

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

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Abstract

In view of the shortcomings of both ‘Westphalian’ and ‘cosmopolitan’ approaches to European integration, it seems advisable to follow a different path in order to grasp the relationship of political and cultural identities in the European Union (EU). The regulation of cultural pluralism at the European level is characterized by the contradictions underlying the EU’s institutional development. The principle of intergovernmentalism stresses the role of nation-states and tends to reaffirm the weight of national cultures. At the same time, however, European transnationalism offers possibilities for articulating cultural identities below and beyond the nation-state, contributing to some extent to the ‘denationalization’ of political cultures. This can be illustrated with examples taken from the area of European language policy. In the process of constructing a European polity that is responsive to the challenges posed by cultural diversity, the principle of subsidiarity still bears considerable normative potential.

Introduction: European Polity-Building and Cultural Identity

During the last decade, the dynamics of European integration gave rise to lively and ongoing discussions about the political perspectives of the EU and, especially, about the desirability of providing the Union with a proper constitution. The ‘no *demos*’ thesis has become commonplace in these discussions. In its most general version, the thesis maintains that the possibilities for creating a European democracy are contingent on the existence of a European *demos*. But there is no such *demos*, at least not yet. Its coming into being would presuppose levels of cultural and communicative integration among ‘the peoples of Europe’ that allow for the development of a shared public

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sphere. Jean-Pierre Chevènement, the former French Minister of the Interior, may be considered an intransigent exponent of such a view. In his polemics against the proposals put forward by his German colleague, Joschka Fischer, in the spring of 2000 in order to establish a European federation, Chevènement, as a spokesman of the 'sovereigntist' currents in France, was eager to stress that the democratic debate cannot be stretched beyond the institutional framework of the nation. According to him, without this framework, the sovereign people would lose their genuine political identity.¹ All in all, viewpoints like that summarized here see cultural pluralism and its translation into different national sentiments as a main obstacle to achieving political unity on the Continent.

Critics of this line of argument point out that its basic shortcomings derive from the tendency to conflate political and cultural identities, and to establish all too rigid links between these identities and the nation-state. In opposition to 'sovereigntist' and related approaches, they stress the multiplicity of identities that are politically relevant, at the level of both individuals and groups. From the corresponding angle, generating and supporting a set of multiple identities is considered to be a necessary antidote to the dangers of an untamed nationalism. Defining the appropriate institutional balance between multiple identities, then, becomes a key element for Europe's future as a polity.

In this context, it may be worthwhile to recall one of those typical British new wave pop songs of the late 1970s. It begins with a loud and straightforward statement: 'identity is the crisis'.² The message should be taken seriously, although without sticking to its categorical undertone. By doing so, one reaches the obvious conclusion that multiple identities imply at least a great variety of crisis potential. This article will not enter the vast field of 'identity studies' that have flourished within and across several academic disciplines during recent years. It should be noted that the rapid rise of the identity concept that can be observed in the social sciences during the last two decades is an obvious symptom of a period of sweeping social and political change. People are looking so intensely at themselves, at their identities, because of a widely shared feeling that, once again, everything solid melts into air. As the history of nationalism extensively illustrates, discussing identity is the result of changes in identity.

By using the concept of identity, I refer to cultural identities that are (or have been made) relevant to processes of political integration in modern society, such as nationality, ethnicity, language and religion. Hence, the approach to culture and cultural identity adopted here is modest and deliberately more

¹ See Chevènement's controversial dialogue with Fischer in the German weekly *Die Zeit* (21 June 2000).

² X-Ray Spex: 'Identity', on the disc *Germfree Adolescents* (1978).

selective than those approaches established in the field of social anthropology and related disciplines. For my purposes, the most interesting aspects of culture are at the same time perhaps the most obvious: I understand culture as a set of strongly institutionalized collective practices, where institutionalization relates basically to political institutionalization. Typical examples of institutionalized cultural identities of this kind are 'national' histories or myths and their public visualization (in monuments, museums, street names, on postage stamps and bank notes), educational curricula, patterns of religious identification receiving some official protection (as most visibly 'state churches' do) or secular public creeds, as well as officially recognized and 'standardized' languages.

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

This question is closely linked to long-standing controversies in political theory and political sociology. Up until now, there is little agreement on the consequences diversity has for democratic governance.³ It is striking that normative and empirical approaches to the issue have remained largely disconnected from each other since the beginning of the debate. With only a few exceptions, normative considerations are often presented without relating them in some detail to concrete historical experiences. On the other hand, empiri-

³ Mill [1861] and Lord Acton [1862] can be considered as the initiators of an ongoing controversy in modern political theory.

cal analysts are generally reluctant to address the normative consequences of their findings in a systematic way. Focusing on the case of the European Union might therefore offer us a good opportunity to narrow the gap between the two types of approach.

I. Culture, Identity and Politics between ‘Westphalia’ and ‘Cosmopolis’

To some extent, current discussions on the political future of Europe seem to be influenced by two basically opposite positions, at least if seen from a German perspective. On one side there are those who are not willing to put at risk the safety net of ‘democracy in one country’ by trying to develop a democratic framework for the EU. Although the label probably oversimplifies their positions, for the sake of clarity, I will call them the ‘Westphalians’.⁴ The name pays tribute to the importance the Peace of Westphalia had in the formation of a system of sovereign states in Europe. In Westphalian approaches to the EU, one of the major concerns is that the process of European integration devalues democratic decision-making in the nation-states without creating alternative options for transnational political control. The arguments put forward by observers adopting such a view are well known: important decisions that affect a growing number of social and economic policy issues are made at the European level, and thereby, some of the central links between liberal democracy and the welfare state are being weakened. Market integration is accomplished with no corresponding efforts at social and political integration. The EU’s compatibility with existing forms of democracy is questioned, as Europeanization is contributing to the erosion of efficiency and legitimacy of democratic rule by the nation-state. At the same time – and for me, this is the more interesting part of the argument – ‘Westphalians’ are very sceptical about the possibility that the EU will become a democracy of its own kind and give birth to a system of transnational democratic governance, counterbalancing the loss of nation-state sovereignty. Here, the crucial problem is that there are no socio-cultural foundations solid enough to provide a European democracy with the legitimation it will need: politically relevant collective identities are still deeply embedded in the structures of nation-states. Patterns of support transcending their boundaries are scarcely in sight. In brief, the project of enhancing democratic integration in the EU is bound to fail as long as there is no breakthrough in cultural integration across national borders. Cultural pluralism and, especially, the linguistic differentiation it entails are regarded, for the time being, as insurmountable obstacles to any attempt to create the intermediary political structures and the public sphere that a

⁴ See the contributions made by Greven (1997), Grimm (1995), Kielmansegg (1996), Manent (1997) and Streeck (1999).

European democracy worthy of the name would require. Cultural heterogeneity and the weight of those cultural attachments that are characteristic of the well-entrenched European state system inhibit the formation and articulation of a common political identity among Europeans.

The validity of such claims is challenged by the advocates of 'post-nationalism'. In view of the inhospitality of Westphalia, they praise the virtues of 'cosmopolis'.⁵ New political institutions based on the principle of 'post-national identity' are expected to overcome the normative and functional constraints of 'democracy in one country'. The proponents of this principle would like to overcome the idea of the homogeneous nation-state by deliberately refraining from any attempt to establish a congruent relationship between culture and political society. In the light of post-nationalism, one of the EU's most fascinating aspects is the historically unprecedented possibility of grounding political rule in a 'pure' civic community, a community exempt from any kind of primordial substratum. That European citizens lack a common cultural identity is interpreted as a unique opportunity to constitute a novel and truly 'civic' type of *demos*, a *demos* which transcends culture and reflects nothing but the collective consent emanating from shared moral values. Thus the integration of Europe would neither lead to the invention of an encompassing community of fate conceived in the spirit of past traditions, nor set the official cultural standards for a shared public space yet to be created. Rather it would rely on a strict separation of cultural and political identities. From such a viewpoint, the EU's normative attractiveness is grounded precisely in the lack of a common culture. In the end, creating a democratic polity in Europe becomes a crucial test case for the more ambitious transition to cosmopolitan democracy on a global scale that is envisaged in the long run.

It seems that both the Westphalian and the cosmopolitan positions have serious difficulty in developing convincing approaches to cultural identity and its role in modern democracies. Westphalians view nation-states as political units containing uncontested and homogeneous cultures. At least implicitly, their assumption is that democratic self-government is contingent on the loyalty of citizens who have common ties in their basic identity patterns, as symbolized by language and culture. Evidently, there is considerable overlap between this position and the more or less official French versions of republicanism. As democratic sovereignty is embodied in the nation-state, a close connection is made between state and democratic theory. Democratic deliberation and decision-making coincide with the cultural domains defined by national rule. Political theories influenced by the Westphalian tradition

⁵ A cosmopolitan mood permeates the work of Archibugi (1995), Beck (1998), Ferry (1994), Habermas (1998) and Held (1995).

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

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

The shortcomings of Westphalian and cosmopolitan approaches to European integration make it advisable to look for an alternative paradigm, which may be found in what I call – for lack of a better term so far – the pluralist approach. Before doing so, however, we should take a detour that brings into focus the tense relationship between the democratic nation-state and cultural heterogeneity, i.e. the existence of multiple cultural identities within one political unit.

II. Cultural Heterogeneity, the Democratic Nation-state and the EU

In a recent article, the British social theorist and political sociologist Michael Mann affirms that ethnic cleansing has not been an anomaly in the process of modernization and state-building, but has rather to be understood as ‘the dark side of democracy’.⁷ This may sound provocative; nevertheless, Mann offers

⁶ This is why nationalism is to be considered a constitutive feature of modernity, as was emphatically shown by authors like Gellner (1997) and Deutsch (1966).

⁷ I am quoting the title of the article (Mann, 1999).

rich empirical evidence in order to corroborate his argument, which is developed against the historical background of both the European and the North American experience. According to him, a large majority of EU countries today is over 85 per cent culturally homogeneous.⁸ Here, a central aspect is that this homogeneity is not a 'natural' outcome of a quasi-evolutionary process, but rather reflects the deliberate use of political power by majority elites. Imposed assimilation and enforced migration, not to mention more dramatic steps, played a significant role in the making of democratic statehood all over Europe. Thus, very broadly and generally speaking, one can see a long-term historical trend toward creating uniformity *within* the units that form the European state system. This is true even if the *overall* picture of the Continent shows a marked and institutionally entrenched cultural diversity.⁹ After all, one of the characteristic and somewhat paradoxical elements of the Westphalian legacy in Europe was to foster homogeneity within the units making up the system, although the system itself was largely the result of an attempt to institutionalize heterogeneity after a period of religious wars. Thus, the consolidation of national forms of rule became one of the most salient features of Europe's path to modernity. At the same time, national integration often had the explicit meaning of cultural homogenization.

Being the exponents of the institutional logic of a Westphalian world, democratic nation-states have tended to create a close link between two distinct normative principles: the particularist principle of sovereignty and the universalist principle of citizenship. The connection becomes most evident in the concept of the 'sovereign people', a concept that is central to the discourse of those for whom democracy requires the fusion of nationhood and stateness (Giddens, 1985). In practice, this people or nation has nowhere exclusively been the product of a voluntary contract negotiated by autonomous individuals, but the expression of the spread of a hegemonic cultural identity among the population of a given territory (Schöpflin, 1997). The political cement needed to maintain democratic consent was cultural affinity (or ethnic proximity). Where such an affinity was not 'organically' pre-established, or had not been imposed by predemocratic rulers, state policies sought to turn the population into a homogeneous people. Hence, popular sovereignty did not simply emanate from the spontaneous articulation of a collective will; to a considerable extent, it was an institutionally manufactured sovereignty, a sovereignty delivered 'from above'. All in all, the people had often already 'been made', before they could become sovereign. The language of modern

⁸ Mann (1999, p. 41) uses the term 'mono-ethnic'.

⁹ At least when Europe is compared to America. For this reason, Colin Crouch (1999) takes the Dutch concept of *verzuiling*—pillarization—as a *pars pro toto* image that sets the European model against traditional views of the USA as a cultural 'melting pot'.

constitutionalism has tended to hide this situation under the cover of a great fallacy, which invites us 'to confuse the juridical presupposition of a constitutional *demos* with political and social reality' (Weiler, 2000, p. 2).

Against this general background, however, two major qualifications must be made: a few states, located in Europe's medieval city-belt area, can be seen as offering an important counterbalance to the mainstream trend toward internal uniformity.¹⁰ They institutionalized the pluralism of groups and territories by setting up consociational or federal arrangements, thus facilitating the persistence of old identity patterns.¹¹ In addition to this, the recurrent mobilization of subnational identities, even in those states that had made great efforts in the past to safeguard their political sovereignty by combining territorial integration with cultural homogenization, shows the limits of national integration. The unforeseen growth experienced by minority movements in recent times may be interpreted as a late response to the 'original sin' of democracy as regards culture.

What does all this mean for European polity-building? Firstly, it means that the appeal of the 'mainstream' nation-state model of political integration is highly questionable from a normative perspective, if one wants to take issues of 'cultural justice' seriously. Secondly, and this is perhaps the more relevant point for my concerns here, it implies that the cultural dynamics of European integration will differ sharply from the dominant nation-state pattern. The growing acceptance of 'diversity-sensitive' approaches to social and political reality has led to a generalization of the view that cultural differences matter and are to be respected. Thus, 'multiculturalism', however willy-nilly, is becoming to some extent the official approach to diversity in the western world. Simultaneously, the protection of minorities seems to have reappeared as one of the paramount components of a transnational European human rights regime to degrees unparalleled since the interwar period. Finally, groups that have already been the subject of mobilizations stressing their specific cultural identity are unlikely to be 'integrated' into a hegemonic domain reproducing the experiences that were typical of the 'classic' period of nation-state formation. Putting it bluntly, there are no 'peasants' left on the Continent who might be happily waiting to be turned into some kind of 'Europeanmen' by institutional means.¹² Hence, whatever the EU will look like in the future, it will certainly differ from the dominant nation-state pattern. Nonetheless, if one insists on looking for possible historical analogies,

¹⁰ The impact of the city belt on the formation of nation-states in western Europe has been masterfully analysed by Rokkan (1999).

¹¹ For good reasons or bad, Belgium may at present be seen as the paradigmatic case of a 'consociational federalism'. This makes the country an interesting point of reference for the EU and has given rise to insightful speculations about the desirability of a 'Belgian' Europe (Van Parijs, 2000).

¹² I am paraphrasing the title of Eugen Weber's well-known study *Peasants into Frenchmen* (1976) here.

some useful evidence could be found by studying the more complex federal and consociational variants of state-building.

West European nation-states were typically formed in a situation of latent or manifest conflict between the units of the emerging state system. Quite often, the push for cultural uniformity within state borders was supposed to contribute to securing the loyalty of the population, a loyalty which was needed to defend or expand a territorial sovereignty permanently threatened by neighbouring sovereign entities. State-building and war-making were, therefore, closely interrelated processes. European integration, on the contrary, received its initial impulse, which reflected a 'supranational' moment, from an explicit agreement on ending entrenched inter-state conflicts over geopolitical hegemony in the region once and for all. At the same time, however, the Member States of the EC/EU have never been too enthusiastic about sacrificing real or supposed portions of their sovereignty for the sake of Europe. From the beginning, the European project seems to have been strangely detached from visible political power. Political decision-making often remained half-hidden behind inconspicuous technocratic routines. Whatever Eurosceptics afraid of an excessive centralization of competencies and resources in Brussels may think, it seems no coincidence that the place where the headquarters of the European Commission are located is not exactly a centre characterized by military glory or a will to an expansive cultural *grandeur*. The symbolic presentation of Europe's supranational dimension has remained fairly modest so far. As the Norwegian social anthropologist Thomas Hylland Eriksen observes:

When walking through the gray corridors of Brussels, meeting with one bureaucrat after another to learn about trade with the Third World, environmental policies, unemployment benefits and language policies – all the time being offered tepid instant coffee while obediently respecting the smoking ban – it seems all but ludicrous to hate the institution. It may be boring, it may be gray and inefficient – but malevolent? In its stiff and awkward friendliness it lacks even a hint of the late Habsburg-Kafkaesque. The European Union, seen from its insides in Brussels, has more in common with Habermas' philosophy. It is an extremely thorough and slowly grinding machine, it can be deadly boring, but it is honest in its own way and important to those whom it concerns. (1997, pp. 249–50)

At the present stage, the EU can be characterized by the confluence of two contradictory logics in its institutional framework: intergovernmentalism and supranationalism. From the beginning of the integration process, the respective weight of these two principles in European politics has regularly been the subject of intense debate.¹³ As we apparently lack conceptual tools to deter-

¹³ Haas (1958) may be considered a classic representative of the supranational view. For a recent approach to the EU written from the perspective of intergovernmentalism, see Moravcsik (1998).

mine the specific nature of the EU, the safest way of classifying the beast is to consider it to be a new kind of polity, which combines different spheres of governance with different logics of political decision-making in a system of 'multi-level' governance (Marks *et al.*, 1996). Evidently, for the moment, the main barriers against any tendency that the EU might end up acquiring nation-state-like qualities when it comes to link cultural and political identities are the European nation-states themselves. They are generally unwilling to renounce symbolic sovereignty and act as careful protectors of their alleged cultural identity. The dialectics of European integration have largely exemplified this, developing often enough into sheer schizophrenia, when the political medication prescribed by a 'supranationally' minded Dr Jekyll invigorates the spirit of a ferociously 'nation-statist' Mr Hyde. The tension inherent in the dynamics of the European process was nicely captured in an interview with Jacques Delors published in *Le Monde* in January 2000. In the interview, the former President of the European Commission manifested his preference for constructing a European federation of nation-states. An astute journalist immediately reacted by asking if this was not an oxymoronic concept (*Le Monde*, 19 January 2000). Obviously, the institutional fusion of state and nation is based on the assumption that the resulting nation-state should be able to act as an entity possessing undivided and indivisible sovereignty. Federations, on the contrary, presuppose the division of sovereignty between different levels of political decision-making.¹⁴

But regardless of the continuing presence of nation-state prerogatives, the EU is not appropriately described as an intergovernmental organization that operates according to particularly complex rules. It is a multi-layered and contradictory institutional domain, in which nation-states do transfer sovereignty to the level of transnational decision-making. This has obvious consequences for the politics of cultural identity in Europe. The question of cultural pluralism should therefore be related to the contradictory interplay of political forces that underlies the EU's institutional development. On the one hand, the principle of intergovernmentalism emphasizes the role of the nation-states and tends to reaffirm the weight of national cultures. On the other hand, however, European transnationalism offers some possibility for the articulation of cultural identities below and beyond the nation-state, contributing to some extent to the 'denationalization' of political culture. Let me illustrate the juxtaposition of different identity patterns in Europe's institutional order by glancing briefly at the area of language policies. Language has unquestionably to be seen as a central element and medium of cultural identity formation and reproduction (Lepsius, 1997, p. 953). Accordingly, linguistic

¹⁴ In spite of, or perhaps rather because of its fuzziness, the concept 'federation of nation-states' has hardly lost its popularity, as its reappearance in the Fischer proposal and the following discussions shows.

pluralism constitutes one of the main features of cultural heterogeneity in the EU. Thus, bringing the language issue into focus should offer a good opportunity for an empirical assessment of the problems discussed here so far.

III. The Example of Language

Europe and the European Union are characterized by an extremely rich and politically very complex linguistic situation.¹⁵ About a dozen state languages are granted fully official status at the EU institutional level. This implies high communicative transactions costs and, moreover, the formation of a European public sphere is seriously complicated by linguistic pluralism. From the very outset, the European process had to combine the goal of market (or 'negative') integration with respect for the cultural differences embodied in nation-state identities. Thus, there is an institutional path protecting diversity and counterbalancing pressures (derived from political or economic 'imperatives') toward cultural 'standardization' in Europe. So far, the EC/EU's declared policy has been that the equal treatment of all official languages should remain an absolute priority over all kinds of financial criteria. However, at the present stage, it may be less easy to determine if such a position can be maintained without major qualification in the course of the successive enlargement of the Union to the east. After all, it seems to be no coincidence that the question of language has been attracting increasing amounts of attention in recent speculation about the political future of the EU, receiving unprecedented coverage in newspapers and magazines.

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

¹⁵ This section draws largely on Kraus (2000).

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

The principal obstacle in attempting to specify norms of this kind, elaborated in order to pave the way for transition from ‘integral’ to limited multilingualism in the EU’s institutional framework, is not difficult to see: the consensus required to reach general political agreement on more restrictive language regulations for an ‘ever closer Union’ of Europeans lacks political foundation. The open institutionalization of inequality in language status, resulting from the systematic promotion of one or two major transnational *linguae francae* at the expense of the remaining European state languages, does not appear an attractive proposal for debate in the EU at this moment. The latest public controversy over the language issue, triggered by Germany’s pushing for linguistic status equality,¹⁶ has shown that it has the potential to activate a never-ending spiral of aggravations and demands. Indeed, recent European programmes, such as Lingua, set up in the field of language policies, were intended to point in a different direction. They have given strong support to an extensive multilingualism which deliberately includes the minor state languages.

The EU has to confront two double bind situations created by the interplay of politics and culture in the field of institutional development. Firstly, the growing dominance of English on Europe’s socio-linguistic map is steadily knocking down communicative barriers between Europeans, at least at the level of economic, cultural and political elites. Yet at the same time, this *de facto* trend will not easily be translated into a *de jure* reality, as any attempt to

¹⁶ In the second half of 1999, under the Finnish EU Presidency, the Germans insisted on the need to have interpretation not just into English and French, but also into German when informal (!) preparatory meetings of the Council of Ministers took place. After the Finns made concessions to appease the German government, Spain and Italy began to claim an analogous standing for their state languages.

give English an openly privileged official position in the all-European communication network brings a decidedly negative response by those EU members fearing the political devaluation of their state languages. Hence, one can argue that English is not only part of the solution to Europe's language problem, but also part of the problem itself. The second double bind is closely related to the first. In the long run, a legitimate and efficient European polity can hardly be conceived without the support of an extensive public sphere. For this reason, setting the foundations of a common public space should have high priority among European 'polity-builders'. On the other hand, creating these political foundations will require a minimum cultural consensus – let us use this concept to avoid speaking of homogeneity – that is difficult to reach without a public sphere capable of formulating the terms of such an agreement. It is therefore no major surprise that Europe's political elites have made no manifest move towards inducing the formation of a culturally more or less integrated public sphere 'from above', as this would imply opening a Pandora's box and may lead to such thoroughly counterproductive outcomes as an anti-European mobilization of national actors (who will, of course, be eager to articulate their claims using the argument of cultural differentiation). Dr Jekyll may be prepared to enter a process of 'negotiations over identity', but who knows if Mr Hyde will not run amok when such negotiations take place.

IV. Intercultural Pluralism and Subsidiarity

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

Against this background, the pluralist position emerges as an alternative option. In the context discussed here, the concept of pluralism refers to the postulate that the patterns of cultural diversity characteristic of a given social reality should receive political recognition and constitute a basic feature of the architecture of democratic institutions, so long as the general principles of civic equality are not violated.¹⁷ Hence, we might speak of an intercultural pluralism.¹⁸ Its realization entails the possibility that different institutional domains operate according to substantially different institutional rules within one and the same polity. By focusing on the potential groups and associations have for self-government, the pluralist perspective aims to overcome narrow dichotomies *à la* 'nation-state v. world state', when the options for political integration are to be defined. From the pluralist point of view, cultural heterogeneity is an important element of modern political communities, and may well deserve some form of institutional protection. In any case, it must not be reduced to the particular identities of nation-states conceived of as homogeneous units, as the 'Westphalian' view tends to do: each state gets a different colour on the political map and, of course, each state gets only one colour. Neither should it be the object of 'benign neglect' derived from an abstract, supposedly 'cosmopolitan' universalism. Thus, in the light of present problems in European politics, there is apparently some interesting overlap between the model of an intercultural pluralism and the concept of subsidiarity or, at least, some versions of this concept.

Subsidiarity can be regarded as the great – although, for most of the time, half-hidden – rival of the idea of sovereignty in modern political thinking. At the beginning of the 1990s, the concept experienced a short-lived boom because of the prominent role it was assigned in the Maastricht Treaty. All of a sudden, subsidiarity was expected to become nothing less than the constitutive principle of the European Union, a principle offering the basic orientation for an appropriate institutional response to Europe's diversity. In the reality of EU politics, however, the concept was doomed to remain a formula deprived of genuine meaning. Its quick appearance in the debate on Europe's political dimension was not much more than the reflection of an intergovernmental compromise articulated in deliberately vague terms. In the Maastricht negotiations, the principle of subsidiarity became the symbol of an unstable balance between the attempts to strengthen the EU's supranational level and the need to take into account the strong variation in the propensity of Member States to intensify the dynamics of political integration. In a nutshell, there

¹⁷ For normative justifications of this postulate, see Taylor (1992) and Walzer (1994).

¹⁸ Interculturalism is used here as a distinct concept that has little in common with the tendency of some multiculturalist approaches to juxtapose collectivities defined according to cultural criteria in a given political setting in a rather static and somewhat essentializing way; cf. the seminal work of James Tully (1995) on recognition in an intercultural framework.

were two basic contending interpretations of the principle in the context of shaping the Union's political structure: some Member States, and especially the UK, considered that the reference to subsidiarity in the EU Treaty guaranteed that the sovereignty of nation-states would prevail against the concentration of competencies at European institutional level. In contrast, federal states such as Germany and Belgium, as well as regions with a relatively strong institutional position such as Catalonia, tended to see subsidiarity as a mechanism working against centralizing tendencies at *all* levels of the territorial division of powers (Voigt, 1996, p. 279). In an attempt to circumvent major semi-constitutional conflicts, subsidiarity ended up being used as a convenient formula for a political period in which differentiated integration was supposed to become the order of the day.¹⁹ In the meantime, the unexpected revival of a venerable political term seems to have come to an unspectacular end. To write an obituary for subsidiarity in Europe (Freiburghaus, 1997) might even look like an excessive effort for many observers today, as it seems that the concept has lost much of the political and intellectual appeal it had at the beginning of the 1990s.

Nonetheless, subsidiarity might still serve as a helpful starting point to reactivate and reorient the debate on cultural identity in an emerging European polity. To conceive of subsidiarity and sovereignty as embodying distinct institutional logics can produce valuable insights in normative as well as empirical analyses of political integration. The dynamics of Europeanization weakened the traditional ties between cultural and political identities that used to characterize sovereign statehood. While nation-states are facing more and more difficulty if they want to make rigid use of their old prerogatives to institutionalize collective identities, the EU is hardly able to acquire new prerogatives. In this respect, it does make sense to regard the Union as a post-sovereign political order.²⁰ Against this background, subsidiarity has important potential when it comes to the management of cultural conflicts in Europe. On the one hand, the dangers of experiencing a painful clash of different cultural identities in the European polity would be reduced by splitting up identity levels and by allowing people to remain sovereign 'within their own circle'. On the other hand, an approach of this kind avoids an *a priori* commitment to the sovereign territorial state as the only legitimate institutional setting for a political community. In modern political thinking, the corresponding stance can be traced back to the 'anti-sovereignist' (as we might somewhat anachronistically put it today) merging of consociational and federal ideas in the work published by Althusius at the beginning of the seventeenth

¹⁹ A discussion of the role of subsidiarity as a tactical tool before and after Maastricht can be found in Cass (1992), and Ebbinghaus and Kraus (1997).

²⁰ A characterization of the Union as 'a non-sovereign confederal commonwealth constituted by post-sovereign member states' is offered by MacCormick (1999, p. 156); Preuss (1999) gives a similar account.

century (Hüglin, 1991). Yet the tensions between the principles of subsidiarity and sovereignty were not restricted to the realm of the history of political ideas; they were also reflected in the large-scale developments that shaped political structures in the real world. In the early modern period, city states and city leagues were the expression of possible institutional alternatives to the sovereign territorial state (Spruyt, 1994; Tilly, 1990). On the contingent path of political modernization, these alternatives were marginalized. However, remnants of the political model they embodied survived in areas where functional and territorial domains of rule were subdivided according to subsidiarity criteria in the process of state-building. Within the territory of the European city belt, stretching from Hanse-Germany to the contemporary Benelux countries and from upper Italy to Catalonia, the attempts to secure the hegemony of a single centre over a clear-cut domain of rule that was typical of the age of absolutism, met substantial resistance. It seems no coincidence that federalism has traditionally been a strong political factor in city-state Europe.

Historically, subsidiarity played a particularly relevant role in culturally heterogeneous polities, where it was used as a guideline to allow a distribution of competencies in a way that takes into account both the weight of diverse collective identities and the state's obligation to foster group-transcending solidarity. The principle's potential for tackling some pressing issues in present-day EU politics should be obvious. Thus, to take just one example, all institutional steps aimed at a higher level of cultural standardization in the European polity and realized at the expense of smaller communities – the choice of a limited number of languages for official communication in a few functional domains, for instance – should offer appropriate compensation to the members of those collectivities negatively affected by the selection. In the corresponding institutional context, cultural diversity would generally be recognized, but to varying degrees and with different implications at different political levels. Accordingly, specific loci of deliberation or policy-making might be governed by specific language regimes; the more participatory the issue area involved, the more generous and encompassing the language regulations would have to be.

Subsidiarity breaks up the rigid connection between legitimate forms of rule, which are supposed to meet general democratic standards, and the institutionalization of single and exclusive identity patterns that has typically been realized by sovereign nation-states. A pluralist view of democratic integration recognizes the value and political significance of cultural difference. It pays special attention to the criteria of territoriality and historicity when assessing the relevance of collective attachments but, at the same time, avoids essentializing group identities. It should be stressed that, from the perspective

adopted here, subsidiarity is not a device designed to keep groups isolated from each other. While facilitating the division of social functions and responsibilities between different groups and institutional spheres, the principle also aims to establish and maintain a common framework for a heterogeneous political community. In order to produce political results which are perceived as legitimate by all those who are affected, the differentiation of domains of self-government according to the principle of subsidiarity requires a minimal reciprocal loyalty from the parties involved, some sort of *Bundestreue*, including a consensus on redistribution.

It is an open empirical question to what extent such a basic loyalty can be found amongst EU citizens at the present stage of the integration process. The evidence we have at hand so far does not warrant excessive optimism. At any rate, this is the impression one gets when looking at the results of the periodically conducted *Eurobarometer* surveys. According to *Eurobarometer* 56, released by the Commission in April 2002, Union citizens perceiving themselves as exclusively or predominantly European are still a fairly small minority of approximately 10 per cent at the EU level (*Eurobarometer*, 56, April 2002, p. 14). Indeed, the identification of Europeans with the Union does not seem to have increased significantly during the last decade.²¹ At the same time, the attachment EU citizens declare they have for their own country, town/village or region remains remarkably high.²² Of course, these indicators are only applicable to a very short time-span; they cannot be interpreted as symptoms of a stable long-term trend. Nonetheless, they may still be significant in view of the increasing effort made by European institutions to consolidate the EC/EU as an 'identity project'. To say that attempts at identity-building from above have been one of the main concerns of the European authorities in the last two decades is no exaggeration.²³ Corresponding efforts were not restricted to the symbolic level of basic treaties and official declarations. This is especially true for the Commission under Delors during the Maastricht period and its aftermath. The institutional outcomes should not be underestimated beforehand. They comprise such measures as the introduction of Union citizenship, the proliferation of official European symbols in all realms of social life, and the adoption of several important European programmes devoted to education and culture. Yet it seems that these attempts have had only limited success in resolving the contradictions built into the European project so far. With few exceptions, as far as the mass public is concerned, identification with 'Europeanness' still lags well behind na-

²¹ This is the conclusion to be drawn after comparing the figures presented in *Eurobarometer* 56 with the figures shown in previous *Eurobarometer* reports published in the 1990s; cf. *Eurobarometer* 54 and 50.

²² Cf. the figures shown in *Eurobarometer* 51 and 54.

²³ Discussions of the 'identity dimension' in EU politics and policies appear in Hedetoft (1997) and Laffan (1996), as well as in Stråth (2000a, b).

tional and regional attachments. In some cases, there are even clear symptoms that the growing visibility of an 'Europeanization' of everyday politics is provoking an increase in anti-European sentiments.²⁴

Seen from this angle, the lack of effective structures for transnational communication, as well as the lack of a public sphere operating on an all-European scale, are certainly not marginal aspects of the current problems when a solid base for subsidiarity in the EU is to be defined. As long as the European agenda is widely perceived as the agenda of economic and bureaucratic elites, it will not be easy to motivate EU citizens to agree on building a political community that explicitly incorporates the solidarity dimension. It has to be emphasized that subsidiarity is not only a principle for delimiting competencies and fostering the self-regulation of social groups, it is also a mechanism for the pooling of competencies in processes of political decision-making that are characterized by a high differentiation of group identities and group interests. Reinterpreting the principle of subsidiarity in the complex context of multi-level governance in Europe implies that, in a highly differentiated institutional order, single domains of decision-making are not subject to the control of a sovereign 'common will', but constitute distinct functional and territorial levels of political deliberation. At the same time, the central elements of political citizenship acquire a general and transnational character. In the end, a European Union adopting this approach might need only weak cultural foundations to construct a solid common civic space.²⁵ Yet this does not mean that such a space will emerge from a smooth political process. A *conditio sine qua non* for learning to cope with the problems the Union faces as a patchwork made of an entrenched diversity and multiple identities is the generalization and intensification of an open constitutional debate – which does not necessarily have to culminate in a clear-cut project of constitution-making – on the civic foundations of a common polity. The coming enlargement, involving less socio-economic convergence, more cultural diversity and a greater role for politics, should perhaps be regarded as an ultimate catalyst for having such a debate, however contingent its results may be.

Conclusion

The EU has reached a stage in its institutional development where it seems unlikely that it will be possible to strive for higher degrees of political integration without working simultaneously at consolidating the structures of a

²⁴ Taking up the suggestion, therefore, of using European referendums in order to foster the formation of a transnational *demus* (Zürn, 2000, p. 105) would involve no little risk to the stability of the EU institutional order.

²⁵ See the plea for a 'thin but thick' conception of transnational citizenship in Bader (1997); see also the arguments put forward in Bellamy (1999, pp. 190–209).

European civic society. In this respect, analyses focusing on the issue of European *demos* formation must be taken seriously. At the same time, it is obvious that the diversity of cultural patterns of identification is a crucial element of the emerging common political space shared by the citizens of the Union. Therefore, a view that remains strongly committed to the model of political unity embodied by the homogeneous nation-state is not a promising basis for constitutional politics in Europe. Yet if the EU is to confront the challenge of creating a multinational polity of a new kind, neither can it afford to play down the implications of cultural diversity for setting up a legitimate transnational order.

The question of a European *demos* is closely connected to the question of European identity. In spite of consecutive attempts made by European institutions to delineate common ground for such an identity, the observable results remain relatively modest so far. To define the foundations of a shared identity of EU citizens according to a catalogue of positive criteria continues to be a highly controversial task. The typical paths of nation-state formation do not offer much useful inspiration for those who aim to reach higher degrees of Europeanization of collective identities in the Union. Neither can a European identity be easily 'imposed' from above, nor does it seem to be growing in quasi-'organic' ways from below. European identity may comprise a set of shared cultural orientations, but it may also express tension between different identity options. Hence, those who refer to 'multiple identities' when looking for sources of legitimation supporting a European community of citizens should be aware of the potential for conflict that the interplay of different dimensions of political and cultural loyalties has often entailed in modern democracies.

In this context, one should consider the possibility of reanimating the debate on the meaning of subsidiarity in the EU. It is well known that, in the period after Maastricht, subsidiarity was mainly instrumentalized for tactical purposes in EU politics. Referring to the concept is often interpreted as an exercise in hollow rhetoric; thus, attempts at reassessing its importance may well imply a certain irony. Nonetheless, as a normatively sound principle in political theory, devised to facilitate the division of power in culturally heterogeneous societies, subsidiarity should still be taken seriously by those who reflect on the constitutional architecture of a viable European polity. In view of the challenges of EU enlargement and the difficult trade-off between widening and deepening that the Union must deal with in the foreseeable future, subsidiarity is likely to be used as a formula for combining varying degrees of integration within one political order. With a more substantial normative purpose, it could also be used as a guideline for the recognition of diversity in

those institutional domains of Union politics that bear a special importance for the reproduction of cultural identities.

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