of the state: Beyond statist approaches and their critics," 94.

[134] John Austin, *How To Do Things With Words* (Oxford: Oxford University Press, 1962). See also Jacques Derrida, "Declarations of Independence," in *Negotiations: Interventions and Interviews 1971-2001*, ed. and trans. by Elizabeth Rottenberg (Stanford University Press: Stanford, 2002): 46-54.

Foucault's great contributions in this regard lies in his meticulous demonstration that those officially authorized to speak in the name of the state are not the major *doers of statecraft*. Since the state representatives are themselves not major doers of statecraft, in order to succeed, statecraft must have a self-erasing quality to it, where the most important enactments of the state take place at the myriad of social practices "at the bottom" of society in everyday practice, at the same time as the constitutive function of those practices are forgotten and repressed *as such*. Before moving on, let me elaborate a little bit further on this understanding of statecraft in relation to conventional understandings of the state, drawing on Laclau and Mouffe's *Hegemony and Socialist Strategy*, and some works by Foucault.

In *Hegemony and Socialist Strategy*, possibly still the most fully elaborated general critical social theory on offer,[135] Ernesto Laclau and Chantal Mouffe conceptualize the field of social interaction as a *discursive space*.[136] One should not confuse the preceding claim with an ontological

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[135] Laclau and Mouffe, *Hegemony and Socialist Strategy*.

[136] Ibid., x. It is important to point out that "discourse" for Laclau and Mouffe does not simply denote speech and writing; there is, unlike for Foucault in *Archaeology of Knowledge* nothing specifically *linguistic* about discourse (although Foucault in his genealogical works moves away from the discursive/non-discursive distinction). Their use of discourse coincides with Wittgenstein's notion of a *language game*, i.e. the combination of linguistic elements and the action in which these elements are embedded. Discourse analysis, hence, drawing on Laclau and Mouffe, should not restrict itself to examine written texts. See Laclau and Mouffe, *Hegemony and Socialist Strategy*, 108.

statement about the ultimate nature of reality—about "reality" as opposed to "appearance." Rather, if one were to engage in "ontology talk," Laclau and Mouffe's position is that there can be nothing *beyond* discourse—discourse does not *re-present*, i.e. stand in for something "beneath," "beyond," or "outside" of itself. Most importantly perhaps, their quasi-ontological concept—perhaps Gasché's notion of infrastructure[137] identified in Derrida's writings is a more appropriate designation than "concept"— of discourse enables a considerable extension of the field of legitimate and important study, i.e. "the field of objectivity."[138] If we for example consider an analysis of social relations on the basis of natural science, "it limits both the objects that it is possible to construct within a discourse and the relations that can be established between them."[139] It would for instance exclude metaphor as *real*. However, by re-conceptualizing the social as a discursive space, a metaphor can in itself contribute to the constitution of social forces. So, synonomy, metonomy and metaphor are not forms of epiphenomenal thought: instead, they are part of the ground itself in which the social is constituted.[140]

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[137] Gasché, *The Tain of the Mirror*.

[138] Laclau and Mouffe, *Hegemony and Socialist Strategy*, 110.

[139] Ibid., 109.

[140] Ibid., 109, 110.

Further, their Gramscian-inspired notion of hegemony gives their theoretical enterprise a distinctly critical edge. As is well-known, Gramsci argued that in order for a dominant class to maintain its rule, it must somehow succeed in presenting its own cultural, social, and moral values as *common sense*—those values must become hegemonic. Hegemony, then, is about instilling the values upholding the prevailing order in the society at large. Importantly, as Ralph Miliband has observed, hegemony, is for Gramsci, also about persuading the subordinate classes that there is *no genuine alternative* to the present order; hence, hegemony comes to depend on resignation as much as consent.[141] Hegemony, in Laclau and Mouffe's discursive rendition, is the process of associating elements and trying to impose a dominant meaning on social practices that sets the limits for possible articulations within a certain structure, thereby drawing attention to what is excluded and repressed in a particular hegemonic articulation, and simultaneously opening up for imagining alternatives to the present social, economic, and political order.

One might well wish to complement Laclau and Mouffe's analysis of the social with the category of hegemony at its core, with a Foucauldian notion of power. Foucault's writings on the workings of power give us several hints about the workings of and where to study the effectiveness of

[141] Ralph Miliband, *Socialism for a Sceptical Age* (London: Verso, 1994).

hegemonic articulations. Just like Laclau and Mouffe, Foucault does certainly not present anything close to a neatly packaged theory of statecraft; rather, in many of his writings, he explicitly cautions against a narrow focus on "the state" in social analysis. Foucault's famous remark that one must "cut off the king's head" may be a useful entry point here. Foucault argues that one must get rid off the crippling notion of sovereignty, in order to start to understand the workings of power in society. As he puts it in *The History of Sexuality* "despite the differences in epochs and objectives, the representation of power has remained under the spell of monarchy."[142] Foucault here wants to challenge the idea of sovereignty as a model for how power works, a notion that grounds much contemporary social and political analysis, i.e. that is it possible to trace a single location and origin of power that expresses itself through a set of constraining laws—which is the very model of social contractarian (liberal) political theory à la Hobbes, Locke, Kant, and Rawls. Indeed, the perhaps most fundamental question of liberal political theory is the legitimacy of the sovereign's power,[143] which became pressing due to the simultaneous

[142] Foucault, *The History of Sexuality*, 88-89.

[143] Joseph Rouse, "Power/Knowledge," in *The Cambridge Companion to Foucault*, ed. Gary Gutting (Cambridge: Cambridge University Press, 1994), 99.

emergence of the sovereign state and the sovereign individual, which somehow had to be reconciled.[144]

At least in part, this should be understood as an argument about a historical transformation of sovereignty; as Joseph Rouse puts it: "Although many of the political forms and practices of sovereign power remained in place, they were gradually taken over and ultimately sustained on the basis of power relations that functioned at a different location and scale."[145] This position, however, should not be taken to imply that, traditional—or *any,* centers of political powers have become unimportant. Rather, it undermines the validity of social and political analysis that *only* examine would-be centers, on the model of the working of top-down sovereignty, and it cautions against ascribing would-be centers too much influence in perpetuating themselves—since again; "official agents" of the states are not the major doers of statecraft. Perhaps most importantly, an analysis solely modeled on the traditional understanding of sovereignty misses out much of the workings of *power* in modern society, "whose operation is not ensured by right but by technique, not by law but by normalization, not by punishment but by control, methods that are employed on all levels and in forms that go

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[144] See Erik Ringmar, "On the Ontological Status of the State," *European Journal of International Relations* 2, no. 4 (1996).

[145] Rouse, "Power/Knowledge," 101.

beyond the state and its apparatuses."[146] Instead of starting from the notion of power as being exercised from the sovereign usually by means of a set of constraining laws, (top-down), we might ask how power has been and is exercised in, and is constitutive of, everyday life.

Thus, and what is now well-knows, Foucault challenged what he took to be the modern myth of power; namely power as a repressive force emanating from a single source of origin.[147] On this understanding, power does not emanate from a sovereign source such as "the state," but is dispersed throughout society: "Power's condition of possibility… must not be sought in the primary existence of a central point… it is the moving substrate of force relations which, by virtue of their inequality, constantly engender states of power, but the latter are always local and unstable."[148] As Rause explicates: "Power is not possessed by a dominant agent, nor located in that agent's relations to those dominated, but is instead distributed

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[146] Foucault, *The History of Sexuality*, 89.

[147] See Foucault, *The History of Sexuality*; Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995). Good discussions that I have consulted and am drawing on here are to be found in Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, 2nd ed. (Chicago: The University of Chicago Press, 1982), 184-205; Leslie Paul Thiele, "Foucault's Triple Murder and the Modern Development of Power," *Canadian Journal of Political Science* 19, no. 2 (1986); Rouse, "Power/Knowledge;" Barry Hindess, *Discourses of Power: From Hobbes to Foucault* (Oxford: Blackwell, 1996): 96-137; and Todd May, *The Philosophy of Foucault*, (Chesham: Acumen, 2006).

[148] Foucault, *The History of Sexuality*, 93.

throughout complex social networks."[149] Further, power for Foucault has two facets; it encourages, enables, and allows certain practices, while constraining and disabling others.[150] Power is often more effectively exercised by creating rather than repressing modes of objectivity, subjectivity, and conduct. The productive facet of power is for instance well exemplified in *Discipline and Power*, where Foucault traces the emergence of networks of power in relation to techniques of control, surveillance, and discipline.[151] The individual that emerges is obedient and self-monitoring and becomes "capable of bearing a kind of regulated freedom;"[152] hence, power *creates* just as much as it *destroys*. When participating in everyday practices and language, power works on us by constituting our sense of self.[153]

Instead of asking the liberal question of the sources of power—who *possesses* power?—the genealogical question that Foucault invites us to pose is rather how and where particular forms of power arise.[154] This

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149 Rouse, "Power/Knowledge," 106.

150 Foucault, *The History of Sexuality*, 94.

151 Foucault, *Discipline and Punish*.

152 Nikolas Rose and Peter Miller, "Political power beyond the State: problematics of government," *The British Journal of Sociology* 43, no. 2 (1992), 174.

153 May, *The Philosophy of Foucault*, 84.

154 Ibid., 81.

injunction is often understood as Foucault advocating a "bottom-up" approach to the analysis of power, claiming that the study of power ought to begin from below; one should study power where it is exercised over, and produces certain types of, subjects rather than where it is legitimated at a center.[155] To a certain extent, this seems to be a valid interpretation. However, a more nuanced reading of Foucault would probably hold that a pure "bottom-up" approach to power is insufficient, since the sites of legitimation at the top feeds back and reinforces, although never completely controls, power relations at the bottom. There is always interaction between top and bottom, and Foucault should not be read as advocating a simple "ontology of the bottom,"[156] pushing itself upwards. Rather, social practices in everyday life must, in order to become dominant within a society, be appropriated and put to work for a certain center; they must, in Foucault's words, provisionally be given a "terminal form."[157] There is then a distinction to be drawn between domination and power, where domination is a state of affairs in which a certain center has

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[155] A "bottom-up" understanding of Foucault's analytics of power is to be found in Thiele, "Foucault's Triple Murder and the Modern Development of Power," 248-249, whereas an interactive reading is to be found in Dreyfus and Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, 185.

[156] I thank Richard Ashley for this wording.

[157] Foucault, *The History of Sexuality*, 92.

by a blend of skillful politics and historical contingency been successful at instituting practices that work in its favor.[158]

Hence, it should be clear that for Foucault, the reduction of the state to a rational, calculating subject à la orthodox Marxism for instance, *obscures* the workings of power.[159] The state should therefore not be studied as a politico-judicial entity, calculating how it may best be able to exercise power in society; and neither, for instance, as epiphenomenal to relations of production (i.e. to some "deeper" reality). Rather, Foucault directs our attention to questions such as how a plurality of institutions and practices come to appear as "a state." And, how does the state *get away with* the claim to being a state? Although the state for Foucault does not have one grand over-arching function (such as to make sure that capitalism prevails for instance) to which we can refer back its actions, it may help to institutionalize certain forms of rationalities that constitute it. Perhaps it is fair to say that Foucault, similarly to Laclau and Mouffe, is interested in the *social* rather than the state. Social order comes about as a result of the complex interplay between various social forces rather than as the product of some sinister central authority such as the state. A first step in putting forward a critical framework for thinking about European integration in

[158] Dreyfus and Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, 186.

[159] Finlayson and Martin, "Poststructuralism."

relation to "the state," is thus to move away the ontologizing tradition of conceptualizing "the state" (which in and of itself is a form of statecraft), and instead speak of *statecraft*.

"*The state" as desire: identification, bordering, ordering*

When departing from the ontologizing tradition of thinking about "the state" as infused with a certain is-ness, one may instead put forward an understanding of "the state" as nothing but an effect of desire-driven practices, which we shall collectively refer to as *practices of statecraft*. As Roxanne Doty writes: "The 'state' is nothing but a desire that is manifested in practices of statecraft, practices that can originate in government bureaucracies and institutions, churches, schools, corporations, theaters, novels, art museums, our backyards, our front yards, our kitchens, and living rooms and bedrooms."[160] A minimalist understanding of statecraft could be understood as simultaneous practices of identification, bordering, and ordering.[161] "*The state" then, I propose, can be conceptualized as an*

[160] Doty, *Anti-Immigrantism in Western Democracies*, 12.

[161] I am here loosely drawing on the framework proposed by the so-called *Las Cruces Group*, namely a focus on identities, orders, and borders. In his preface to their edited volume, Yosef Lapid argues that "the dynamic nexus constituted by interrelated processes of bordering, ordering, and collective identity building open a uniquely well-situated analytical window to observe issues of mobility, fluidity, and change in contemporary world politics." Yosef Lapid, "Identities, Borders, Orders: Nudging International Relations Theory in a New Direction," in *Identities, Borders, Orders-Rethinking International Relations Theory*, eds. Mathias Albert, David Jacobson, and Yosef Lapid (Minneapolis: University of Minnesota Press, 2001), 2. And indeed, it does not seem to be an exaggeration to claim that much thought outside the narrow confines of mainstream Anglo-American International Relations ever since the 1980s has been concerned with questions of identity, orders, and borders in their widest sense. I will make use of those basic categories in my attempt to think through the crafting of the European Union and

effect of a plethora of practices of identification/bordering (i.e. statecraft), animated by a desire for order, stability, and foundation, constitutive of a wide variety of subject positions, but never traceable back to a single origin.

Let me by way of elaborating present an understanding of the relation between identification and bordering, which simultaneously produce the ontologizing effect of "a state." As Yosef Lapid points out, in the social sciences the category of identity was for a long time conceptualized as analytically prior to that of a border.[162] That is to say, borders or boundaries were seen to more or less naturally emerge to enclose an identity, understood as a self-identical "thing" or even essence. Borders, then, had nothing to do with the actual substance or content of an identity. This understanding, however, has for decades been challenged in a number of disciplines; Fredrik Barth in Anthropology, and Andrew Abbott in Sociology to name but a few, and indeed more generally in much of the critically oriented literatures in the social sciences and humanities. On this understanding, practices of identification and bordering always go hand in

its relation to modern statecraft. However, it should from the outset be emphasized that the more critical advances in IR theory have been more inclined to speak of *practices of* identification, bordering, and ordering, when theorizing world politics, emphasizing the performative and *incomplete* character of social life, refusing to treat identity, order, or border as traditional "concepts."

[162] Lapid, "Identities, Borders, Orders: Nudging International Relations Theory in a New Direction," 10.

hand. Practices of identification are simultaneously practices of bordering so that identification and bordering are in fact two different sides of the same coin. To make a claim to identification is in fact always a boundary-drawing practice, since an identity purports to "be" something, which entails its alleged separateness from other "beings."

In the critical literatures, an identity or entity is nothing but an on-going accomplishment of practice. Consider for example Judith Butler's work on gender as *pure performativity*; there is no such thing as a masculine or feminine essence, only the on-going performance of socially constructed notions of masculinity/femininity.[163] A particular gender then, is nothing but an effect of on-going practices of gendering. It then becomes of great significance to understand the ways in which such practices work, and how they are embedded within material relations of power. In addition, axiomatic for a critical understanding of identity is the refusal to think of identities as identical to themselves.[164] As Derrida writes, "*what is proper to a culture is to not be identical to itself*. Not to not have an identity, but not to be able to identify itself, to be able to say 'me' or 'we;' to be able to take the form of a subject only in the non-identity to itself or, if you prefer,

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[163] Butler, *Gender Trouble*.

[164] On this point see also Jens Bartelson,"Second Natures: Is the State Identical with Itself?" *European Journal of International Relations* 4, no. 3 (1998).

only in the difference *with itself*."[165] An identity-claim is thus from the very beginning inevitably opened to its negation. The borders inscribing an identity then are, as Michael Dillon puts it, "prone to violent foreclosure which excites its own resistance."[166]

What about *practices of ordering* then? Arguably, what animates practices of identification/bordering is a *desire* for order, stability, and foundation. As Doty writes: "The state is a desire to overcome ambivalence and undecidability, to make the numerous and diverse points of order, e.g., geographic, ethnic, moral, economic, and so on resonate to affect a coherent whole."[167] Stephen Toulmin, for example, has written about such desire for foundations as historically emerging in response to the violent religious wars ravaging the European continent in the 16th and 17th centuries and clearly epitomized by the philosophies of Descartes and Hobbes. In Toulmin's understanding, western modernity is imbued with a "Quest for Certainty," as a response to the very turbulent era in European political life, philosophically reflected in an obsession with

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[165] Jacques Derrida, *The Other Heading: Reflections on Today's Europe*, trans. Pascale-Anne Brault and Michael B. Naas (Bloomington: Indiana University Press, 1992), 9.

[166] Michael Dillon, *Politics of Security: Towards a Political Philosophy of Continental Thought* (London and New York: Routledge, 1996), 7.

[167] Doty, "Racism, Desire, and the Politics of Immigration," 593-94.

epistemology.[168] However, one may also understand this "quest" or desire as inherent in the use of language itself. We all desire to make the world we encounter representable, and thereby intelligible, since that is a condition of possibility for living, acting and orienting ourselves in the world. There is certainly, however, a distinction to be drawn between acknowledging this inevitable violence inherent in representation, and to unreflectively partake in the imperative of "offer yourself up to representation, i.e. speak my language, use my logic, and abide by my law, or you shall not be allowed a voice,"—an imperative criticized by Derrida as at the core of the logocentric tradition.

One way of understanding how statecraft works as a desire driven practice for b/ordering space, is to take up Derrida's suggestion of thinking of social life in terms of hauntology rather than ontology; as Colin Davis puts it: "replacing the priority of being and presence with the figure of the ghost as that which is neither present nor absent, neither dead nor alive."[169] Further, "Derrida's spectre is a deconstructive figure hovering between life and death, presence and absence, and making established certainties

[168] See Stephen Toulmin, *Cosmopolis: The Hidden Agenda of Modernity* (Chicago: Chicago University Press, 1990). See also Michael C. Williams, "Identity and the politics of security," *European Journal of International Relations* 4, no. 2 (1998).

[169] Colin Davis, "Etat Present: Hauntology, Spectres and Phantoms," *French Studies* LIX, no. 3 (2005): 373.

vacillate. It does not belong to the order of knowledge."[170] Rather, "the Ghost pushes at the boundaries of language and thought."[171] What occupies the function of the specter in the desire for the state is arguably that which in the social contract tradition is referred to as "the state of nature," i.e. the radical other to authority, government, and rule. In *Leviathan*, Thomas Hobbes makes this very clear.[172] The state of nature is rather ambiguously presented as a historical condition that "we" living within the state have now transcended, *and* simultaneously as a condition lurking behind whenever and wherever the assertion of state authority is failing. The state of nature can never be completely externalized, but traces of it must always remain on the "inside," which remind us about the omnipresent possibility of its return. As the constitutive outside to the state, the state of nature is thus prior to, enabling of, and always risks exceeding the state.[173] And the fear of its return is precisely what animates the desire for the state, calling on us to perform the rituals of statecraft. Somewhat paradoxically, the state of nature can only be defined precisely by *not* being clearly delimited and known. We can glimpse certain traces of

[170] Ibid., 376.

[171] Ibid., 379.

[172] Thomas Hobbes, *Leviathan*, (Cambridge: Cambridge University Press, 1991).

[173] I am using "the constitutive outside" as coined by Henry Staten, *Wittgenstein and Derrida*.

it, but part of its frightening character is that we will not know what it is until we are there.[174] The full horrors of the state of nature cannot be wholly spelled out in advance, and precisely therein lies its true dreadfulness—it seeks to re-present unspeakable or *un-representable* horror, hence never fully succeeding in doing so.[175]

We may thus summarize and synthetize the preceding discussion in the following way. Statecraft, critically understood, involves the imposition of an inside/outside *boundary of differentiation* constituting an effective outside (the foreign, the different, the alien) that can be deployed in the negative affirmation of an *identity* at the same time as effecting a certain forgetfulness as to the arbitrariness of that very practice. "The state" then, emerges as an effect of an ensemble of practices of identification/bordering. Moreover, recalling the impossibility of self-identity, the designation of the figure of the other is indeed arbitrary, since whoever/whatever is cast as the outsider must always already reside on

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[174] Unexpectedness is part of Hobbes's *summum malum*: Hobbes speaks of *sudden* violent death.

[175] The "Hobbesian fear" pops up in innumerable defenses of the state. Consider for example one of the most widely cited defenses for the right of states to draw boundaries, by Michael Waltzer, who voices this fear in the following manner: "Admission and exclusion are at the core of communal independence. They suggest the deepest meaning of self-determination. Without them, there could not be communities of character, historically stable, ongoing associations of men and women with some special commitment to one another and some special sense of their common life." Michael Waltzer, *Spheres of Justice: a Defense of Pluralism and Equality*, (New York: Basic Books, 1983), 62.

the inside.[176] However, in the performative constitution of the state there also has to be a certain sense of its own impossibility, because only that sense of incompleteness can be the basis for generating *the desire* that is called into play to repeat the whole logic.[177] As Richard Ashley writes, the state "is nothing more and nothing less than an arbitrary political representation always in the process of being inscribed within history, through practice, and in the face of all manner of resistant interpretations that must be excluded if the representation is to be counted as self-evident reality."[178] Statecraft, therefore, as Hobbes's inadvertently clarified in *Leviathan*, can never be a simple completed fact. In fact, statecraft can never totally succeed in the sense of making the state appear as a finished, sutured, and finalized product. *The absolute success of the state would coincide with its own demise.* Finally, animating the re-enactment of the state is a powerful, negative desire rooted in the fear of the return of the state of nature, and the concurrent productive desire for order and security.[179]

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[176] Derrida's substantiation of this point, which is no doubt crucial to much critical scholarship in IR, is to be found in Jacques Derrida, *Dissemination*, trans. Barbara Johnson (Chicago: University of Chicago Press, 1983), 128-134.

[177] On this understanding of statecraft, see in particular the many writings of Rick Ashley, e.g. "Untying the Sovereign State" and ""Living on Border Lines."

[178] Ashley, "Untying the Sovereign State," 252.

[179] For a somewhat similar reading, focusing on the function of security, see Anthony Burke, *Beyond Security, Ethics and Violence: War Against The Other* (London and New York: Routledge, 2007).

Between the universal and the particular: On the normative structure of Westphalia

So what then if the crafting of the European Union resembles the crafting of the modern Western state, which "is" nothing but a ceaseless desire for ordering, bordering and identification? What is really at stake in this dissertation? To provide an answer to that question, one may start by considering what Lothar Brock and Mathias Albert have referred to as the normative structure of Westphalia, which is "what keeps Westphalia together."[180] The modern Westphalian state "provides a pragmatic solution to normative paradoxes that are difficult to reconcile in modern thinking and practice."[181] And "its discursive field is demarcated by the positions of cosmopolitanism and communitarianism."[182] The modern European state could be understood as the institutionalization of a constant mediation between the particular (communitarianism) and the universal (cosmopolitanism). The "normative cohesion" of the Westphalian system of states, as Albert and Brock call it, was precariously achieved by the modern state, which precisely provided a solution to the paradox of how to reconcile the universal with the particular:

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[180] Albert and Brock, "What Keeps Westphalia Together?"

[181] Ibid., 44.

[182] Ibid., 33.

"[Modernization] inscribed the fundamental tension into the modern normative world order: the tension between Kantian universalism on the one hand, and the de facto normative integration of the Westphalian order via the nexus of orders, borders, and identities on the other. Though ethical norms are about universality, this universality is never achievable universally. If this is the case, why then not confine this universality to state boundaries and create a particularistic universe inside territorial markers?"[183]

On this understanding, modern Europe has always been a history about the particularity of the universal and that universality compacted into the particular.[184] This realization in fact takes us back to the paradoxality of the modern Western state itself. This paradox can briefly be stated as follows: With the peace of Westphalia emerges the modern state which is an agreement that, ironically, a *particular* sovereign has the right to be the head of his *universal* religion and associated system of metaphysics within the particularity of his state, if in return, the sovereign—contradicting the very notion of the universality of one's own state—recognizes that beyond his own space are spaces in which the sovereign's universal pretentions

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[183] Ibid., 45.

[184] For the following discussion, I am indebted to Rick Ashley. See also the discussion in Robert B. J. Walker, Inside/Outside: International Relations as Political Theory (Cambridge: Cambridge University Press, 1993), pp. 62-63.

must make a halt. So, what emerges then is a mutual recognition that several sovereigns are caught up in the same paradoxical situation. The Westphalian system of states then—which rests on a specific form of organizing space into fixed and mutually exclusive containers[185]—might thus be described as a collection of particularities that are mutually recognized as entitled to the universal within their borders. *Arguably, if anything could be deemed as common to the European experience, it would be this very contradiction itself.*

One may therefore suggest that ”the state” of the Westphalian states system depends on two fundamental gestures each pushing in opposing directions: a *universalizing* and a *particularizing* gesture, i.e. the poles of cosmopolitanism and communitarianism respectively.[186] Let me elaborate upon those basic discursive gestures using the previously introduced heuristic devices of bordering, ordering, and identification. The first major discursive gesture is one of *universalizing*. As Simon Critchley has pointed out, western philosophy is often understood as beginning precisely at the moment when Socrates starts the tradition of asking not what justice

[185]Ruggie, "Territoriality and Beyond."

[186] I am here following Albert and Brock, "What Keeps Westphalia Together?" and also Brown's *International Relations: New Normative Approaches* who introduced this basic polarity as a device to capture political theories of international relations. Postcolonial critiques of Western universalism sometimes also makes use of a similar heuristic; Chakrabarty for example in his *Provincializing Europe*, operates with the opposing poles of Marx and Heidegger.

means only for Athenians but what justice means for all, in general, as a universal, abstract concept. Western philosophy itself then, is born out of an attempt to critique tradition from some vantage point beyond that particular tradition.[187] The gesture of *universalizing* is often understood to be at the very core of monotheistic universalism such as Christian salvation;[188] Hellenic philosophy such as Platonic forms; and the Enlightenment project such as Kant's disembodied understanding of reason, and is reflected in a desire towards the general, the abstract, and the universal; unwilling to accept temporal and spatial boundedness on ontological, epistemological, or indeed ethical grounds.

Universalizing gestures tend towards the uprooting of local claims to identification in favor of universal ones. While a universalizing ethos is potentially radically inclusive, the potential violence here lies in an ethos that altogether refuses to accept difference; an ethos that believes that it can read the whole world on its own terms —an ethos that refuses other languages, logics, and laws than its own. The ethos of the universalizing gesture is one of *de-bordering*; in its more benevolent guises it takes

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[187] Simon Critchley, "Black Socrates? Questioning the Philosophical Tradition," in *Ethics-Politics-Subjectivity: Essays on Derrida, Levinas, and Contemporary French Thought* (London: Verso, 1999), 123.

[188] Though it could be pointed out that it was Augustine who infused Christianity with its Platonic elements. One should consider that significant de-Platonizing attempts of Christianity have been made, such as for instance in the case of Kierkegaard's writings.

expression in discourses of human rights,[189] and certain cosmopolitan dispositions. In its more sinister guises, it underpins discourses of imperialism and colonialism. Finally, in terms of *ordering*, universalizing gestures would characteristically hold that there is an underlying harmony to the universe, and thus, such gestures do not commit unjustifiable or arbitrary violences towards competing orders, since universalizing gestures understand themselves as surface expressions of a deeper underlying essentially harmonious universe.[190]

The second basic axis around which the modern state is crafted is one of *particularization*. On such narrations, life is by necessity rooted in *particular* places, and embedded within historically and geographically

[189] Any responsible treatment of the particularity/universality binary could not entirely duck the question of human rights. The argument of this dissertation should in no way be read as denying the importance of human rights, the adherence to and careful non-militaristic promotion of which a progressive foreign policy *for now* should be based. "Culture," or "religion" may in my view in no way excuse the persecution of ethnic, religious, sexual, or other minorities. A deconstructive understanding of culture rather than treating culture as static and self-identical, takes culture to be contested and never quite one with itself, thus, when one speaks of "culture" anywhere one is always implicated in a practice of political contestation. The problem is not human rights as such, but rather the highly selective implementation of those, as well as a tendency to be more willing to criticize abuses in foreign lands rather than in one's own. Global solidarity however, as well as the always unfinished task of becoming *more humane*, ultimately requires making careful moral evaluations of both.

[190] One may here, with John Milbank, contrast a Nietzschean quasi-ontology of irreducible, agonistic, and conflictual difference-as-violence with one which posits an underlying harmonic peace that does not "depend upon the reduction to the self-identical, but is the *sociality* of harmonious difference." *Theology and Social Theory*, 5. For a fascinating and deconstructive critique of Nietzsche's attempts to trace all cultural formations to a will-to-power as far from overcoming the problem of ontology, rather itself embodies "an ontology of power and conflict which is simply another *mythos*, " see Milbank, *Theology and Social Theory*, 2, 280-94.

particular systems of intelligibility —"cultures," "structures of meaning," "life forms," or "language games." The individual is conceptualized as a communal being, whose consciousness is by necessity firmly embedded in such a *local* system of intelligibility. Several critics of modernity and the Enlightenment project of various forms share a basic suspicion to claims to universality. A paradigmatic western philosopher of particularism is no doubt Martin Heidegger. Heidegger's critique of the ethos of modernity lies in the modern *Dasein's* vain insistence to make the whole world transparent, i.e. to fully disclose itself.[191] For Heidegger, this is first of all ontologically impossible, since any act of disclosure is also an act of concealing—a thing can never be/come fully transparent. However, this insistence predisposes the modern *Dasein* to a violent ethos, which is always over-reaching and perpetually frustrated, and never lets difference simply *be*. Another paradigmatic, but less known, critique of universalization is to be found in Vine Deloria's critique of (rather Platonically understood) Christianity, as a religion that refuses to accept that religious practice stems from somewhere, i.e. has a connection with the land and environment where it originated and grew from.[192] Deloria characterizes the main problem with western thought as a relentless drive

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[191] Martin Heidegger, *Being and Time*, trans. John Macquarrie and Edward Robinson (New York: Harper, 2008).

[192] Vine Deloria, *God is Red: A Native View of Religion* (New York: The Putnam Publishing Group, 2003).

towards the abstract, desiring to impose figures of thought that are peculiar to its origins upon alien places.

However, the ethos of particularization is not without its own dangers. An ethos of particularization insists on identification/bordering. The modern state effectively attaches this ethos of particularization to a particular territory. As John Ruggie puts it: "the distinctive feature of the modern system of rule is that it has differentiated its subject collectivity into territorially defined, fixed, and mutually exclusive enclaves of legitimate dominion."[193] Or as John Agnew puts it: "a state is territorial much like life on earth is terrestrial."[194] To the extent that "the state" is seen as a "container" of a particular system of intelligibility, it may justifiably expel difference, as properly *not* belonging within its orbit. Human responsibility is thus *territorialized* and *particularized*, and only under certain circumstances should hospitality be extended to the foreigner.[195] In spite of all kinds of stories about the rightfulness and legitimacy of borders, such stories do little to conceal that effective bordering rests upon nothing but brute violence.[196] This ethos is at its most lethal when

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[193] Ruggie, "Territoriality and Beyond,"151.

[194] John Agnew, "The Territorial Trap: The Geographical Assumptions of International Relations Theory," *Review of International Political Economy* 1, no. 1 (1994), 54.

[195] Campbell, "The Deterritorialization of Responsibility."

[196] Doty, "Fronteras Compasivas."

territorial borders stop people from gaining refugee. The narrative structure defending this ethos is today prominently found in identity politics discourse, which proclaims that a particular group is different from other groups, and as such, stands in need of protection from "foreign" ways of life.[197]

Basic dispositions	**Universalization**	**Particularization**
Place	Placeless cosmopolis	Rooted community ("space")
Time	Timeless	Historical
Reason	Disembodied	Situated
Ethos	Subsume, interiorize, assimilate difference.	Expel difference. "We" is bordered.
Responsibility	Borderless	Localized
Paradigmatic fulfillers of 'author function'	Plato, Marx	Heidegger

Figure 1: Basic dispositions of the normative structure of Westphalia.

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[197] An arguably sinister form of this argument is for example to be found in Huntington's *Who Are We*, where he argues that the U.S. national identity is threatened by foreign, mainly Hispanic, influence. Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity* (New York: Simon and Schuster, 2004).

To sum up this discussion, the crafting of the modern state is caught up in a pendular movement between particularizing and universalizing itself. And the two basic gestures of universalization and particularization, around which the modern state is crafted, carries its own distinct ethical risks. To the extent then, that the crafting of the European Union would "go beyond" the crafting of the modern state, it would have to decisively break with this normative order of Westphalia. I will in the chapters that follow, return to the basic themes introduced in this first chapter.

Chapter 3

IN SEARCH OF A FOUNDATION FOR EUROPE: EU'S FAILED CONSTITUTION

Just the very name: *Treaty Establishing a Constitution for Europe*.[198] Perhaps needless to point out, but in common legal vocabulary, a treaty is not the same thing as a constitution. Whereas a treaty is a pronouncement and affirmation of multiplicity and diversity, a constitution is one of unity. There was indeed some deliberate ambiguity as to whether one were to understand the European Union's Constitutional Treaty as a treaty, and to read the new text as previous EU treaties have been understood; i.e. as agreements between sovereign states that are, at least in a legal sense, equal to one another and pool some of their powers for a common purpose; or, if one were to emphasize the constitutional aspects of the document.[199] Some governments tended to present the Constitutional Treaty to its domestic audiences as a "treaty" and others as a "constitution," often depending on the popularity of European integration with their respective constituencies. On a charitable reading, one might understand the formula "Constitutional Treaty" as a confirmation of EU's slogan of Unity in Diversity, which the Constitutional Treaty incidentally

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[198] Treaty establishing a Constitution for Europe, European Union, accessed March 7, 2012, http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2004:310:SOM:en:HTML.

[199] Pavlos Eleftheriadis, "Constitution or Treaty?" *The Federal Trust for Education and Research*, Online Paper 12/04, accessed March 7, 2012, http://www.fedtrust.co.uk/default.asp?pageid=267&mpageid=67&subid=277&groupid=6.

establishes as EU's official motto. A less charitable reading could hold that the wording represented yet another example of political compromise resulting in a half-measure, which from the outset stymied the European Union's "Madisonian moment."[200]

In this chapter, I examine the constitutional aspects of the EU's Constitutional Treaty,[201] and offer a deconstructive reading of the text that was supposed to securely establish "Europe." The Constitutional Treaty, despite its failure of being ratified, is arguably the EU's most authoritative attempt to give the signifier of Europe a determinate content, and place Europe on a stable foundation. Therefore, I have chosen to engage the Constitutional Treaty rather than EU's most recent treaty revision, the Treaty of Lisbon. The Constitutional Treaty could thus be seen as a *hegemonizing articulation* of community building, setting out the dominant understanding of EU's self.

The overall question to which I seek to provide an answer is *how* the Constitution sought to establish the European polity. In order to do so, I will read the Constitution in light of the politico-theoretical problem of

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[200] I am here using Gráinne de Burca's phrase, see "The Drafting of a Constitution for the European Union: Europe's Madisonian Moment or a Moment of Madness?" *Washington and Lee Law Review* 61 (2004).

[201] "Constitution" and "Constitutional treaty" are used interchangeably in this chapter.

how to bestow legitimacy and authority on the foundation of a political community in an era which, among other things, has been called not only "disenchanted modernity" (Weber), but "high modernity" (Giddens), "liquid modernity" (Bauman), and even "postmodernity" (Lyotard); an era characterized by, if not an outright rejection of, at least a profound skepticism to various absolutes that functioned to secure the foundation of pre-modern polities. *In short, how did the drafters of the Constitutional Treaty seek to securely found "Europe?"* I will probe the attempted foundation of Europe principally with the aid of a short piece by Jacques Derrida on the U.S. Declaration of Independence, and argue that an appeal to universality lies at the heart of the strategy employed by the drafters of Europe's Constitutional treaty. It is, however, a universality derived from a past that simultaneously contains the sources of all the conflicts that have haunted Europe, *and* their apparent resolution. Paradoxically, the very source that is intended to bestow stability and permanence on the European moment of foundation also contains what has always prevented Europe from coming together, that which has always torn Europe apart. This appeal to universality further reveals that Euro-crafting still operates within the normative structure of Westphalia, which will cast initial doubt on the claim that Euro-crafting is qualitatively different from statecraft.

I will start with a brief exposition of the origins of the Constitution and the debate that preceded its coming into being. When listening to the debate, one hears that the constitutional project was driven by a desire to place the

project of European integration on a secure foundation, a foundation that would withstand the vagaries of capricious populations, especially the populations of the soon-to-become members at that time. In the second part, I elaborate on the constitutive functions of a constitution, which is followed by an elucidation of the ultimate source(s) of authority in the European Constitution.

Fischer's desire

During the negotiations of the Nice Treaty in 2000, the then German foreign minister Joschka Fischer opened the debate on the future of Europe with a speech, to which I will shortly return, calling for a European Federation based on a constituent treaty.[202] Fischer's speech sparked off a debate that eventually led to the inclusion of a proviso into the Nice Treaty calling for further debate and clarification on the future development of the EU. The question of whether and why the EU really needed a constitution swiftly moved to the question of what should be in it, and at the European Council summit at Laeken in 2001, the Convention on the Future of Europe was launched, a body responsible for the drafting of a constitutional treaty. The convention consisted of member state representatives, members of national parliaments, members of the

[202] Joschka Fischer, "From Confederacy to Federation: Thoughts on the Finality of European Integration," Speech by Foreign Minister Joschka Fischer at Humboldt University in Berlin, May 12, 2000, accessed March 7 2012, http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=3745.

European Parliament, and members of the European Commission, and was headed by former French president Valéry Giscard d'Estaing. The elderly and aristocratic d'Estaing, certainly not downplaying the task with which he had been entrusted, dubbed the Convention "the European Philadelphia." In October 2004 representatives of the member states signed the text.[203]

Lofty comparisons—both favorable (most often *before* it was rejected by the French and the Dutch populations) and unfavorable (most often *after* it was rejected by the French and the Dutch populations)—with the Philadelphia Convention and the adoption of the U.S. Constitution in 1787 abound. To its critics, the Constitutional treaty was an attempt to force the elite-driven and increasingly rapid pace of European integration onto ever more alienated publics. To critics on the left, more specifically, it constituted an attempt at entrenchment on a continent-wide scale of a democratically and socially impoverished model of governance committed primarily to neo-liberal economic tenets. To critics on the right, on the other hand, the Constitutional treaty was thought to create an interventionist socialist European super state, committed to eroding the independence of their nation states. For its advocates, however, the

[203] For an account of the developments from Fischer's speech to the establishment of the European Convention, see Desmond Dinan. "The Convention and the Intergovernmental Conference," in *The European Finality Debate and its National Dimensions*, ed. Simon Serfaty (Washington, DC: Center for Strategic and International Studies, 2003).

Constitutional treaty represented the moment where a truly united European political community would be established and recognized as such.

How did this alleged "Madisonian moment" in European integration come about, following more than fifty years of gradualist and incremental integration, a moment very far from what the, historically speaking, most influential theory of European integration, neofunctionalism, both predicted and prescribed?[204] The most frequently raised explanation in the scholarly literature has to do with the objective of enhancing EU's popular legitimacy.[205] Ever since the Maastricht treaty from 1992 Euro skepticism had been on its rise across virtually all of its member states. Unprecedented levels of popular opposition to the European project could be witnessed, even in countries whose populations traditionally had been highly supportive of European integration. It seemed as if whenever an opportunity for direct public input through referendum arose, as in the Danish rejection of the Maastricht treaty, the very narrow approval of it in France, and the rejection of the Nice Treaty in Ireland, the European publics did not share the Euro-enthusiasm of their political, social, and

[204] The most influential formulation of neofunctionalism is to be found in Ernst B. Haas, *The Uniting of Europe* (Stanford: Stanford University Press, 1958). I deal with neofunctionalism extensively in chapter 5.

[205] See for example de Burca, "The Drafting of a Constitution for the European Union."

economic elites. A Constitution, then, was thought to somehow remedy the increasingly apparent, and for the Union's advocates, exceedingly troublesome lack of popular legitimacy. At the same time, the EU was about to be considerably enlarged, to encompass an additional twelve countries mostly from eastern and central Europe.

Let us take a closer look at the speech by Fischer, which was instrumental in bringing about the process that eventually led to the drafting of the Constitution.[206] Fischer situates Europe at a historical juncture just after the Cold War and at "the beginning of globalisation" and warns that the Union is increasingly seen "as a bureaucratic affair run by a faceless, soulless Eurocracy in Brussels." Fischer urges forward, "onwards" to "the completion of European integration" and warns that a step "backwards" would demand a "fatal price." But why a constitution? It is for Fischer a matter of rescuing the EU from the perception of being opaque and incomprehensible to the European publics. The Union must be reinvigorated in the eyes of the European publics.

Quite possibly worried that all countries may not agree to a comprehensive enough constitution, and that after the eastwards enlargement, the Union will be more heterogeneous, making "further differentiation … inevitable," Fischer proposes that the center of Europe must be reinforced: the Franco-

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[206] Fischer, "From Confederacy to Federation."

German locomotive must be reinvigorated, and must be allowed to push ahead of the more "peripheral" (in both a geographical and cultural sense) members. The true guardians of Europe's holy grail, or as Fischer puts it, those countries "staunchly committed to the European ideal" must assume their responsibilities. This core, Fischer reassures, must remain open to all member states, on the implicit condition of course, that they recognize this (one and true) European ideal.

Fiat Europa!

How could a dry document written in characteristically dull Euro-speak be the answer to Fischer's desire and what the scholarly community calls the EU's "endemic legitimacy crisis?" For conservative commentators, a Constitution was certainly not the answer—regardless of the question. One of the most frequent conservative objections to the creation of a full-blown European polity became known as the "no-demos thesis."[207] In one of its most circulated versions, Larry Siedentop argued that the preconditions for a genuine democracy at the European level were missing.[208] The kinds of things that de Tocqueville noticed in his celebrated study of American democracy were not to be found in Europe: there is no common political

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[207] Michiel Brand, "Formalising European Constitutionalism: Potential Added Value or 'Death by Constitution?'" in *The Constitution for Europe and an Enlarging Union: Unity in Diversity? eds.* Kirstyn Inglis and Andrea Ott (Europa Law Publishing: Groningen, 2005), 5.

[208] Larry Siedentop, *Democracy in Europe* (Harmondsworth, Middlesex: Penguin Press, 2000). For another version of the "no demos thesis," see Dieter Grimm, "Does Europe need a Constitution?" *European Law Journal* 1, no. 3 (1995).

tradition, no common language, no particular identification with other communities, and no mutual trust. To put it succinctly, for Siedentop, Europe lacked a *demos,* which democracy presupposes. Some voices even held that the nation state represented the final equilibrium in identity formation, being the product of a unique historical trajectory that is simply not possible to reproduce at human will. In contemporary Europe, this argument continued, even though national identity is arguably a declining element in the individual's identity, nation states continue to confer an important sense of identity onto individuals. However, nation states have existed for such a long time that they are still able to attract loyalty long after the conditions that that produced the original grant of loyalty have disappeared.[209] Therefore, an attempt to create a supranational community, expected to function as a major locus of individual identity, is simply not feasible.

To some however, the "no demos thesis" seemed largely to miss the point. Jürgen Habermas argued that the no demos argument confused a "community of citizens" with a "community of fate" shaped by common history, language, and descent. This confusion, according to Habermas, "fails to capture the voluntaristic character of a civic nation, the collective identity of which exits neither independent of nor prior to the democratic

[209] David Beetham and Christopher Lord, *Democracy and the European Union* (London: Longman, 1998), 37.

process from which it springs." [210] Modern democracy and the nation-state developed in parallel, but the latter was not prior to the former. A constitution, Habermas held, would serve as a *catalyst* in the development of a European public sphere, a European civil society, and a European political culture. *Tout court*, the no demos argument had the casual arrow wrong. Instead, Habermas emphasized the constitutive character of a constitution: a constitution had something to do with taking hold of the European peoples' "consciousness"[211] In a similar vein to Habermas, Joseph Weiler, a leading legal scholar and long-standing commentator on the European Union argued: "One does not and cannot wait until the bonds of loyalty, of constitutional demos, of polity are in place as a precondition for a constitutional settlement. The constitutional settlement is a voluntary invitation, self-conscious and autonomous to create, over time, such a polity, such a demos and such a loyalty."[212]

Hence, for both Habermas and Weiler, a constitution was perceived as doing much more than simply structuring the respective powers of government and the relationships between public authority and

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[210] Jürgen Habermas, "Why Europe needs a constitution," in *Developing a Constitution for Europe*, eds. Erik Oddvar Eriksen, John Erik Fossum and Augustin Jose Mendez (London and New York: Routledge, 2004), 27.

[211] Habermas, "Why Europe needs a constitution," 20.

[212] Joseph H. H. Weiler, "A Constitution for Europe? Some Hard Choices," *Journal of Common Market Studies* 40, no. 4 (2002).

individuals, or between the state and other agents, and simply spelling out pre-existing norms, values, and principles of such a community. The most important role of a constitution was not to *passively* encapsulate fundamental values of the polity, as a reflection of the "collective identity" as a people, as a nation, as a Community, as a Union, as a "repository of values,"[213] but to actively inscribe these values as constituent of the political community that was being brought into existence, thereby constituting the European people itself. On this understanding, the decision to include a bill of rights into EU's Constitution was a highly symbolic move. Furthermore, both Habermas and Weiler seemed to agree that, somewhat paradoxically, a constitution was both defining or constituting *and* presupposing a political community, whose members were to be bound by that constitution. Philip Allot captured this constitutive moment as an "ecthetic moment," *ecthesis* being the part in a Euclidean proof of a triangle which simply says: *let ABC be a triangle!*[214] It is this moment of the proof that *particularizes the universal* (i.e. the ideal triangle) and *universalizes the particular* (i.e. any actual triangle). For Allott, the Constitution would be the ecthetic moment of Europe: "*Let*

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[213] Ibid., 570.

[214] Philip Allott, "Epilogue: Europe and the dream of reason," in *European Constitutionalism Beyond the State*, eds. Joseph H. H. Weiler and Marlene Wind, 202-225. (Cambridge: Cambridge University Press, 2003).

Europe be unity!"[215] Let us, with the help of Derrida, examine this "ecthetic moment" further.

Derrida approaches the "ecthetic moment" of a community-founding text through an examination of the signatures of the U.S. Declaration of Independence.[216] He starts by asking *who* signs the document that founds an institution and notices that such an act of signing does not describe, but "performs" and "accomplishes" something.[217] The declaration founding a state necessitates that the signer "engage him- or herself" and this signature "maintains a link with the instituting act". So, although any institution thus founded becomes independent from the individuals who founded it in an empirical sense, i.e. political elites come and go, "it turns out that the founding act of an institution–the act as archive as well as performance–*must maintain within itself the signature*."[218]

Whose signature(s) are we talking about? Just like Jefferson, Giscard d'Estaing writes but does not sign. Giscard D'Estaing was appointed by the European Council and thus writes on behalf of the Council. And just like

[215] Ibid., 203.

[216] Jacques Derrida, "Declarations of Independence."

[217] Ibid., 47.

[218] Ibid., 48. (Emphasis in the original).

Jefferson, Giscard d'Estaing was not responsible for writing in the productive meaning of the term, only for drawing up, as a secretary draws up a draft document. D'Estaing then submitted the draft to another set of representatives, namely representatives for the European peoples. Are they the ultimate signers then? Analogously, as Derrida notes, "they sign for themselves but also "for" others. *By right, the signer is the people*."[219] So what happens in the act of signing? "The 'we' of the Declaration speaks 'in the name of the people'. But these people do not exist. They do *not* exist as an entity, the entity does *not* exist *before* this declaration, not *as such*. If it gives birth to itself, as free and independent subject, as possible signer, this can hold only in the act of the signature. The signature invents the signer."[220]

Unlike the U.S. Declaration of Independence, various national peoples in Europe already exist. However, those national peoples are constituted as *European* peoples in the very moment of signing. The signer, the various *European peoples* did not exist before the signing of the constitution *as such*, hence "the signer can only authorize him- or herself to sign once he or she has come to an end–if one can say this of his or her own signature in a sort of fabulous retroactivity."[221] However, since the not-yet-existing

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[219] Ibid., 49. (Emphasis in the original).

[220] Ibid. (Emphasis in the original).

[221] Ibid.,50.

people was able to give the right to sign its constituting, its coming to being, *it must always already have possessed such a right*. At this point, Derrida refers to John Austin's distinction; the signing of a constitution requires both a *performative* and a *constative* moment.[222] It is the constative element, i.e. the element that *presents* itself as a constative utterance, which invokes that what *guarantees* the performative element. Contained in the constative element, something else, "another subjectivity," is lurking behind the scenes, "in order to guarantee it, this production of signature."[223] Who, then, is this mysterious countersignature?

The question of the nature of this countersignature takes us to a central problem in modern political theory: how to found a political community when traditional sources of authority no longer compel? Or to put it differently, in a postfoundationalist era, how can lasting foundations be established? Sophia Näsström states the paradox of community foundation succinctly: "While the people constitutes the only legitimate source of political authority, it cannot lend itself the legitimacy it needs to qualify as such … In order to constitute the legitimate source of political

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[222] Austin, *How To Do Things With Words*.

[223] Derrida, "Declarations of independence," 52.

authority, it would have to be prior to itself."[224] Hannah Arendt thought that the U.S. Declaration of Independence was genuinely path breaking for not *primarily* making recourse to an absolute, above and beyond the people itself.[225] For Arendt, appealing to an absolute is not only intellectually dishonest, it is fundamentally *disempowering* since such an absolute is "a truth that needs no agreement since, because of its self-evidence, it compels without argumentative demonstration or political persuasion ... they [absolutes] are in a sense no less compelling than 'despotic power.'"[226] Absolutes, in Arendt's view, limit human possibilities, innovation, and freedom, and coerce people into blind submission.

The wording in the U.S. Declaration of Independence that "we hold these truths to be self-evident" is partly performative, (we hold) and partly constative (the invocation of self-evident truths). According to Honig,

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[224] Sophia Näsström, "What Globalization Overshadows," *Political Theory* 31, no. 6 (2003), 808.

[225] Bonnie Honig, "Declarations of Independence: Arendt and Derrida on the Problem of Founding a Republic," *The American Political Science Review* 85, no. 1 (1991): 97-113. Interestingly, Hardt and Negri make a similar reading of the U.S. Declaration of Independence, but fail to notice the tension between the performative and constative elements in the text, making their reading less nuanced than Arendt's, let alone Derrida's. Instead, they assert that: "Power is not something that lords over us but something that we make. The American Declaration of Independence celebrates this new idea of power in the clearest terms. The emancipation of humanity from every transcendent power is grounded on the multitude's power to construct its own political institutions and constitute society." Michael Hardt and Antonio Negri, *Empire* (Cambridge, MA: Harvard University Press, 2000), 165.

[226] Hannah Arendt, *On Revolution* (New York: Penguin Books, 1963),192, quoted in Honig, "Declarations of Independence," 99.

Arendt downplays the constative part of the phrase and celebrates the "we hold" as truly revolutionary. For Arendt, the source of authority of the Declaration of Independence, lies in the very act of foundation itself, and the appeal to "self-evident truths" is actually redundant.[227] For Derrida, on the other hand, the appeal to "self-evident truths" in the Declaration of Independence was not a slip of the tongue but an assertion of the source of authority behind those self-evident truths, namely the laws of nature and ultimately God, standing as the countersignature to the people, as the guarantor of the people; of the *righteousness* of the people. At the last instance of an act of foundation, according to Derrida, there is a gap that must be anchored in something. No act of foundation can anchor itself without recourse to something external to the act itself. This line of reasoning is analogous to Derrida's critique of structuralism. In every structure there is a blind spot, that makes the structure work, but which cannot be legitimated by the structure itself, hence, necessarily occupying a precarious location simultaneously inside and outside this structure.[228]

The first article of the European Constitution begins with a performative declaration: "Reflecting the will of the citizens and States of Europe to build a common future, this Constitution establishes the European Union,

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[227] Honig, "Declarations of Independence," 101.

[228] See Jacques Derrida, "Structure, Sign and Play in the Discourse of the Human Sciences."

on which the Member States confer competences to attain objectives they have in common."[229] Hence, the European Union is brought into existence. Throughout the Constitution, the importance of values is emphasized. The Union is founded "on *the values* of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities."[230] Further, its *aim* "is to promote peace, *its values* and the well-being" of the European peoples.[231] It is these values that determine whether a country may become a member or not (although it must also fulfill the condition of "being European"): "The Union shall be open to all European States which respect *its values* and are committed to promoting them together."[232] And, the Union's external relations "shall be guided by *the principles* which have inspired its own creation, development and enlargement."[233]

The search for a beginning, an absolute, which could function as a foundation for the Europe that is being constituted is intimately linked with the values that are stressed throughout the Constitution.

[229] Treaty establishing a Constitution for Europe, Article I-1.1.

[230] Ibid., Article I-2. (my emphasis).

[231] Ibid.

[232] Ibid., Article I-1.2. (my emphasis).

[233] Ibid., Article III-292.1. (my emphasis).

Interestingly, one of the most heated debates regarding the Constitution concerned whether the preamble should include an explicit reference to Christianity or not.[234] The secularist countries prevailed, but instead of an appeal to religion, we find something that is structurally similar, namely an appeal to the *universality* of the values upon which Europe would be founded. Such an appeal is found in the preamble to the Constitution: "DRAWING INSPIRATION from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law." A similar appeal is to be found in the preamble to the bill of rights that the Constitution incorporates in its second article: "Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity."

The appeal to the universality of its values, presented as a constative utterance provides the countersignature to the constitution of the European Union. Arguably, those values secure the founding of the Union. As Näsström aptly notices, the function of appealing to a universal in whatever guise it may take, has always been to *transcend and arrest the*

[234] See Tore Vincents Olsen, "United under God? Or not?" in *Political Theory and the European Constitution*, eds. Lynn Dobson and Andreas Follesdal, 75-90 (London, and New York: Routledge, 2004).

contingences of time.[235] Thus, the universal values are understood to bestow timelessness and permanence on the European Union. Let us further explore the nature of the values in the Constitutional treaty. In its entirety, the preamble reads:

> DRAWING INSPIRATION from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law, BELIEVING that Europe, reunited after bitter experiences, intends to continue along the path of civilisation, progress and prosperity, for the good of all its inhabitants, including the weakest and most deprived; that it wishes to remain a continent open to culture, learning and social progress; and that it wishes to deepen the democratic and transparent nature of its public life, and to strive for peace, justice and solidarity throughout the world, CONVINCED that, while remaining proud of their own national identities and history, the peoples of Europe are determined to transcend their former divisions and, united ever more closely, to forge a common destiny, CONVINCED that, thus 'United in diversity', Europe offers them the best chance of pursuing, with due regard for the rights of each individual and in awareness of their responsibilities towards future generations and the Earth, the great venture which makes of it a special area of human hope.

Europe's "cultural, religious and humanist inheritance'" is here posited as the ultimate source of the values that Europe is to be founded upon—serving as a foundation both to overcome Europe's "ancient divisions" and "to forge a common destiny." There is a peculiar dialectic at work between "Europe" and "its peoples" in this process: "the peoples of Europe are

[235] Näsström, "What Globalization Overshadows," 817.

determined to transcend their former divisions." What is of more consequence, however, and as J. Peter Burgess notices, the universality that is appealed to is unstable: Europe's "cultural, religious and humanist" past is the source of the universal values that Europe rests upon and are supposed to guide "us" in overcoming Europe's divisions.[236] At the same time, however, Europe's past is precisely one of division and conflict, which must be transcended, in order to make Europe safe for its universal values, which paradoxically were present already in the past, so that Europe can unite. Ultimately and rather peculiarly then, it turns out that the major condition of possibility of *Europe-as-a-unified-whole*, namely Europe's past resting on a set of universal values, coincide with its major condition of impossibility since this source simultaneously contains all that which has *always* torn Europe apart.

What is common to all the three sources of inspiration for Europe's constitutional project, culture, religion, and humanism, is that within them, one finds powerful drives towards unity and identity that have historically been tearing Europe apart. The drafters may argue that European integration is designed and pursued in order to overcome the drive to fragmentation and difference, starting from the premise that it

[236] J. Peter Burgess, "The evolution of European Union law and Carl Schmitt's theory of the nomos of Europe," in *The International Political Thought of Carl Schmitt. Terror, liberal war and the crisis of global order*, eds. Louiza Odysseos and Fabio Petito (London and New York: Routledge, 2007), 190-91.

was Europe's *diversity* that ultimately caused war. However, another reading is that it was rather the drive towards unity and identity, examples of which we find under the labels of "culture" (think of the many nationalisms in Europe), "religion" (think of Europe's religious wars), and "humanism" (think with Adorno and Horkheimer of the totalitarian dimensions of the Enlightenment project), which caused conflict within Europe. On this reading, conflict has ensued as a result of various particularisms presenting themselves as universalisms, claims that have always been resisted, and that eventually resulted in two total wars in the twentieth century. The risk of European integration, then, is that it merely replicates all the previous (bloody and violent) attempts to European identity: attempts to get rid of the differences within Europe, in the name of achieving European unity. Historically, and to put it in terms of the depressingly familiar language of *realpolitik*, pushes towards European integration have often followed violent trajectories of imperialism. Hence, within the turgid narratives of a shared European culture lies the dynamic that has produced much violence in Europe.

The desire for identity in the Constitution perhaps most explicitly reveals itself in the reference to a European *re*unification made in the preamble. European integration and ultimately European unity will presumably take Europe back to a mythical state that predates all conflict that tore it apart. The ultimate promise of European integration, then, is a return to its

origin as complete, full and self-identical—Europe is re-collected, and *Europe will finally (again) be Europe*. And following Derrida, this mirrors the second step in what one may call the distinctive double-gesture of Western metaphysics, namely “the enterprise of returning ‘strategically,’ ideally, to an origin or to a ‘priority’ held to be simple, intact, normal, pure, standard, self-identical, in order *then* to think in terms of derivation, complication, deterioration, accident, etc.”[237] In the context of European community building, a major implication of the desire for identity and re-collection lies in how difference is treated. That which may threaten the re-collection of Europe should either be *excluded* (rendered as non-European) or *interiorized*; that is, subsumed and cleansed of what could not effectively pass as European. This is a powerful quasi-Hegelian motif, where European History strives to reduce otherness to sameness.

EUlogy

We have in this chapter seen how the Constitutional Treaty attempts to establish Europe as a community of values by linking it to a transcendental signified in the shape of a set of universal values. And, already within the constitution, we notice the problematic nature of those values. Most importantly perhaps, and what I will come back to in the next chapter, the Constitutional Treaty expresses one of the defining gestures of modern statecraft: the universal is being compacted into a particular. Although

[237] Derrida, *Limited Inc.*, 93.

Europe is defined by reference to a particular set of values, as proper to Europe, those values are said to be universal. However, the constitution of Europe is of course not a one shot event. Figuratively, a Constitution must be resigned every day to perpetually reinvent its signers, so that people start thinking of it as normal, commonsensical and therefore inevitable. Indeed, as Zygmunt Bauman puts it, "having no other ground except the submissiveness of the converted, the presence of communities must be renewed daily."[238] In the next chapter, I turn to the policy area that has arguably most to do with community building and subject formation, namely foreign policy, to examine how this community of values is enacted. By reading a large amount of speeches spanning about a decade, I wish to convey a sense of this performative nature of statecraft.

Before doing so however, let me offer an interpretation of the failure of the Constitutional Treaty. In 2005, 54% of the French and 64% of the Dutch populations said No to the *Yes-to-Europe*. European elites were quick to blame the defeat of the Constitution in France and the Netherlands on the joint efforts of the "backwards" forces of "the far right" and "the far left." While I by no means wish to downplay the extent to which xenophobic sentiments may have played their ugly part in both the French and the Dutch referenda, the rhetorical strategy of scapegoating "extremism" was blatantly self-serving. Jean Baudrillard suggested a different

[238] Bauman, *Postmodern Ethics*, 46.

interpretation of this No to “the Unquestionable Yes”, namely as a protest to the onslaught on the principle of *representation*, “after which Europe’s people will find themselves irrevocably consigned to the role of extras, requested to supply a rubber stamp from time to time.”[239] This No, then, could be interpreted as challenging the hegemonic narrative of Europe, which presents itself as *the only alternative,* as historical necessity.

To this, let me hint at a related interpretation: the No could be taken as a demonstration of resistance to the dialectical narrative of *European-as-coming-together*, a dialectic that seeks to relegate all difference that cannot be subsumed under the official banner of European values, principles and virtues; that cannot effectively pass as European, to banishment. The No was not “a work of the negative”[240] but the affirmation of contradiction–*opposition that cannot be resolved*. Thus understood, it is a No that smacks of a lustful spirit of revolution against the totalizing narrative of Historical necessity. The No could be understood as an act of recognition to non-Europe(s), non-Europe(s) that “we Europeans” should not anxiously have to impose closure on and expel from our European selves. The No could further be interpreted as resistance to the invocation of a set of universals to arrest politics, to de-

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[239] Jean Baudrillard, “Holy Europe,” *New Left Review* 33, May-June (2005), 25.

[240] Ibid., 24.

democratize. In the resistance to being named as One, to being reduced to having One Economy as *the* European Economy, and One Interest as *the* European Interest, lies perhaps what unites the majorities of the populations in France and the Netherlands.

On a final note, as shown in the beginning of this chapter, in the mainstream scholarly discourse, the need for a Constitution was often thought to be necessary to enhance the Union's *legitimacy*. One should notice that legitimacy does not necessarily have anything to do with democracy. In many, at least European, national settings, the institutions seen as most *legitimate* in the public eye are often the ones least democratic, such as central banks and the military.[241] Further, the democratic paradox teaches us that democracy, the people itself, cannot act as a sole source of legitimacy for a constitution, since the constitution in its very act of institution gives birth to the people, and for it to do so, needs to appeal to an absolute, external source to the act of foundation itself. Would the question of whether the EU benefits from a constitution be framed in terms of *democratizing* the EU, rather than enhancing its legitimacy, a constitution would therefore not necessarily seem to be the

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[241] Andrew Moravcsik makes this point and notices that the most democratic institutions at the national level are often the least popular ones. From this he, somewhat surprisingly, draws the conclusion that one ought therefore *not* attempt to further democratize the Union. See Andrew Moravcsik, "In Defence of the Democratic Deficit: Reassessing Legitimacy in the European Union," *Journal of Common Market Studies* 40, no. 4 (2002).

best option. In fact, in the act of constitutionalisation, some values are taken out and placed beyond and above politics; they are in effect depoliticized and placed beyond the reach of democracy. The process of constitutionalisation is thus directly opposed to a process of democratization, the latter being concerned with the extension of democratic politics into more areas of global and local life. The defeat of the Constitution may therefore ultimately in some sense be interpreted as a victory for democracy—a democracy not as an end-state, but democracy as a never-to-be finished process, as a democracy yet to come.

Chapter 4

SOLANA'S STRUGGLE: UNIVERSALITY, PARTICULARITY, AND EXEMPLARITY IN THE CRAFTING OF THE EUROPEAN UNION

Ever since the inception of the European Political Cooperation (EPC) in 1970, predecessor to the European Union's Common Foreign and Security Policy (CFSP) established in 1993, the way in which the European Union conducts international relations has been subject to much academic, as well as more popular, controversy. From François Duchêne's and Hedley Bull's ponderings over the virtues and vices of the EU as a "civilian power" in the 1970s to the more recent debate on the EU as a "normative power," many commentators have argued that the EU's approach to international politics is *sui generis* and qualitatively different from that of the modern state.[242] It should from the outset be clarified that I will in this chapter *not* deal with the question of whether there is a greater emphasis on human rights and international law in EU's foreign policy discourse as compared to most states, which is sometimes claimed in the "normative power Europe" discourse. Rather, my chapter concerns what I take to be a more fundamental issue for questions of violence and ethics, namely how the

[242] See e.g. François Duchêne, "Europe's role in world peace," in *Europe Tomorrow: Sixteen Europeans Look Ahead*, ed. Richard Mayne (London: Fontana, 1972), 32-47; Hedley Bull, "Civilian Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies* 21, no. 2 (1982); Manners, "Normative Power Europe;" Thomas Diez, "Constructing the Self and Changing Others: Problematising the Concept of 'Normative Power Europe,'" *Millennium: Journal of International Studies* 33, no. 3 (2005); Helene Sjursen, ed. "What Kind of Power?" Special issue, *Journal of European Public Policy* 13, no. 2 (2006).

"Europe" in the European Union is being enacted in relation to difference, and what that might tell us when it comes to the question of the EU's alleged difference from the modern state.

In this chapter, I examine the crafting of the European Union through a reading of the collected speeches made by the first and former High Representative of the EU's CFSP, Javier Solana. Arguably, more than anyone else in the last decade, Solana has spoken on behalf of "Europe" in regard to how the Union relates to its "outside."[243] Solana is a highly uncontroversial figure, whose speeches attracted very little criticism. His speeches thus to a large extent articulated what the mainstream political parties and countries in the EU found and still find commonsensical. Solana's speeches provide a useful entry point into the discursive network that crafts the European Union.[244] I do not claim that his speeches are *representative* of Europe's struggle to articulate an ethos in the sense of standing in the name of another set of speeches as if perfectly substitutable, only that Solana for a considerable amount of time has been standing in a privileged position of power within a complex network of discourses. As High Representative of the CFSP, Solana has been

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[243] It should be pointed out that Solana is a highly uncontroversial figure, whose speeches attracted very little criticism. Solana's speeches thus to a large extent articulated what the mainstream political parties and countries in the EU found and still find commonsensical.

[244] I have systematically gone through all speeches made by Javier Solana between 1999 and 2008.

structurally expected to “fill in” the subject position of an important structuring node that linked many discourses into a somewhat coherent semantic network. Given the impact of Solana’s speeches, as well as the prestige and authority vested in his office, one could quite plausibly ascribe a certain amount of discursive “agency” to Solana in articulating and enacting “Europe;” “agency” not understood as sovereign autonomy, but “agency” in the process of *weaving together* existing sometimes supportive, sometimes contradictory narratives about “Europe” already in circulation.[245]

I argue that one may in EU’s foreign policy discourse identify two major discursive gestures, each with its own distinct risks, between which the crafting of Europe continuously oscillates. The first gesture is one of *particularizing Europe*. I understand this as practices of attempting to impose clear boundaries of differentiation around Europe. The Europe enacted is here understood as planting a new flag, claiming a piece of land, imposing its law upon this territory, and conjuring up its own distinctive identity; in other words, adding a new center of sovereignty from which

[245] Consistent with the deconstructive textual approach of this dissertation, I here understand “agency” as a process of resignification, or “textual weaving.” As Judith Butler has put it: “To be constituted by language is to be produced within a given network on power/discourse which is open to resignification, redeployment, subversive citation from within, and interruption and inadvertent convergences with other such networks. ‘Agency’ is to be found precisely at such junctures where discourse is renewed… In this sense, discourse is the horizon of agency, but also, performativity is to be rethought as resignification.” “For a Careful Reading,” in *Feminist Contentions: A Philosophical Exchange*, ed. Seyla Benhabib (London and New York: Routledge), 135.

political and social life may be arranged. The second gesture is one of *universalizing Europe*. Here, the particularizing gestures are resisted and Europe is understood as identical to the rest of the world. Or, at least, "beneath" layers of whatever passes as culture, tradition, and history, there is no essential difference between Europe and her others. In this chapter, I suggest that Europe is crafted in a pendular oscillation between its paradoxical claim to being both particular and yet also universal. It is furthermore the suggestion of the chapter that this oscillation reveals that Europe is crafted in a way akin to that of the modern state: in a constant movement and mediation between the universal and the particular. Hence, I contend, the crafting of Europe involves similar risks to those of the modern state; i.e. either to expel or interiorize difference. It would thus be highly premature to speak of Europe not only as qualitatively different from that of the modern state, but also in a more fundamental sense, as the more apologetic strands of the literature on the EU tend to do, of Europe as an inherently "gentler" form of international actor.[246]

My reading thus takes issue with those who hold that the EU has somehow transcended the logic of differentiation of the nation state with no outside being produced, a position articulated by Michael Hardt and Antonio

[246] E.g. Manners, "Normative Power Europe." For a critique, see Diez, "Constructing the Self and Changing Others;"and Manners, "The European Union as a Normative Power: A Response to Thomas Diez."

Negri,[247] and which is hinted at, but most often not clearly spelled out in some of the celebratory pieces on European foreign relations, which hold that the EU is emerging as a "new" kind of actor.[248] My reading also runs counter to those who see the European Union as rather unproblematically and unreflectively embracing an identitarian logic of particularity.[249] Rather, the logic of particularity, identity, and community is perpetually challenged, questioned, and problematized. Those contradictions, I will argue should be read as testifying to the fundamentally irresolvable tension between particularity/universality, which can be negotiated differently but not transcended. And the prevalence of the particularity/universality binary demonstrates that the crafting of the European Union has far from transcended the crafting of the modern state.

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[247] Michael Hardt and Antonio Negri, *Multitude: War and Democracy in the Age of Empire* (London: Penguin Books, 2004), 196. For related arguments see also Ruggie, "Territoriality and Beyond;" and Ole Waever, "Insecurity, Security, and Asecurity in the West European Non-war Community," in *Security Communities*, eds. Emmanuel Adler and Michael Barnett, 69-118 (Cambridge: Cambridge University Press, 1998).

[248] Ian Manners, most famously, argued that the Union is "constructed on a normative basis ... [which] predisposes it to act in a normative way in world politics." "Normative Power Europe," 253.

[249] See Michelle Pace, "The Ugly Duckling of Europe: The Mediterranean in the Foreign Policy of the European Union," *Journal of European Area Studies* 10, no. 2 (2002); and Ifversen Jan and Christoffer Kolvraa,"European Neighbourhood Policy as Identity Politics" (Paper presented as the EUSA Tenth Biennial International Conference, Montreal, Canada, May 17-19, 2007).

The chapter unfolds as follows. After briefly locating my problem area within the broader literature of critical IR pertaining to the role of foreign policy and identity, I go on to review some of the existing scholarship on the self/other relation in the case of the EU. I then argue that the EU is not primarily, or perhaps at all, differentiating itself from some concrete, identifiable entity outside its boundaries. Rather, the outside being produced emerges in response to the *ontological question* of Europe: i.e. *what is Europe*, and what are "our" uniquely European values? Europe is primarily being constituted as a community of values, with a perpetually challenged and often destabilized set of borders. Second, as seen in Solana's remarks above, I show how those values oscillate between being represented as universal, i.e. common to all, and particular to Europe. I suggest that this ambiguity should be seen as testifying to the impossibility of combining an attempt at instantiating a community, for which a logic of identity never can be renounced, with a wish to move beyond the exclusionary gestures inherent in such a logic, and imagine a more inclusive and difference-embracing form of political community.

In attempting to constitute Europe as an inclusive community, I argue that there is an important risk involved. What could well be understood as a gesture of attempted *inclusion*, i.e. the positing of universality of European values, risks turning Europe into the *exemplary community*, as the privileged bearer of those universal values. The allegedly universal values

are often re-inscribed in the territory of Europe, in the form of Europe as the exemplary community. This strategy, as I will argue below, could most fruitfully be seen as an attempt to resolve, or at least manage, the contradiction between universality and particularity of Europe's values through the introduction of time. Such a strategy is highly problematic since by recognizing no boundaries to Europe, it enacts an imperialist ethos. Ultimately, the oscillation between particularity and universality in the crafting of the European Union reveals that statecraft has far from been overcome.

Foreign Policy and the question of Europe

An investigation into how the European subject is crafted, a set of performances which this dissertation refers to as *practices of crafting Europe*, could be undertaken through the study of foreign policy discourse. Within International Relations (IR), a number of works employ an understanding of foreign policy as essentially concerned with subject formation. In these works, practices of foreign policy take on the meaning of *performative* and thereby *productive* of political community, and are not understood as "the external deployment of instrumental reason on behalf of an unproblematic internal identity situated in an anarchic realm of necessity,"[250] as David Campbell has put it, contrasting a performative

[250] Campbell, *Writing Security*, 37.

understanding of foreign policy to a traditional one. In other words, in contrast to much traditional IR, the international states system is *not* understood as consisting of individuated states that are ontologically prior to a system with entities where identity is firmly grounded prior to foreign policy practices. Instead, a performative approach understands foreign policy as "a specific sort of boundary-producing political performance,"[251] and emphasizes how foreign policy establishes the boundaries that perform the subjects of global life, making certain subjects, objects, and modes of conduct "foreign."[252] This understanding of foreign policy, as performative and productive of community, underlies the literature of self/other differentiation in IR, and provides the basic justification as to why this dissertation deals with foreign policy discourse.

The first wave of IR scholarship on self/other differentiation tended to focus on the ways in which difference was converted into otherness in order to perform a dominant narration of a national self.[253] William

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[251] Richard K. Ashley, "Foreign Policy as Political Performance," *International Studies Notes* XIII (1987), 51.

[252] This understanding of foreign policy, though already proposed in 1987 by Ashley, "Foreign Policy as Political Performance," is perhaps most comprehensively developed in David Campbell, *Writing Security*, 53-72.

[253] In mainstream IR, Alexander Wendt's writings on collective identity formation have been influential. Though Wendt's work has many merits, it is less useful for understanding the link between foreign policy practices and the performance of a national identity. Briefly put, Wendt's theorizing on the self/other nexus, drawing mainly on symbolic interactionism, portrays intersubjectivity as an outcome of fully formed and prior existing forms of subjectivity (i.e. "national identities"), effectively foreclosing a constitutive understanding of foreign policy, and shall therefore not be dealt with here.

Connolly's assertion in his *Identity/Difference* that "Identity requires difference in order to be, and it converts difference into otherness in order to secure its own self-certainty"[254] was often, somewhat programmatically, taken as a starting-point, particularly in the more empirical treatments of the self/other nexus. And in what after more than fifteen years probably remains the most influential empirical work on foreign policy and the production of subjectivity, David Campbell portrayed U.S. foreign policy as a series of self-constituting and highly violent practices of othering, explicitly choosing not to focus on counter-discourses and instances of less violent dealings with difference, making U.S. foreign policy look a lot worse than would otherwise have been the case.[255]

In the literature on Europe and the EU, some scholars have in modes of analyses similar to Campbell's enterprise, tended to emphasize the similarities of how Europe, like the modern state, relates to difference, i.e. as a series of self-constituting practices of othering. Iver Neumann's story about how "the East" has been used in European identity formation is essentially one of how difference has been converted into otherness throughout history and closes on a rather pessimistic note regarding EU's

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See Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), 313-369.

[254] Connolly, *Identity/Difference*, 64.

[255] Campbell, *Writing Security*.

prospects of resisting othering-practices: “As far as I can see, political opposition on the level of nation-states, regions, and the EU has already begun to take the shape of rallying around essentialised communities that are presented as threatened and hence in need of being secured. Difference is already being turned into otherness.”[256] Similarly, Maria Stern’s reading of the European Security Strategy highlights how “Europe” emerges through a series of inclusions and exclusions with a clearly demarcated inside and outside. Although Stern acknowledges that Europe is produced through many “interrelated and even competing logics,”[257] her focus is evidently on how gendered and colonial logics establish the classic binaries between inside and outside, and concluding that violently drawn distinctions “between good and evil, humanity and barbarism, the underdeveloped and the developed, haunt the secure Europe and the better world promised in the strategy.”[258]

Nevertheless, others have found Campbell’s one-sided focus on strategies of othering, somewhat lacking in nuance when applied to the European Union. Based on a reading of European security rhetoric, Ole Waever denied what he called against “the wish of various post-structuralists” that

[256] Neumann, *Uses of the Other*, 228.

[257] Maria Stern, “Gender and race in the European security strategy: Europe as a ‘force for good’?” *Journal of International Relations and Development* 14, no. 1 (2011), 49.

[258] Ibid., 50.

the EU was othering its neighbors and that it was predominantly Europe's bloody history that provided the other for the constitution of its self.[259] And whereas Lene Hansen wanted to introduce a discursive research design that allowed for *degrees* of otherness,[260] Bahar Rumelili sought to identify scope conditions for when difference was most likely to be turned into otherness and argued that: "the discursive dependence of identity on difference does not necessarily entail a relationship of Othering between self and other. This contingency, while acknowledged in some sophisticated analysis, remains understated and underexplored in critical constructivist literature."[261]

Rumelili argued that one needs to separate the ontological question of the self/other relationship from its behavioral manifestations and posits what she believes to be three constitutive dimensions of self/other interactions–nature of identity/difference, response of other, and social distance–which help to account for the different ways in which the EU relates to Central and Eastern Europe, Morocco, and Turkey respectively. Whereas Rumelili helpfully points to the importance of differentiating between ways of

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[259] Waever, "Insecurity, Security, and Asecurity in the West European Non-war Community," 100.

[260] Hansen, *Security as Practice,* see particularly chapter 3.

[261] Rumelili, "Constructing identity and relating to difference: understanding EU's mode of differentiation," 36.

relating to difference and infuses much nuance into the discussion about otherness in IR, a problem with her argument is that one particular aspect of practice, i.e. the decision of the EU to enlarge or not, becomes the determining criterion for whether difference is turned into otherness or not. In the final analysis, for Rumelili, "brute state behavior" rather than dominant discursive representations becomes the determinant of mode of differentiation. Such a criterion is problematic since what constitutes subjectivity is *discourse*, which could and ought not to be reduced to any one aspect of behavior that is interpreted to be decisive. For the textual understanding of the social world that this dissertation operates on, it is not possible to uphold a distinction between behavioral manifestation and discursive representation since behavior is always discursively mediated.

Favoring a more textual trek, Thomas Diez has usefully proposed different forms of othering as ways in which the EU could potentially relate to difference, as expressed in the "EU normative power" discourse. First, the other could be represented as an *existential threat* (as the Copenhagen School focuses on in the analysis of securitization), second, as *inferior*, third as *violating universal principles*, and finally, simply as *different* (without any hierarchization).[262] In a reply, Ian Manners proposes a fifth category with which the normative power Europe discourse may be examined, namely *the self as other* as borrowed from Julia Kristeva and

[262] Diez, "Constructing the Self and Changing Others," 628.

understood as “an abject-foreigner which is part of our conscious and unconscious selves.”[263] Diez calls for further research on the academic discourse of normative power Europe and the modes of otherness which they imply, which certainly is needed. And just as important as critical attention to the scholarly discourse, is attention to how the EU policy makers themselves relate to difference, a task to which I turn in this chapter.

Michael Hardt and Antonio Negri have argued that the inside/outside dialectic is distinctively modern and we are now living in a “postmodern” era where it is becoming increasingly impossible to uphold a distinction between inside and outside.[264] Hence, the logic of the constitutive outside no longer applies: “The binaries that defined modern conflict have become blurred. The Other that might delimit a modern sovereign Self has become fractured and indistinct, and there is no longer an outside that can bound the place of sovereignty.”[265] In *Multitude*, they point to the European Union as exhibiting this “postmodern” non-mode of differentiation, in which there is no longer an outside serving as constitutive of the EU’s

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[263] Manners, “The European Union as a Normative Power,” 178.

[264] Hardt and Negri, *Empire*, 186-87.

[265] Ibid., 189.

"postmodern" self.[266] In the spatial sense, Hardt and Negri seem correct;[267] the constitutive outside is no longer contained in another state or another stable entity, which is very clear when considering Solana's description of the threats facing Europe: "The greatest challenges which face us today know no borders, no frontiers: I am speaking of terrorism, organised crime, money laundering, drug-trafficking. These activities weaken our economies, destabilise our infrastructures, undermine democracy and damage our peoples. Their internationalism is what allows them to flourish. Like a rampant disease, they are difficult to isolate, and it is extremely difficult for any single nation to combat them successfully."[268]

As Hardt and Negri claim, a *spatial* outside may no longer bound the sovereignty of Europe. As Solana claims, "We have moved beyond clearly demarcated front-lines, with armies facing each other. Instead people are at risk everywhere, including in our own city centres. Of course this is a

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[266] Hardt and Negri, *Multitude*, 296.

[267] And so is Ole Waever in his observation that EU is not the business of othering its neighbors. Waever, "Insecurity, Security, and Asecurity in the West European Non-war Community," 100.

[268] Javier Solana, "The European Union and Japan in a Global Environment: Looking to the Future" (Keio University, Tokyo, 24 October, 2000).

world of great opportunities for increased freedom and prosperity. But it is also one of unpredictable perils."[269]

But Derrida never limited the outside/inside distinction to a spatial divide in the Cartesian sense. Only in a spatial sense, could one argue that Europe has moved away from the double gesture of Western metaphysics. The ontological question, however, of what Europe *is*, continues to haunt Solana–and that is a ghost that *cannot* be exorcised: "We no longer face the threat of massive conventional and non-conventional attack. There are new challenges. They may not threaten our existence. But they threaten our way of life, our values."[270]

The conflicts of the contemporary world often do not have consequences for the geopolitical landscape, but what Solana finds "worrying about them" is that they "often signal a return to barbarity,"[271] and hence, pose a threat to *our values, what we are*. Ultimately, as we shall see below, despite Solana's wish for articulating a new sort of political community:

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[269] Javier Solana, "Speech by Javier Solana at the 40th Commanders Conference of the German Bundeswehr" (Bonn, 11 October, 2005). Throughout the chapter, all emphases in Solana's speeches are inserted by myself.

[270] Javier Solana, "Speech by Dr Javier Solana" (Munich, 5 February, 2000).

[271] Javier Solana, "Towards a New International Morality: the Humanitarian Interventions" (Madrid, University of Alcala de Henares, 7 July, 2000).

"We are no longer a partnership against something, but a partnership for something,"[272] Solana still has to end up affirming the exclusionary logic of identity with its inevitable violence. Solana's struggle to articulate a more inclusive form of political community reveals the impossibility of doing away with the constitutive outside.

Europe as a community of values

Javier Solana, like the Constitutional Treaty, consistently insists that Europe is "above all a community built on a set of principles and a set of values."[273] For the first time in history, claims Solana, is it possible for Europeans to consolidate a lasting peace on the European continent not on the basis of a balance of power but "on the voluntary acceptance of and commitment to a set of values that inspires our civilization."[274] As a consequence of this community founded on common values, the EU's foreign policy is most fundamentally about "the *defence* and promotion of the *values* which are at the *heart* of European history and civilization,"[275]

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[272] Javier Solana, "Europe and America: Partners of Choice" (New York, 7 May, 2003).

[273] Javier Solana, "The Development of a Common European Security and Defence Policy: The Integration Project of the Next Decade" (Berlin, 17 December 1999).

[274] Javier Solana, "Intervention by Javier Solana" (Friends of Nieuwspoort Dinner, International Press Centre Nieuwspoort, Ridderzaal, the Hague, 22 January, 2002).

[275] Javier Solana, "Where does the EU stand on Common Foreign and Security Policy?" (Forschumgsinstitut Der Deutschen Gesellschaft Fuer Auswaertige Politik, Berlin, 14 November, 2000).

and ought to reflect “the values and principles which have forged our identity as European.”[276] Hence, Solana insists that European foreign policy must not limit itself to a defense of Europe’s economic interests, but that a “comprehensive foreign policy is a statement of values as well as interests, an expression of identity, and a decision to promote them abroad.”[277] The legitimacy of the Common Foreign and Security Policy (CFSP) in the eyes of its citizens partially relies on its defence, maintenance, and promotion of European values: “*values* are our crucial link with the people of the street, who want to understand why we take this or that decision, and whose support we need at all times.”[278]

Importantly, and analogous to the Europe inscribed in the Constitution, there has to be values that are at the heart, that is, at the transhistorical center of Europe, exclusively European, and upon which the European community can be securely founded and *fended off* from the rest of the world. Europe is being particularized and we here see the traditional logic of differentiation at work, which just like the Constitutional Treaty

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[276] Javier Solana, ”Appearance of Dr Javier Solana, Secretary-General/EU High Representative for the CFSP before the European Parliament” (Strasbourg, 17 November 1999).

[277] Javier Solana, ”Intervention by Javier Solana,” (Friends of Nieuwspoort Dinner, International Press Centre Nieuwspoort, Ridderzaal, the Hague, 22 January, 2002).

[278] Javier Solana, “Where does the EU stand on Common Foreign and Security Policy?” (Forschumgsinstitut Der Deutschen Gesellschaft Fuer Auswaertige Politik, Berlin, 14 November, 2000).

differentiates Europe by means of appealing to a set of values. If European values were simply universal values, they would not be able to effectively ground a peculiarly European mode of subjectivity, i.e., we would quite simply not be able to distinguish Europe from non-Europe. A problem with the emphasis on the particularity of values is that it risks turning the EU into an imperial power, attempting to impose *its* unique and particular values on others. When the particularity of those values is emphasized the resulting foreign policy could from a viewpoint from outside of Europe at times appear as rather menacing as in Solana's remark that "Europeans want *their* values…promoted around the world,"[279] and as in his insistence that the development of EU's security and defense policy (ESDP) "is crucial if Europe is to…maintain those values on which it is based."[280] In other words, according to Solana, Europeans want *their* particular values not only to be defended at home but also advanced abroad, and need a common security and defense policy, i.e. a military component in the form of the ESDP, to do so.

Solana goes to some length in his attempt to spell out the values on which Europe is allegedly founded and a tension between the universality and particularity of European values runs as a red thread throughout. The

[279] Javier Solana, "Speech by Javier Solana at the Sound of Europe Conference" (Salzburg, 27 January, 2006).

[280] Javier Solana, "ESDP after Nice, Where Do We Stand? Where Do We Go?" (Address to the Austrian Institute for European Security Studies, Vienna, 18 January, 2001).

values defining Europe are sometimes presented as uniquely European, as when these values are portrayed as a source of respect for Europe from other countries: Europe is respected for *its* values.[281] Speaking under the subheading of "back to Europe's essence," which Solana advocates as a way out of the crisis after the failure to ratify the proposed European constitution, he claims that: "I believe that our continent does have a particular identity. True, discussions on European identity often degenerate into platitudes and guff. Europe's identity is hard to pin down. And of course we share many values with others, notably in North America. Even so, I believe there is a European identity."[282]

It is worthwhile to notice that this speech, where the particularity of European identity is stressed, is delivered in a time of perceived crisis of the European project of community building. Solana appeals to the particularity of European values to stress the commonalities of Europe, and explicitly advocates a return to the "essence of Europe" to remind Europeans about their common project of community building as "destiny." Here, Solana very clearly engages in the double gesture of Western metaphysics, anxiously desiring a return to the origin of Europe—

[281] Javier Solana, "The Development of a Common Foreign and Security Policy and the Role of the High Representative" (DUPI, Copenhagen, 11 February, 2000); Javier Solana, "Where does the EU stand on Common Foreign and Security Policy?" (Forschumgsinstitut Der Deutschen Gesellschaft Fuer Auswaertige Politik, Berlin, 14 November, 2000).

[282] Javier Solana, "Driving Forwards the China-EU Strategic Partnership" (Shanghai, 6 September, 2005).

Europe's essence, as a way out of the crisis of Europe, the corruption of Europe's purity. This is of course problematic, since as we saw in the previous chapter, "European values" contain also that which has caused conflict and division within Europe.

At other times, however, Solana simply equates European with universal values. Speaking in a Swedish town, Solana claims that: "The values rooted in our common texts *are common to all*. They are shared also with those who cannot be in Helsingborg–the victims of conflict whether in the Balkans, in the Middle East, on the Horn of Africa and in Central Africa. Our purpose is to enable these values to flourish and find expression where *they already have deep roots*."[283] Here, there is clearly no difference to be drawn between the values that Europe wants to promote and the values already in place in distant localities. These values already inhabit the whole world, and Europe's task is to cultivate them for the rest of the planet's peoples, to water their "deep roots" so that they may grow and flourish. The ambiguity about the status of the values that the EU is founded upon and the EU's foreign policy therefore should reflect is sometimes found within the same speech. In one speech, Solana first asserts that the EU's foreign policy should reflect "the values and principles which have forged *our identity as Europeans*" and then he

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[283] Javier Solana, "Summary of the Intervention of Javier Solana at the Regional EU Conference on Conflict Prevention'" (Helsingborg, 30 August, 2002).

immediately goes on to claim, ”it is essential that Europe's foreign policy is based on those values and *universal* principles. A key element of this must be the promotion and protection of human rights anywhere in the world.”[284] One finds a similar tension in what is probably Solana’s most sustained reflection on the status of the values that allegedly define Europe:

> I believe there is a core set of values, convictions and experiences that together form a composite European identity. And there are, by now, enough elements of a European model on how to organise our societies and interact with the wider world. We all feel it when we travel around the world. What are the elements? I would say compassion with those who suffer, peace and reconciliation through integration; a strong attachment to human rights, democracy and the rule of law; a spirit of compromise, plus a commitment to promote in a pragmatic way rule-based international system. But also a sense that history and culture are central to how the world works and therefore how we should engage with it.[285]

However, immediately after having spelled out a rather substantive definition of European values as proper to Europe, and appealing to identity as a necessary pre-condition for community, i.e. *particularizing* Europe, Solana immediately goes on to recognize that: “Once again these

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[284] Javier Solana, ”Appearance of Dr Javier Solana, Secretary-General/EU High Representative for the CFSP before the European Parliament” (Strasbourg, 17 November 1999).

[285] Javier Solana, ”Speech by Javier Solana at the Annual Conference of the Institute for Security Studies of the European Union” (Paris, 6 October, 2006); and c.p. Javier Solana, ”Acceptance Speech of Javier Solana on the occasion of receiving the Carnegie-Wateler Peace Prize” (The Hague, 23 November, 2006); and Javier Solana, ”Speech by Dr Javier Solana,” (Charlemagne Award 2007, Aachen, 17 May, 2007).

elements are *not unique to Europe*. And I don't want us to define ourselves negatively, against 'the other'. But we probably do feel more strongly about these values than others."[286]

Thus, when further examining the values upon which Europe is founded, one encounters a paradox. On the one hand, the particularity of the values of Europe are emphasized in an attempt to differentiate Europe from other communities, i.e. to bound Europe's self. However, in order to legitimize European intervention abroad in defense of this community of values and, most plausibly, construct Europe as an inclusive community, the universal nature of those values is instead emphasized. Using the all-too-familiar language of *realpolitik*, would Solana not make this equation, he would run the risk of rapidly approaching the imperial pole—Europe as simply imposing *its* values on others. An appeal to universality is not without its own risks however. It conjures up Europe's not very distant colonial past. One of the risks of the insistence of the universality of Europe's values is brought to the fore when we consider the link between universality and exemplarity.

Europe, exemplarity, and the (im)possibility of ethics

The practice of the good example is about inscribing a particular in the name of the universal *within a certain body*. As Derrida explicates: the

[286] Ibid.

value of universality is “always linked to the value of exemplarity that inscribes the universal in the proper body of singularity…whether this singularity be individual, social, national, state, federal, confederal.”[287] How does this play out? Derrida has devoted considerable attention to what has been called *the problem of exemplarity*.[288] In Derrida´s writings, the notion of an example—traditionally understood as *an instance* of the universal—takes two meanings at the same time; in Michael Naas’s words “an undistinguished sample and a teleological model” between which the notion of an example oscillates.[289] The first meaning is that of a *sample*; i.e. one undistinguished sample among many others, akin to the notion of a sample from a population in statistics. This understanding of an example presupposes the existence of a certain norm, which is present and universal in regard to all possible samples. The examples are simply mirror images of this pre-existing norm. On the second understanding of an example, however, the example always either *exceeds* or *falls short of*

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[287] Jacques Derrida, *The Other Heading: Reflections on Today’s Europe*, trans. Pascale-Anne Brault and Michael B. Naas (Bloomington: Indiana University Press, 1992), 72.

[288] Michael Naas, ”Introduction: For Example,” in *The Other Heading: Reflections on Today’s Europe*, by Jacques Derrida, trans. Pascale-Anne Brault and Michael B. Naas (Bloomington: Indiana University Press, 1992), vii–lix. On Derrida and exemplarity, see also Rodolphe Gasché, “God, for Example,” *Phenomenology and the Numinous*, (Fifth Annual Symposium of the Simon Silverman Phenomenology Center, 1988), 43-66. Pittsburgh: Duquesne University Press; and more critically Irene Harvey, “Derrida and the Issues of Exemplarity,” *Derrida: A Critical Reader*, ed. David Wood, 193-217. (Oxford: Blackwell, 1992).

[289] Naas, “Introduction,” xv.

some norm. Derrida provides a clear rendition of this *aporia* when commenting on Maurice Blanchot´s discussion of Marx:

> This other thinking of knowledge, if I can put it that way, does not exclude science. But it overturns and overflows its received idea. Blanchot recognizes in this "the example of Marx." Why example? We will ask even before knowing why "the example of Marx." Let us insist on this point. An example always carries beyond itself: it thereby opens up a testamentary dimension. The example is first of all for others, and beyond the self. Sometimes, but not always, whoever gives the example is not equal to the example he gives, even if he does everything to follow it in advance, "to learn how to live," as we were saying, imperfect example of the example he gives—which he gives by giving then what he has not and even what he is not. For this reason, the example thus disjoined separates enough from itself or from whoever gives it so as to be no longer or not yet example for itself.[290]

The example in this second sense is often understood as the essentially good example, carrying beyond itself and setting an example for others to follow, becoming the bearer of the uncertain and ambiguous norm that it is (merely) supposed to exemplify. So, the example in this second sense functions to stabilize and give content to a norm that is not already unambiguously in place. This logic of exemplarity is particularly visible in times of crises, when there is fundamental uncertainty about how to behave, only vague and ambiguous analogies to draw on.[291] In the aftermath of 9/11, for example, the firemen who risked their lives to save people trapped in the burning remnants of the Twin Towers became the

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[290] Derrida, *Specters of Marx*, 34.

[291] Thanks to Rick Ashley for this point.

exemplars of how a citizen ought to behave. The firemen exhibited exemplary behaviour, giving content to what good citizenship means while becoming bearers of a norm supposedly universal in regard to how all (good) citizens ought to behave, but a norm that was fundamentally uncertain and in need of at least provisional fixation.

In the traditional philosophical discourse on the idea of Europe, one finds an oscillation between the two meanings of the example, as one community among others—a community that observes the law already in place—and as the essentially good example; Europe as the bearer of the law that it sometimes must depart from and violate in order to lay down. The traditional discourse on Europe found in thinkers as diverse as Hegel, Husserl, Heidegger and Valéry, has often subscribed to the idea of Europe as the good example: "the idea of an advanced point of exemplarity... [as] the idea of the European idea, its eidos, the idea of beginning and telos."[292] This is the Europe that never ceases "to make advances on the other: to induce, seduce, produce, and conduce, to spread out, to cultivate, to love or to violate, to colonize, and to colonize itself."[293]

When reading Solana's speeches, one finds a similar oscillation between Europe as one example of regional integration among others, and as *the*

[292] Derrida, *The Other Heading*, 25.

[293] Derrida, *The Other Heading*, 49.

good example, as providing the exemplary model of integration: “Over the last forty years, the European Union has become one of the most sophisticated and advanced examples of regional integration in the world.”[294] At other times, the EU is simply presented as *the* best model, the exemplary of regional integration: “There is no better example of regional integration than the European Union. It has stood the test of time.”[295] So whereas the model of regional integration that the EU instantiates, sometimes simply offers “*a* model…for peace through regional integration,”[296] it is most frequently presented as more than one model among many models, but the only model, the exemplary model, that other regions ought to follow: “The European Union can be an example to the region of what can be achieved through co-operation and integration…We are better placed than anyone else to help, and we have a direct interest in doing so.”[297]

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[294] Javier Solana, ’The Development of a Common European Security and Defence Policy – The Integration Project of the Next Decade” (Berlin, 17 December 1999); and c.p. Javier Solana, ”Speech by Dr Javier Solana” (München, 5 February, 2000); and Javier Solana, ”ESDP after Nice, Where Do We Stand? Where Do We Go?” (Address to the Austrian Institute for European Security Studies, Vienna, 18 January, 2001).

[295] Javier Solana, ”EU Foreign Policy, Hendrik Brugmans Memorial” (Bruges Town Hall, 25 April, 2001).

[296] Javier Solana, **“**Intervention By Dr. Javier Solana, High Representative Of The Common Foreign and Security Policy To The General Affairs Council” (Brussels, 10 July 2000).

[297] Javier Solana, ”Summary of Intervention by Dr Javier Solana before the European Parliament” (21 March, 2000).

When speaking of Africa, Solana notices that it has “chosen a similar path”[298] to that of Europe and notes “with satisfaction that the European Union has served as inspiration and a model.”[299] And Europe’s exemplarity leads to “a need for Europe” in the world:

> Everywhere I hear foreign contacts tell me of their need for Europe. Yes, there is a need for Europe around the world! … Yes, the magnetic force of the European model is stronger than ever! Yes, Europe today is the main vector of peace and democracy right across the world. How many regions and countries admire the Franco-German reconciliation? This is no messianic posturing on my part but a statement of fact based on three objective realities: Europe is the most extensive and most developed model for political integration based on law and freedom. … The world needs Europe.[300]

It is not enough to simply embody the good example, for others to look up to, admire and try to imitate according to the best of their abilities. In the early years of Solana’s incumbency, before the military component of the CFSP, the ESDP, had materialized, he repeatedly stressed that Europe’s exemplarity can no longer passively assert itself: “It is no longer enough for Europe to remain a force for peace through example. The Union is also a community built on a set of principles and values. … There is in

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[298] Javier Solana, ”Statement by Secretary General/High Representative for Common Foreign and Security Policy” (Africa-Europe Summit, Cairo, 3-4 April, 2000).

[299] Javier Solana, ”Public Meeting on the Situation in Africa” (New York, 29 January, 2002).

[300] Javier Solana, ”Speech by Javier Solana at Institut d’Etudes Politiques” (Paris, 18 April, 2005).

particular increasing concern to support democracy and human rights in developing countries. I am convinced of the need for the European Union, together with those who share our values, to be forthright in defending these values and in upholding the basic principles on which Europe is founded."[301]

Here, one finds a peculiar link between exemplarity and responsibility. As Solana puts it, "It is my belief that because of our size and interests, because of our history *and values*, we have an obligation to take our share of responsibilities in this global age."[302] Europe is indeed even "being called upon" to assume its responsibilities,[303] and not just in the sense that as Solana often refers to, there is an external "demand for Europe,"[304] but because of the exemplarity of the values that Europe embodies. Responsibility for the world then becomes something that imposes itself upon Europe: it is not "only a matter of choice [but] … a question of

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[301] Javier Solana, "The Development of a Common Foreign and Security Policy and the Role of the High Representative" (DUPI, Copenhagen, 11 February, 2000); see also Javier Solana, "The Development of a Common Foreign and Security Policy and the Role of the High Representative" (Institute of European Affairs, Dublin, 30 March 2000); Javier Solana, "Speaking Notes for Dr Javier Solana at the Regional Funding Conference for South-East Europe" (Brussels, 29 March, 2000).

[302] Javier Solana, "Intervention by Javier Solana" (Friends of Nieuwspoort Dinner, International Press Centre Nieuwspoort, Ridderzaal, the Hague, 22 January, 2002).

[303] Javier Solana, "Leadership Strategy in the Security Arena: Changing Parameters for Global Recovery" (Athens, 19 April, 2002).

[304] Javier Solana, "Shaping an Effective EU Foreign Policy" (Brussels, 19 February, 2002); cp. Javier Solana, "Intervention by Javier Solana at the inaugural session of the 2002 Conference of Ambassadors" (Rome, 24 July, 2002).

responsibility."[305] Interestingly, this is not so far from an important strand in U.S. foreign policy discourse, which as Ernest Lee Tuveson argued, holds that "history has put a special responsibility on the American people to spread the blessings, liberty, democracy, and equality to others throughout the earth, and to defeat, if necessary by force, the sinister powers of darkness."[306]

When read through the logic of exemplarity, eurocentrism with its monological mode of relating to the other comes to the fore. The risk here is that Europe as the good example has little to learn from the other, only assume its burden to act as the great Educator, with all its colonially charged traces. And, radiating its exemplarity from the city on the hill is no longer enough, it is not *responsible* behavior. European foreign policy ultimately becomes a vehicle through which Europe may assume its responsibilities imposed on it because of its exemplarity. This, and not the idea of universality *as such*, is eurocentrism properly speaking understood with Ernesto Laclau as the equating of the universality of certain values, norms, and principles with the *institutions* thought to embody those

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305 Javier Solana, "The European Union and China: Strategic Partners" (Tsinghua University, Beijing, 17 March, 2004).

306 Ernest Lee Tuveson, *Redeemer Nation: The Idea of America's Millennial Role* (Chicago: The University of Chicago Press, 1980), vii.

values.[307] The practice of exemplarity then re-inscribes those values within the European body.

Importantly, the practice of exemplarity introduces a notion of time in an attempt to bridge the contradiction between universality and particularity.[308] Time appears in the guise of "progress" or "development," and operates by deploying the binaries of surface/depth and accident/essence. Progress or development is understood as the movement towards the obliteration of that which is cast merely as an accidental surface phenomenon and the simultaneous bringing to the surface of that which Europe already exemplifies. On this logic, other countries and continents may *appear* different from Europe, but are underneath those illusory appearances the same. Europe *appears* different and is an exemplar because it is the most advanced and developed locality in terms of this movement towards the surfacing of a deep essence common to all mankind. Thus, in Europe, values supersede and keep control of accidents. Outside of Europe, however, that gets reversed—accidents supersede and keep those values repressed. What is yet to progress, are those cases in which historical accident and surface appearances give rise to superficially appearing differences, but only because that which is essential to all humans has not yet been brought to

[307] Ernesto Laclau, *Emancipation(s)* (London and New York: Verso, 1996), 34.

[308] I thank Rick Ashley for elaborating on this point.

the surface. Thus Europe and non-Europe are *the same* in essence. The difference lies in, that being more progressive, Europe has brought to the surface that human essence, and is now exemplifying it, whereas Europe's others have not yet managed to do so.

The significance of this narrative structure should be fairly obvious. The logic of exemplarity then becomes a *potential* basis for a dubious and eurocentric notion of responsibility, which coincides with *the master narrative of* colonial responsibility. Europe may on this logic in some instances act with force and violence towards various others precisely because of their failure to follow Europe's example—which is after all alleged to be universal and really in line with their innermost but repressed wills. Europe's leaders for their part though, could *potentially* be forgiven for that violence because were Europe's others to develop, i.e. were their essence to come to the surface, they would have wanted this violence and perceived it as assistance in the emancipation of their deepest levels of selves. Thus are the risks of the practice of exemplarity, and this basic narrative structure is still there, albeit in a much more subtle form as compared to the heyday of colonialism.

When reading Solana's discourse on Europe through the logic of exemplarity, one can fully appreciate the consequences of that reluctance to impose boundaries to the extension of Europe's values for the ethos that is being enacted. We shall in somewhat greater detail spell out the risks for

the ethos enacted of destabilizing Europe's borders—the universalizing gesture. In the universalizing gesture, Europe's boundaries are put into question, while the center is being preserved. Europe then becomes a center with no boundaries, and must refuse to recognize any boundaries, thus also putting into question other centers than that of Europe's. The only way to establish identity without difference, i.e. a set of boundaries of differentiation, is by expecting that all temporary difference can be absorbed into the orbit of one's own center. The imposition of boundaries around a center produces a constitutive outside that imposes limits to what can be drawn into the order of that center. The dangers of claiming identity without the recognition of difference (i.e. of establishing a center without delineating boundaries)—without recognizing a constitutive outside *as such*—lies precisely in the establishment of a center which will tend to absorb everything into an order structured by that center. Consequently, a center which does not recognize boundaries becomes the universal arranging mechanism around which everything else is seen to orbit such that everything in the world and all otherness is refused by becoming merely derivative and subservient to the central organizing function from which everything else is arranged.[309] To clarify what is at stake here, one may briefly consider an *impossible* strategy, namely to recognize boundaries but refuse to establish a center. The imposition of boundaries without a center is impossible; the attempt to impose a border

[309] Thanks to Leonardo E. Figueroa Helland for elaborating on this point.

between let us say Europe and Africa, necessarily requires a center to uphold the logic according to which the borders are established. The inside could simply not be differentiated from the outside in the absence of a center. To think of boundaries without a center would necessitate a break with the ancient division of *logos* and *chaos*. What then are the ethical implications of such a gesture?

The attempt to impose a certain framework of understanding on everything that is outside to that framework is what Emmanuel Levinas refers to as *totality*.[310] For Levinas, and as was introduced in the first chapter of the dissertation, this is the root of the violence of Western ontology. In the classical line of ontological thinkers, there is no experience that cannot be subsumed, reduced or made intelligible within one's own language, logic, and law. When refusing to acknowledge boundaries that would produce a constitutive outside, Solana partly ends up within a totalizing discourse. In the case of Europe then, what could well be understood as a benevolent aspiration for inclusiveness turns into a pulsating heart that never stops beating in its desire for interiorizing difference. The risks for Europe's ethos are thus that the other is denied an existence as operating according to another language, logic, and law but can only be made intelligible within the framework of one's own, i.e. the

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[310] Emmanuel Levinas, *Totality and Infinity: An Essay on Exteriority*, trans. Alphonso Lingis (Pittsburgh: Duquesne University Press, 1969).

universal, center. Without the imposition of borders around one's center, one effectively claims to be able to read the whole world in one's own terms and a monological mode of relating to the other follows.

It is thus possible to re-consider the claim of Europe as *an ethical power*.[311] Recalling Levinas's understanding of ethics, there can be no ethical relation without the recognition of alterity; i.e. without the recognition that there is *something* that escapes the knowing subject; something that cannot be reduced to sameness. Without the recognition of boundaries around the subject that is posited, there can be no recognition of alterity and hence no ethics is possible. Exclusionary boundaries, as we saw in the particularizing gesture, do violence but they have the ironic effect of avoiding other violences such as the inability of an ethos to recognize the limits of its homeland vis-à-vis the homelands of others.

Between the universal and the particular: Euro-crafting as statecrafting

Within the official discourse of Europe that I have examined, Europe is primarily and prior to any spatio-temporal inscription crafted axiologically. On the basis of the empirical material under examination, I have suggested that Europe is crafted and thereby differentiated foremost as a *community of values*. Within the aspiring discursive center of Europe, the constitutive outsides are no longer territorially inscribed and

[311] See for example Aggestam, "Introduction: Ethical Power Europe."

“outsides” conceived of as bearers of “non-European values” may be found on the geographical inside just as well as outside of Europe. And yet, Europe is still depicted to be located *somewhere* on the map and not just anywhere across the globe; the signifier “Europe” is attached to a particular piece of territory.

In Solana’s speeches one finds a continuous oscillation between particularizing and universalizing Europe. European values are simultaneously presented as unique, i.e. particular to Europe, and to be found everywhere, i.e. universal. The particularistic enactment of Europe conjures up a bounded place; this is the enactment of a bounded community with a particular identity. The risks of particularizing Europe are fairly obvious, since all identities need to continuously keep on excluding the different, the foreign, the alien and so on; all assertions of identity depend on the simultaneous creation of difference. There is no doubt that Solana tries hard to embrace a more inclusive type of political community, hence articulating widely spread sentiments on the European continent. In part, the universalization of the values that Europe allegedly rests upon could be seen as an attempt at that. And to the effect that Europe is enacted as a more inclusive and welcoming place it is certainly a laudable gesture, which challenges particularistic and exclusive strategies of nation building. Solana’s most frequently deployed strategy for doing so consists in the recognition of a center and the destabilization of the

boundaries of that center. Any claim to a center is a claim to making existence a function of the language, logic, and law of that center. Taken to its extreme, that language, law and logic become nothing more than a set of overextended metaphors, being associated with a will to power that refuses to recognize any boundaries whatsoever, in other words, a sort of *forgetful poetics*.[312] Moreover we saw one of the risks of this gesture when the connection between universality and exemplarity was spelled out, where Europe is rendered as *the good example*, as the privileged bearer of those supposedly universal values. If those values were truly universal, one would not be able to trace them back to a particular locality;[313] hence exemplarity is a way in which those values are re-inscribed in the territorial body of Europe. This is of course highly problematic, since such a claim acknowledges no limits to Europe's "sphere of influence;" it buys into the conceptual framework of, to use an old term, *pure imperialism*.

I have certainly not discovered some dark, murky secret by emphasizing the pendular movement between particularity and universality in the crafting of the European Union. In fact, as I proposed in the second chapter, the modern European state could be understood as the

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[312] I thank Leonardo E. Figueroa Helland for this point.

[313] This might well be the case when it comes to basic human rights in the contemporary world; see Ari Cohen, *In Defense of Human Rights: A Non-Religious Grounding in a Pluralistic World* (London and New York: Routledge, 2007).

institutionalization of this constant mediation between the particular and the universal. Ultimately then, on this reading the crafting of Europe between the particular and the universal closely resembles what is arguably a central feature of the crafting of the modern European state. When EU's foreign policy discourse is examined, it thus seems fair to conclude that the conceptual apparatus of modern statecraft has been far from transcended.

Chapter 5

EUROPEAN INTEGRATION THEORY AND THE PROBLEM OF STATISM: ON THE LIMITED IMAGINATION OF NEOFUNCTIONALISM

A critique of European integration legitimation discourse should not neglect engaging neofunctionalism, which emerged, in the words of its most prominent theoretician Ernst B. Haas, "in order to give the study of European integration a theoretical basis."[314] Neofunctionalism has historically been, and in several ways remains, the most influential approach to theorizing about European integration. As Ben Rosamond points out in his extensive study of European integration theory, "for many, 'integration theory' and 'neo-functionalism' are virtually synonyms."[315] Indeed, it may not be an exaggeration to claim, as Rosamond does "we cannot think about the analysis of European integration without confronting neo-functionalism."[316] In this chapter, I am not concerned with the question that preoccupies most treatments of neofunctionalism in European integration studies: the explanatory, or

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[314] Ernst B. Haas, "Does Constructivism Subsume Neo-functionalism?" in The Social Construction of Europe, eds. Thomas Christiansen, Knud Erik Jörgensen and Antje Wiener (London: Sage, 2001), 22.

[315] Ben Rosamond, *Theories of European Integration* (Houndmills: Palgrave, 2000), 50.

[316] Ibid.

predictive power that neofunctionalism may hold in accounting for the historical trajectory of European integration conceived of as a set of sequential events. Rather, I am interested in the question of what "Europe" neo-functionalist discourse seeks to enact. To paraphrase Rob Walker's approach to theories of International Relations, from such a perspective theories of European integration "are interesting less for the substantive explanations they offer about political conditions in the modern world than as expressions of the limits of contemporary political imagination."[317] I understand and will read neofunctionalism as an influential political discourse in the politically and ethically contested question of what "Europe" is, and what "European integration" ought to be about. More specifically, I will examine neofunctionalist discourse on the question of political community.

There is little doubt that neofunctionalism in the 1960s and into the 1970s enjoyed the "status of an official ideology in Brussels."[318] However, it should from the outset be emphasized that neofunctionalism is not merely of interest for the intellectual historian rummaging around in the ever-expanding graveyard of abandoned theoretical endeavors that are intermittently resurrected. On the contrary, neofunctionalism is very

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[317] Walker, *Inside/Outside*, 5.

[318] Charles Pentland, *International Theory and European Integration* (New York: The Free Press, 1973), 132.

much alive in contemporary European integration studies in at least two explicit and one implicit form. First, there are several influential voices in European integration studies that acknowledge a profound intellectual debt to neofunctionalism. In addition, neofunctionalism has in recent years enjoyed something of a renaissance. Several recent studies employ an explicit neofunctionalist theoretical framework for carrying out their analyses.[319] Second, neofunctionalism sometimes figures in the form of an "other," against which competing theories constitute themselves.[320] Such is for example the case with Andrew Moravcsik's liberal intergovernmentalism, which purports to explain European integration as driven by rational self-interested state actors.[321] Finally and more implicitly, neofunctionalism often appears in a more spectral form, structuring the analyst's treatment of a particular episode of European integration. Here, neofunctionalism—or any other theory for that matter—is often not mentioned by name, but a neofunctionalist conceptual

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[319] See for example Arne Niemann, *Explaining Decisions in the European Union* (Cambridge: Cambridge University Press, 2006); Tanja A. Börzel, ed. "The Disparity of European Integration: Revisiting Neofunctionalism in Honour of Ernst Haas," special issue, *Journal of European Public Policy* 12, no. 2 (2005); Lisbet Hooghe and Gary Marks, "The Neofunctionalists Were (almost) Right: Politicization and European Integration, conWEB: webpapers on Constitutionalism and Governance beyond the State, no. 5 (2005); and several of the contributions in Sandholtz and Stone Sweet, *European integration and supranational governance.*

[320] Ben Rosamond, "The uniting of Europe and the foundation of EU studies: revisiting the neofunctionalism of Ernst B. Haas," *Journal of European Public Policy* 12, no. 2 (2005), 238.

[321] Moravcsik, *The Choice for Europe.*

backdrop still sets the parameters of intelligibility for the analysis undertaken. Thus, to an important extent, neofunctionalism still sets the horizon for what European integration has been, is, and should be, about.

I will in this chapter highlight two readings of neofunctionalism, focusing on its understanding of political community and identity. The first reading could be referred to as *the dominant logic of neo-functionalist discourse*—as a discourse which ends up invoking a highly traditionally statist understanding of political community. Despite its wish to go "beyond the state,"[322] it fails to conceptualize European integration in categories that break with the modalities of modern statecraft. If we are to judge neofunctionalism by the stated ambition of its most renowned advocate Ernest B. Haas as an attempt to reflect upon "how human collectivities can move beyond the nation state,"[323] then, it must be seen as deeply problematic. I show in some detail that neofunctionalism is in fact heavily statist, and relies on the understanding of the state found in the social contract tradition. Instead of challenging the peculiar political organization of the modern western state, neofunctionalism has helped and is helping to retrench it and turn it into the implicit or explicit model,

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[322] Haas, *Beyond the Nation-State.*

[323] Haas, "Does Constructivism Subsume Neo-functionalism?" 24.

or "ideal-type,"[324] in Weberian parlance, against which the European Union is perpetually evaluated. In the penultimate section of the paper, I show how contemporary political theorizing of European integration is beholden to a similar statist imagination.

However, there is also a different reading of neofunctionalism that can be made. A discourse that is often read as depoliticizing social relations may in fact be read as politicizing the question of political community and identity. On this reading, neofunctionalism may be read as demonstrating the *lack* of foundations for the "Europe" it seeks to perform, thus opening up for a re-politicization of the question of the content of Europe. This reading points us away from the essentializing identity understandings of Europe that we found in the Constitutional Treaty and in EU's foreign policy discourse. Instead, it points us towards imagining alternative ways of organizing social and political life on the European continent, which may have little at all to do with "community" as understood in the statist tradition. This is in fact the trajectory that Haas's own thinking took, as he became increasingly frustrated with the neofunctionalism he had been championing and helped to establish.

The chapter unfolds as follows. I begin by sketching the broad contours of neofunctionalist discourse, and locate it in its proper historical and

[324] Haas, *The Uniting of Europe*, 4.

intellectual contexts. Second, I will carefully reconstruct the dominant neofunctionalist logic of political community and identity. I will emphasize Haas's growing disillusionment with his earlier work, which eventually caused him to break with, or at least seriously question, his earlier neofunctionalism. In the third section, I argue that contemporary European integration theorists are beholden to a similar statist imagination as neofunctionalism. The concluding section briefly sums of the argument of the chapter.

The contours of neofunctionalist discourse

According to conventional narrations of European integration theory, neofunctionalism was born in 1958, when German *émigré* Ernst B. Haas published a lengthy tract on the European Coal and Steel Community (ECSC).[325] The ECSC, the earliest precursor to today's European Union, had been set up to pool Franco-German coal and steel resources on the initiative of French Foreign Minister Robert Schuman in May 1951, following substantial pressure from the U.S. government.[326] Haas sought to provide a theoretically informed account of the ECSC's first six years of

[325] Haas, *The Uniting of Europe*.

[326] Only a few years after the end of the Second World War, the U.S. and British governments had come to the conclusion that a rehabilitated West Germany was a necessity to balance the Soviet Union and her Eastern European satellites. The French government, however, had initially a much harder time to accept such rehabilitation. The pooling of coal and steel resources with West Germany entailed that France got a certain amount of control and oversight over German heavy industry.

existence, and would in a few subsequent shorter pieces consider the extent to which his findings were applicable to other settings beyond the European continent, in line with positivist social scientific ambitions to theoretical generalizability.[327] Haas's second major statement did not deal with the European experience of regional integration per se, but was an eclectic study of integration among states, drawing on functionalist theory and the International Labor Organization as a case study.[328] In 1971, Haas wrote a lengthy and rather self-critical contemplation on how neofunctionalism had fared as a descriptive and predictive theory of European integration since the late 1950s,[329] only to a few years later announce its "obsoleteness" in Western Europe—though only "obsolescent" in other parts of the world—in his last major piece on European integration.[330] Haas would towards the end of his life revisit neofunctionalist tenets and write a short piece on its relation to the then

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[327] Ernst B. Haas, "International Integration: The European and the Universal Process," *International Organization* 15, no. 3 (1961); Ernst B. Haas, "The Uniting of Europe and the Uniting of Latin America," *Journal of Common Market Studies* 5, no. 4 (1967); Ernst B. Haas and Philippe C. Schmitter, "Economics and Differential Patterns of Political Integration: Projections about Unity in Latin America," *International Organization* 18, no. 4. (1964).

[328] Haas, *Beyond the Nation-State.*

[329] Ernst B. Haas, "The Study of regional Integration: Reflections on the Joy and Anguish of Pretheorizing," in *Regional Integration: Theory and Research*, eds. Leon N. Lindberg and Stuart A. Scheingold, 3-42. (Cambridge, MA: Harvard University Press, 1971).

[330] Ernst B. Haas, "The obsolescence of Regional Integration Theory" (Berkeley: Institute of International Studies Working Paper, 1975), 1.

trendy Constructivism in International Relations theory.[331] Other influential neofunctionalist statements include works by Leon Lindberg,[332] Leon Leon Lindberg and Stuart Scheingold,[333] and Philippe Schmitter.[334]

It is common to recount the fortunes of neofunctionalism as being closely related to the ups and downs of the history of European integration: when integration in the coal and steel sectors went smoothly, and the common market seemed to be thriving in the early 1960s, neofunctionalism enjoyed its heyday.[335] From the mid-1960s, when French President Charles de Gaulle highhandedly asserted the French national interest and humiliated federalist Walter Hallstein's European Commission, the European

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[331] Haas, "Does Constructivism Subsume Neo-functionalism?"

[332] Leon N. Lindberg, *The Political Dynamics of European Economic Integration* (Stanford: Stanford University Press, 1963); Leon N. Lindberg, "Decision Making and Integration in the European Community," *International Organization* 19, no. 1 (1965); Leon N. Lindberg, "Integration as a Source of Stress on the European Community System," *International Organization* 20, no. 2 (1966); Leon N. Lindberg, "The European Community as a Political System: Notes toward the Construction of a Model," *Journal of Common Market Studies* 5, no. 4 (1967).

[333] Lindberg and Scheingold, *Europe's Would-Be Polity: Patterns of Change in the European Community*; Leon N. Lindberg and Stuart A. Scheingold, eds. *Regional Integration: Theory and Research* (Cambridge, MA: Harvard University Press, 1971).

[334] Philippe C. Schmitter, "A Revised Theory of Regional Integration," *International Organization* 24, no. 4 (1970).

[335] E.g. Mark A. Pollack, "Theorizing the European Union: International Organization, Domestic Polity, or Experiment in New Governance?" *Annual Review of Political Science* 8 (2005). For a conventional account of the history of European integration see Martin J. Dedman, *The Origins and Development of the European Union 1945-2008: A History of European Integration*, 2nd ed. (London and New York: Routledge, 2010).

communities entered into a period of decline, which would last throughout the economically turbulent 1970s. Nationalism, which neofunctionalism had predicted was waning and eventually altogether disappear, seemed to hamper further European integration.[336] In this period, the popularity of neofunctionalism rapidly declined. When European integration was "re-launched" with the Single European Act in the mid-1980s, neofunctionalism would once again experience a revival in European integration studies.[337] Most contemporary textbooks on the European Union include chapters on neofunctionalism, and there is today a widespread sentiment that neofunctionalism at least captured parts of the dynamics of European integration.

What was neofunctionalism about then? Before I engage Haas's *oeuvre* in greater detail, I will briefly draw up the contours of neofunctionalist discourse within the broader context of American social and political science. In a nutshell, and according to Haas, neofunctionalism is about transplanting the pluralist conception of the state to the supranational or "European" level.[338] In the same way as pluralist theories of the state

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[336] Hoffmann, "Obstinate or Obsolete?"

[337] E.g. Jeppe Tranholm-Mikkelsen, "Neofunctionalism: obstinate or obsolete?" *Millennium: Journal of International Studies* 20, no. 1 (1991); Wayne Sandholtz and Alec Stone Sweet, eds. *European integration and supranational governance* (Oxford: Oxford University Press, 1998).

[338] Haas, "Does Constructivism Subsume Neo-functionalism?" 23.

postulated that rational, utility-maximizing interest groups competed for power at the level of the state, neo-functionalists asserted that those very groups would—with some help from supranational institutions—start competing for influence and resources at the European level too. As Haas put it in retrospect: "Regional integration was expected to occur when societal actors, in calculating their interests, decided to rely on the supranational institutions rather than their own governments to realize their interests. These institutions, in turn, would enjoy increasing authority and legitimacy as they become the sources of policies meeting the demands of societal actors."[339]

The central dynamic of neofunctionalist theory is the notion of spillover. In Leon Lindberg's definition, spillover refers to "a situation in which a given action, related to a specific goal, creates a situation in which the original goal can be assured only by taking further actions, which in turn create a further condition and a need for more action and so forth."[340] In other words, in order to fully realize the benefits from integration in one sector, related sectors would have to be integrated as well. And in modern industrialized societies, virtually all sectors were thought to be interdependent, thus creating a domino effect once integration in some important sectors got started. Interest groups, realizing that they had more

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[339] Ibid.

[340] Lindberg, *The Political Dynamics of European Economic Integration*, 10.

to gain from European level politics, would lobby their national governments to go along with further integration. Initially reluctant states would be dragged along and transfer more and more of their erstwhile sovereign powers to the European level. The powers of the member states were not to be confronted directly, but rather stripped away in a piecemeal fashion, starting in the less sensitive areas of "low politics" (essentially economics), and then proceed to issues of "high politics" (such as defense and foreign policy that were thought to be at the very core of state sovereignty). It is worth noticing that there was no temporal specificity about the neofunctionalist understanding of spillover. While its critics often assumed that neofunctionalism had been disconfirmed since spillover didn't seem to occur within a limited time horizon, Haas and his associates never specified how long time it might take.[341]

What is usually understood to set neofunctionalism apart from functionalism, in addition to the fact that functionalism is a theory of global political integration whereas neofunctionalism is a theory of regional integration, is that neofunctionalism stresses the agency of organized elites. Functionalism, as perhaps most influentially developed by David Mitrany, was a somewhat deterministic theory, which assumed that integration among states were more or less an inevitable byproduct of increased economic interdependence among states that industrialization

[341] John G. Ruggie, Peter J. Katzenstein, Robert O. Keohane, and Philippe C. Schmitter, "Transformations in World Politics: The Intellectual Contributions of Ernst B. Haas," *Annual Review of Political Science* 8, no. 1 (2005), 279.

and modern technology brought about. As opposed to functionalism, for neofunctionalism "political integration comes about less through pressures from functional needs or technological change as such, and more through the interaction of political forces—interest groups, parties, governments, international agencies—which seek to exploit these pressures in pursuit of their own interests."[342] Whereas functionalists also believed in the idea of spillover as driving integration forward, neo-functionalists perceived it less as driven by automaticity, but rather by organized interest groups, political leaders, and supranational agents.

In terms of general trends within post-war American social science, neofunctionalism might be described as materialist, rationalist, utilitarian, and positivist. In spite of this being denied by Haas[343] neofunctionalism is arguably *materialist* in the way it views interests: agents pursue their material interests through group politics. It is *utilitarian* and *rationalist* in that it postulates an autonomous agent—an interest group, supranational institution, or national leader—which makes rational ends-means calculations, in order to maximize its utility. Neofunctionalism also relies on an economistic understanding of the human subject, in which the individual is understood as a *homo economicus*, preoccupied above all else with material gains (rather than with emotional attachment to homeland

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[342] Pentland, *International Theory and European Integration*, 100.

[343] Haas, "Does Constructivism Subsume Neo-functionalism?" 23.

etc.). Haas's work subscribes to the "end of ideology" thesis, in which there are no longer any serious political conflicts in society.[344] Thus, neofunctionalism is essentially an anti-political theory, since Haas believed that the most fundamental political questions had already been solved. There was on such a view a general consensus on how society should be organized; so politics was no longer concerned with basic questions of the common good.[345] Neofunctionalism is finally *positivist*. As characteristic of U.S. post-war positivist social science, neofunctionalists like Haas and Lindberg attempted nothing less than to discover the universal laws of integration.[346]

Despite its search for law-like generalizations about integration, neofunctionalism took a hermeneutical approach to knowledge. Neofunctionalism sought to stay close to the perceptions of the actors themselves.[347] No doubt, Haas's hermeneutics came from his essentially Weberian understanding of social science: "Because human beings are reflective and reflexive, concepts in the social sciences must aid in

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344 Nina Heathcote, "Neo-functional Theories of Regional Integration," in *Functionalism: Theory and Practice in International Relations*, eds. A. J. R. Groom and Paul Taylor (New York: Crane, Russak and Company, Inc., 1975), 39.

345 Pentland, *International Theory and European Integration*, 111.

346 Heathcote, "Neo-functional Theories of Regional Integration," 43.

347 Haas, "The Study of regional Integration," 25.

uncovering the meaning of specific actions and in demonstrating their significance within a particular social context, or risk becoming mere reifications."[348] A problem with that, however, is that neofunctionalism thereby disables any criticism of those actors, beyond the goals postulated by the actors themselves. Like Richard Ashley once wrote of classical realism, neofunctionalism "is ensnared in the 'hermeneutic circularity' of the tradition of practice it interprets.[349] Neofunctionalism then could partly be seen as an *ideology* for those in favor of European integration as traditionally understood.

Finally, what are the ideological components of neofunctionalism? It is at this point important to stress that neofunctionalism should be understood both as descriptive and prescriptive in orientation. Not only does neofunctionalism present itself as a detached observer's theoretical interpretation of a particular historical trajectory; as an attempt to describe—in a social scientific vocabulary—how the so-called "founding fathers" of European integration was going about their vocation. It is also, potentially at odds with its aspiration to value-free social science, openly normative in orientation. It should from the outset be emphasized that Haas was a strong supporter of European integration. In part, this

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[348] Ruggie, Katzenstein, Keohane, and Schmitter, "Transformations in World Politics," 275.

[349] Richard K. Ashley, "The Poverty of Neorealism," *International Organization* 38, no. 2 (1984), 274.

undoubtedly had something to do with the fact that he and his family fled Nazi Germany in the late 1930s, and had thus experienced firsthand the tremendously destructive manifestations of the most extreme form of nationalism.[350] Not only would European integration undermine the violent tendencies of the European nation state, thus preventing war from ever recurring again on the European continent, regional integration had the potential to do even more than that. When Haas was pondering the possibilities of exporting the model of European integration to other regions he claimed, "Such a development would be most satisfying. Presumably it would contribute to world peace by creating ever-expanding islands of practical cooperation, eventually spilling over into the controversy-laden fields which threaten us directly with thermonuclear destruction."[351] Neofunctionalist integration theory was thus a form of peace-research of global significance.[352] As Heathcote put it, neofunctionalism "attempts no less than a solution to the problem of international violence, first in Europe, and then, so it is hoped, by emulation in other parts of world."[353]

[350] Anderson, *The New Old World*, 80.

[351] Haas, "International Integration," 366.

[352] Haas, "The Study of regional Integration," 4.

[353] Heathcote, "Neo-functional Theories of Regional Integration," 38.

Neofunctionalism sought to mount an explicit challenge to the European nation state. Part of this was presented as a challenge to realism–the tradition in IR theory that tells a familiar story of the eternal recurrence of power politics between sovereign states. Whereas realism taught the essential sameness of power politics, Haas was interested in how and why change occurred in the international system.[354] But even more essentially, the state, the neofunctionalists promised us, could be transcended in the form of regional organizations. The core challenge to realism, as Rosamond has argued, lies in the neofunctionalist understanding of a pluralist state. Haas "criticized the notion that complex modern societies are straight-forwardly and permanently attuned to security imperatives with its corollary that international politics must, therefore, be nothing more than (a national) interest-based Hobbesian anarchy."[355] The disaggregated understanding of the state that Haas subscribed to, is what ultimately made it possible to do away with it altogether and instead create a supranational community beyond the state; that is to acknowledge that citizens and governments were not to be lumped together. But what kind of political community would this be? And would it really be the challenge to statism that Haas, at least initially thought, and hoped for? In the next

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[354] Ruggie, Katzenstein, Keohane, and Schmitter, "Transformations in World Politics," 274.

[355] Rosamond, "The uniting of Europe and the foundation of EU studies," 240-241.

section, I will undertake a close reading of Haas's understanding of political community.

Neofunctionalism and the question of political community

To the extent that there is a founding work in European integration theory, Ernst B. Haas's *The Uniting of Europe* could plausibly be singled out for such an accolade.[356] As Ben Rosamond put is: "It is not hyperbole to suggest that The Uniting of Europe … represents the founding moment of the field of what we now routinely term 'EU studies.'"[357] Heavily cited since the publication of its first edition and obligatory reading for generations of scholars and students, *The Uniting of Europe* set the tone for theorizing about European integration for decades to come, and established the intellectual parameters for European integration studies. Haas's neofunctionalism would become so influential that when his own students were interviewing officials in Brussels, they would often get responses that were couched in neofunctionalist terms.[358] As one of them, influential neofunctionalist theorists in his own right, Philippe C. Schmitter, remarked: "Some of us have had the rather unnerving experience of hearing our special jargon spouted back at us by those whom

[356] Haas, *The Uniting of Europe*.

[357] Rosamond, "The uniting of Europe and the foundation of EU studies," 238.

[358] Ruggie, Katzenstein, Keohane, and Schmitter, "Transformations in World Politics," 277.

we are studying."[359] Haas's neofunctionalism would thus conspicuously travel between academia and the policy-making world. In the decades to come, Haas and his neofunctionalist affiliates were to develop the most significant theoretical body on European integration hitherto.

Haas's stated purpose in *The Uniting of Europe* was to provide a theoretical, but empirically grounded, study of the first European community after the Second World War; the European Coal and Steel Community: "My aim is merely the dissection of the actual 'integration process' in order to derive propositions about its nature."[360] Haas sets forth the perhaps most well-known concept of neofunctionalism: the so-called spillover dynamic as explained above, which accounts for the momentum of the integration process: "group pressure will spill over into the federal sphere and thereby add to the integrative impulse."[361] *The Uniting of Europe* seeks to examine the integration process that has taken place in Europe between 1950 and 1957, and derive theoretical generalizations from this process.

359 Schmitter, "A Revised Theory of Regional Integration," 838.

360 Haas, *The Uniting of Europe*, xii.

361 Haas, Ibid., xiii.

Central to Haas's undertaking is the question of political community. Writes Haas:

> New states may grow up as the result of the splintering of an existing political community-or an empire-as well as from the merger of hitherto distinct and independent entities. In both processes the evolution of 'national consciousness' is held to be the crucial factor. Loyalty to the established font of authority wanes as feeling of separate identity takes possession of the group clamouring for new forms of political organisation. ... How and why does national loyalty tend to coincide with the territorial boundaries of the state? Is it inherent in political evolution that it must be so? Is it natural and inevitable that India, Ghana or Belgium are characterized by a sense of national identity which extends to their frontiers but not beyond? The process of development of a political community, therefore, is but little understood in terms of the analytical standards and criteria with which the social scientist today works.[362]

The major task that neofunctionalism set for itself was precisely to theorize about the possibility of a "new" type of political community; indeed Haas wanted to examine the "development of a political structure and consciousness transcending that of existing nations."[363] Or as he put it a few years later: "We are interested in tracing progress toward a terminal condition called political community. Successful nation-states constitute such communities and subsequent amalgamations of several such states may also form communities."[364] In 1971, Haas reiterated that his main interest is in "observing the creation of possible new types of human

[362] Ibid., 3-4.

[363] Ibid., 9.

[364] Haas, "International Integration," 366.

communities.“[365] And towards the end of his life, reflecting on the achievements of neofunctionalism, Haas argued that his life had been devoted to the question of “how human collectivities can move beyond the nation state.”[366] In view of the two devastating world wars that had ravaged the European continent within a time span of three decades, such an aim was certainly both understandable and laudable.

Haas argues that political community is not the same thing as a state. Rather, a political community may take many different constitutional and institutional forms: “Any kind of federal arrangement, regardless of the degree of centralisation or decentralisation implicit in it, is compatible with our scheme so long as loyalties to central symbols overshadow attachment to local ones.”[367] However, the standard or as Haas's puts it “ideal type” employed to measure integration against, was in fact nothing but a thinly disguised statism: “the systematic study of the process of community formation through organisations of this type necessitates the explicit stating of an ideal type appropriate to the known institutional setting of western Europe. Here, the existing nation states are political

[365] Haas, “The Study of regional Integration,” 4.

[366] Haas, “Does Constructivism Subsume Neo-functionalism?” 24.

[367] Haas, *The Uniting of Europe*, 8.

communities."[368] Whenever progress towards political community is assessed, then, the modern Western state is the yardstick. What then, is the most important component of political community in Haas's understanding? It is not unchallenged sovereignty, nor exclusive territorial jurisdiction. At the core of Haas's understanding of community is rather *identity*, or, as he calls it, loyalty. In fact, loyalty is *the* central component of Haas's understanding of political community: "Political community … is a condition in which specific groups and individuals show more loyalty to their central political institutions than to any other political authority, in a specific period of time and in a definable geographical space. In this study, this condition will be the one toward which the process of 'political integration' is supposed to lead."[369] Haas makes a distinction between ideology as "doctrines peculiar to a group" and nationalism as "the values and claims acceptable to the great bulk of the population while also setting it apart from the values and claims of other political communities."[370] Thus, "loyalty" is that which, as opposed to "ideology," unites a group and establishes political community.

The essential statist qualities of neofunctionalism is perhaps best brought out when one considers the crucial role of loyalty, or what we would be

[368] Haas, Ibid., 4.

[369] Haas, Ibid., 5.

[370] Ibid., 6, 19.

more inclined to call "identity" in contemporary academic parlance. Writing in the late 1970s, when direct elections to the European Parliament was first introduced, thus making the question of the legitimacy of the European Community more pressing, Juliet Lodge highlighted the central importance of "loyalty transfer" in functionalist and neofunctionalist theory.[371] Lodge teased out the major assumptions of the neofunctionalist notion of loyalty transfer:

> First, loyalty is believed to depend upon an instrumental stimulus-response relationship between the governed and government. Second, this relationship is conceived of as an exchange: citizens owe loyalty to an authority-centre in exchange for it undertaking to safeguard their socio-economic welfare interests. Third, the satisfaction of citizens' utilitarian needs is believed to stimulate the growth of affective-identitive links with functionally specific organizations. Fourth, the process is supposed to culminate in a zero-sum game in which citizens' fixed primary loyalties are transferred from the nation state to the supranational functionally specific agency.[372]

Underlying this view of loyalty is, as Charles Pentland also has noticed, a liberal theory of the state.[373] To be more specific, a distinctly liberal social contractarian theory of the state underlies neofunctionalism. Social contract theory is distinctly liberal in that it takes the individual as the

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[371] Juliet Lodge, "Loyalty and the EEC: the Limits of the Functionalist Approach," *Political Studies* 26, no. 2 (1978).

[372] Ibid., 234.

[373] Pentland, *International Theory and European Integration*, 124.

ultimate subject of political community. Hobbes's *Leviathan*, one of the major statements of social contract theory, could be read as an attempt to reconcile the sovereign individual with the sovereign state.[374] On Hobbes's account, self-interested and rational individuals grant absolute power to the sovereign in order to enter political society and abolish the horrors of the pre-political state of nature. Hence, the state's authority is ultimately derived from the individual's own rational decision; thus the individual is the ultimate subject of the state. But as often noted, the Hobbesian self-interested individual poses a problem for creating a stable political community. As Jean Hampton has argued, Hobbes needs a changed individual psychology inside political society to support his account of sovereignty.[375] Since Hobbes expects to use the same broadly egoist psychology in the state of nature and in political society there is a serious tension in his argument. According to Hampton, Hobbes needs a "rousseauean" conversion contract.[376] If loyalties are primarily generated by the sovereign's satisfaction of the individual's material needs, as neofunctionalism has it, neofunctionalism runs into the same well-known

[374] Hobbes, *Leviathan*.

[375] Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1988).

[376] Rousseau is often read as responding to this problem by proposing a social contract that converts the individual into a loyal subject, in which all individual wills are subordinated to the general will. Thus, Rousseau's contractarianism could be seen as a precursor to nationalism.

problem as Hobbes's social contractarianism: if loyalty rests upon perceived individual utility, individuals will withdraw their loyalties as soon as the sovereign fails to satisfy material needs.

However, Haas does recognize the need for a source of communal obligation that goes beyond mere utilitarian self-interest. In *The Uniting of Europe*, one of Haas's main purposes is to determine "whether and why developments leading to the evolution of a community are in place."[377] One indicator of a "community sentiment" is whether a "new nationalism" is emerging among interest groups and political parties.[378] Haas then puts forth his often-cited definition of political integration: "Political integration is the process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states. The end result of a process of political integration is a new political community, superimposed over the pre-existing ones."[379]

Crucial to Haas's conception of political community is the development of a "new nationalism" that may underpin the emerging community.

377 Haas, *The Uniting of Europe*, 9.

378 Ibid., 10.

379 Ibid., 16.

Nationalism, in Haas's conception "leaps over class barriers, it defies age differences, shows itself stronger than regional differences within nations and–most important of all–it often has an external referent against which it can be turned in justifying a proposed set of policies."[380] Haas describes integration as a process rather than a condition, and as integration deepens it is assumed that "the erstwhile set of separate national groups values will gradually be superseded by a new and geographically larger set of beliefs."[381]

What, however, would be the content to a European-wide "new nationalism" that has to emerge if European integration is to take off seriously, and stable loyalties are to emerge? Haas devotes a fair amount of space to discuss various conceptions of "Europeanism" or a European identity, and ends up concluding that "'Europeanism now does not provide a doctrine useful for the study of the integration process. A doctrine which means all things to all men, while useful in explaining convergences, is hardly a significant tool for the study of structured social action."[382] Haas goes so far as to endorse Raymond Aron's assertion that the "European

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[380] Ibid., 20.

[381] Ibid., 14.

[382] Ibid., 28.

idea is empty."[383] In a later work, Haas will further distance himself from the "mythmakers" of Europe, invoking Europe's past as somehow inevitably leading up to a European political community: "we cannot use some previous historical experience which involved the notion of community as an argument for assuming the natural and inevitable re-emergence of this happy state of affairs."[384] As Haas explicates:

> This focus precludes attention to what may be called the "immanent myth" of European unity which owes its inspiration to cultural-historical antecedents considered equally relevant to the contemporary process of integration. It appears to me that European unity under the Roman, Frankish, and medieval Roman-German imperial realms has no more analytical importance than the unity of all Islam in the eighth century, the domains of the Ming Empire in the fifteenth or the Guptas in the fifth. The mere fact that specific regions were unified politically and culturally at one time seems not to prevent them from subsequently dividing into warring nations denying in their conduct the cultural unity the historian wishes to impute to them: they do not then constitute any kind of political community.[385]

It is not that Haas discounts historical and cultural sources of identity as important in sustaining political community. But the social scientist Haas is primarily interested in human agency in regional integration; that is according to Haas the proper domain of social science: "Naturally, in the political advocacy of integration by some specific movement, the 'memory'

[383] Ibid., 29.

[384] Haas, "International Integration," 367.

[385] Ibid.

of a historical community may play its part in the construction of a myth; but this does not make the past an active causative agent."[386] As he puts it in another work: "decision makers are the true heroes and villains of the integration process."[387]

Haas would in the decades to come wrestle with the concept of political community initially set forth in *The Uniting of Europe*.[388] During the 1960s, Haas self-consciously sought to elaborate an understanding of political community that simply did not reproduce the state at a bigger level. In *Beyond the Nation-State*, Haas elaborates on the idea of supranationality, and tries to argue that a supranational community falls somewhere in between a national political community and international society in terms of denseness of social relations.[389] The process of integration is directed towards such a community.[390] Again, however, a supranational community is still assessed against the yardstick of the modern state, and although not as socially and culturally dense as the

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[386] Ibid.

[387] Haas, "The Study of regional Integration," 32.

[388] For a detailed analysis which I am indebted to here, see Pentland, *International Theory and European Integration*, 101-109.

[389] Haas, *Beyond the Nation-State.*

[390] Haas, *Beyond the Nation-State*, 39-40; Pentland, *International Theory and European Integration*, 103.

nation state, it nevertheless amounts to little more than a "thinner" version of the state.

A persistent problem in Haas's neofunctionalism concerns precisely the end state of integration, or the "dependent variable" of neofunctionalist theory. To what is integration supposed to lead? How to know if integration has occurred if the condition to be achieved is not clearly specified?[391] And how to postulate an end state without slipping into a teleology? Haas came to doubt that integration would lead to the "pluralistic-democratic state writ large."[392] In fact, in his later writings he was trying hard to find a term that could describe postulated end states of integration, without slipping into a statist teleology: "verbally defined single terminal conditions with which we have worked in the past—political community, security community, political union, deferral union—are inadequate because they foreclose real-life developmental possibilities.[393] In one of his last writings on neofunctionalism, Haas proposed three possible dependent variables, i.e. outcomes of regional integration: regional state, regional commune, and asymmetrical regional

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[391] Haas, "The Study of regional Integration," 24.

[392] Ibid., 27.

[393] Ibid., 27.

overlap.[394] As a new master variable, Haas proposed measuring degrees of "authority-legitimacy transfer," to the new regional center, which again showed the difficulties of ridding neofunctionalism of statism.

Other neofunctionalist writers also grappled with the "dependent-variable problem." Leon Lindberg sought to bypass the problem of the dependent variable by focusing more on process than end state, and to that end turned to systems-theory. Lindberg did however agree with Haas's definition of political integration as denoting "the process whereby political actors in several distinct settings are persuaded to shift their expectations and political activities to a new center."[395] And as Pentland notes: "Lindberg does not prevent a notion of the end-product from creeping into his analysis. The implication of his two-part definition of the integrative process is a federal system, if not in terms of constitutional structure then certainly in terms of political processes."[396] Lindberg and Scheingold were also preoccupied with how to avoid the conceptual dependency on the nation state.[397] Interestingly, Lindberg still in a footnote admits that his systems theory model is derived from the nation

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[394] Ibid., 30.

[395] Lindberg, *The Political Dynamics of European Economic Integration*, 6.

[396] Pentland, *International Theory and European Integration*, 104.

[397] Lindberg, and Scheingold, *Europe's Would-Be Polity*, 24-5.

state.[398] As Pentland sums it up: “To the last Lindberg is, quite justifiably, unwilling to accept the easily-conceived model of the supranational state as the goal of integration. And yet all his invocations of systems theory seem unable to rid his analytical framework of its presence.”[399]

Haas came to express serious doubts about the wisdom of regional integration as a means to global peace. Having initially written positively about the West European experience of regional integration as a possible model for other regions, even calling such a development a “happy state of affairs,”[400] Haas seemed increasingly aware of the dangers to peace that the development of integrated regional blocks might pose. In the early 1970s, Haas wrote that “regional integration may lead to a future world made up of fewer and fewer units, each a unit with all the power and will to self-assertion that we associate with classical nationalism. The future, the, may be such as to force us to equate peace with nonintegration and associate the likelihood of major war with successful regional integration.”[401] Ultimately, and in one of his final writings on

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[398] See Pentland, *International Theory and European Integration*, 105.

[399] Ibid., 105.

[400] Haas, “International Integration,” 367.

[401] Haas, “The Study of regional Integration,” 41.

neofunctionalism, this fear led, somewhat surprisingly, Haas to endorse fragmentation and disintegration, rather than integration:

> Suppose that local national movements in Wales, Scotland, Bavaria, Brittany, Nagaland, West Irian, Biafra, the Ogden desert, Quebec, and in dozens of other ethnically complex places succeed in obtaining cultural and linguistic – and much political - autonomy. Suppose further that the same states enter into tighter economic relationships with their regional neighbors. Suppose further still that they ally themselves with states other than their economic partners. Not only will the state decline as an autonomous decisionmaker, but the power to make decisions will be given to many other units, some smaller and some larger than the present state. This, I believe, would be a wholesome development for world peace whereas the concentration of all power in a few regional units would endanger it.[402]

Thus, Haas's awareness of regional integration theory's failure to entirely remove itself from the statist imagination that Haas understood to be the root problem of violence in global politics, eventually caused him to abandon the neofunctionalism that he had been instrumental in establishing. In the following section, I argue that the statism of neofunctionalism has not been surpassed by more contemporary theorists of European integration.

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[402] Ibid., 41-42.

The lingering statism of the political theory of the European Union

In the early 1990s, European integration was once again revived. The Berlin Wall came down in November 1989, opening up the door for German reunification. The prospects of a reunified Germany brought about the return of "the German question" to prominence for European integration. At the Strasbourg summit in December 1989, French president Mitterrand, who was torn between his desire for further European integration and his concern about German reunification, forged a link between European integration and German reunification. The link was to deepen European integration in order to make sure that Germany remained an allied country. It was thought that a Germany firmly integrated with the other European states would not resort to unilateralism and nationalism again. Two parallel intergovernmental conferences started in December 1990, one on economic and monetary union and one on political union. The outcome was the so-called Maastricht Treaty, or the Treaty on European Union as it was also called, which was signed in 1991 and was certainly one of the most important events in the history of European integration. The treaty established the Economic and Monetary Union (EMU) and member states approved new arrangements for foreign and security policy as well as for judicial and home affairs. The treaty extended Community powers to a range of issues

such as education, training, cohesion, culture, consumer protection, and development cooperation.

Following the Maastricht Treaty, it became increasingly difficult to see the EU as "merely" an enhanced international organization, as intergovernmentalist commentators had tended to do. So for about two decades, the EU has more often than not been seen as an entity to be analyzed in its own right.[403] With the gradual turn to approaching the EU as something more than an international organization, a number of normative issues surrounding the best known entity to modern liberal political theory, namely the modern state, began to emerge.[404] What could notions of democracy, citizenship, and legitimacy be taken to mean in the context of the European Union? For better and for worse, political theory encountered the European Union, and a new academic industry was born.[405] In at least one respect, this was a welcome development. In

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[403] Friese and Wagner, "Survey Article," 342. See further the discussion in chapter 2.

[404] For overviews, see Friese and Wagner "Survey Article;" Richard Bellamy, and Dario Castiglione, "Legitimizing the Euro-'Polity' and its 'Regime:' The Normative Turn in EU Studies," *European Journal of Political Theory* 2, no. 1 (2003).

[405] Thomas Banchoff, and Mitchell P. Smith, eds. *Legitimacy and the European Union* (London and New York: Routledge, 1999); Beetham and Lord, *Democracy and the European Union*. Bellamy and Castiglione "Legitimizing the Euro-'Polity' and its 'Regime;'" Dimitris N. Chryssochoou, D. *Democracy in the European Union* (London: I.B. Taurus, 1998); Lynn Dobson and Andreas Föllesdal, eds. *Political Theory and the European Constitution* (London and New York: Routledge, 2004); Friese and Wagner "Survey Article;" Andreas Föllesdal, "Union citizenship: conceptions, conditions, and preconditions," *Law and Philosophy* 20, no. 3 (2001); Andreas Föllesdal, "Survey Article: The Legitimacy Deficits of the European Union," *The Journal of Political Philosophy* 14, no. 4 (2006); Habermas "Why Europe needs a constitution;" Fritz W. Scharpf, *Governing*

contrast to what "theory" could be taken to signify in International Relations, where impressive attempts for decades had been made to resituate the discipline in the wider fields of social and political theory, "theory" had in the context of EU studies previously largely been synonymous with somewhat sterile debates between neofunctionalists and intergovernmentalists on the causes of European integration. This turn to political theory has not, however, been without its problems. The question of the nature of the EU, as a preliminary issue to normative analyses of the Union, has most often been framed in terms of how similar or how different it is to that of the state. As I discussed in the second chapter, even though hardly any scholar conceptualizes the EU as a state, the language of modern political theory conjures up *the measure* of the state. Hence, the turn to political theory in EU studies has largely tended to reinforce a discourse about the EU that is firmly wedded to the state, hence reproducing many of the problems associated with "the state" in modern political theory.

Within European integration studies, the theorization that has taken place has almost exclusively been in the mold of liberal political theory. A

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in Europe: Effective and Democratic? (Oxford: Oxford University Press, 1999); Philippe C. Schmitter, *How to Democratize Europe and Why Bother* (Lanham, Md.: Rowman and Littlefield, 2000); Albert Weale and Michael Nentwich, eds. *Political Theory and the European Union: Legitimacy, Constitutional Choice and Citizenship* (London and New York: Routledge, 1998); Joseph H. H. Weiler. *The Constitution of Europe*, (Cambridge: Cambridge University Press, 1999).

central question for this scholarship is, as Heidrun Friese and Peter Wagner have identified, to explore "the contribution that political theory and philosophy have to make in understanding the European Union, and–possibly–in investigating the normative underpinning for that specific polity."[406] The majority of this scholarship borrows concepts from political theory and seeks to apply those to the European Union, often attempting to device institutional solutions at the European level to problems and tensions identified with the aid of the discourse of political theory at the national level, i.e. at the level of the state. The language of modern liberal political theory is, to a large extent, the language of the state, hence, again listening to Friese and Wagner: "Naturally, one may be inclined to say, the elaboration of a political philosophy for Europe starts out from that political philosophy that underlies the nation-state."[407]

Given the prominent place of the state within the discourse of modern political theory, it is hardly surprising that every attempt to define the EU, to infuse it with a certain is-ness, ends up employing the state as a yardstick against which the EU is judged. The first volume that gathered a set of political theorists to write on the EU, thus describes its aim: "We need to clarify the meaning of key terms that are used in the debates about

[406] Friese and Wagner. "Survey Article," 342.

[407] Ibid., 344.

the political future of the EU."[408] As an example, they raise the question of how to characterize the democratic deficit in the EU: "Is it identical to a deficit that might exist in a nation state, or does it have some distinctive features?"[409] Clearly then, the vocabulary of traditional theory constrains theorizing about the EU in the sense that a certain type of solution to the set of problems identified in this discourse, will necessarily follow.

In the tradition of Western political theory, where the question of foundation has played a prominent role, the issue of legitimacy was a familiar one, and turned into the question of how Europe could be legitimately, i.e. securely, founded. The EU was widely perceived as lacking a shared history, an unchallenged cultural identity, and a common language, which had underpinned the modern nation-state's claim to authority. In short, Europe was thought to lack a *demos*, widely perceived as the only legitimate foundation for a democratic community.[410] As a resolution to this conundrum, many scholars took what one might loosely call a Habermasian route: instead of trying to construct a European thick cultural identity as foundation for Europe (most often due to its exclusionary consequences), Europe was to be founded upon and within a

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[408] Albert Weale and Michael Nentwich, *Political Theory and the European Union*, 2.

[409] Ibid.

[410] For an early statements of the so-called no-demos thesis, see Grimm, "Does Europe need a Constitution?"

public sphere, where free and equal citizens would inter-subjectively reach a consensus on European norms, which in turn would act as a foundation for Europe, albeit a foundation always subject to re-negotiation.[411] Hence, democracy at the European level was only thought to be possible if a community of (undistorted) communication emerged. Integration, then, as a precondition to the *legitimate* exercise of power at the European level became primarily conceptualized not as cultural but as *communicative* integration.

Among the first political theorists to write on legitimacy and the EU, Christopher Lord and David Beetham argued that the same standards of legitimacy that one applies to the liberal democratic state should also apply to the EU. Let us closely follow the logic of their argument. They start by considering the concept of political legitimacy, and argue that it has three main dimensions: 1) legality (that political power is exercised in accordance with established rules), 2) normative justifiability (that it is possible to normatively justify the rules), and 3) legitimation (that the subjects of the exercised political power expressly consent).[412] Then, they apply this notion of political legitimacy to the setting of liberal democracy and argue that, along the second dimension of their definition of

[411] Habermas, "Why Europe needs a constitution."

[412] This is further elaborated in David Beetham, *The Legitimation of Power* (London: Macmillan, 1991).

legitimacy, i.e. normative justifiability-which is perhaps most interesting for the normative political theorist- the legitimacy of a liberal democracy depends on three criteria: "an agreed definition of the people or 'political nation' as defining the rightful bounds of a polity, representativeness and accountability; and the maintenance by government of defensible standards of rights protection."[413]

They then go on to argue that since the EU is more than an international organization, it requires more than the political legitimacy that one may derive from its member states; the EU needs its own sources of political legitimacy.[414] The solution then automatically follows to the legitimacy deficit of the Union as defined by Lord and Beetham: a construction of a European people with a European identity. As is commonplace for most liberal political theorists, Beetham and Lord qualify their advocacy of a European identity with assertions that they prefer a thin, non-ethnically based, and constitutional type of identity.[415] However, since any social identity depends upon processes of boundary-drawing, and their analysis of the problem of legitimacy in the EU ends up in an affirmation of identity-building at the European level, it is difficult to interpret their

[413] Beetham and Lord, *Democracy and the European Union*, 17.

[414] Ibid., 17-19.

[415] Ibid., 22.

solution as anything but an affirmation of the logic of nation-building writ large.

It is instructive to reiterate their discursive strategy since, although I restrict myself to the concept of legitimacy, the logic of Lord and Beetham's argument could be extrapolated and generalized to a number of texts where notions borrowed from political theory are applied to the EU. They first postulate that the EU *is* an *entity* of some sort, and without further seeking to define *it*, they claim that *it is* something qualitatively different from an international organization. Hence, the EU needs *its* own normative justification in order to legitimately exercise power. Further, since a precondition for democratic legitimacy is the existence of a self-consciously existing people, the solution follows from the premises of their argument: the Union needs to conjure up a European people. This discursive strategy, derived from liberal political theory in whose language the state is central, will invariably lead to the proposal of a firmer inside/outside distinction, historically the way in which the nation-state sought to mitigate its problems of legitimacy, particularly evident in times of crisis. To use the identity/difference binary, in order to assert identity, difference has simultaneously to be asserted and one is back at the traditional logic of differentiation characteristic of the (modern) state.[416]

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[416] Connolly, *Identity/Difference*.

Concluding remarks

In this chapter, I have sought to highlight the statism of neofunctionalism as well as the lingering statism of more contemporary theorists of European integration. I will conclude this chapter with a few observations. Whereas functionalist authors such as David Mitrany sought to think of post-territorial modes of governance, neofunctionalism was primarily not interested in any such schemes but firmly wedded to a cultural-geographical understanding of Europe. Neofunctionalism emerged as a self-conscious challenger to realist International Relations theory, which assumed the impossibility of large-scale transfers of sovereign competences from state to a supranational entity, and postulated a notion of a fixed, national interest.[417] However, as a challenger to realism, neofunctionalism did not prove particularly effective. On many occasions, Haas acknowledged that little would be won if the logic of *realpolitik* were simply transferred and played out at a regional instead of a national level.[418] What is also worth emphasizing is that Haas undermined any secure ground, i.e. a secure doctrine of Europe, a new European nationalism that would place the integration process on firm ground. Instead, the content of Europe–the referent to which Europe is supposedly referring–is simply an empty space. So to what are the newly generated

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[417] Haas, "Does Constructivism Subsume Neo-functionalism?" 23.

[418] Haas, "The Study of regional Integration," 42.

loyalties supposed to attach themselves? Haas has himself undermined any secure and stable ground for the political community of "Europe," thus opening up for a genuinely democratic contestation about the meaning of Europe.

Chapter 6

EURO-CRAFTING AT BORDER ZONES: DESIRES FOR EUROPE AT THE GRECO-TURKISH BORDER

A clip uploaded by an anonymous user on YouTube shows how a group of thirteen migrants are being pursued by a unit of EU's first land border patrol operation—a so-called RABIT[419] team—in November 2010.[420] The short film is shot from a helicopter that evidently helps the ground patrol to track down the migrants. A telescopic infrared sight follows the small group of people, and the migrants are clearly differentiated as white figures against a dark background. At 7:17 pm, according to the clock on the helicopter's dashboard, the helicopter detects the group of migrants. At 7:25 pm, seemingly unaware of being under surveillance, the group stops for a few minutes. Two minutes later, the group encounters a border patrol team. One person is apprehended and the remaining twelve run away. But their running is in vain. The helicopter never loses sight of them. The migrants briefly stop and hide in some bushes. And at 8:08 pm, a police team apprehends the group. The little group is surrounded by what appears to be armed guards, and bow down on their knees, stretching their arms up in the air. These are 13 out of some 47 000 people who irregularly

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[419] RABIT stands for Rapid Border Intervention Team.

[420] CAE Aviation Video Report. November 5, 2010, accessed March 12, 2012, http://www.youtube.com/watch?v=RSLVtaUpqI0&feature=player_embedded.

crossed the tiny 12.5 kilometer land border between Turkey and Greece in 2010 and for most of them, this is their first encounter with Europe.[421] Many of their fellow travellers would not make it, but die on their way to what they thought would be a better life, 45 of those drowning in the Evros river that marks Europe's border with Turkey.

In this penultimate chapter, I examine the crafting of Europe through the lens of migration. In the previous chapters, I have critically examined the crafting of Europe by looking at various elite discourses of European integration. In this chapter, I seek to broaden the outlook by examining discourses of Europe that are circulating at marginal sites. In view of the understanding of statecraft presented in the first chapter, I will in this chapter explore the workings of the desire for Europe in a highly delimited spatio-temporal setting: the recent humanitarian crisis in Greece precipitated by a huge influx of migrants. In the first chapter, I argued that practices of European integration should be understood and thought through as an on-going problematic of analogy between a critical understanding of statecraft and what I called *Euro-crafting,* i.e. the discursive crafting of Europe. In this chapter, I examine this basic analogy in the case of the recent humanitarian crisis precipitated by irregular migration into the European Union through Greece.

[421] "The Unstoppable Flow," *Economist*, February 19, 2011.

Taking what the UNHCR in 2010 called a "humanitarian crisis"[422] at EU's border to Turkey as a case study, the chapter draws on field research undertaken 2011 in Greece among members of what is arguably one of the most destitute migrant communities recently arrived to Europe—the Somali community in Athens. I also draw on interviews with members of EU's border force team, FRONTEX, stationed in the border area between Greece and Turkey, as well as newspaper accounts, human rights reports, and other published material. Here I examine the contestation of the signifier "Europe" in a highly concrete setting. I show how the desire for Europe is constitutive of subject positions ranging from that of "European border guard" to "migrant wishing to come to Europe" and argue that far from challenging the characteristic gestures of statecraft, practices of European integration rather appears to be solidifying them. What is being done in the name of Europe mirrors the characteristic gestures of statecraft, namely; practices of ordering, bordering, and identification.

The chapter unfolds as follows. In the first section, I briefly examine some of the anthropological writings on the question of European integration in relation to the state, in particular the writings of Cris Shore, in order to highlight some of the affinities between critical anthropologists and the

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[422] "UNHCR says asylum situation in Greece is 'a humanitarian crisis,'" *UNHCR*, Briefing notes, September 21, 2010, accessed March 12, 2012, http://www.unhcr.org/4c98a0ac9.html.

textual deconstructive approach of this dissertation. The following section introduces the case of the chapter, namely the migrants entering the European Union at the Greco-Turkish border. The third section details the study and in the conclusion, I summarize the findings.

Anthropology, European integration and the question of the state

In addition to the works discussed in the first chapter of the dissertation, there are some anthropological works that deal with the question of European integration in relation to the modern state. In addition to the writings by Cris Shore, one of the few works that employ anthropological perspectives to European integration is an anthology published some 12 years ago.[423] The introductory chapter notes that "special attempts have…been made at the EU level to clarify and promote the notion of a common European identity."[424] And the editors argue that anthropologists have much to offer in examining European institutions as cultural artifacts, rather than simply as economic, political, and social institutions. The editors also notice the difficulty of thinking about European integration "beyond the state:" "In fact, although the EU is a political entity with no clear prescriptive framework, its leaders and elites borrow

[423] Irene Bellier and Thomas Wilson, eds, *An Anthropology of the European Union: Building, Imagining and Experiencing the New Europe* (Oxford: Berg, 2000). It should be emphasized however, that there are a lot of anthropologists working on various aspects of European politics but not on the institutions of the European Union.

[424] Ibid., 3.

heavily from the models of nation and state building, precisely because many do not know how to escape intellectually and linguistically from the dominant model of the nation state."[425] This observation is then, rather uncritically, used as a justification that similar methods the anthropologists have used to study the state might be used in studying the EU. That anthropologists are then themselves partaking in the reproduction of the state model at the European level is not problematized.

From a more critical anthropological perspective, Cris Shore has written several pieces on the European Union. In Shore's many contributions, several affinities are brought out between critical anthropological approaches to the European Union, and the deconstructive textual practices approach taken in this dissertation.[426] Signifiers such as "identity" and "culture" are not understood as distinct and self-enclosed entities that simply exist; on the contrary, such signifiers are understood as messy, fluid and above all contested. In 1993, Shore published a piece

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[425] Ibid., 6.

[426] Cris Shore, "Inventing the 'People's Europe': Critical Approaches to European Community Cultural Policy," *Man* 28, no. 4 (1993); Cris Shore, "Transcending the Nation-State?: The European Commission and the (Re)-Discovery of Europe," *Journal of Historical Sociology* 9, no. 4 (1996); Cris Shore, *Building Europe: The Cultural Politics of European Integration* (London and New York: Routledge, 2000); Cris Shore, "Whither European Citizenship? Eros and Civilization Revisited," *European Journal of Social Theory* 7, no. 1 (2004). For more general affinities between critical IR and anthropology, see Peter Mandaville, "Reading the State from Elsewhere: Towards an Anthropology of the Postnational," *Review of International Studies* 28, no. 1 (2002).

which critically investigated the European Commission's attempt to construct a common European identity, which would sustain economic and political integration in Europe. He examined the Commission's discourse about European identity, and how the Commission has sought to promote a common European identity that would legitimate the political institutions of the EU. Here, Shore expressed the case for an anthropological approach to European integration thus: "By emphasizing the 'imagined' and 'invented' character of collective identities, they alert us to the fact that all communities–European as well as national–are culturally constructed. They also highlight the fact that identity-formation is an ambiguous and dualistic process involving the manipulation of boundaries and the mobilization of difference for strategies of inclusion and exclusion."[427]

More specifically, Shore examined how the European Commission, starting in the early 1980s, engaged on a campaign to construct a European identity. The so-called "Adonnino Committee" was created in 1984 by the European Council to device strategies of promoting European identity and highlight a European common culture and heritage. The Commission's proposals resulted in the introduction of a European flag, anthem and standardized passport. Shore summarizes the view of the Commission as follows: "What is needed is not simply greater

[427] Shore, "Inventing the 'People's Europe,'" 781.

'consciousness of Europe,' but the creation of a 'European consciousness' that will transcend national divisions and mobilize Europe's 370 million citizens towards a new image of themselves as 'Europeans' rather than nationals."[428] Shore is rather critical of the way in which the Commission engages and promotes talks of a European identity. He argues that "that EC policy-makers tend to privilege a static, bounded and exclusivist definition of 'European identity.'"[429] This is problematic, since it will make it harder for various minorities to feel at home on the European continent. Using the analytical categories of this dissertation, the Commission has sought to particularize Europe.

What is more, on the basis of his investigation, Shore questioned the prevalent view that the EU was successfully "transcending" the logics of nation-building: "despite the EC's claim to be forging a new entity that 'transcends' the nation-state, the new Europe is being constructed on precisely the same symbolic terrain as the old nation-states themselves. Flags, anthems, passports, trophies, maps and coins all serve as icons for evoking the presence of the emergent state, only instead of 'national sovereignty', it is the legitimacy of EC institutions that is being emphasized and endorsed."[430] Shore would later return to the question of a "post-

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[428] Shore, "Transcending the Nation-State?" 476.

[429] Shore, "Inventing the 'People's Europe,'" 781.

[430] Shore, "Transcending the Nation-State?" 481.

national" European Union in a piece on European citizenship, which was introduced by the Maastricht Treaty in 1993. Shore questioned Habermas's ideal of "constitutional patriotism," i.e. that citizenship may be decoupled from identity and culture and instead linked solely to rights and institutions. Focusing less on legal questions, Shore argued that one should understand European citizenship as "an identity-marker for 'branding' those who belong to the *polis* and are subject to its laws, and those who are aliens or '*extracommunitari*' and do not."[431] And on such an understanding, it seems rather clear that the legitimation discourses of European integration are not so much challenging the operating logics of the state as seeking to emulate it on a larger scale. This chapter takes up the question of Euro-crafting in the case of migration into the European Union.

The crafting of Europe at border zones: the case of the Greco-Turkish border

There is certainly something to be said for the accuracy of the imagery of a "Fortress Europe," or, as Henk van Houtum and Roos Pijpers have aptly called it, "Gated Community,"[432] descending over Europe in the recent

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[431] Shore, "Whither European Citizenship?" 28.

[432] Houtum, Henk van and Roos Pijpers,"The European Union as a Gated Community: The Two-faced Border and Immigration Regime of the EU," *Antipode* 39, no. 2 (2007).

decade. Ever since the Treaty of Amsterdam in 1997 brought immigration policy into the orbit of European integration, immigration policy—especially dealing with so-called irregular migration—has been increasingly dealt with at EU, rather than national, level. At the same time as geographical borders within the EU have been broken down, most notably with the gradual extension of the passport-free Schengen Area, they have been steadily tightened vis-à-vis third countries. An overview from 2010 concludes: "it is reasonable to argue that today we have an EU policy on irregular migration that addresses most aspects of the phenomenon and attempts to harmonize national policies and practices." [433] The question of migration into the European Union has also within a relatively short amount of time acquired much significance in European public discourse, which often represents migration as a threat to societal security rather than as an opportunity to revitalize ageing societies within Europe.[434]

European countries have, individually and collectively, increasingly resorted to what Aristide Zolberg has called "remote control" immigration

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[433] Anna Triandafyllidou and Maria Ilies,"EU Irregular Migration Policies," in *Irregular Migration in Europe: Myths and Realities*, edited by Anna Triandafyllidou (Farnham: Ashgate, 2010), 37.

[434] Rens van Munster, *Securitizing Immigration: the Politics of Risk in the EU* (Houndmills: Palgrave, 2009).

policy.[435] This refers to practices of "extending border controls away from the wealthiest 'countries of destination' and closer to what official discourse designates as 'countries of transit' and 'origin.'"[436] This "externalization" of migration policy, has as Human Rights Watch notices, at least four components.[437] First, migrants who arrive in the EU from countries designated as "safe countries of origin" or arriving via designated "safe third countries" are refused entry. Second, migrants at sea are prohibited to reach EU territory. Third, EU has concluded a number of "readmission agreements" with states bordering the EU, which means that those countries assent to having transiting migrants returned there. Finally, the EU has supported border control mechanisms and detention centers in "transit countries" that border the EU. Taken together, these measures have had a significant impact on the direction of migration flows into the EU.

As south European governments have concluded various border enforcement agreements with several African governments in recent years,

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[435] Aristide Zolberg, "Matters of State: Theorizing Immigration Policy," In *The Handbook of International Migration*, eds. Charles Hirschman, Philip Kasinitz, and Josh DeWind (New York: Russell Sage, 1999): 71-93.

[436] William Walters, "Europe's Borders," in *The SAGE Handbook of European Studies*, ed. Chris Rumford (London: SAGE, 2009), 496.

[437] "European Union: Managing Migration Means Potential EU Complicity in Neighboring States, Abuse of Migrants and Refugees," *Human Rights Watch*, 17 October 2006, accessed March 12, 2012, http://www.unhcr.org/refworld/docid/4565dfbb4.html.

the flow of migrants has shifted accordingly. In 2006, many migrants arrived at the Spanish isles of Ceuta and Melilla as well as on the Canary Islands. However, after the Spanish government concluded agreements with some key Western African transit countries, the flow of migrants shifted to the Italian and Greek coasts and in the latter case, land border. Dissatisfied with this shift, the Berlusconi government concluded border enforcement and repatriation agreements with Khadaffi's Libya, which almost entirely stopped the flow of migrants to Lampedusa in Italy as well as to Malta by late 2009. In addition, the European Commission signed an agreement with Libya in October 2010 to increase border controls despite the fact that the detention facilities in Libya where migrants were held were widely criticized as inhumane.[438] In response, the flow of migrants shifted direction once again. In 2009, some 75% of all detected irregular border crossings into the EU occurred through Greece.[439] And in the following year, a staggering 90% of all irregular border crossings into the EU took place at Greek land and sea borders. The majority of those migrants entered Greece along a tiny 12.5 km land border stretch close to

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[438] "The Battle for Libya: Killings, Disappearances, and Torture," *Amnesty International* (London: Amnesty International, 2011), 88; "No boatloads but still trouble," *Economist*, August 14, 2010.

[439] "Border burden: Greece struggles to deal with a European problem," *Economist*, August 19, 2010.

the Greek city of Orestiada. Some were also trying to cross the Evros river. In 2010, at least 45 migrants died when attempting to cross the border.[440]

The inhumane conditions in the Greek Evros detention facilities have been severely criticized by a number of human rights organizations, including UNHCR, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, UN Special Rapporteur on Torture, Human Rights Watch, and Doctors Without Borders. In 2009 the UNHCR went so far as to call the situation at the Evros border a "humanitarian crisis."[441] EU's own agency for Fundamental Rights (FRA) claimed the following year that "living conditions there can only be described as inhuman."[442] A temporary overcrowding of such facilities is to be expected when a large number of people arrive in a very such amount of time. But despite a widespread acknowledgement of the dire conditions at Evros, Greek authorities have been slow to act. This lack of political will has been widely noticed in the human rights community, and as a

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[440] However, many more have died trying to come to Europe. Amnesty International estimated that at least 1500 migrants had drowned in the Mediterranean Sea, following the Arab Spring between March and September 2011. "The Battle for Libya: Killings, Disappearances, and Torture," 88.

[441] "UNHCR says asylum situation in Greece is 'a humanitarian crisis.'"

[442] "Coping with a fundamental rights emergency: The situation of persons crossing the Greek land border in an irregular manner," Fundamental Rights Agency (Vienna: FRA, 2011), 18.

diplomat in Athens from another EU member state puts it: "the refugee situation has not been prioritized by the Greek authorities."[443]

Due to the awareness raising activities of various human rights organizations, several EU members stopped returning refugees to Greece, thus violating the Dublin II agreement.[444] In January 2011 The European Court of Human Rights ruled that returning an asylum seeker from Belgium to Greece constituted a violation of article 3 of the European Convention on Human Rights, i.e. that the conditions in the detention centers were so inhumane that they constituted a breach of the ban on "torture or inhuman or degrading treatment."[445] Greek authorities have repeatedly referred to the situation as a "European problem," thus calling for a "European response." And what is more, EU aid has been forthcoming. However, the emergency funds channeled through the European Refugee Fund have not managed to significantly mitigate the humanitarian crisis. The EU's own agency for fundamental rights, found

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[443] Interview, Athens, March 2011.

[444] The so-called Dublin II convention stipulates that an asylum seeker cannot seek asylum in more than one EU member state, and has to seek asylum in the country of entry.

[445] *M.S.S. v. Belgium and Greece*, application no. 30696/09, Council of Europe, European Court of Human Rights, 21 January, 2011.

"no evidence that these resources are used to improve the current situation at the Evros border."[446]

In October 2010, the Greek government requested assistance from FRONTEX[447] with help to manage the border. It was the first time in FRONTEX's and EU's history that a EU force was deployed to patrol a member state's land borders. A so-called Rapid Border Intervention Team (RABIT) was assembled and deployed in November 2010. All EU member states contributed to this armed police force, which for all intents and purposes amounts to a European border patrol force. EU's agency for fundamental rights, FRA, claims that the RABIT team "has had an overall positive impact on the initial processing of individuals. In particular, procedures in place seem to have reduced the risk of informal push-backs to Turkey for persons who have crossed irregularly into Greece."[448] UNHCR shares this assessment of the RABIT teams' overall positive impact for the refugee situation at the border.[449]. However, as FRA notes, FRONTEX has had no impact on what is causing the most concern in the

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[446] "Coping with a fundamental rights emergency," 6.

[447] European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. FRONTEX is EU's agency for external border security, see further below.

[448] "Coping with a fundamental rights emergency," 8.

[449] Interview with UNHCR official, Athens, Greece, March 2011.

human rights community, namely the degrading conditions in the detention centers and the abysmal conditions of the asylum seekers living on the streets of Athens and Patras. Human Rights Watch has rather criticized FRONTEX for continuing assisting the Greek government in bringing refugees into detention centers whose conditions were denounced by the European Court of Human Rights.[450]

Ordering, bordering, and identifying Europe: Tracing the workings of desire

How is the desire for Europe that is circulating in this border area constitutive of subject positions involved in the performative constitution of Europe? And to what extent does such desire mirror the practices of identification, bordering, and ordering characteristic of modern statecraft? I will in what follows show how the desire for Europe constitutes a number of subject positions, which solidify rather than challenge the characteristic practices of modern statecraft. "Europe," much like the modern state, emerges as an effect of practices of ordering, bordering, and identification.

Migrant. Greece has one of the lowest refugee recognition rates in Europe. In 2007, for instance, some 0.04 percent of all asylum seekers were

[450] "The EU's Dirty Hands: Frontex Involvement in Ill-Treatment of Migrant Detainees in Greece," Human Rights Watch, September 2011, accessed March 12, 2012, http://www.hrw.org/sites/default/files/reports/greece0911webwcover_0.pdf.

granted refugee status in first instance, and some additional two percent in the second instance.[451] The few migrants who are granted the status of refugee often leave Greece for other European countries, where it is easier to find work and make a living. Many of the migrants also do not wish to lodge asylum applications in Greece, since the rejection rate is staggering and once asylum has been denied in one EU member state, the claim cannot be tried in another state. Having experienced the Greek Byzantine bureaucracy, few migrants wish to remain there but are prevented to leave due to EU migration law (the so-called Dublin II Convention); the asylum seeker may only apply for asylum in the country where s/he first entered the EU.

When a migrant crosses the border, s/he is supposed to report to a Greek police station. At the station, the migrant is given a notice saying that s/he has 30 days to leave Greece. Since there is no way of gaining legal recognition as a non-EU migrant worker, the migrant who wishes to stay has two options: stay illegally or seek asylum. If s/he chooses to remain in Greece illegally, s/he receives no healthcare, has no right to work, and will everyday face the threat of deportation. Thus many migrants seek asylum. The asylum process is complex and it is difficult even to physically lodge a

[451]Thanos Maroukis, "Irregular Migration in Greece," in *Irregular Migration in Europe: Myths and Realities*, ed. Anna Triandafyllidou (Farnham: Ashgate, 2010), 103. It should be noticed that the second instance was abolished altogether in 2009, but then reinstituted in 2011. Recognition rates under the new law are still unknown, but human rights groups hope that the new law will increase the recognition rate.

claim for asylum since there is only one place in Greece where one may register one's asylum claim, namely at the overcrowded Police Directorate for Aliens in Athens.[452] When the migrant has filed an application for asylum, s/he is then issued a document by the authorities, to which many asylum seekers refer as a "pink card." This document grants the person access to healthcare and authorizes him or her to work, even though the right to healthcare is hampered by a lack of interpreters, and the right to work is often ineffective due to a combination of high unemployment, language barriers, and blatant discrimination. The asylum process may take up to several years—in some instances as long as seven years—even though the recently passed new asylum legislation is supposed to speed up the process.

I spoke to some fifteen Somali migrants in the Somali community center in Athens. The community center was located on one of the worst streets in Athens, infamous for its prostitution and drug peddling. The center functioned as a day center, where Somalis come to eat and spend time.[453] On the streets in the neighborhood, many migrants slept in shifts. Several of the refugees I interviewed had a hard time recollecting their previous

[452] Ibid.

[453] Two weeks after my visit, a gang of up to 300 right wing extremists attacked the center, destroyed much of the things inside, sprayed the walls, and injured ten of the Somalis. Reportedly, the police stood by and watched. Shortly thereafter, the center closed down.

experiences, and as they spoke of their life in Somalia, their journey to Greece, and their life in Athens, many showed signs of severe anxiety. One man in his early 30s confessed: "when I think a lot, I think of throwing myself in front of a train." Some common themes emerged from their stories. Many of them had been threatened by the Islamist militant rebel movement al-Shabaab. Almost all of them had embarked on strenuous and dangerous journeys in order to reach Europe. The story of Abdulrashid, a man in his early 20s, is in many ways representative. His father was killed by al-Shaabab and he fled Somalia in 2008. He entered Greece through Turkey and managed to make his way to Finland. However, since he was fingerprinted in Greece, according to the Dublin II Convention, he was obliged to ask for asylum in Greece, his point of entry. Fearing deportation from Finland, he ran away to Norway, where he spent some 9 months. Again under threat of being deported back to Greece, he went to Sweden, where the Swedish police finally deported him back to Greece. Having spent nearly two years adrift in Europe, Abdulrashid was thus returned to Greece in late 2010. He lodged his application for asylum in Athens, and has since then been trying to make do as well as he can. He describes the Greek authorities as "very nasty," adding that "you can feel the hatred from their faces:"

> What I wanted was to get protection. They totally failed to give me and all the refugees whether Somalis, Afghans…Europe is good because it is very stable, it is not dangerous. But the system of getting into Europe is hard. They should differentiate [between]

> those who are in real need of protection. They couldn't fail them like this. If Europe has a genuine intention to better the situation here about the refugees they can do it. Before I came to Europe, I was always pro-Western, and that is the reason why I fled from al-Shabaab. Because I was always against any extremist ideology whether Islamism or Christianism or whatsoever. But when I have looked very deeply about the treatment we are getting from Europe right now, I think [many refugees] are becoming closer to the same ideology that so many Islamists have. Once I saw Europe as pro-freedom, pro-democracy, pro-transparency but now while I am here in Europe, I cannot see anything. It is totally not there.

A 24-year-old woman told another typical account. She had spent 3.5 years in Greece, thus arriving in 2007 at a time when there were few Somalis in Athens. On her way across the Mediterranean Sea, several of her fellow travellers died due to disease. When approaching the Greek shore, the coastguard told the ship to go back where it came from. The survivors nevertheless got to Greece and her claim to asylum was, like almost everybody else's, rejected. When trying to leave Greece, she was arrested and a court sentenced her to one year and seven months in prison for forging travel documents: "in prison you will find foreigners who have done drugs etc., and even they were amazed since we were only with false papers and still have to be here." She tried to leave Greece six times altogether. She described life in Athens as arduous, sharing a small place with some twenty other migrants: "in hospitals, they don't treat you. If you are trying to get a job, they say that you are Muslim and black." When she was younger, she used to dream of moving to Canada. Realizing that was too expensive she heard some roommates talking about Italy: "but we

never got to Italy. I am stuck here. I can never understand when I can get a normal life [not having to be] running from country to country."

A 26-year-old woman said that she did not have an idealized view of Europe before arriving; she just wanted to find a place where she could be safe. A 52-year-old man, who had been in Greece for one and a half year eating leftover food from trashcans to survive, had no specific country in Europe on his mind either, but wanted to go somewhere he could find peace, stability, and in a position to give his children a better life. A woman in her fifties likewise had no specific country on her mind when she fled Somalia for Europe. She was eventually returned from Sweden back to Greece, despite that her son was hospitalized there: "I thought Europe [would be] a better thing, but [the Europeans] are merciless people." Ali, a man in his 40s whose children are living as refugees in Ethiopia said: "I only came because I wanted protection from Europe." Adawe, a man in his late 20s, who used to work as a journalist in Somalia and had been in Greece for seven months said: "I thought that if I reached Europe, I'd find a better place to live in. I wanted to get more education, learn, work, and do my own life." Thus, most of the migrants I spoke to used "Europe" to describe the place they wanted to go to, rather than any of the old nation states. Moreover, severe disappointment with this "Europe" characterized their stories. A Moroccan migrant, taking part in a hunger strike in March 2011 in Athens summed up this mood of despair: "Europeans hate

immigrants even though we helped build their economies…but Europe has to help because Europe in the past was the colonial power, it supported those dictators. Today it is reaping what it sowed."[454]

In the stories of the migrants, "Europe," is, much like a traditional state, ordered, bordered, and identified. In their stories, "Europe" is being constituted as a unified entity to which they at first ascribed much promise, but which has now let them down. The understanding of Europe many of them initially held mirrors cosmopolitan, humanitarian Europe, in which subjects, be it collective or individual, are treated with respect and state power is circumscribed. The Europe that many of them now talk about, however, has failed to live up to this ideal. The borders around Europe are not only of a geographical nature, but are also symbolic, where Europe is constituted as a space that does not let outsiders in.

European Commission and FRONTEX: De-fending Europe's territory. The Commission's Directorate-General for Home Affairs, headed by Commissioner Cecilia Malmström, is charged with providing direction for EU's border management strategy, which is in turn coordinated and increasingly implemented by FRONTEX. The Commission has taken an active role in migration management, and called for "solidarity" with Greece in light of the huge influx of migrants. Malmström thus spoke after

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[454] Helena Smith, "Illegal migrants risk death for right to stay in Greece," *The Guardian*, 6 March, 2011.

the deployment of the RABIT team: "We have shown European solidarity… Within ten days, officers from 25 countries have arrived here in the Orestiada area to assist the Greek authorities. This is also thanks to the excellent work of FRONTEX."[455] The Commission has mildly rebuked Greece for failing to provide adequate detention facilities for migrants. It has also expressed reservations about the Greek government's plans to build a wall: "Walls of fences are short-term measures that are not meant to deal with the question of illegal immigration in a structural way."[456]

It should be noted that FRONTEX is not directly answerable to the European Commission, but is an independent agency of the EU, whose board of management consists of both Commission representatives and representatives from the Member states. FRONTEX was established by a Council Regulation in October 2004, and became operational in the following year.[457] In face of mounting pressure that something should be done about high levels of irregular migration, it was established in order to co-ordinate border management among the Member states, or in EU

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[455] Frontex, "Papoutsis, Besson, Malmström and Laitinen Visit RABIT Operational Area," Press Release, 5 November 2010.

[456] "Plans for a wall on Greece's border with Turkey embarrass Brussels," *Guardian Weekly*, 11 January, 2011.

[457] European Union, "Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union." *Official Journal of the European Union*. Accessed March 13, 2012. http://eur-lex.europa.eu/LexUriServ/site/en/oj/2004/l_349/l_34920041125en00010011.pdf.

language, due to “the need for creating an integrated management of operational cooperation at the external borders of the Member States of the European Union.”[458] Having better integrated external borders was presented as a “necessary corollary” to the passport-free Schengen Area. The Regulation asserts: “Effective control and surveillance of external borders is a matter of the utmost importance to Member States regardless of their geographical position. Accordingly, there is a need for promoting solidarity between Member States in the field of external border management.”[459]

The main tasks of FRONTEX are to 1) coordinate joint operations to manage EU’s external borders; 2) assist Member States on training national border guards; 3) conduct risk analyses; 4) monitor research regarding management of borders; 5) assist Member States in circumstances requiring increased technical and operational assistance at external borders; and 6) assist Member states in returning third country nationals.[460] Every year, FRONTEX’s Risk Analysis Unit, draws up an Annual Risk Assessment, detailing patterns and forecasts of irregular

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[458] Ibid., art. 21.

[459] Ibid., art. 5.

[460] Ibid., chap. 2, art. 2.

migration into the European Union, and provides recommendations for how to deal with those:

> Based on these recommendations, the Joint Operations Unit may start the process of formulating an Operational Plan. The first stage of this is a Tactical Focussed Assessment, prepared by RAU, which paints a much more detailed picture of the situation at a specific point at the external border. Once identified as a potential joint operation, the unit then approached the potential host country (which will always lead any Frontex- coordinated operation) with a proposal. Once accepted in principle, the initiative is then presented to other potential EU partners for participation, after which a document is prepared that is binding at EU level and which details the cooperation required, including technical equipment, specialist personnel and other operational details.[461]

Europe is thus constituted as one territory in need to be secured from irregular migration. Just like the modern state, the European Union comes to depend upon the perpetuation of a desire for its being, and FRONTEX partakes in conjuring up such desire, in the guise of manifold external "risks," from which the European Union offers protection and security. An extra "layer" of statecraft is thus added onto that of Greek statecraft; namely European statecraft. The European subject is constituted by practices of bordering, ordering, and identification just like the modern state. And the intra-European "solidarity" that FRONTEX as well as Malmström refer to is one, like in the case of traditional statecraft, where the compassion for some literally spells death to others.

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[461] Frontex, "Hermes Extension: Joint Operations Background," 2011. Accessed March 13, 2012.
http://www.frontex.europa.eu/hermes_2011_extended/background_information/.

European border guard. On 24th October 2010, FRONTEX received a request from the Greek government to deploy a so-called RABIT team. Just a little more than a week later, a force of 175 FRONTEX personnel was deployed on Greece's border to Turkey. And the RABIT team did seem to meet its objective, already in January 2011, FRONTEX reported of significant decreases in levels of undocumented migration through the border area. In December 2010, the average detection rate had fallen by 57%.[462] In March 2011, the RABIT team became part of the so-called Joint Operation Poseidon, with the same objectives as the RABIT operation. The FRONTEX force assists the Greek authorities in patrolling the border area, interviews and screens migrants seeking to determine the nationality of refugees, and collects information about networks of human traffickers that help the migrants to cross the border areas. The patrol forces ambush the arriving migrants but do usually not, as of the summer of 2011, detain the migrants. The migrants are told to go to the nearest police station whereas the facilitators are arrested. Chief Inspector Gennaro Di Bello confirms this policy: "If we follow the refugees, it's only to ensure that nothing happens to them."[463]

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[462] Frontex, "Rabit Operation: Situational Update," Press Release. 12 January 2011.

[463] Manfred Ertel and Walter Mayr, "Shutting the back door to Fortress Europe," *Der Spiegel*, January 13, 2011.

The main FRONTEX contingent is stationed in the small town of Alexandroupoli, and I interviewed several members of the force in July 2011. All EU member states have a pool of people available for deployment with FRONTEX. Their missions last for a month, they then go back to their home country, and may return in a few months for another mission. During FRONTEX field operations, a Greek officer is always in command. FRONTEX personnel (known as "guest officers") wear their national uniforms with both their national flag and EU's flag on them. Motivations for joining FRONTEX vary. A Finnish dog handler and team leader, who has been deployed at the border four times, says that he wanted to join FRONTEX to get some experience in a "target rich area." He takes part in a special operations' team that ambush and apprehends facilitators, and to a lesser extent migrants, at night at the Evros delta: "First priority is to arrest facilitators, if we can apprehend migrants, we do it." The migrants react differently when being apprehended. Some of them are happy and some of them are scared. It depends on what the facilitators have told them, he says. Since the apprehensions take place at night, and the facilitators sometimes are armed, even heavily so, the situation is often quite tense and sometimes migrants try to run away.[464]

[464] In July 2011 there had been three incidents of "facilitators" opening fire on Frontex teams. Some have reportedly even been armed with Kalashnikovs.

Several of the guest officers were touched by the human hardship they encountered. A Romanian guest officer recounted the story of how he performed first aid on a Muslim woman who was minutes from dying. A Finnish guest officer described the situation as "unworthy of Europe." Many of them also speak of the futility of their work. As a self-described "grunt" put it:

> It doesn't really matter what we are doing here. It is in a way kind of frustrating. This cannot be solved by increasing border control. There are always people willing to come to Europe from Africa and Asia. Even if we put a very big fence around Greece, they will go to Bulgaria, and Italy. Propose for Cecilia Malmström open border crossing points for immigrants with documents, and then a big place where migrants are taken pictures dna, blood samples etc. And then if they don't want to integrate they can go home. [It makes no sense having] a Somalian woman trying to cross the river in a rubber boat, with a one-year-old baby…running as hell like in a jungle next to a river…The problem is not here but in Brussels, they are out of touch with what is going on.

The FRONTEX police officers were in agreement that they are not only working on behalf of their own state, but rather for Europe. A German border guard says "I think it is important to support the Greeks. This is Europe's border, after all."[465] or as a Romanian guest officer puts it, "not so many migrants are willing to establish their families in Romania, but it affects us, because we are European Union. In the second hand we are here to support Greek authorities, in the first hand the European Union." An Austrian guest officer, who is a forged documents and stolen car expert

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[465] Smith, "Fortress Europe."

and has been working on one of the border crossing check points says "I feel I am working for Europe. We are more or less a big country."

So what has the presence of FRONTEX done to avert, or at least mitigate, the humanitarian crisis in Greece? Since the arrival of FRONTEX there have been no reports of informal pushbacks, in which migrants would simply be pushed back to Turkish territory. FRONTEX has also devoted a considerable amount of attention to what they refer to as the ethics of border management. In 2010, FRONTEX commissioned a rather extensive research study undertaken by the Center for the Study for Global Ethics at University of Birmingham, which identified common European standards of ethical conduct in border management.[466] And before FRONTEX members are deployed, they have to undergo training in human rights.

However, a much more fundamental ethical problem remains. From the beginning, voices critical of the establishment of FRONTEX were heard. The European Council on Refugees and Exiles stated: "Any decreases in the number of irregular entries into the EU stemming from the implementation of immigration control measures are presented as a success by the EU and as a factor that contributes to saving human lives.

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[466] Frontex, "Ethics of Border Security," *Centre for the Study of Global Ethics University of Birmingham*, Study Commissioned by Frontex. Frontex/64/2010.

This interpretation fails to acknowledge the consequences of these measures for individuals fleeing persecution."[467]

Indeed, in a document released by FRONTEX, its first joint sea operation, a mission called Hera, aimed to deter irregular migration from Western Africa to Europe, is described as a significant success. With aid from West African countries, the route from Senegal, Mauritania, and Cape Verde, to the Canary Islands was entirely shut down. FRONTEX believes that this closure "without doubt prevented countless deaths."[468] However, the circumstances that the potential migrants were facing at their respective homelands are left out of the assessment. The fundamental *raison d'être* of FRONTEX is undoubtedly to prevent migrants from coming to Europe, at least in the numbers they do now. This purpose is not always stated in plain language. The "prime objective" of the deployment of the RABIT team in Greece in 2010, is according to FRONTEX to "assist Greek border-control authorities in securing the land border with Turkey from a heavy influx of irregular migration." [469] The purpose of FRONTEX is thus clearly to limit the amount of migrants entering Europe, or, as the FRONTEX

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[467] Refugee Council and the European Council on Refugees and Exiles, "Joint response to Select Committee on the European Union Sub-Committee F" (Home Affairs): Frontex Inquiry, 24 September 2007, 3.

[468] Frontex, "Hermes Extension: Joint Operations Background."

[469] Frontex, "Greece RABIT 2010 Deployment," Frontex Press Kit: RABITS 2010 Deployment, 2.

executive director Ilkka Laitinen puts it in more oblique language "to have an impact on the migratory flows in the area."[470]

The Greek government: Europeanize the Situation. Greece did not become a migrant receiving country until the 1990s, when large numbers of Albanians entered, following the fall of the Communist dictatorship.[471] The timing for the huge influx of migrants into Greece this time is poorly chosen with the Greek state currently undergoing the worst recession since the Second World War. Social unrest is widespread and extremist groups and xenophobic sentiments are on the rise. An employee of a small NGO, seeking to help migrants lamented: "Our neighbors are not too happy about what we do. 'Why don't you help Greek people?' they ask. 'You have turned our neighborhood black'. 'I cannot find a job, why has a black man my job?'"[472]

The Greek government has consistently sought to "Europeanize" the large migration influx. The influx of migrants is presented as a "European problem" which calls for a "European solution." The enforcement of Greece's border to Turkey is cast as a "European responsibility." Greece's

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[470] Frontex, "Papoutsis, Besson, Malmström and Laitinen Visit RABIT Operational Area."

[471] Maroukis, "Irregular Migration in Greece."

[472] Interview in March 2011.

borders are presented as not just that but rather as Europe's borders. As a Greek police officer in Alexandroupolis put it: "It [the influx of migrants] is a European problem first of all. They don't want to stay in Greece. European politicians will find some problem. Not Greek politicians. Someone has to accept the problem."[473] And as we have previously seen, in the name of Europe, such a responsibility has been assumed.

In early 2011, the Greek government announced it would build a razor wire fence along the Evros border. As Greek minister for citizen protection, Christos Papoutsis, puts it: "If we could have it up tomorrow, we would...Greece is not a paradise...it is in the midst of economic crisis, wages are going down, unemployment is surging and there is not enough work for our own people or the migrants who are already here. Our hope is that the fence will send a message."[474] The police chief in the border town of Orestiada, Giorgos Salamangas, shares this sentiment: "Some days we've had 300 pour in. It's an uncontrollable wave, and the only way to stop it is to erect a fence."[475] At the same time, it is widely acknowledged that a wall won't solve any problems. 12.5 km wall won't make much of a difference, but only divert the problem to the remaining 200 km land

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[473] Interview July 2011.

[474] Smith, "Fortress Europe."

[475] Ibid.

border with Turkey. Having spoken out in favor of a fence, Salamangas admits the ineffectiveness of it: “The problem is a bit like water. If stopped, it will always flow another way.”[476] Given the rather obvious futility of building a fence, some commentators think that the government’s interest in doing so has more to do with diverting attention from unpopular budget cuts.[477] The message Papoutsis hopes the fence will send, whether primarily intended for a domestic or foreign audience, seems to be impossible to misinterpret: migrants are not welcome.

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[476] Ibid.

[477] Petros, Papaconstantinou, “Asylum is a Greek word,” *The Guardian*, January 7, 2011.

Chapter 7

CONCLUDING THOUGHTS

Alright. Let me ask you something.
If the rule you followed brought you
to this, of what use was the rule?
—Anton Chigurh, *No Country for Old Men*.

The first chapter of this dissertation opened by posing the question of why one should bother studying practices of European integration at a time when they—at least among European populations—seem to inspire less enthusiasm than perhaps at any previous time in postwar European history? The introduction answered that question in rather general terms by arguing that deconstructive textual analysis is ultimately concerned with ethics. Thus, I have in the chapters pointed to some potential dangers inherent in foundationalist desires for a European bounded identity—a European Union which just like the modern state is enacted by practices of ordering, bordering, and identification. In this concluding chapter, I start by making two general points in relation to the *timeliness* of the dissertation; the first point has to do with the increasing diversity on the European continent, and the second point concerns the rapid militarization of the European Union. The second section concludes the dissertation by summarizing the main argument and the major findings of this dissertation.

Before doing so however, a far more preliminary point needs to be raised. This dissertation has interrogated some important legitimation discourses of European integration. The extent to which those discourses exert a *hegemonic* force in Gramsci's sense of instilling a set of norms and values that effectively underpin a social order—i.e. their power in producing subjectivity on a European scale that may legitimize a European-wide social, political, and moral *order*, is ultimately an empirical question, which I have not dealt with here.[478] Let it suffice to point out that the discourses of European integration that I have examined *aspire* to hegemonic status, i.e. understood discursively with Laclau and Mouffe as associating discursive elements and trying to impose a dominant meaning on social practices that sets the limits for possible articulations within a certain chain of significations.[479] What I have been attempting to do in this dissertation is to *pre-emptively* interrupt and question a discourse, whose power of dissemination is under-explored, rather than to simply assume that such discourses exert a powerful signifying force.

But to what end at this particular time in history? Let me make two points about the timeliness of critically addressing discourses of European

[478] See for example Antonio Gramsci, *The Antonio Gramsci Reader: Selected Writings 1916-1935*, ed. David Forgacs (New York: The NYU Press, 2000).

[479] Laclau and Mouffe, *Hegemony and Socialist Strategy*.

integration. First of all, in the past decades the European continent has rapidly become increasingly diverse, with migrants arriving from a plethora of different shores. At the same time, xenophobic sentiments have been on the rise all over the European continent. The problem of how to craft the European subject in relation to difference has become one of the most serious ethical problems facing the project of European integration. Any such discussion would have to take seriously not only the carnages of the two 20th century continental wars and the Holocaust, which (rightly) serve as powerful legitimizing narratives for European integration[480]—and instead of making us uncritically celebrate European integration as it now stands should rather make us attentive to the risks of the prevailing statist imagination—but also Europe's colonial past, which is still often neglected in the scholarship on European integration.[481] What is important here is to point out that a deconstructive understanding of European identity, points us in a direction away from an essentializing and exclusive historical narration of the European subject, towards one which also recognizes the not only manifold contributions, but rather *constitutive character*, to whatever goes under the name of "European identity" from sources often deemed as "other" to Europe proper. As others to Europe; Islam and "the Orient," Turkey, Russia and "the East,"

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480 Lothar Probst, "Founding Myths in Europe and the Role of the Holocaust," *New German Critique*, 90 (2003).

481 Hansen, "European Integration, European Identity and the Colonial Connection."

the United States, as well as Europe's own troubled history are sometimes posited. Positively deconstructive histories of the European subject would not seek to denigrate or denounce the European heritage, nor altogether give up on the many often unfulfilled promises of enlightenment modernity. Instead, such histories would help to highlight the constitutive nature to European cultural life that come from those aforementioned sources often deemed as others to Europe, so that those altogether cease to be "foreign" to the European tradition. But instead of seeking to violently appropriate such sources for a celebratory narration of unbroken European progress, the inclusion of them would rather seek to show the open-ended, multiple and always unfinished character of Europe itself. Finally, the writing of such histories would also seek to attune us to what is yet to come on the European continent, the wholly other to the other heading, as Derrida once wrote.[482]

Another factor contributes to the timeliness of a critical, albeit not dismissive, approach to European integration. It should be noted that alongside the general legitimation crisis in European integration, the militarization of the European Union has continued at a rapid pace.[483] The evolution of the European Security and Defense Policy (ESDP) has shown

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[482] Derrida, *The Other Heading*.

[483] Jolyon Howorth, *Security and Defence Policy in the European Union*, (London and New York: Palgrave, 2007).

that European cooperation in this area is clearly not about defense in the traditional sense: the "D" has remained a dead letter. Instead, the ESDP is all about power projection outside the EU's geographical borders, often portrayed as "policing activities." Starting with the end of the Cold War and accelerated by the "war on terrorism" following 9/11, there was in the Western world a clear shift from the concept of defense towards the concept of security. As Hardt and Negri point out, this conceptual change signaled a much higher degree of interventionism: "Both within and outside the nation … the proponents of security require more than simply conserving the present order–if we wait to react to threats, they claim, it will be too late. Security requires rather actively and constantly *shaping the environment through military and/or police activity*. Only an actively shaped world is a secure world…Whereas 'defence' involves a protective barrier against external threats, 'security' justifies a constant martial activity equally in the homeland and abroad."[484] The European Security Strategy, adopted by the European union in 2003, directly echoes this shift from defense to security: "Large-scale aggression against any Member State is now improbable. Our traditional concept of self-defence–up to and including the Cold War–was based on the threat of invasion. With the new threats, the first line of defence will often be abroad."[485]

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[484] Hardt and Negri, *Multitude*, 20-21.

[485] "A Secure Europe in a Better World: The European Security Strategy," *European Union*, 2003, Accessed March 16, 2012, www.consilium.europa.eu/showpage.aspx?id=266&lang=EN.

It is in the context of the European Union's rise to global power status important to be aware of the many dangers associated with the European Union's new interventionism, not least in the historical context of the European colonial past as well as the highly unequal postcolonial world that sets the conditions for the present global landscape. The European response to the Arab Revolutions in 2011, for example, conjured up the specter of European (colonial) gunboat diplomacy, where European interventionism carried serious risks to delegitimize the (for the most part) progressive forces it sought to assist. However, to insist on understanding the present constitution of the European subject against the historical backdrop of colonialism should not involve lapsing into a facile and pernicious relativist quietism, which is often as irresponsible as liberal triumphalism. It should rather make Europe more responsive and sensitive to the aspirations, histories, and demands of voices historically marginalized by European expansionism.

The argument revisited

This dissertation put forward, and then elaborated on, a rather simple idea: since European integration came about as a result of a thoroughgoing discrediting of the modern state as a way of organizing political life, an important task would be to examine whether European integration really could be said to decisively break with modern statecraft.

To undertake such an investigation, the first chapter put forward a way of conceptualizing what modern statecraft was about. Most other studies that have dealt with the EU's alleged difference in relation to the modern state have employed an understanding of the state, which confers a certain ontological standing or status on its purported object of study. When comparing the EU to such an understanding of the modern state, it is clear that the EU cannot be understood as a state. However, I argued that a critical approach to European Integration Studies needs to go beyond the representationalist, ontologizing understanding of the state, where there is an identity already formed and the leadership represents the inner identity and interest of that political entity.

Instead, in order to start addressing the question of state violence that European integration emerged as a response to, the crafting of the Europe Union needs to be problematized in relation to practices of statecraft. The performative understanding of statecraft that I put forward in this dissertation—where the realm of performativity is always prior to the realm of constativity—understands states as *effects*. I proposed that instead of evaluating European integration discourse against an ontologizing understanding of the state, on which the state "is" something determinate, one might read European integration discourse against a performative understanding of statecraft. I argued that the characteristic performances of modern statecraft, could be conceived of as interrelated practices of ordering, bordering, and identification, animated by a desire

for foundation. "The state" then I proposed, could be conceptualized as an effect of a plethora of practices of identification/bordering (i.e. statecraft), animated by a desire for order, stability, and foundation, which are constitutive of a wide variety of subject positions, but never traceable back to a single origin. In chapter six, I examined the crafting of the European Union in a concrete setting. When examining what is being done in the name of Europe in Greece, I attempted to demonstrate that much like the modern state, Europe is being ordered, bordered, and identified. Thus, the way the signifier "Europe" is deployed and circulated by migrants as well as members of EU's border force in many ways mirrors modern statecraft.

Second, I argued that most previous treatments of European integration in relation to the state have neglected engaging the broader normative horizon in which the modern Westphalian state is inscribed. The Westphalian system of states—which rests on a specific form of organizing space into fixed and mutually exclusive containers—might best be described as a collection of particularities that are mutually recognized as entitled to the universal within their borders. The practices that craft the modern state perpetually oscillate between bordering (particularizing gestures) and de-bordering (universalizing gestures) practices. To examine the possibilities of "moving beyond" the state in the crafting of the European Union, European integration discourse needs to be read against the background of this normative horizon.

In the third and fourth chapters of the dissertation, I offered a close reading of two legitimation discourses of the European Union: the failed Constitutional Treaty and Javier Solana's collected speeches. I argued that one might in those discourses identify two major gestures between which the crafting of Europe continuously oscillates. The first gesture is one of *particularizing Europe*. On this gesture, clear boundaries of differentiation are imposed upon Europe; Europe is bordered, identified, and ordered. The second gesture is one of *universalizing Europe*. Here, the particularizing gestures are resisted and Europe is understood as identical to the rest of the world. Or, at least, "beneath" layers of whatever passes as culture, tradition, and history, there is *no essential difference* between Europe and its others. In those two chapters, I suggested that Europe is being crafted in a pendular oscillation between its paradoxical claim to being both particular and yet also universal. This oscillation reveals that the European Union is crafted in a way akin to that of the modern state: in a constant movement and mediation between the universal and the particular. Hence, I contended, the crafting of Europe involves similar ethical risks to those of the modern state; which is either to *expel* (the particularizing gesture) or to *interiorize* (the universalizing gesture) difference.

So what is really at stake then, when we consider this pendular movement between particularizing and universalizing Europe in its proper historical context? To be sure, many politicians, intellectuals, and scholars would

like to conceive of the European Union as more inclusive and accepting of difference than the modern state. As Bahar Rumelili has framed the question in more academic parlance, couldn't the EU avoid replicating the mode of differentiation that the modern nation-state is often portrayed to have relied upon, with a clearly demarcated inside and an equally clearly demarcated, marginalized, and expelled outside? The obvious risks of the particularizing practices is that such practices perpetually have to create various constitutive outsides, which will be cast as not properly belonging to Europe. The perhaps most well known political manifestation of the particularizing gesture is nationalism, which is precisely what European integration wanted to get away from since National Socialism can be understood as an extreme form of nationalism. In fact, Europe's past is replete with conflict brought about and exacerbated by Europe's petty and manifold nationalisms. Thus, if European integration merely reproduced the particularizing gestures of the state at a higher level, and conjured up a European nationalism, the many well-known problems of nationalism would still remain. Solidarity is in the nationalist script primarily cast as something one owns to a particular in-group, whereas various others are deemed to have a lesser moral standing.

At the same time however, if a major ethical problem with the various modalities of statecraft associated with the modern western state was the violent practice of boundary drawing and the coupled inside/outside

dynamic that critical scholarship has repeatedly demonstrated, the problem of Europe in relation to localities outside its geographical borders has historically been precisely just *the opposite*. Europe's bloody colonial past ought to serve as a constant reminder of the continent's failure to acknowledge boundaries of differentiation at all. The problem here, postcolonial literatures have taught us, was not so much *exclusion* as practices of differential *inclusion*. The colonial other was most often treated as a would-be, but never quite, European. In some distant and always ultimately deferred future, having been lifted up to the level of the European, History would affirm the essential identity between Europe and her others. In Kiplinguesque lore, it was Europe's historical burden to domesticate the whole world and make it safe for the universal values that Europe exemplified to prosper therein —a logic no doubt highly forgiving of the innumerable violences committed by European countries in other peoples' lands. As I made clear in the discussion of Solana's foreign policy discourse on Europe, the universalizing gesture always risk slipping into the idea of European exemplarity, where universal values are attached to specific agents. And neither does the universalizing gesture mean that the necessity of a constitutive outside in subject formation has been done away with. Most often, the constitutive outsides to a subject that is universalizing itself are forms of otherness deemed to be "backwards" or "regressive," to be found either in distant localities, or carried by elements deemed "foreign" at home. Thus, the European subject, just like the

modern state subject, is crafted in a pendular oscillation between the particularizing and the universalizing gestures, both of which carry their own distinct risks.

In the fifth chapter, I turned to another European integration legitimation discourse, namely neofunctionalism. I argued that neofunctionalism does little more than to reproduce the modern state at a bigger level, a concern that Ernst Haas became increasingly aware of in his later writings. This state measure problematic, has, as in the case of neofunctionalism, seriously limited the possibilities of thinking critically about the EU and wedded European Integration Studies to a statist conceptual universe. I went on to demonstrate the limitations of a statist imagination by examining how two prominent political theorists have theorized about the EU's legitimacy. One of the most serious problems with a discourse which treats the EU as an *entity*, be it a state, a quasi-state, etc., i.e. to essentialize and ontologize the EU, is that it will inevitably end up reiterating the logic of an inside/outside conceptual schema (as well as a centre/periphery schema). To put it slightly differently, to essentialize the European Union will firmly implicate its normative discourse in what lies at the heart of modern political theory: the identity/difference binary, which, as argued above, the modern state provides an uneasy response to.

On a final note then, one should think twice before announcing the construction of the European Union as something qualitatively new and

different from—let alone better, or more ethical than—modern statecraft. In fact, the crafting of the European Union is plagued by similar ethical dilemmas as the modern state, and ultimately animated by a similar desire to either expel or interiorize difference. Taking this point seriously could impel us to start exploring new and innovative ways of organizing social and political life on the European continent—beyond the facile and rather disturbing celebration of the proclaimed "novelty" of the European Union. Such inquiry would re-connect European integration studies with the noble spirit that inspired European integration in the first place: an acknowledgement of the profound linkages between the modern state and violence, coupled with a desire to think of ways of organizing political, social, and economic life in non-violent ways.

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