

EUROPEAN IDENTITY AND EUROPEAN UNIFICATION

CONFEDERATION AND DEMOCRACY (Budwa, 1991)

It is stunning, but, I think, not paradoxical to notice that at the same time that we are speaking with considerable seriousness of a European Community (EC) we are experiencing the ethnic disintegration of what, for all the world, seemed like stable and enduring States: In this country, independence movements by Croatians and Serbians; in the USSR, Latvians, Lithuanians, Estonians, Georgians, Ukrainians, Azerbaijani, Armenians and Russians each asserting claims to 'autonomy;' in Western Asia, Kurds and Palestinians, still longing for a state; in Britain the continuing problem of Northern Ireland and in North America, Quebecois and a Hawaiian 'sovereignty' movement, to name but a few of these developments. Meanwhile, and not to be overlooked, the shifting of huge populations both across Europe and across the oceans has enormously exacerbated both racism and angry assertions of ethnicity. Although it is not the primary purpose of this talk to explain these developments, one can suspect that they are among the consequences of the transforming powers of 'modernity,' abstractly, responses to what Durkheim called 'anomie,' what Weber called 'disenchantment,' and what Marx diagnosed as 'alienation.' In a more obvious way, they are responses to the fact that in constructing modern states from kingdoms and empires, no 'nation' has been coincident with its state, and that since then, the dynamics of world capitalism and of war have heavily constrained the capacity of new 'states' to secure expected measures of well-being for their populations. On the other hand, talk of European unity is profoundly propelled by awareness of global and regional economic interdependency and is a response to the difficulty, if not impossibility, of states to isolate themselves against the dynamics of global capitalism and thus, to satisfy the demands and efforts of populations to seek a better life for themselves and their families.

It will be useful, I think, to sketch one or two key elements in the historical background of these tendencies which are both relatively recent and which could play themselves out the next hundred years or so in a variety of ways. I draw here on Benedict Anderson and some previous work of my own.

The preconditions of the modern nation-state were established in the late Middle Ages and early Renaissance and include the secularization of knowledge, 'print-capitalism,' and the standardization of vernacular languages in writing. Variety in the countless local languages, which it had made it nearly impossible for groups to communicate with even proximate others, was overcome in print. The upshot was 'unified fields of exchange and communication,' and a new language of power, the 'official' languages of secular authority. Still, as particles of empires and kingdoms in a highly parcellized Europe, these 'national' groups lacked political significance. In 1500, after all, Europe comprised some 500 more or less independent political units answering to a variety of descriptions: duchies, grand and not so grand, principalities, republics, confederations of cantons, kingdoms and empires. In the kingdoms, and even more in the empires, the populations represented a remarkable 'ethnic' heterogeneity. Moreover, in none of these could it be said that what we think of as the state had much affect on daily life: It went on as it had in the past, indifferent to much which extended beyond the space of the village.

Through conquest, rebellion, secession, treaties, assassinations, intermarriages, purchases, 'the extinction of palatine independencies, the consolidation of expired fiefdoms, and the falling of feudal inheritances,' the states of Europe were eventually to emerge. Indeed, as Oakeshott has rightly remarked, 'the history of modern Europe is the history of Poland only a little more so' (Oakeshott, 1975, p. 186). But--and this is almost always ignored--the independence movements of the New World provided the catalyst for the modern conception of the nation, the nation as a nation-state. As Anderson writes:

Out of the American welter came these imagined realities: nation-states, republican institutions, common citizenships, popular sovereignty, national flags and anthems, etc., and the liquidation of their conceptual opposites: dynastic empires, monarchical institutions, absolutisms, subjecthoods, inherited nobilities, serfdoms, ghettos, and so forth (Anderson, *Imagined Community*, p. 78).

Plainly, this is a very complicated story, but several features are pertinent. The American colonies were relatively autarchic and, of course, they were far removed from the metropolis. Efforts by the English Crown to impose new taxes on the thirteen American colonies produced resistance which was organized by the First Continental Congress--'ambassadors' from each of the colonies. The idea was hardly to form a new government, nor indeed to declare independence. As one ambassador put it, 'the great point, *at present*, is to keep up appearance of an unbroken harmony in public measures...for fear of encouraging Britain to hostilities, which, otherwise, she would avoid.' In order, then, to establish its credibility and thus to avoid war, the Congress set about to prepare for war. It recommended creation of a citizen-army to be paid for by bills of credit. General Gage, commander of the British regulars in Boston, failed in his effort to convince the King's cabinet that the 'embattled farmers' would fight, even if at that time, these same farmers continued to insist that it was as subjects of the Crown that they were appealing for justice. When actual fighting broke out, both sides were confronted with a war that nobody wanted or expected. More important, nobody then appreciated that this was to be the first of long series of wars of 'national' liberation.

It was not a dynastic war, a war fought by King's armies for aggrandizement, nor was it a 'limited war' fought to settle some specific dynastic dispute. It was a war fought for 'principles.' According to an anonymous citizen-soldier, it was a 'most just and holy war, in defense of our country, our wives, children, parents and sisters, and to secure to ourselves and our posterity the inestimable blessings of Liberty.' Not since the hoplites of ancient Greece had fighting men conceived themselves as 'citizens' warring to secure their liberty.

Although the war certainly propelled powerful 'nationalist' emotions, the people of the Thirteen Colonies were not one 'people' nor did they suppose that they were. The American 'nation' still had to be 'invented.' At the same time, during this period the 'citizens' of the colonies were as much like the citizens of Athens as any large population had been before--or since. As Palmer has emphasized:

Governors, unable to control their assemblies, undertook to disband them, only to see most of the members continue to meet as unauthorized congresses or associations; or conventions of counties unknown to law, chose delegates to such congresses for

provinces as a whole...(Age of Democratic Revolution, Vol. I , p. 97).

It was precisely this rediscovery of democracy which led Hamilton, Madison and the so-called 'Founding Fathers' to call for a new Constitution. Although it remains a key feature of instruction in American history books, no 'crisis' followed the termination of hostilities with Britain. The Thirteen Colonies, then sovereign States, had each realized 'republican' constitutions. The United States of America was a classical confederation in which states had alienated what had been a mark of sovereignty in Monarchies, the right to conduct an independent foreign policy and to make war. The arrangement had been effective during the war and continued to be so after it ended, including here the capacity of the Congress to secure peaceful solutions to what one would have supposed to have been insolvable conflicts over territorial claims. Indeed, the Territorial Ordinance of 1784, drafted by Thomas Jefferson, detailed the management of the Western Frontier and laid down the essential principles for the addition of new States some three years *before* the Constitution was adopted. There were, of course, weaknesses, but no one doubted that these could be remedied without radically altering the Confederation.

The New Jersey plan, rejected at Philadelphia, aimed to remedy these flaws. Its key proposition had resolved that Congress be authorized to raise and collect revenues and to pass acts for the regulation of trade and commerce with foreign nations as with each other.

Alexander Hamilton did as much as anybody to promote the alternative Virginian plan. And he did this by obscuring, not merely for those present, but for countless others as well, the essential difference between a Confederation and what is now best called a Federation.¹ Hamilton argued that 'different Confederacies have different powers, and exercise them in different ways. In some the powers are exercised over collective bodies; in others over individuals... Great latitude must therefore be given to the signification of the term.' Members on both sides of the argument saw that this was wrong. Patrick Henry was to put the difference simply: 'The question turns, sir, on that poor little thing--the expression, We the *people*, instead of we the *states* of America.' That is, in a classical confederation, Congress represents the States, not the people in States; it legislates over states, not over individuals. For example, as in the New Jersey plan, Congress had the authority to demand money requisitions from states (proportional to their free population) and it would have been authorized 'to direct the collection thereof in the non-complying states.' This would have included the authority, if necessary, to use coercion to ensure compliance.

The implications of the defeat of the New Jersey plan were enormous. First, it succeeded--as it was intended--to foreclose the growth of more participatory forms of democracy in America.² As Madison so brilliantly argued, the advantage of the 'extended republic' was exactly that it robbed individuals of a capacity to influence government. 'The true distinction' between earlier republics which had employed representative institutions and the American government lies, he pointed out, 'in the total exclusion of the people in their collective capacity from any share in the [American system] and not in the total exclusion of representatives of the people as in [previous republics].'

Second--and exactly because all branches were to be 'representative'--it gave institutional meaning to the mystifying idea of 'the sovereign people.' The issue had been clear: How could

there be one supreme legislature in every state *and* a federal government that could make laws which *superceded* those of the individual states? The answer emerged: Since the federal government was thoroughly 'representative,' it was 'the people' who were 'sovereign. Indeed, even the ratification process confirmed this: voting for delegates to vote on the proposed Constitution was the act of 'a whole people exercising its first and greatest power--performing an act of SOVEREIGNTY, ORIGINAL and UNLIMITED.'³ Remarkably, the invention of 'the extended republic' turned out to be the invention of modern democracy. Almost immediately, of course, these ideas will find European expression in the great French Revolution. Exported by Napoleon across Europe, the unfurling of tricolors symbolized the new 'imagined realities' of modern nationalism and the modern nation-state, an extended 'republic' whose 'governors' were 'representatives' of 'the people.'

It would surely be premature to declare the demise of the modern nation-state. But it is not premature to judge that both it and the ways in which it relates to other states have undergone important changes. This leaves us with the complicated question, Can resurging claims to national self-determination be accomodated within an increasingly unified European state-system and if so, what are some reasonable assumptions about how this might look?

There are two general, even obvious points which first need to be made. First, the societies of Europe are modern mass societies. That means not merely that mass media dominate 'information' and communication, but that these are societies characterized by patterns of mass consumption and extensive economic interdependence. This means that in Paris, London, Amsterdam, Berlin, Zurich, Vienna and Milan, banks, markets and department stores and their contents, cinema houses and restaurants, and their offerings, all look very much alike. Moreover there is little reason to doubt that this will increasingly be the case in Eastern and Southern Europe. To be sure, there remain significant differences in European 'national' cultures, perhaps especially among rural and working class members. Indeed, we ought to do what we can to encourage their continued existence and, as I will suggest, the political means are available to do this.⁴

Second, although all this is relative, there is something to be said for the idea of an European identity. It is worth remembering that prior to the creation of the modern nation-state, people identified themselves as members of concrete locales and kin-groups. The modern ideas of 'national' groupings are themselves high abstractions of fairly recent vintage. Not only can people have multiple identities, but the entire drift of these has been in the direction of greater and more inclusive abstraction. It is not at all far-fetched to suppose that the tendencies of modern mass society will promote the idea of a European identity, an identity created by exploiting obvious historical, 'racial' and geographical commonalities. There are no 'essences' which constitute racial, ethnic or 'national' categories. They are each social products historically constructed in response to changing contingencies and demands. There is no reason to believe that further changes will not occur.

Evolving political structures could also very much propel the idea of an European identity. The idea of a European state is probably nonsense, but the idea of a European Confederation is not. As should be clear (though it is not!), 'sovereignty' is divisible and alienable. Nation-states can (and do) alienate powers to bodies for specific purposes. As long as

the 'Congress' (the body of 'ambassadors' from the several states) legislates over states and not the members *in* states, states remain states and can alienate all sorts of powers designed to satisfy specific purposes. The classical purpose of confederation (not 'federation') was defense, but it is easy to identify other specific matters of joint concern, regarding, for example, trade, currency, immigration, even standards affecting wages, work conditions, etc. Of course, confederations need revenues for these collective purposes and must have authority to sanction delinquents. But to repeat, the principle of confederation demands that states do not alienate sovereignty over their populations. It is states which enter into such agreements and, within their borders, it is states which maintain the authority and responsibility to implement agreements made.

It would be a mistake to suppose that only coercion could secure realization of confederal goals. As in the American case, there are at present widely acknowledged mutual interests. Just as the international states-system is not a 'state of war,' a European confederal system need not lapse into 'anarchy,' especially, if as suggested, over a long period of time, awareness and willingness on the part of populations to acknowledge these interests and to identify themselves abstractly as Europeans increases. Indeed, we may judge that the process has begun. By exploiting existing mechanisms for collective action, the basis for a confederal unity can be built.

What then of resurging nationalisms? In principle, at least, all of the foregoing applies to disintegrating centralized states. Citizens of this country live as Serbians or Croats, but have had experience as 'Yugoslavians.' Similarly, Georgians and Azerbaijanis are citizens of the Union of Soviet Socialist Republics. (Of course, as neither a confederal union, *nor* soviet, *nor* socialist, 'USSR' is a triple-lie, in contrast to 'USA' which only a single lie!) The confederal principle allows for both 'national' self-determination and structured cooperation. Indeed, it allows in principle for regional layers of this.

Usually forgotten, in his 'last struggle' Lenin declared a war 'to the death on dominant-nation chauvinism.' It was inconceivable to him that the Bolsheviks should struggle against imperialism and then 'ourselves fall--even in trivial matters--into something like imperialist relations toward the oppressed nationalities.' He was clear also what this meant. It meant, first and foremost, defending the use of national languages. Abuses, 'under the pretext of unity of the railroad service, under the pretext of fiscal unity and so forth' must end.' Lenin, of course, lost this last struggle. And, of course, the problem did not go away. Perhaps, time has given us the chance to return to 1917. Perhaps, this time we can do better.

Peter T. Manicas

Footnotes

1. In a standard account of 'federations,' K.C. Wheare concurs with Hamilton that the issue was not over whether the US was to be a 'federation' or a 'league,' but whether it was to be an 'efficient federation' or an 'inefficient federation.' See Federal Government, 4th edition, (New York: Oxford University Press, 1964), p. 11.

2. In my view, every subsequent effort to realize a stronger form of democracy--Paris, 1789 or 1870, Russia, 1917-- faced conditions which doomed them. The Americans had a real opportunity and the failure to realize this was historically calamitous, especially when we realize that the American System has now no genuine alternatives!

One relative success should be mentioned: the modern Swiss Constitution which emerged following the Revolutions of 1848. On this, see Adolf Muschg, Die Schweiz am Ende-Am Ende die Schweiz: Erinnerungen am mein Land vor 1991. Frankfurt am Main: Suhrkamp, 1990. I am indebted to my colleague, Emanuel Drechsel for this reference.

3. Hegel, like most Europeans, missed this. He believed that as the idea surfaced in France, it was insoluble. Hence, his defense of monarchy.

4. It is worth mentioning that assimilationists of a Hegelian-inspired sort--almost certainly the typical sort--imagine (or would prefer) a coincidence of state and nation, a multi-national-state system. This is possible, but probably not desirable. Much more desirable would be confederal systems which realize unity and diversity. Assimilationists of a more Kantian-inspired sort are universalists: They imagine an undifferentiated humanity plus juridical law. Since there is no such thing as a group-neutral humanity, this is not what it pretends to be. It is, rather, cultural imperialism, the imposition of a preferred notion of culture on others.