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# The European Union as an Alternative to the Nation-State

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**Abstract** The article describes the specific character of the European Union—its status as an unfinished federal quasi-state, the EU's potential as one global actor among others and the motivation behind the ongoing process of integration, especially the EU's antithetical character concerning nationalism. The article analyses the different theoretical approaches to explain why the Union has become what it is—and why it has not become a different entity. It also discusses the question of different interests promoting or opposing further integration. The basic argument is that the EU provides—in a period of declining state power—the possibility to reconstruct politics and government on a transnational level.

**Keywords** European Union · Nation-state · Nationalism

There are many observations that the contemporary nation-state is not the nation-state as described by the textbooks of the past: the sovereign entity per se, in full control of a clearly defined territory and with an also clearly defined population, the citizenry. This used to be the state. But the developments of the late twentieth and early twenty-first century have eroded the nation-state. Globalization has reduced the state's capability to control the economy: The economy has ceased to be a national economy, and the national polity has lost more and more its ability to respond politically to economic challenges. Mass migration has created the relativity of citizenship, and more and more millions are living permanently in a state without being entitled to this state's citizenship rights. The capacity to fight wars has been—at least to some degrees—taken away from the state by non-state networks, by non-national organisations. The "war on terror" is not the war against a state—but against something which has never been clearly defined—but it surely does exist and is not a state.

The decline of the state's power is a trend full of ambivalences. It has de-nationalized some of the most destructive, most emotionalized, most totalitarian emotions: Samuel Huntington's concept of "civilization" as the point of reference for global conflicts after the end of the Cold War tries to describe a world full of non-state conflicts which are of an

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especially destructive explosiveness because they cannot be controlled by traditional governments. "Civilizations" are defining regions consisting of different states. "Civilizations" are mentalities cutting across state borders. The dominant cleavage defining world politics today is not between states but between the concept of a universal civilization—and the concept of a world defined by antagonist civilizations (Huntington 1996).

## The Decline of State-Based Democracy

For any kind of defining democracy, this is a grave challenge. Democracy has been developed for a given polity—may it be Athens in the fifth century B.C. or the 13 British colonies in North America in the late eighteenth century. Democracy has been designed, built and implemented for states. The decline of the nation-state is also the decline of the democracy as it has become known.

The democratic nation-state does exist and will exist. There has never been a more universally accepted understanding that the contemporary state has to be democratic. But as we deconstruct the "demos"—due to the explosive growth of the number of non-citizens among citizens and due to the intellectually sound scepticism regarding any narrative about the "natural" existence of nations—as we observe and (have to) accept the lessening powers of the state, the democratic nation-state is in danger: not because it cannot be democratic but because the impact of state-based government is less significant as it used to be.

This is of special significance for the democratic welfare state as established in western Europe after World War II: politically democratic because living up to the standards of pluralism, of liberal democracy and the guarantees of freedom—and socially as well as economically following the centrist doctrine of partial government intervention into the economy. Backed by the mainstream parties of the moderate right as well as of the moderate left, the European welfare state has become a success story of the optimal combination of liberty and solidarity.

But this success was based on a power balance between politics and the economy; between labour, business and government and a balance based on the traditional nation-state. As soon as one of the defining actors is growing beyond the limits of the state—as it is the case with the economy—the democratic welfare state is losing its balance. The economy has become more and more transnational—and the government as well as organised labour are still defined by national limitations. There is no reason to believe that the economic interests will live according to the old rules of the welfare state as soon as there is no need for them to respect those rules. If you can transfer freely capital from the USA to China and back to Europe and if you can invest in productions in less wage intensive markets, why should you risk lower profits, especially if the other side (the politics of democratic governments) cannot respond with efficient sanctions? As government is losing the battle with business, state-based democracy is losing at least some of its importance.

## In Search of Transnational Response

The renaissance of the balance enabling the rebirth or prolongation of the welfare state cannot be expected as the result of the rebirth of the nation-state's power. The conditions of the post-1945 era in Europe do not exist anymore. The reconstruction of the democratic welfare state must be based on the conditions of the twenty-first century—and the most

defining condition is the existence of a transnational, globalized economy. The transnational economy asks for a transnational polity—for a transnational form of government, for "global governance".

There have been comparisons between different experiences with transnational government. The USA and India are seen as important examples for the possibility to combine (social, cultural) diversity and a federal government. The precondition for the success of such a combination is that there is no centre which can be seen "dominant". Symmetrical federalism plus secularism are the keywords for the success of federations which—from a European viewpoint—can be called post-national (Ansell and Di Palma 2004; Goldwin et al. 1989; Nicolaidis and Howse 2001; Pelinka 2003).

By far mostly the important contemporary experiment in building transnational governance is the European Union (EU). Its ongoing process of integration has already resulted in an unfinished federal quasi-state—beyond the nation-states which still exist within the framework of the European Union. Different from all the other regional organisations as well as the United Nations, the EU has a (not fully established) supranational character: Under certain conditions, the Union can make decisions binding its member states against their will.

The EU fulfils the preconditions that other "post-national" states demonstrate as necessary for the success of transnational governance. There is no dominant "centre" in the EU: Brussels is not signifying a specific national hegemony—as Paris has been in the Napoleonic era. There is a balanced federal structure: No member state dominates quantitatively as has been the case of the Russian SSR in the decades of the USSR. And there is secularism: Despite different attitudes within the European Union, the EU—as, e.g. expressed in the Copenhagen Criteria—expects from its member states not only religious tolerance but also (even if not in form of a strict separation between church and state) a clear distinction between the religious and the public sphere.

The Union has a distinct economic character: The Single Market, as well as the Monetary Union, gives the EU the status of a quasi-state. In the field of trade and other economic matters, the EU is already one actor competing and collaborating with the USA, China, India, Russia, Brazil and other states. But clearly missing is the Union's quasi-state character in the most significant political matters beyond the economy. The EU is especially still underdeveloped in all aspects of foreign and foreign security affairs.

The EU has to be seen as a challenge to the traditional understanding of the nation-state. The Union has taken away some of the elements traditionally associated with the state: an undisputed control over a clearly defined people and a clearly defined territory. The EU and its member states share the elements of sovereignty: Becoming member of the EU implies losing some qualities of national sovereignty.

This is the reason why in contemporary Europe all nationalist traditions and movements have one common denominator: the opposition against any kind of further integration which would make the Union even more of a transnational federal state. The nationalists of all flavours all over Europe see—rightfully—the EU as the possible or even actual beginning of the end of the nation-state (Arató and Kaniok 2009; Pelinka 2009).

## The European Union's Identity

The process of European integration started immediately after Wold War II. The interests behind this process—initiating and pushing it forward—was making a repetition of Europe's most recent past impossible. The European integration began as an antithesis to

the two world wars which had their roots in Europe—and to the very European phenomenon of the Holocaust. Europe should become an area of peace—by overcoming the evil which was seen behind the twentieth century until 1945: the evil of European nationalisms.

From the very beginning, the goal of integration was political: The techniques linked with the name Jean Monnet were to create an interest in the economic well-being of neighbours. French interests should include an interest in German prosperity—and vice versa. The result of the process driven by economic interests should be a political community—a political union (Moravcsik 1998, pp. 1–17; Van Oudenaren 2005, pp. 1–28).

European nationalisms were the "defining other" of the identity which should be the outcome of the integration process. Of course, soon another "defining other" was added: communism soviet-style. The community of European states—six at the beginning—was understood as an antithesis to communist rule also. But with the end of communist systems all over Europe as the consequence of transformation processes in central and eastern Europe and with the implosion of the USSR, the European Union is once again referred to its primary motivation: the creation of a united Europe beyond the potentially of nationalistic violence, a united Europe characterized by the process of reducing national sovereignty step by step. The European Union's core identity is the containment of European nationalisms.

There are secondary elements of the EU's identity still be discussed: the Jewish-Christian, the Greek and Roman, the "Western" roots of a specific European civilisation or the task to define Europe as "not being America"—as a specific social, political and economic model different from the USA, European "soft power" to be distinguished from American "hard power", like the European welfare-state opposite the American "capitalism pure" (Kagan 2003; Markovits 2007, pp. 201–223).

These secondary elements have more the quality of an ideological superstructure. Among the father of the democratic welfare state, we must also see Franklin D. Roosevelt and the New Deal. The welfare state has never been an exclusively European invention. The secondary elements cannot explain the decisive impact the European past had on the political course Europe followed beginning with 1945—the past defined by the experience with totalitarianism, aggressive warfare and extermination policies. The "defining other" of the European Union is Europe—the Europe of the past.

## The "State of the Union"

The European Union is an unfinished project, a "work in progress". The ratification and implementation of the Lisbon Treaty ("Reform Treaty") has not changed the EU's status significantly. From the viewpoint of the typology of political systems, the EU is in a status "between": The EU is more than an international organisation because its structure, its de facto constitution includes supranational elements reducing the sovereignty of its member states. But at the same time the EU is less than a federation because in the very centre of the EU's decision making process, there are still the member states and their respective governments which are accountable to the different national electorates and national parliaments.

The EU is rightfully called a system "sui generis" (Neisser 2008), a system which consists of confederal as well as federal elements. The Union's special status is not stabilized in what could be called its "final status". The EU is dominated by a dynamic development which changes the Union's status step by step. The tendency of this

development is evident: Since the Rome Treaties of 1957, the Union is strengthening its federal elements step by step—but without becoming a traditional federation.

Any of the treaties—which can be called constitutional amendments—has been a step forward towards a federation: especially the Treaty of Maastricht by establishing the Monetary Union and the concept of the EU's Common Foreign and Security Policy and the Treaty of Lisbon by simplifying the decision making process within the Council of Ministers and establishing the functions of a permanent president of the Council and an (unofficial) Foreign Minister. And almost any treaty has strengthened the role of the European Parliament, the institution which is the most visible promise for the EU's future federal structure. There is a certain long-term logic in the integration process: It is going forward—sometimes in an even paralyzing slow way—but it is going forward towards an ever deeper Union.

This observation must not be misunderstood that the end of the integration is visible. And whatever can be called the EU's "final status" is foreclosed. There is no determinism in the process. But here is empirical evidence: The Union is moving in the direction of an ever less unfinished federal system. Whatever that means—whether the EU could, should and would become the "United States of Europe" or whether the process can be stabilized in form of a Europe of concentric circles with a more federalized core group does not mean that the integration has become irreversible. The integration has not reached the point of no return. The EU still could develop in a more loser form of an international organisation. The member states are still able to reverse the trend and become more sovereign again. There is no guarantee whatsoever for the EU's bright future. But taking all observations into account: More than half a century of integration has strengthened the Union—and not weakened it.

## The Process of Integration

The integration process has stimulated different theoretical approaches: What is happening and why? How can it be explained that the continent of the Westphalian Peace, Europe the breeding ground of the concept of sovereign nation-states, the European states with all their national narratives have agreed to and participated in the process of ongoing integration? In general, two theories—or groups of theories—can be distinguished: the inter-governmental and the (neo-)functionalist theories (Ansell 2004, pp. 225–246; Di Palma 2004, pp. 247–270; Moravcsik 1998, pp. 18–85; Van Oudenaren 2005, pp. 23–27). The latter ones are based on the evidence that in specific periods the integration process has resulted in accelerated developments which had not been intended by those who had (and still have) to make the final decisions—the member states. Especially the strengthening of the European Parliament and the shift from the rule of unanimity to (qualified) majority in the Council cannot be seen as the consequence of traditionally defined national interests. Each of these steps implied a further decline in national sovereignty giving the Union more and the member states less power. How has it come that the losers of such a process of centralization have agreed to such developments?

The integration cannot be fully explained by an analysis concentrating on the decision-making actors. It is necessary to accept the reality that unintended developments have accompanied the integration. That the Treaties of Rome, 1957, established an Economic Community which—with an internal logic—resulted in a Single Market with basic freedoms more or less destroying much of the states' sovereignty; that the Single Market leads to a Monetary Union, bringing to an end the cherished symbol if national sovereignty—the national

monetary system; that the Monetary Union has made it necessary to start a debate about first steps to a European tax system—all these developments were not scenarios written in 1957.

This is more like the logic of ongoing developments forced by former developments, the logic of the next step which had to be taken because of the first step. When the first experiences with the European Monetary Union underlined the danger of national budgets out of control (like Greece, 2010), the interests of the Union itself made it necessary to introduce new rules to strengthen the Union vis-à-vis the member states. When the Single Market is hurt by grave distortions of competition due to extremely diverse systems of taxation, the consequence is a debate about first steps towards "harmonizing" the different tax systems.

The integration process can be seen as the result of an ongoing "spill over". Like cascades in a Roman fountain, the fountain's uppermost cup is delivering water to the second cup and then to the third—and so on and so on. This effect is not, at least not necessarily, the product of a specific intention of those who have filled water into the first cup: It is an unintended series of events. The Union is getting deeper and deeper—even without the full political intentions of the decision makers.

## The Insufficiency of Inter-governmental Theories

From the viewpoint of the national governments' rationally understandable interests, it cannot be explained how the integration process has resulted in such a deepening the EU has undergone during the decades. The ratification and implementation of the Lisbon Treaty is one step in a series of reforms reducing the national governments' political power. Why should the heads of states and governments agree to shift power to the Union? Why should there be any consent at all among the member states regarding empowering the Union by forgoing national competencies? Why should national leaders, legitimized by national elections, sign any treaty at all which means less power for the nation-states? Why should any national politician accept the loss of his/her veto power in the EU's Council?

Of course, there are many examples of national actors who have blocked different integration steps—like the French and the Dutch veto against the Constitutional Treaty in 2005. And many times different countries and their leaders have delayed decisions for quite a long time—like the Irish referendum concerning the Nice as well as the Lisbon Treaty and the Czech President hesitating for months before he signed the ratification document of the very same treaty after it had passed the Czech parliament. But at the end, the steps forward were only delayed—not prevented.

It is not these and other acts of delaying the integration; it is the progress of the integration which seems to contradict general wisdom of focusing first and foremost on national actors. Whatever the reasons for the delays, at the end the Treaty of Nice was implemented as well as the Treaty of Lisbon, both signed by national governments and ratified by national parliaments. The governments had agreed to give away some parts of national sovereignty—meaning parts of their own power.

The inter-governmental approach highlights national governments and their interests. This approach explains why there is no more integration; it explains delays and failures—why the deepening of the Union has not moved forward faster and why the reform steps enshrined in the Constitutional Treaty could not be ratified and implemented before the treaty's rhetoric had to be downplayed and to become the Lisbon Treaty. But inter-governmentalism does not explain the integration's successes—neither in the past nor in the future. Following the inter-governmental theories, there would not be any realistic chance to harmonize the tax systems

within the EU or at least within the Monetary Union, and there would not be any realistic chance to accept Turkey as a member state sometimes in the future.

According to inter-governmentalism, the European Union does not have much of a future beyond the status quo. The problem is that this kind of realism would not have allowed to hope for a European Union as it is today. That the integration process has not come to a standstill—not in the 1970s, not in the 1980s, not in the 1990s and not in the new millennium—is the best argument to declare inter-governmental theories inadequate.

## The Concept of "Brinkmanship"

The EU's development—especially its deepening, but also its widening (enlargement)—had always been linked to certain crises. The so-called euro-sclerosis of the 1970s and 1980s had been overcome by the "Single European Act" and by the Maastricht Treaty. The standstill after the Nice Treaty and after the failure of the Constitutional Treaty resulted in the Lisbon Treaty ("Reform Treaty") which included the most significant elements of the Constitutional Treaty (and the Constitutional Convention)—and finally became ratified and implemented. The institutional complications of the enlargements of 2004 and 2007 have helped to pass—at last—the Lisbon Treaty with its institutional streamlining. The integration process goes forward when the status quo becomes inadequate.

The integration process follows the pattern "two steps ahead—and one step back". That of course does not imply that this will always be the pattern in the future. But the EU always used a backlash—like the French and Dutch "No" to the Constitutional Treaty—to try successfully a second time.

The concept of "brinkmanship" has been the application of game experiences to the analysis of International Relations. Linked to John F. Dulles' US foreign policy in the 1950s but also to the handling of the Cuba crisis by the Kennedy administration in 1982 (Dunbabin 2008, pp. 199–202, 263–273), the term characterized especially the US handling of conflicts during the Cold War: The look into the abyss, standing on the brink, is the best way to avoid the catastrophe. But to have this look, you have to accept the risk of being just one step away from the catastrophe. If the only other option for a consensus and for a new beginning is complete destruction, the consensual way out of the crisis seems to be more acceptable. This concept is based on the experience that significant progress is usually possible only after a significant crisis—like the Cuban missiles crisis and the beginning of détente.

For the EU, this means that the national governments—as seen from an inter-governmental perspective—do not have any interest to deepen the integration by shifting power from their own national to the federal level as long as the status quo seems to be secure. But as soon as the alternative to the status quo is the end of the integration and as soon as it is not about the failure of a specific policy or a specific treaty but about the EU's very existence, even decisions to abandon one more aspect of the cherished national sovereignty might be acceptable as the lesser evil. As long as the Union's main actors do not want to risk the undoing of the whole integration process, decisions can become possible even if they are against national priorities.

## The EU as a Factor of Global Balance

The "Common Foreign and Security Policy", as designed in the Maastricht Treaty, and its further development to a Common Security and Defence Policy underlines the

potential of the EU's role in the field of global security. The more it becomes evident that an "American Empire" stabilizing world politics from one centre—the USA—will not be feasible, the more a new multilateral balance is needed. The Cold War has not been transformed into a global "Pax Americana". Other actors challenge the USA in the global arena. The USA has to accept the impossibility of dictating world peace alone. The invasion of Iraq and the war in Afghanistan demonstrate that the USA has to face the consequences of overstretching, of being unable to play the role of the global policeman alone.

Already in 1994, Henry Kissinger argued that the twenty-first century would not be a century of US-American hegemony but a century of multipolar balance that the leading actors of this new balance of power would be—besides the USA, Russia, China, Japan and India—not the UK and France, but Europe, and Europe at large is, of course, the EU (Kissinger 1994, p. 808). Against this perspective, strong opposition can be heard—from within the EU especially from the UK to France, from powers, which are anxious to give up all their claims to their status as it is expressed in the permanent membership in the UN Security Council. To change this status in favour of a fully developed European Foreign and Security Policy is still not acceptable for the UK and France. The USA, Russia and China—as can be seen at the different G8 or G20 meetings—seem to prefer also dealing with different European partners instead of one European actor speaking on behalf of the whole of Europe.

And yet, the EU is the biggest economic bloc worldwide, the model of an economic giant with an extremely underdeveloped political potential. According to the historical analysis of Paul Kennedy (Kennedy 1989), such an imbalance between economic and political power is a solid, even the best, precondition for the rising in global significance: The political shortcomings combined with the economic potentials are the best possible basis for the EU becoming a global political power—under the condition that the EU is reducing its political shortcomings. The EU is a global power waiting behind the scene to come forward.

The EU's rise is prevented not primarily by the policies of the other powers but by the underdevelopment of its own structures (Ferry 2009; Lagrou 2009; Santadar and Ponjaert 2009; Seidelmann 2009; Telò 2009). The special interests of the member states are limiting the full development of the EU's political possibilities. The interests of yesterday's powers—the UK and France—as well as the interests of the free-riding neutrals and non-aligned EU members (Ireland, Sweden, Finland, Austria, Malta, Cyprus), anxious to keep their special status, are the main obstacles for the full development of Europe's international possibilities.

The not so new incalculability that global politics has to face since the end of the east–west conflict and the Cold War's predictability pulls the EU into a function the Union is not yet prepared for: the function (and role) a global player. Whenever a crisis becomes a threat to global security—from the post-Yugoslav wars to the invasion of Iraq—it is not the EU which acts but its member states. And the member states do not act usually in a coordinated way. In more of the conflicts, they seem to follow contradicting interests and goals. In that respect, the question—raised by Henry Kissinger and later by Donald Rumsfeld—is still not answered: Who is Europe? Is it "old" or is it "new" Europe? Whom should the other global actors call if they want to bring Europe into the picture? Should they still prefer to call London and Paris and Berlin—because they do not know if anyone responsible and capable will answer if they call Brussels? The answer cannot come from outside Europe. The EU itself must develop the structural capacities necessary for acting in a globally responsible way.

## The European Union's Future

Europe's integration is not as deep as it could be. The EU's status is far away from the possible status of a federal system. The reason for this deficit is the plurality of contradicting interests within the EU itself (Taylor 2008, pp. 70–89):

- There are the interests of the bigger member states to safe as much as possible from the illusion of being still great powers.
- There are the interests of post-communist states which tend to interpret any kind of further reduction of national sovereignty as a return of the Brezhnev doctrine.
- There are the interests of the more prosperous states to prevent any further redistribution of wealth within the Union.
- There are the interests of the smaller states being afraid that any significant further step towards federalization implies the counting of heads (people) instead of states and therefore give more power to the more populous states.

All in all, the concert of contradicting interests united only in preventing a federal system is so powerful that it seems to make any further deepening an attempt without any hope for success. But the strength of the antagonistic interests has not been enough to prevent the EU to become the special case as it is today. Germany has abandoned its German Mark—symbol of Germany's post-1945 successes—in favour of the Monetary Union. Luxembourg can live with the ongoing decline of its voting power within the EU. The UK has—despite some reservations—principally accepted the EU's Social Charter. The Czech Republic has, after some hesitation, ratified the Treaty of Lisbon in spite of the Czech president's argument about the unacceptable limitations to national sovereignty.

The progress in the European integration made the EU deeper—step by step more and more like a (still unfinished) federation. But this progress cannot be explained by referring to the specific national interests of the member states. The integration process goes on—slowly. The process has been blocked—for longer periods. But the process has neither come to an end nor has it reached any kind finality.

The process goes on because the alternatives are so discouraging: Returning to the unlimited sovereignty of the nation-state? Losing an instrument to channel divergent national interests into all-European policies? Having to accept any kind of US-American, Russian, Chinese and Indian agreement without being treated as an equal partner? Hoping against all hope for the renaissance of the nation-state's power to control the global economic dynamics? It is similar to Churchill's understanding of democracy: The EU is a terrible system—full of contradictions and deficits, a work in progress without any visible "finality". But it is still much better than any alternative option.

Walter Hallstein, the first president of the European Commission, is on record with the comparison between the European integration and a bicycle rider. The cyclist may drive fast or slowly—and sometimes in circles. But the rider can never stop—or he (she) would have to stop to ride the bicycle at all. This is the dynamism of the European integration: It must go and it goes on, despite all the contradicting interests.

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