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One Union, One Story? In Praise of Europe's Narrative Diversity[1]

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Birthdays! The EU's 50th was a particularly paradoxical one. It was celebrated with a general lack of enthusiasm in an end-of-crisis atmosphere, albeit a crisis about which the citizens of Europe did not seem particularly concerned. And yet, the occasion inspired a new flury of speeches on the "European story" and rekindled appetites for some sort of search for meaning. How to define the 'soul', pundits asked, of this Europe characterised by the legal and diplomatic coldness of a rule-of-law state? What are the ideas, values or traditions that bind us together *as* Europeans? Once more, the question were posed as to whether it was time for this 'community of interests' to become a 'community of identity', and whether such a shift was necessary to legitimize the normative and institutional bases of today's European political order.

Even those who answer this last question negatively can nonetheless subscribe to a minimal version of such a 'search for meaning'. Certainly we tend to believe that the EU is supported by public opinions to the extent that it works and delivers, rather than because it "speaks" to the people. But even this minimalist vision does imply that both as a project and as a constraint, Europe must remain readable to its citizens. This is notably what the rejection of the constitution and its lumbering return under the guise of a treaty teach us. And in order to be readable, the EU must have a story to tell, a story which its citizens can tell themselves and the rest of the world. For, just like any national or trans-national community, Europeans must ask themselves what exactly unites them in spite of, or even and especially because of, their diversity.

To be sure, we will never agree on a definition of what it means to be European. Some of us believe that Europeans are bound by a shared cultural heritage, others by a common belief in institutions and the rule of law. For some Europe is about politics, economics and security; for others it is about ethics and art; for others still it is about the ethos of systematic doubt inherited from the Enlightenment. Some believe that our European history is there to be overcome by building decent societies, others that it defines our spiritual landscape. Some see Europe as a community of identity, others as a community of project. Some think the European idea means keeping alive the spirit of Dante or Thomas Mann beyond our museums and universities; others think that it must

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constantly be reinvented in our common spaces, from the football pitch to the Internet (Nicolaïdis 2005a: 11). This multiplicity of angles may be reminiscent of the answer to the question: what does it mean to be French, Portuguese or British? But when it comes to Europe, the very remoteness of the common project seems to justify the simple question: beyond our mosaic of personal stories, what is the glue that binds us together?

Since the end of the Cold War, a number of European intellectuals, followers of Habermas in Germany and of Jean-Marc Ferry in the Francophone world, have offered an answer to Europe's existential question through a particular concept, that of constitutional patriotism. Accordingly, allegiance to the political community is grounded on a shared respect for common rules and the commitment of all to democratic deliberation regarding their concrete application (Costa and Magnette 2006; Eriksen and Fossum 2000; Laborde 2002; Lacroix 2002; Müller 2007). Here, we seek to retain the non-essentialist, non-exclusionary spirit of constitutional patriotism while doing away with the illusionary unity it still conveys. It is indeed pointless to seek one single 'European story', now less than ever, as politicians try to accommodate the many contradictory grounds of existence for the EU. Instead, we need to understand and to talk about the EU in a way which respects the numerous narratives, imagined representations, desires, fears and needs which underpin what must remain a minimal trans-national consensus.

If this is true, we need to ask whether the dominant cognitive maps of the EU in different member states or amongst different sections of European populations are indeed still compatible – 'overlapping' – and if so increasingly or decreasingly so. To bring Rawls one level of governance upwards, can we think of the EU as an 'overlapping consensus of overlapping consensuses'?[2] In other words, beyond *inter-governmental* bargains, is the EU still amenable to *inter-societal* bargains and thereby to an agreement which accommodates a reasonable plurality of representations of the EU among its citizenry? As the permissive character of the EU project is increasingly eluding us, the task of defining the contours of such an overlapping consensus must move from smoked filled rooms to open public spaces. This is not about the people defining the specifics of governance but rather clarifying together or separately the choices and tradeoffs associated with different paths of integration. If the EU is at a crossroad, having stabilised its institutional and constitutional settlement, it is no surprise that people would turn their attention to normative issues raised by the very nature and ends of a polity no longer busy trying to establish itself. Combined with comparative analysis, normative theory is indeed helpful to articulate the variety of options for the EU and their respective potential consequences (Dobson 2006; Lacroix 2004). Such emphasis on *justification* goes hand in hand, we believe, with the goal of *democratisation*: to be more than a pious slogan, 'the democratic life of the EU' must be nourished by public process of confrontation-cum-legitimation allowing citizens and state representatives to deploy their multiple narratives while acknowledging that an overlapping consensus can emerge from such multiplicity.

In this chapter, we first discuss what can be called Europe's reasonable pluralism. We then analyse the implications of this reasonable pluralism for European 'story-telling'.

[2] Rawls himself envisages an even more minimal 'social union of social unions' (Rawls 1993: 320).

Finally, we attempt to sketch a heuristic providing practical illustrations of the type of minimal transnational consensus required for the pluralist configuration of the EU.

1. A Europe of 'reasonable pluralism'

Put together *sense of belonging* and *consensus-building* in the EU and one fact imposes itself immediately: pluralism. Like any liberal democratic regime, the EU is inhabited by people with a multitude of convictions on what should constitute a 'good life' or in other words a life which is worth living. This moral pluralism feeds off different visions of the world, social belonging and experience, or doctrines (for the most self-conscious) which influence individual and collective behaviour. It is the expression of the freedom given to each citizen to determine what, for example, will lead to fulfilment in marital, familial, professional or social life, as long as this does not damage the equal freedom of others. Such pluralism is characterised by *disagreements* which can be considered as *unavoidable* in two respects according to the credo of political liberalism. First, these disagreements are the result of a fallibility in our reasoning or, in Rawlsian terms, 'burdens of judgment' (Rawls 1993: 54). Second, they arise as a direct result of the exercise of our freedom of thought which is why they cannot be suppressed unless by coercive intervention or the tyrannical use of power. Consequently, the fact of reasonable pluralism and the disagreements which characterise it are, according to Rawls, 'the normal result of the exercise of human reason within the framework of the free institutions of a constitutional democratic regime' (Rawls 1993: xvi). To put it simply, any regime which guarantees the respect of basic rights will also be marked by an unavoidable share of disagreement, antagonism and conflict on the ultimate questions of what is 'good' – good for the group and good for individuals.

It goes without saying that this starting point of liberal reasoning has always been the object of intense debate both analytically and prescriptively. Our focus here, however, is not on these metatheoretical issues but on the nature of diversity and the issues it raises in a transnational community such as the EU. Clearly the liberal and deliberative democratic paradigms are in tension including when applied at the EU level (Warleigh-Lack 2007). Nevertheless, we argue that once applied to the EU, the liberal commitment to pluralism is likely to require the accommodation of greater participative input than a classic liberal representative framework precisely because of the limits of representation in a context of multi-level governance. When, echoing the draft Constitution, the 2007 Lisbon Treaty sets out to strengthen what it calls "participatory democracy" it is to rescue rather then strike down that of the representative kind. Indeed when citizens participate more in politics through providing input to governance, broader deliberation or resistance and mobilization, representative democracy can be relegitimized and thus strengthened (Nicolaidis, 2007b). This is more likely to be the case at the EU level where majoritarian logics often (rightly) do not prevail. Thus, providing incentives for citizens to make their voice heard can sometimes serve as a functional equivalent to trust in representation. Such participatory reorientation does not necessarily undermine liberal core principles. To be sure, there are many 'substantialist' variant around the republican notion that civic participation is the primary virtue – from communitarian to neo-aristotelian and'civic humanist' visions – all of which see it as the root of supreme excellence in human beings. For us, and especially given the normative constraints posed by European pluralism, we should avoid to ground civic participation on a

particular vision of human nature or of the common good. The search for transnational consensus among European citizens should not be about the 'perfectionist' aim to make European citizens good, or to publicly promote a European vision of the good life. A procedural emphasis on participation, including through deliberation, is a rather useful embellishment to liberalism in view of the practical challenges raised by the unprecedented form of diversity present in the EU.

Which leads us back to the qualitative "difference" of European diversity. Our politicians often tend to envisage European diversity through the eyes of national diversity. To this, they add a kind of quantitative reading. The EU ends up looking like a larger, more diverse, multilingual and multicultural national community. In Europe, the diversity of languages, religions, ethnocultural traditions and ways of life is quite simply the aggregate of national diversities. More often than not, the motto 'united in diversity' refers to this *cultural* pluralism with a backdrop of *moral* pluralism. Put this way, the discussion centres on the necessary conditions for a type of integration sensitive to the imperative of recognising otherness. Particularly, it is with this 'difference-sensitive inclusion' in mind that Habermas pleads for a separation between 'political integration' and 'ethical integration'. The objective of such 'uncoupling' is to prevent the majority culture from 'dictating the parameters of political discourses from the outset' (Habermas 1999: 145-146). For there is a risk of producing an assimilationist dynamic on a European scale if the criteria for access to democratic citizenship are based not simply on abstract and universalist norms but on an ethos marked by the seal of cultural partiality. This dual track approach has stimulated calls from the constellation of postnational thinkers for the establishment of a common political culture which is not damaging to the diverse cultural national identities (Ferry 2003: 18). It also explains attempts to apply a multiculturalist problematic to European citizenship (Kastoryano 2005) or to address the demands emanating from various 'struggles for recognition' around Europe (Nicolaïdis 2007).

For sure, adding moral to cultural pluralism is not unique to the EU. While the *cliché* is true – Europe gathers and juxtaposes such a vast range of histories and lifestyles in such a small space – the practical questions this raises are similar to those encountered by any multi-national, multi-lingual, multi-denominational and multi-cultural political entity. On the other hand, what is specific to the EU as a 'political community' and what also makes the search for public agreement a veritable challenge, is the extraordinary form of pluralism found there at a higher level. This is a level where pluralism and the disagreements which accompany it are concerned with how to make 'ready-made' (national) collective agreements on coexistence co-exist among themselves. It is indeed one thing to try to reach a consensus among 450 million people, it is quite another to reach a consensus in which a variety of already established overlapping consensuses have participated. An overlapping consensus of overlapping consensuses must be extraordinarily narrower than its components.

The very configuration of the EU brings together a plurality of political cultures each of which is solidly anchored in a national context, each of which claims to be valid both in itself and on a European level. Consider for instance, the different institutional translations within Europe of the principle of impartiality of the democratic state vis-à-vis comprehensive views of the good life (moral doctrines, mores, religions, etc.)

reflected by national variations around notions of secularism, division of state and religion; or the serious conflicts between traditions of thought and concrete political measures in support of the demand for social justice; or conceptions of state sovereignty, ranging from internal control to independence; or the way in which different member states recognise and manage linguistic and ethnocultural diversity, the awarding of group-differentiated rights, access to citizenship and national integration. The diversity making up European unity is itself about the many ways in which 'unity in diversity' is pursued across the continent.

Against a background of structural pluralism, we are thus confronted with 'second degree' diversity not only between individuals and groups but between dominant (often national) versions of what the EU is about. Each citizen has his own story to tell – both to themselves and to others – about the EU. But at the same time, the citizens of the same member state tend to converge on certain broad outlines of this story coloured – even unconsciously – by a deeply rooted national model (Nicolaïdis and Weatherill 2003). In order to illustrate that pluralism, Taylor's diagnostic on the existence of 'second-level or "deep" diversity' in Canada might be transposed with even greater force to the EU.[3] He describes this diversity as deep because within it 'a plurality of ways of belonging would also be acknowledged and accepted' (Taylor 1993: 183). Breaking with a pattern not only of 'uniformity' but even of 'convergence', this diversity encourages the cultivation of a 'sense of the legitimacy of multiple options' (*ibid*: 131) in ways of conceiving the political order. This is all the more so when belonging to this order is added on to other levels of political belonging.

Evoking deep diversity in connection with the EU does not mean subscribing to 'differentiated citizenship' or defending 'group rights' or the idea of a substantial 'authenticity' of each community within the 'wider society' (Pélabay 2001). To put it briefly, the idea here is not to prescribe that European citizenry be split up into different pieces. Nor is it to argue that the citizens and peoples of Europe or indeed the member states do not share a set of common principles. These commonalities, which reflect the fundamental rights and norms linked to states based on the democratic rule of law, are arguably the object of a kind of soft consensus in the EU as set forth in its constitutive treaties. The diversity we speak of has to do with translating these fundamental norms into the workings of a polity.

This second degree diversity seems unavoidable as a fact. Individual citizens have different expectations and convictions about Europe and this has an impact on their allegiance to the EU. But to the individual plurality of narratives we need to add a collective plurality. With the acquiescence of their publics, national governments make contrasting interpretations of the common principles and put them into practice in the light of particular political projects and competing interests. In turn, these varying

[3] The following shows how Taylor illustrates *deep diversity* (Taylor, 1993: 183): 'Someone of, say, Italian extraction in Toronto or Ukrainian extraction in Edmonton might indeed feel Canadian as a bearer of individual rights in a multicultural mosaic. His or her belonging would not "pass through" some other community, although the ethnic identity might be important to him or her in various ways. But this person might nevertheless accept that a Québécois, a Cree or a Déné might belong in a very different way, that these persons were Canadian through being members of their national communities. Reciprocally, the Québécois, Cree, or Déné would accept the perfect legitimacy of the "mosaic" identity.'

interpretations and applications are the source of strong disagreements which sometimes appear to call the validity of the proposed policies into question. Thus, deep diversity takes on an institutionalised form within the EU: the plurality of the EU's antagonistic visions is at the heart of its democratic life.

Second, these disagreements can be reasonable to the extent that they express individual opinions or the opinions of governments who respect the demands of 'public reason' and the constraints of 'a fair system of cooperation' (Rawls 1993: 15). In short, it is possible to express diverging viewpoints on what attaches us individually or collectively to the EU without undermining the norms of mutual respect, mutual recognition and equal freedom at its core. Beyond an unreasonable and intolerable diversity – where dogmatisms and other forms of extremism lead to the rejection of others and threats to basic rights – it is therefore *reasonably* possible to disagree on the 'EU story'. The plurality of European narratives is unavoidable not only factually but also normatively.

This reasonable pluralism within the EU means that no narrative unanimity could serve as a substantive basis for public agreement. On the contrary, we must live with reasonable disagreements and conflicts of interpretation on the meaning and ends of the EU. The ambition to reach 'unity in diversity' is not a straightforward affair. How then can we talk about Europe *in its name* as it were, as the public basis for the legitimisation of EU policies and institutions?

2. How not to talk about Europe

Against narrativist approaches

The first consequence can be expressed in the negative: it is neither realistic nor desirable to seek the basis for the EU's political legitimacy in a single European narrative, in a new collective myth, handed down from above, and then drummed into children in civics classes (Pélabay 2006) and adults through circumstantial discourse. And yet, since the double 'no' in the French and Dutch referenda on the Constitutional Treaty, the idea is spreading that the EU's democratic deficit is the result of the absence of a clearly affirmed collective identity.

As a result, we have been witnessing of late a veritable quest for 'Europeanness', a basking in the 'idea', the 'ethos' or the 'soul' of Europe. The quest might be historico-cultural or ethico-cultural. In the first *genre*, the evocation of 'major European figures' – from Leonardo Da Vinci to Thomas Mann, not forgetting Dante, Erasmus and Voltaire – links historical, philosophical and religious references in order to construct a millennium-long European heritage. In order to celebrate the foundations of a 'European memory' an attempt is made to discover or recover the hidden 'sources' of an authentic 'European We'. The second *genre* attempts to define the ethos or indeed the common good which makes up the particular identity of the EU (Etzioni 2007). The very fashionable – and open to criticism (Ogien 2007; Ash 2007) – language of 'shared meanings' and 'common values' is used here as a device to draw the substantial outlines of a specifically European good life. To heed the concern for preserving the constitutive goods of the European community its citizens are exhorted to show their 'loyalty' to the EU and to agree to the sacrifices imposed by European policies.

Such attempts to invest European identity with a common substantive basis, and thus entrench political consensus in a single narrative which incarnates the substance of Europe, run into at least two stumbling blocks. The first is epistemological and stems from confusion between two levels of argument: one based on the notion of *foundation* and the other on *justification*. According to the 'narrativist' line, it is indeed the foundational character of the historical, ethical and cultural sources of European identity which propels them directly to the rank of criteria for the public legitimisation of the rules, policies and institutions of the EU. In other words, the substantial features of a European narrative are presented as the *foundations* for a collective identity which, in turn, serves to legitimate the political order. The problem is: neither democratic legitimacy nor collective identity are pre-established facts to be exhumed from the hermeneutic depths of a European 'We' which would simply have to be uncovered for Europeans to obtain their support for this political union. As has been amply discussed, the identity and legitimacy of a polity are the results of extremely complex *processes* of construction and manipulation, and it is precisely this 'processual' feature that 'narrativist' approaches cannot grasp (Anderson 1991; Appiah 2005; Barth 1969; Gellner 1983). This identity-based perspective tends to simply ignore the *reasonable* disagreements in order to deliver a simple, clear and agreeable narrative on the meaning of Europe.

The second stumbling block is normative and concerns Euro-nationalism. These approaches can generate legitimate concerns about their ability to contain or to defuse tendencies linked to patterns of exclusion and homogenisation which have always characterised the formation of European nation-states (Nicolaïdis 1992). Homogenisation or the desire to reach a unified and unifying vision of what 'makes a community' (*une et indivisible)* of European citizens has surely been a staple of the French vision of Europe for instance (Nicolaïdis 2005b, 2005c). Such an aim is perhaps evoked in the name of universal values including tolerance. The fact remains that these values are then defended as being the only 'good' ones which the Europeans of the Enlightenment invented for the rest of the world. It may be harsh but true to refer to those who argue that they represent our common *essence* as 'Enlightenment fundamentalists'. Exclusionary tendencies in turn betray a possible shift towards a nationalism writ large which confuses the needs of political integration with the need to define ourselves against others. The shaping of inclusion/exclusion criteria as a function of the narrative boundaries of the political community contributes to 'communitising' an EU whereby only individuals or groups whose vision of Europe merges with the shared 'top-down' European narrative would be admitted, *anointed* by an elite endowed with a higher hermeneutic or ethical authority.

In the end, the official narrative on a European past following such a logic of 'identity at the foundation' is potentially dangerous. Either it could turn into a latter day religious, moral or cultural 'rearmament' of Europe; or it could 'mutate into a description without the slightest impact on Europeans themselves because of its sterilised, homogenised and fixed appearance' (Rosoux, 2003).

'Reasonable pluralism' versus 'radical pluralism'

Does this mean that the fact of reasonable pluralism within the EU together with the rejection of exclusionary visions of European identity ultimately imply giving in to 'radical pluralism' and thus giving up attempts at forging a minimalist political consensus about the EU?

We do not believe so. At the very least, we need to rethink the grounds for political cohesion, instead of attempting to reproduce the 'national-communitarian equation' between democratic legitimacy and collective identity on a European level (Lacroix 2004: 182) or hoping to collectively define EU identity. Nor does public agreement necessarily call for narrative unanimity. The minimal consensus we call for must take reasonable disagreements on the EU into account and turn them into its defining feature. We argue here that the 'public use of reason' provides fertile ground for the creation of a minimal transnational consensus capable of respecting and accommodating the individual and collective plurality of European narratives.

Contemporary advocates of political liberalism and disciples of Kant bank on public reason to justify the basic norms of political order in an unavoidably pluralist context. The public use of reason must serve to define 'fair terms of social cooperation […] that we are ready to abide by provided others do' (Rawls 1993: 62, n17). In this, the search for political consensus proceeds from two types of limitations which, one as much as the other, reflect the deep pluralist condition of the EU. On the one hand, to the extent that public agreement has no impact on what it means to *be* European, the approach adopted by the public use of reason seems expedient in that it allows the search for consensus to be limited to the fundamental principles which govern European political order. On the other hand, such an approach is compatible with different comprehensive doctrines according to resolutely limited criteria which fall short of any public determination of what is or ought to be true. As Rawls explains, 'holding a political conception as true', and 'for that reason alone' as the one suitable for public agreement 'is exclusive, even sectarian, and so likely to foster political division' (Rawls 1993: 129).

Similarly, if the different European narratives are considered as so many comprehensive visions of Europe, the only criterion that must apply is that of 'reasonableness,' against the dogmatism which surrounds public affirmation of a collective identity (loaded with historical, cultural, and/or ethical content) officially held to be 'true' or 'authentic'. The criterion of 'narrative truth' is so controversial that it cannot satisfy the conditions posed by European deep diversity. At the same time, reasonableness definitely constrains the expression of radical diversity. Only comprehensive visions of Europe which can be scrutinized by the public use of reason and do not claim to represent the ultimate truth can expect to be part of such a political consensus. Thus, general acceptance, in the sociological and not only in the political sense, of the principle of mutual recognition might be considered to be a necessary condition for integration, as the common basis for all these visions of Europe. Visions whose public expression entails bypassing the obligations of mutual respect and recognition cannot contribute to public legitimacy unless, of course, they agree to bend to the self-critical and transforming discipline implied by such a process.

Forming a process-led minimal consensus at European level

How then can a wide range of European narratives be accommodated while regulating conflicts through the 'public use of reason' (Ferry 2003)? Transposing Rawls, how are the many different European narratives most likely to overlap? First, such overlap can be the result of personal dynamics whereby citizens are encouraged to build bridges between their 'most firmly held convictions' (Rawls 1993: 8) and their general 'political conception of justice'. This adjustment between private and public convictions can take place thanks to 'a certain looseness in our comprehensive views' (Rawls 1993: 159). This overlap can also take place at a more collective level, between different political cultures or the different overlapping consensuses found in each member state. Or it could be between several conceptions of political legitimacy, as argued by Lord and Magnette. Here overlapping is motivated by the fact that 'all those who have views – however divergent – on how the EU should be legitimised have a shared interest in the development of widely-held norms by which particular legitimation claims can be recognised as justified'. Taking the shape of a continuous deliberation where different 'vectors of legitimisation' would be put into competition with each other, such a process could benefit from multi-level governance and 'the degree of uncertainty that is deliberately maintained around the principles of Union legitimacy' (Lord and Magnette 2004: 195-8).

As a transnational overlap of national overlapping consensuses, the EU is to be seen as an association between states permanently seeking to agree on their reasonable disagreements as their publics increasingly are to agree to projects dreamed up by their elites. In this sense, the notion of an overlapping consensus for Europe differs from the idea of a 'zone of possible agreements' or the range of possible intergovernmental bargains in Europe in three fundamental ways. First, it is not about a package of discrete agreements which can be linked or disaggregated in order to strike deals between member states; rather it is about the broad outlines of the project, the definition of its basic characteristics – a 'narrative'. Second, the overlapping consensus has to be forged in the public arena(s). It refers to the acquiescence not only of elites, heads of states or bureaucrats involved in direct negotiations but more generally of at least large fractions of the public opinion. Third, and perhaps most importantly, such a transnational overlapping consensus is less ambitious then the *ad hoc* political bargains that must from time to time be struck: in a political agreement all parties must, so to say, improve their score. Overlapping consensus implies rather the idea of a long-term minimal condition or *diffuse reciprocity* – that about the range of agreements that can be reached *over* time, knowing that consensuses which are maintained with difficulty at the national level represent contracts which themselves are already loaded with sacrifices which were difficult to make.

In short, sustaining a transnational overlapping consensus does not mean that everybody must love everything about the EU but that a plurality of constituencies can at least live with it. We will never bring into the fold of the European project the extreme xenophobic and jingoistic fringe present in all national politics and we should not try. But we can hope, in time, to bring back all those citizens who are close to giving up on the European project even if politicians continue to present alternatives as black and white, good and bad, for or against Europe. Accordingly, we can hope to rally at least

some of these Eurosceptics who dismiss the EU for not living up to the false pretences set out by its well-meaning defenders.

While the idea of transnational overlapping consensus points to plausible interpretations of 'reasonable pluralism' in the EU, the transposition of the Rawlsian model to the EU nonetheless poses several problems. First of all, in the European context it does not apply, as Rawls' *Theory of Justice* does, to 'a closed system isolated from other societies' (Rawls 1971: 8) and where the sharing of a democratic political culture is a veritable 'tradition'. Of course, an overlapping consensus at European level does not need to fall prey to the contextualist deviations of the 'second Rawls'.[4] In any case, the overlapping takes place at such an abstract level that it can not plausibly specify what the EU ought to do and how (Lord and Magnette 2004: 196). The onus will always be on the institutional actors and political leaders to decide.

But then, what can be the role of 'the public' in the necessary process of making reasoned decisions about Europe. Ferry argues that instead of overlapping consensus we should look to a 'consensus through confrontation' inspired by what he sees as a 'cosmopolitan republicanism of Kantian inspiration'. In this case, the republic is conceived as 'the framework for all reasonable confrontation between doctrines' within which citizens enter into 'publicly led reasonable discussion' rather than relating to the political space each in their private capacity (Ferry 2005: 62). Conflicts of interest are sublimated into 'conflicts of legal interpretation' through debates and learning processes drawing on the principles of *civility, legality* and *publicity* (Ferry 2000).

Clearly, such a 'confrontational' understanding of the transnational consensus requires a serious commitment from individual and collective actors, including a commitment to revise their original perspectives and their own past certainties if need be. It requires them to accept decisions which may 'shock' their axiological commitments but seem acceptable as the result of a procedure which 'would in so far as possible, take into account all points of view, convictions or interests in question' (*ibid*: 78). Ferry adds that citizens ought to adhere to constitutional principles 'for the same morally significant reasons whereby the 'ethical substance' of the polity is merely a guide for action rather than a communitarian definition of the group (Ferry 2005: 211).

Why does it matter anyway to define the character of the minimal transnational consensus which we believe is the only viable goal for a sustainable EU? Our own bias here is normative: to guard against the temptation, including from within the ranks of the postnational constellation, to indulge in Euro-nationalism and thereby awaken nationalist counter-reactions while at the same time discrediting the EU's nascent attempts to carve a role for itself in global affairs. In this way, normative and positive concerns do merge. In this regard, while Ferry distinguishes between different emerging tendencies within the confines of the postnational constellation – namely 'liberal postnationalism' and 'republican cosmopolitanism' (Ferry 2006, Lacroix 2006,

[4] The 'second Rawls' conceives the liberal democratic principles as part of an American 'heritage' that has to be 'articulated'. Many commentators have interpreted this contextualist shift as his moving closer to 'communitarianism'.

Nicolaïdis 2006; Lacroix and Nicolaïdis 2002)[5] – we deem it preferable to concentrate on an objective around which both of these tendencies might easily converge: forging a consensus about the right process to preserve narrative diversity in Europe, and avoid the narrative of 'Europeanness' which makes norms, principles or political ideals mandatory as 'European values'. Under such a *processual* and *pluralist* approach the EU would in no way be a traditional 'community' in the sense that it would be 'governed by a shared comprehensive religious, philosophical, or moral doctrine' (Rawls 1993: 42), seeking a 'common good'; nor would it be a simple association governed by purely instrumental rules where conflict of interest is only stabilised through a *modus vivendi* based on agreements between governments.[6]

The EU's originality lies in the fact that its unity and stability are based on a type of consensus which leaves a considerable amount of room for a reasonable pluralism of visions of Europe with a 'post-unanimist' political life in the sense that 'unity is what one quarrels over; it is the hub of controversy', while 'everybody comes together unanimously around the fact that a fair and democratic struggle is being waged over the destiny of the people' (Taylor 1993: 130). Moreover, putting the search for consensus under the aegis of public reason means emphasizing process over substance and admitting once and for all that Europe is a union of peoples, a demoi-cracy where 'national demoi are more together than the mere sum of many distinct democracies with their different national demoi because all of them are distinctly European' (Besson, 2007; Nicolaïdis 2004; Cheneval 2005). What then are the plausible contours of the confrontation of the Euro-stories emanating from these different demoi?

3. European debates, European stories: drafting a pluralist ***heuristics***

We cannot here re-tell the myriads of stories which make up the collective fears and desires of European peoples. But we can try to illustrate the heuristics we propose, by sketching what we consider to be three of the most important current EU debates. For each of these themes, there has been a convergence towards 'what one quarrels over', and agreement on the nature of the controversy. But perhaps even more importantly, the kind of reasonable pluralism we call for entails debates that would focus on how these core controversies have evolved in the post Cold-War era and ask what changes it would take in different member states for these evolutions to lead to acceptable and compatible conflicting views. In short, agreement on what each issue of contention is 'really about' would not be quite enough, we believe, to provide the glue that binds us together. In addition, and to define a transnational EU consensus that overlaps or confronts national consensuses, we need to start from a genuinely shared acceptance of mutual recognition as the basis for debating around 'reasonable disagreements'. The question is in each case whether public opinion is converging around such a consensus or not.

What? The nature of the EU

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[5] For a discussion of the major differences between liberal and republican concepts of public reason, see J. Habermas and J. Rawls, *Débat sur la justice politique* (Paris: Editions du Cerf, 1997).

[6] In this sense, Rawls affirms that 'a well-ordered society is neither a community nor, more generally, an association' (Rawls 1993: 40).

The first strand of debate is simply about how to characterise the EU as a polity and its telos. For this debate to be carried out in a spirit of mutual recognition, European citizens need to be aware of the unconscious national projections and mimetic tropes in which they collectively indulge. They need to be aware of their general tendency to attempt to reproduce their national model at a European level (e.g. German federalism, Spanish regionalism, French Jacobin centralism) and perhaps their tendency to protect their national model as if Europe were in a position to replace it (e.g. parliamentarianism in Westminster) (Nicolaïdis and Weatherill 2003). It is essential therefore to understand in what way the effect of having grown up and been educated in the political culture of one's own country, within the implicit and explicit principles of a given national contract, necessarily colours our neighbours' judgements and indeed our own on Europe.

Moreover, we are affected differently by 'changing times'. National communities and social classes do not have the same perceptions of the way in which globalisation and enlargement should drive change in Europe. For some, these factors have combined in shifting their preferred versions of the EU – and the ideal associated with it – from a federal state in the making (whether good or bad) to a federal union dedicated to horizontal coordination rather than a hierarchy ill-adapted to the challenges at hand (Zielonka 2006). For others, 'ever closer union' cannot be abandoned in favour of 'unity in diversity' but combined with it. But the common underlying basic principle ought to be, more explicitly than ever before, that the EU is not and should not be a nation state in the making, whether a *grande France* or even a translation of German constitutional patriotism at the continental level, even if some nationals are prone to dream it that way. Most importantly, unlike nations, it should not define itself against another, be it the United States or Islam. Beyond this minimum, and as a single community defined by the persistent plurality of its peoples, the EU can take on all sorts of variants between a democratic Euro-UN (e.g. simply a union of national democracies) and a Euro-nation. Where it locates itself on the spectrum is to be adjusted over time and is the stuff of European politics.

Is this an emerging new version of a minimal overlapping European consensus? Or are various national tropes in particular still far from such a basic understanding? Of course, the spectrum of national sensitivities varies widely, depending on the form taken by the projection of national models, including familiarity with federalism, the centralising/decentralising tendencies of national cultures, the attachment to sovereign symbols, or the depth of anti-hegemonic ethos. Through the kind of deliberative dynamics we call for, we could confront these different attributes, and ask how close are different 'member state sensitivities' to a possible consensus.

Are, for instance, national concerns regarding basic national political bargains, such as those of the Dutch public for *sovereignty as control* (over progressive policies on euthanasia or drugs) rather than *sovereignty as independence* (from foreign influence), likely to be accommodated? Arguably they can be if pluralities of citizens understand that the EU is not a zero-sum-game. Not only must it distribute power away from its centre, but also the power it keeps must serve to empower its citizens. The same question obtains for the Left's bias in favour of the necessary empowerment of the weak and disadvantaged – the others in our mists – of those who otherwise suffer from trends

like globalization that advantage majorities. If a majority of French citizens believes Europe should do more to protect them against globalisation, and while other Europeans would need to challenge the French to revisit their obsession with harmonisation and central bureaucracy, the EU must also reflect their particular version of solidarity and commonness. And what about citizens from small and bigger states – no European country is very big in today's world? Can they reach a consensus on the extent to which EU institutions ought to reflect or mitigate power imbalances on the continent? Within these different domains, the limits of reasonable disagreement have yet to be negotiated.

For Whom? The Scale of the EU project

Which brings us to a second strand in defining an overlapping European consensus, namely the scale of the European project. Should the EU move its horizon from the regional to the global? If it is above all, again and always, about peace and prosperity, do we need to redefine the scale of European ambitions to pursue and achieve these lofty goals?

Here again Europeans must constantly pause to consider each other's tradition of 'presence in the world', their respective colonial history or lack thereof, their respective comfort with playing on the global scene or yearning to cultivate their own garden. Polls seem to indicate an across-the-board move in public opinion towards global responsibility – from the pursuit of peace within to peace without, and from global economic efficiency to economic justice. But again, are the paradigms in our heads those of global super-power, global citizen and Samaritans or those of a Kantian island which can remain passive if joyful in front of attempts at emulating it around the world?

Citizens depending on their national culture may feel more or less comfortable and indeed credible in selling Europe as a so-called moral or transformative power. They may have different understanding of shared leadership, or different degrees of comfort with the gap between what we do inside and outside and what we preach outside. And, if atonement for our European past is our greatest moral *acquis*, citizens might disagree on which past. And on whose terms? Between the non-colonial ethos of Scandinavians, the neo-colonial temptations of many in France and Britain, and the post-colonial ambitions of the Brussels institutions, one can well imagine that a 'consensus through confrontation' may require real confrontations and reality checks with the world outside Europe.

To Where? Defining Europe's Ends

A third major debate among Europeans today is about the ends of Europe. That is to say about the relations between its borders and its goals, its nature and its deeds, and its (temporary!) geographic and historical teleologies. In this respect, what does minimal agreement correspond to, and what might reasonable disagreement be? Can there indeed be an 'overlap' between such black and white visions of Europe corresponding to its mythical geographical core on one hand *versus* a euro-sphere extending from the Mediterranean to the Black Sea on the other? It has been said for a long time, and indeed continues to be said, that the fundamental disagreement in Europe opposes those who favour a deepening to those who favour widening. This disagreement is supposed

to oppose partisans of a so-called political or federal Europe (supported by the French and Mediterranean countries) to those in favour of a so-called commercial Europe (supported by the British, the Danes and the Irish). The disagreement can be qualified as reasonable to the extent that it is one of emphasis while the basic compatibility between widening and deepening is recognised – deepening of the EU usually precedes enlargement, the former being called for as a result of the latter. But such a deeper tension is between those who believe that there is a fundamental conflict between the two and those who do not. Reasonable disagreement can be envisaged as long as confrontation in the search for minimal consensus leads a majority of citizens in each member state to recognise a shared interest in evaluating each teleology according to its own merit.

In this respect, the case of Turkey is emblematic. In order simply to be able to reach a European consensus which makes room for reasonable disagreement, while providing Turkish citizens with a clear perspective for the future, it will above all be necessary by means of debate to break the debilitating dichotomy between these two visions of Europe. Is it reasonable to pit Europe-with-Turkey as a commercial project bent on stabilising its neighbours' democracies against Europe-without-Turkey as a political project faithful to its own destiny as a political project? We believe not. This does not make the issue of membership less controversial. It is only after having overcome this dichotomy that we will be able to agree on persistent disagreements on the status, rights and transition periods which should characterise relations between Europe and Turkey in the decades to come, and indeed the range of privileged partnerships the EU is in the process of building with its neighbourhood.

Conclusion

The elites responsible for 'telling the story of Europe' have above all borrowed from law and politics to do this with a minimum of success, as seen in Article 2 of the Constitutional Treaty and the revised language of the Article 2 of the Treaty on European Union in the Treaty of Lisbon detailing Europe's 'values' which are, in reality, norms and principles pertaining to political organisation.[7] But today, we need to do better than hoping to rally some Euro-sceptics. Ours is a call for a real European debate on what it is we can and cannot disagree about reasonably. Everyone can agree that the many variants of the European story are evolving, that it would be illusionary to seek to ground it in *valeurs éternelles*. There is no European narrative to speak of on a continent which ought to define itself through the Enlightenment ethos of self doubt and reflexivity.

Why not assume then this fact of reasonable pluralism in visions of Europe? And why not build on the 'fertility of antagonism' (Lacroix 2006: 23) by inviting citizens to tell

[7] The wording of the two articles is identical: '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. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.'

their unavoidably plural stories of the EU publicly? Far from being a hindrance to the elaboration of a minimal transnational agreement, the public expression of reasonable disagreements about what the EU is or should be, can serve as an incentive to nourish and revitalise a European public arena still in its infancy. We can wager that public controversy involving a diversity of European narratives can act as a motivating force for the development of a European citizenship. Ours is a time when citizens increasingly feel that their divergent visions of Europe are not sufficiently taken into account and are even hidden under the bushel of inter-governmental negotiations. If we want the involvement of citizens in the ever-evolving political building of Europe to be more than just a simple petition of principles, why not try, in this way, to take European diversity seriously?

References

Anderson, B. (1991) *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (London and New York: Verso)
Appiah, K. A. (2005) *The Ethics of Identity* (Princeton: Princeton University Press)
Ash, T. G. (2007) 'Europe's True Stories', *Prospect*, 131, 36-9
Barth, F. (1969) 'Introduction', in F. Barth (ed.), *Ethnic Groups and Boundaries* (London: George Allen and Unwin), pp. 9-38
Besson, S. (2007) 'Europe as a Demoi-cratic Polity', *Retfaerd. Nordisk Juridisk Tidsskrift*, 116 (1), 3-21
Cheneval, F. (2005) *La cité des Peuples* (Paris: Éditions du Cerf)
Costa, O. and Magnette, P. (eds.) (2006) 'Le patriotisme constitutionnel et l'Union européenne', *Politique européenne* (special issue) 19
Dobson, L. (2006) 'Normative Theory and Europe', *International Affairs*, 82, 3, 511-523
Eriksen, E. O. and Fossum J. E. (eds) (2000) *Democracy in the European Union: Integration through Deliberation?* (London: Routledge)
Etzioni, A. (2007) 'The Community Deficit', *Journal of Common Market Studies*, 45, 1, 23-42
Ferry, J.-M. (2000) *La question de l'État européen* (Paris: Gallimard)
Ferry, J.-M. (2003) 'Dix thèses sur *La question de l'État européen*', *Droit et société*, 53, 13-27
Ferry, J.-M. (2005) *Europe, la voie kantienne* (Paris: Éditions du Cerf)
Ferry, J.-M. (2006) 'Du politique au-delà des nations', *Politique européenne*, 19, 5-20
Gellner, E. (1983) *Nations and Nationalism* (Oxford: Blackwell)
Habermas, J. (1999) *The Inclusion of the Other: Studies in Political Theory* (Cambridge: Polity Press)
Habermas J. and Rawls, J. (1997) *Débat sur la justice politique* (Paris: Editions du Cerf)
Kastoryano, R. (ed.) (2005), *Quelle identité pour l'Europe? Le multiculturalisme à l'épreuve*, 2nd edition (Paris: Presses de Sciences-Po)
Laborde, C. (2002) 'From constitutional to civic Patriotism', *British Journal of Political Science*, 32 (4), 591-612
Lacroix, J. (2002), 'For a European Constitutional Patriotism', *Political Studies*, 50 (5), 944-958
Lacroix, J. (2004) *L'Europe en procès* (Paris: Éditions du Cerf)
Lacroix, J. (2006) 'Pertinence du paradigme libéral pour penser l'intégration politique de l'Europe', *Politique européenne*, 19, 21-43
Lacroix, J. and Nicolaïdis, K. (2002) 'Order and Justice Beyond the Nation-State: Europe's Competing Paradigms', in Rosemary Foot and Andrew Hurrell (eds.), *Order and Justice in International Relations* (Oxford: Oxford University Press), pp. 125-154
Lord, C. and Magnette, P. (2004) 'E pluribus Unum? Creative Disagreement about Legitimacy in the EU', *Journal of Common Market Studies*, 42 (1), 183-202
Müller, J.-W (2007) *Constitutional Patriotism* (Princeton: Princeton University Press)
Nicolaïdis, D. (1992) 'Penser l'identité nationale', *Les Temps Modernes*, 548, 19-51
Nicolaïdis, K. (2004) 'We the peoples of Europe...', *Foreign Affairs*, 83 (6), 97-110
Nicolaïdis, K. (2005b) 'La France doit changer d'UEtopie', *Le Monde*, 27 May
Nicolaïdis, K. (2005c) 'UE : un moment tocquevillien', *Politique étrangère*, 3, 497-509
Nicolaïdis, K. (2005a) 'United States of Europe?', *New Humanist,* November-December, 11

Nicolaïdis, K. (2006) ‘Notre Demoï-cratie européenne. La constellation transnationale à l’horizon du patriotisme constitutionnel, *Politique européenne*, 19, 45-70
Nicolaïdis, K. (2007a) ‘Trusting the Poles: Constructing Europe through Mutual Recognition’, *Journal of European Public Policy*, 14 (5), 682-698
Nicolaïdis, K. (2007b) ‘Our Democratic Atonement: Why we Need an Agora Europe’, The People’s Project? New European Treaty and the Prospects for Future Negotiations, Brussels, European Policy Centre, December 2007, 90-104
Nicolaïdis, K. and Weatherill, S. (eds.) (2003) *Whose Europe? National Models and the Constitution of the European Union* (Oxford: Oxford University Press)
Ogien, R. (2007) ‘Les “valeurs morales” contre les droits’, *Raison publique*, 6, 47-59
Pélabay, J. (2001) *Charles Taylor, penseur de la pluralité* (St-Nicolas: Les Presses de l’Université Laval and Paris: L’Harmattan)
Pélabay, J. (2006) ‘Participer à la démocratie européenne: cela s’apprend-il?’, *Sciences de la société*, 69, 39-48
Rawls, J. (1971) *A Theory of Justice* (Cambridge: Harvard University Press)
Rawls, J. (1993) *Political Liberalism* (New York: Columbia University Press)
Rosoux, V. (2003) ‘Mémoire(s) européenne(s)? Forces et limites de l’intervention politique dans la mise en scène de l’histoire’, *Politiques et Sociétés*, 22 (2), 17-34
Taylor, C. (1993) *Reconciling the Solitudes: Essays on Canadian Federalism and Nationalism* (Montreal and London: Mc Gill-Queen’s University Press)
Warleigh-Lack, A. (2007) ‘On the Path to Legitimacy? A critical deliberativist perspective on the right to the citizens’ initiative’, in C. Ruzza and V. Della Salla (eds), *Governance and Civil Society in the European Union*, Vol. I ‘Normative perspectives’ (Manchester: Manchester University Press), 55-73.
Zielonka, J. (2006) *Europe as Empire: The Nature of the Enlarged European Union* (Oxford: Oxford University Press)