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Common Values as a Source for EU
Identity Formation

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1. EU identity and EU evolution

The identity question has been dogging the EU for a long time. Already in December 1973 the Nine Foreign Ministers felt the need to publish the Document on the European Identity which contains a number of statements which are still valid. It is no coincidence that the statement was made at that particular point in time. The EU had just concluded its first major enlargement by UK, Denmark and Ireland.

The more important the EU became as a political actor in Europe and in the world the more pressing the need was felt to find an answer to the identity question. Maastricht in 1992 was a watershed. The Maastricht Treaty added new dimensions to the EU remit which touch upon the core of state sovereignty: Foreign and security policy, justice and home affairs and economic and monetary Union. For the first time the EU had undergone a major reform by amendment of the Treaties. The ratification with referenda in France and Denmark gave a foretaste of what happened with the Constitutional Treaty in 2005. The referendum in France came out with an unexpected small margin. The first referendum in Denmark failed. It appeared that the EU had not managed to take along large parts of the population in the integration process.

At the same time, the EU prepared for the enlargement by Austria, Finland and Sweden, three countries which had distinguished themselves by neutrality and non-alignment and a distanced attitude towards Western European unification aspirations. As they were comparatively small and similar to EU member states in their economic and political structure, their membership was not felt as a challenge to identity. This was entirely different when the EU started to plan for its biggest enlargement ever by the Central and Eastern European Countries which had only shed communist rule and Soviet domination in 1989. The EU was to grow by roughly one third of its population and by 12 countries which were informed by a political and economic development very different from the rest of the EU. No wonder that leaders and people in the EU became again more sensitive to the identity issue. This was exacerbated by a simultaneous lively debate about the question whether Turkey could be accepted as an accession candidate.

The planned enlargement made the need for further Treaty reforms felt in the EU. These reform efforts led after two rather modest achievements in Amsterdam in 1997 and in Nice in 1999 to the draft Constitutional Treaty in 2004 which failed in referenda in France and Netherlands, two founder countries of the EU. Even its lacklustre successor version, the Lisbon or Reform Treaty was not approved in a referendum in Ireland. The proponents of reform – all major government and opposition parties - were shocked by the fact that they had not been able to explain the advantages of reform to a broader public. One of the main factors to which these failures were attributed was lack of identification of citizens with the EU. Since then we speak of an identity crisis. These

developments on the ground also raised great interest in European identity research. (For a survey on this research, see Meyer 2004, Checkel and Katzenstein: 1-25)

In this paper I would like to look mainly into three questions

- why the EU needs a strong identity,
- why identity formation for the EU is more difficult than for national states,
and, on this basis,
- how values can contribute to identity shaping.

My intention is not to provide an exhaustive analysis of these questions. I would rather like to put them into relief from a political point of view, drawing on research done in this field, and, possibly, to encourage further research.

2. Concept of identity

A general definition of identity as it is used in social psychology serves my purpose. Identity can thus be conceived as “the images of individuality and distinctiveness (‘selfhood’) held and projected by an actor and formed (and modified over time), through relations with significant ‘others’”. (Jepperson et al.: 59) Here the projection of EU images on its own citizens and on actual or potential partners of the EU are of interest. To simplify matters, we can speak of internal and external identity. This concept of identity implies that identity is a dynamic concept, that actors usually project multiple images, and that these images can be influenced by various sources. E.g. a positive image of country can be informed by its behaviour in certain situations, by its leaders, by its culture etc. The identity projected by the EU on its citizens can result in identification with the EU. This is characterized by expressions like “belong to”, “identify with”, “think of yourself as”, “feel attached to” or “feel close to”. (Sinnott: 212)

3. The EU needs a robust identity

This headline statement presupposes a certain model for European unification. It is obvious that a free trade zone does not require the same robust identity as a political union which wants to take care of all the issues which need handling at the European level including the effective protection and promotion of common European interests in the world. It is not enough for such a union to be perceived by its citizens just as a community of economic interests. (Laffan: 95) This was meant by Delors when he said “You don’t fall in love with a common market; you need something else.” I think that this is not only a matter for the future but is true already for the present EU. (Armingeon: 236f)

Another question which needs clarification is who we are aiming at when we talk about stronger identification of European citizens with the EU. Opinion polls show

that attachment and positive attitudes towards the EU are much stronger among highly educated citizens than with others. (Eurobarometer 70: 34, 48, 68, Hay: 8) These are also the people who mainly take part in increased communication and interaction across borders in the EU. (Fligstein: 132-159) Indications are that the EU has become sort of an elite project. The results of the latest Irish referendum on the Reform Treaty point clearly in this direction. (Chari, O'Rourke) Stronger identification means, therefore, first of all, reaching beyond the present elite groups.

There are at least six reasons why the EU needs citizens who strongly identify with it:

- Like any other democratic body politic the EU depends on the commitment of its citizens. They are called to vote in referenda and elections. They have to abide by EU laws and rules based on majority decisions which were not approved by their own countries and to accept financial transfers to poorer regions and population groups throughout the EU. Ever larger groups of citizens need to show commitment beyond that: They serve in EU institutions and some of them serve abroad on behalf of the EU in military contingents. There are incentives and sanctions to ensure compliance but commitment makes the extra bit of difference. (Wagner: 42-44)
- Identification is also a question of legitimacy. The legitimacy of the European Parliament is undermined by the low voter turnout. Another question is whether a parliament can be called legitimate when voters vote in their deputies on the basis of national issues which are not dealt with in the EP. (Laffan: 83f)
- The referenda in France, Netherlands and Ireland on the Constitutional and the Lisbon Treaties showed that EU integration can only be further developed if the EU has the support of the people. (Jacobs and Maier: 9f) There was agreement between Member States Governments, MS parliamentarians, members of the EP and the Commission that the Constitutional Treaty would improve EU democratic legitimacy and performance. But it was rejected by the people in France and NL. Analyses of the vote show that less than 20 % of the voters said "no" because they did not like the Treaty. The main factors determining the voting behaviour were the general attitude towards the EU and the assessment of the economic and social situation in the country. (Brecht: 143-153) If identification with the EU had been higher more people would have taken an interest in the Treaty, less people would have voted for reasons related to national issues and more people would have had a general positive attitude towards the EU. Lack of identification is not only translated into political action by voting. It is also sensed by political leaders who become more hesitant towards further integration.

- The Constitutional Treaty wanted to introduce “United in Diversity” as the official motto of the EU. It remains the unofficial motto and it describes an existing situation in the EU. All countries and regions in Europe want to keep their identities and this is important for them to perform at their levels. This complicated system of interests, powers and actors at different levels can only be kept together and work at the European level if there is a strong European identity.
- It goes almost without saying that the EU needs a strong external identity if it wants to protect and promote common European interests in the world. This is especially true for an actor who relies mainly on soft power. E.g. the EU can only take advantage of its model power as a successful example of regional integration if this is part of its identity with its partners.
- Last but not least, a strong European identity can be an antidote against nationalist feelings. Somebody who regards himself a European can hardly become a nationalist. To avoid the reappearance of the nationalism of the past was already one of the basic ideas instrumental to the foundation of the European Communities. The strength of populist right-wing parties in several EU member states shows that this is still a topical question. (Robyn: 2-4, Laffan: 82f)

4. European and national identity formation

The EU has in many fields taken over important powers from the national states. It is estimated that about 60 % of the laws which are implemented in MS originate from Brussels. The Single Market, the Economic and Monetary Union, environment regulations etc. have a strong impact on our daily lives. To perform these state-like functions the EU, like a state, has its own institutional structure. In view of the state-like features of the EU it seems reasonable to examine to which extent the EU can draw on the same sources like national states for its identity building. This will also make it easier for us to assess later the importance of values as objects of identification (Jacobs and Maier: 5-7).

Territory is a classical reference for the identity of a national state. The EU has a territory too but the borders of this territory have changed often and there has been a permanent discussion about enlargement so that the borders have become blurred for the people. (Wagner: 53-58)

History: Reference to a common history puts the national state usually into the continuity of historical evolution. Foundation myths and historical examples are sources of common pride for a people and strengthen the “we-feeling”. The history of European unification started only 50 years ago. The new peaceful start after the horrible war is far from becoming a common foundation myth. (Wagner:

59-66) Outsiders usually regarded the EU as a success story. But there doesn't seem to be a broad common awareness of that in the EU. The Roman and the Frankish Empires, and Medieval Europe are sometimes referred to as possible historical precursors of a united Europe but they covered different areas and cannot be seen as exemplary for present Europe.

The history of most of Europe was closely intertwined but the periods when Europe was deeply divided are much more prominent in our memory. This could suggest looking at recent history as a common negative "other", like in Germany. But the perceptions of that history, e.g. in Germany and the UK, are too different from each other to give rise to a common feeling.

Culture remains a central object of identification for national states. The point of common European cultural roots is often made. The President of the European Central Bank, Jean-Claude Trichet, put it very nicely in a lecture in 2004, "There is no better illustration of Europe's deep-rooted cultural identity than the expressions of mutual influence and admiration between artists in different countries, which create a kind of pan-European artistic and literary framework, a single architecture spanning all national cultures and languages." (Trichet: 3) The Document on the European Identity from 1973 speaks about the diversity of cultures within the framework of European civilization. These quotations underline commonality but indicate at the same time how difficult it is to put this idea into a tangible form. (Mikkeli: 219-224)

The **People** is perhaps the most important source of identity for national states. The evolvment of such a people at the European level is not in sight. The main barrier to that is perhaps the variety of languages. It prevents the development of a common public space where people in different European countries would e.g. read the same papers and watch the same television programmes. Those who do already now are a tiny minority.

National identities are often closely linked to **institutions and leaders**. The EU has also institutions and leaders that could in principle become objects of identification for the people. There are several reasons why this usually does not happen. The leaders have their roots only in one member state where they usually play or have played a role in politics and taken part in elections. Other Europeans have no relation to them as voters. At the European level, leaders are also more remote from the people than at national level. This is one reason why they raise less emotional support or disapproval from the people. Another reason is lack of powers. The European Parliament has much less influence than a national parliament. The President of the Commission lacks some core powers of a national chief of government, like foreign and security policy. The main political decisions are not taken by the Commission but by the European Council. But, unlike the President of the Commission whose tenure is five years with possible reappointment, the President of the European Council is only there for six months.

External identity suffers from the same drawbacks. There is nobody at the top level who represents the EU over a longer period. At the ministerial level responsibilities are divided between the Presidency Foreign Minister who has the main powers, the Commissioner for Foreign Relations and the High Representative for the Common Foreign and Security Policy. The Presidency holds its position only for six months and the latter two have only limited competences. Kissinger's famous question, "Which number do I have to dial if I want to call the EU" makes still sense. The Lisbon Treaty would improve the situation by extending the office term of the President of the European Council and by streamlining foreign relations competences under a longer-term High Representative for the Common Foreign and Security Policy.

In terms of identity building the introduction of a **Citizenship** of the Union by the Maastricht Treaty was an important step. It refers to the right of free movement, the right of appeal to the EP and the European ombudsman, the right of participation in European and municipal elections in all member states, and the right to get support by diplomatic or consular services of any member state in third countries. The effects of EU citizenship on EU identity are still limited because the EU citizenship is based on national citizenship and is rarely experienced in practice by the ordinary people. (Freedman: 710, Laffan: 95-97)

The EU has similar **symbols** as any state: anthem, flag and Europe Day. Only the European flag is well-known because it is flown on all public buildings throughout the EU. But symbols seem to have little effect as carriers of identity themselves. They rather put an existing identity into concrete form or reinforce it. Therefore, it is not surprising that even such a strong symbol as the Euro does not have a significant effect on EU identity. In spite of their limited impact, for euro-sceptics state-like EU symbols stand for EU pretensions to statehood. This is another reason why the draft Constitutional Treaty was stripped of all provisions on such symbols, including its name, to become the Reform or Lisbon Treaty. It helped to spare it a referendum in a number of MS, in particular the UK. (Wagner: 78-84)

Discussing European and national identities also raises the question of the relationship between the two. How this relationship is seen in a country depends a lot on the foundations of its identity. Countries with a long national and more or less unbroken history like France and, in particular, the UK tend much more to perceive European identity as a threat to their national identity than Germany or Italy which saw European integration as a means to enhance their national identity. The UK was the main force behind the decision to take away state-like symbols from the Constitutional Treaty. De Gaulle's idea of a Europe of fatherlands (*Europe des patries*) was conceived to make sure that the identity of the nation states would be maintained. For everybody European identity is only thinkable besides national and other identities. Given the solid basis for national identities it is highly unlikely that a European identity could affect significantly national identities in the foreseeable future. (Laffan: 84-87, 88f, Mikkeli: 224-226, Hettlage: 259f, Thalmaier: 219-224)

5. How can common values contribute to identity building?

Our brief run-down of sources for national identity in the previous chapter has shown us that they matter only in a very limited way for EU identity building. This is why already at an early stage the idea evolved to develop for the EU political or constructed identities instead of traditional culture-based identities. Political identities are mainly formed around values and institutions. (Meyer 2004: 53-62) Already the Document on the European Identity of 1973 emphasized that values and institutions were at the core of European identity. I want to focus here on values.

Values are important for assessing and predicting human behaviour. They are usually not explicit. We can try to put them down in writing or, much more important, we can derive them from principles, objectives, laws, and, above all, from behaviour or actions. First of all, I would like to identify some criteria which can help us to judge whether a value is conducive to identity formation or not.

It is obvious that values can only contribute to identity building when they are visible. The fathers of the EC and EU Treaties seem to have become more and more aware of this connection. While in the EEC Treaty of 1957 political values are still mainly referred to in the preamble they have become more prominent in the Treaties themselves with each revision of the Treaties. At the same time they were further substantiated in the jurisdiction of the ECJ. Already at an early stage, the Court came to the conclusion that fundamental human rights were enshrined in the general principles of Community law. The first broader value discussion with reference to identity took place in the European Parliament in connection with the accession of Greece, Spain and Portugal. That led to strong references to democracy and fundamental rights in the Single European Act of 1986, the first amendment to the Treaties.

In the Maastricht Treaty of 1992 the value statements were again strengthened and specified in the preamble and in the text proper. This tendency continued in the Treaty of Amsterdam of 1997 and in the still valid Treaty of Nice of 1999. In parallel to the Treaty reforms the EU worked up its own Charter of Fundamental Rights. So far, the Charter is only a political declaration which is not legally binding. But, nevertheless, it has become a clear symbol for EU attachment to Fundamental Rights.

The Reform Treaty, unlike the Constitutional Treaty, has not incorporated the Charter but makes it legally binding through a reference in the Treaty. Like in the Constitutional Treaty, value statements are strengthened in the Reform Treaty. In addition to the values in previous treaties it gives a prominent place to the respect for human dignity and persons belonging to minorities (Art. 2 EU Treaty). It tries to strike a balance between economic and social objectives (Art. 3 (3) EU Treaty) and puts a strong emphasis on upholding and promoting values in external relations (Art. 3 (5) EU Treaty).

The EU has made great efforts to make values visible in its Treaties. It is, however, doubtful whether this has significantly contributed to make citizens and partners aware of these values.

Another important criterion for the effectiveness of values as sources of identification is the extent to which they are shared by all members of a collective. As long as they are part of the Treaties, we can assume for the purpose of this paper that values are in principle shared by all member states. In reality the interpretation can still vary a lot between MS. E.g. “solidarity” is understood very differently in Scandinavia and in England.

Common history and common future are important for collective identity. Also, values can have historical and future dimensions which are relevant for their identity-forming qualities. E.g. when we talk about Christian values this implies that they have a long tradition. The Reform Treaty emphasizes the historical aspect by relating the values to the cultural, religious and humanist inheritance of Europe in its preamble while strong references to the future in the preamble of the Constitutional Treaty were dropped. Values carry a reference to the future when they are formulated as objectives.

In the theoretical discussion of the concept of identity exclusiveness and “the other” as a prerequisite for identity play an important role. It seems to be a trifle truth that we can only have an identity if we distinguish ourselves from others and that our identity tends to be the stronger the more distinct we are. In reality it is sometimes not so easy to find out where the distinction lies and in which ways it is relevant. The question has to be examined in the specific context where an identity is formed. E.g. the German language is definitely an important part of German identity but German is not only spoken in Germany. Catholicism is a core element of national identity for the Poles but they are by far not the only people who are predominantly Catholic. In the same vein, the universality of a value does not mean that it cannot be an important element of identity for the EU. According to Eurobarometer, a majority of Europeans consider that their common values overlap to a large extent with western values. (Eurobarometer 69: 10-14)

Maybe the most important condition which needs to be met for values to become part of the identity of an organization is that the values be substantiated in behaviour and actions. If the reality is not in agreement with the proclaimed values citizens and partners will not take them seriously, freely quoting the Russian proverb “A man is judged by his deeds not by his words.”

6. Constitutional patriotism and community of values

Before discussing the relevance of specific common values for identity building, I would like to touch upon two conceptions of European identity which have become known as Constitutional patriotism and Community of values. Both rely predominantly on common values. (Balli: 165-170)

The idea of constitutional patriotism was first conceived for Germany where the Nazi-rule discredited national symbols and made it more difficult to draw on history for identity. In its European version constitutional patriotism is meant to provide a basis for identification in an organization which has difficulties to refer to common culture and history for its identity. The main promoter of this idea is Habermas. In his view even culturally conditioned differences in value systems or interpretations of values can be bridged as long as it is possible to agree on certain universal values in a constitution. He strongly supported the constitutional project for the EU. (Habermas) I think that even after the Constitutional Treaty failed and was replaced by the Reform Treaty it is still worthwhile to look briefly into the question what role constitutional patriotism can play for European identity.

Values would have become more prominent in the Constitutional Treaty and the EU Charter on Fundamental Rights would have become part of the Treaty and acquired legally binding quality. The drafters of the Constitutional Treaty also made an effort in the preamble to relate the values more to past and future. This might have made EU citizens more aware of their common values. But it is doubtful whether it would have had a manifesto effect beyond that. Unlike other critiques, I don't think that the universality of the values and different interpretation of them by the MS would have significantly prejudiced their identity-forming quality in this context. (Kumm: 120-127)

There is, of course, more to a constitution than values. Habermas calls it the "symbolic crystallization which only a political act of foundation can give" (Habermas 1). The Constitutional Treaty would have been a strong symbol in itself and it would have strengthened in a number of provisions the symbolic effect of the Treaties. But it is difficult to imagine that this and the changes in substance would have been enough to give citizens the feeling that the EU had been founded anew. (Bogdandy 2005: 307-310, 313-315, Fossum: 320-325, 336f, Armingeon: 238-240, Castiglione: 44-48)

In principle, constitutional patriotism is not linked necessarily to a "constitution". Any constitutive legal document could play this role. But I think there is general agreement that the lacklustre version of the Constitutional Treaty, the Lisbon or Reform Treaty, is less susceptible to evoke an identity-strengthening effect than the Constitutional Treaty would have been.

The concept "Community of Values" is not linked to a Constitution. The wordings in Art. 6 of the current Treaty "The Union is founded on the principles of ..." and in Art. 2 of the Reform Treaty "The Union is founded on the values of ..." suggest that the idea was to portray the Union as a community of values. The EU Charter of Fundamental Rights even speaks in its preamble of a peaceful future based on common values. The common values are promulgated and made visible. Apart from that, proponents of the idea of a community of values often give it a connotation of evolution from a common past or culture, as in the first recital of

the preamble of the Reform Treaty: “Drawing inspiration from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values ...” . In view of the actual historical diversity in the Union we cannot expect that the reference to common roots makes much difference to the identity forming effects of the idea of a community of values. (Bogdandy 2004: 235, Wagner: 71-77, Mandry: 285-287)

In terms of values, Constitutional Patriotism and Community of Values are based on promulgated sets of values in the Treaties. It is difficult to put these values as a whole into concrete form and to relate them to implementation. The emphasis is on the statement. Therefore, they offer only a rather abstract source of identity. For this reason, I would like to focus in the following on specific values and their role for identification with the EU.

7. Specific values and their relevance for EU identity formation

Specific values seem to be more conducive to substantiation and image creation than sets of values. I would like to show this mainly by means of some core values spelt out in Art. 2 of the Reform Treaty: “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 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.” The fact that the above values are only listed in this form in the Reform Treaty which is not yet ratified does not impair their relevance for our deliberations because there is consensus on these values. The Reform Treaty only presents them in a new way.

7.1 Political values

Human dignity is a universal value and as such part of the Universal Declaration of Human Rights.

When talking about realization of a value the first question is to which extent the EU has made it part of its own treaties and laws. Human dignity is not mentioned any more in the Treaties but “Dignity” is the headline of Title I in the EU Charter on Fundamental Rights. Part of this Title is also the right to life and the ban on the death penalty. The EU has put special emphasis on this provision. It has consistently pursued the abolishment of death penalty as part of its human rights policy. As such, the fight against the death penalty has become a kind of trade mark in EU external action. Its significance for EU identity is not limited to external relations. It is also rated highly among EU citizens. (Eurobarometer 69: 14)

Freedom is a universal value too. What is special about it in the EU is that it does not only refer to freedom rights within countries but also to freedom rights across national borders. Subject to very few limitations, EU citizens are free to move and to reside within the territory of the MS. This is traditionally a freedom which is appreciated and experienced mainly by those groups of the society who travel and move a lot in Europe. For the majority of the population probably fear of competition and immigrants from other MS, the other side of the coin, are in the foreground. This point seems to have played an important role in the Irish referendum in 2007. (Castiglione, Chari) In terms of identity formation, freedom, therefore, plays an ambivalent role.

Democracy as a system of governance is not a factor of distinction for the EU. Democratic systems are characteristic for the whole of the Western world. Specific for the EU is its own supra-national system of governance. And it is against this system of governance that its claim to democracy must be measured. Unfortunately, the EU has become more known for its so-called democratic deficit than for a model democracy. The deficiencies are well-known: The powers of the EP in the legislative process are limited (no right to make legislative proposals, co-decision with the council or less on legal acts, limited role in appointment of Commission and control over Commission). This is reflected in the important role of MS government representatives in the Council and in the European Council in legislative and other decision-making. "Choices are not made on the basis of 'values', political programmes and preferences, but on the basis of the so-called national interest, however defined." (Laffan: 93) Important political decisions are usually made behind closed doors.

In spite of the fact that it is elected by the people, due to the national orientation of the political process, even the EP has a legitimacy gap. It is not the body which informs the discussion about the direction the EU will take in future. Unlike in their national states voters don't vote on programmes or top leaders. Even in EP elections national issues are in the foreground. The parliamentary groups in the EP are just there for organizing decision-making in the EP. They have no meaning beyond the EP. For the elections only the parties in the MS count. There are many politicians and scholars who see no solution to the identity problem unless this democracy gap can be stopped. (Kumm: 127-130)

One of the problems at the root of the democratic deficit is the fact that the EU has no shared public space. The media report from a national perspective. The controversies which become known to the public are usually between MS and not between political parties.

The ordinary EU citizen, for sure, is not familiar with the intricacies of the democratic deficit. But the system is remote from him and does not give him the feeling of being part of it. His gut feeling is often indifferent or negative towards the EU and can easily be turned into a general anti-EU attitude. Unfortunately, we have to conclude that EU democracy in its present form does not provide much of a source for identification with the EU.

Rule of law in the full meaning of the concept is crucial for understanding the EU. Apart from rule of law in the MS the EU has established rule of law also in the supranational sphere. The European Court of Justice has the sole jurisdiction on all EU law and EU law has supremacy over national law, even constitutional law. This was difficult to accept because it took important powers from the national courts. But it was necessary to ensure uniform application of EU law in the whole of the EU.

For the EU the importance of rule of law goes beyond enforcement of EU law in the Union. It stands also for a new political order in Europe. Before the foundation of the EU stability in Europe was maintained by balance of power. Whenever the balance was upset it ended in catastrophe, like the division of Poland, the Napoleonic wars, First and Second World War. This system has been replaced by rule of law which is respected by big and small MS alike and which has made armed conflict unthinkable between MS of the EU.

Its own unique and positive experience has made the EU a pioneer of global international law. The EU role in promoting international environmental law, in the establishment of the International Criminal Court and the discussion about global regulation for financial markets are examples testifying to that. The concern for rule of law in interstate and international relations distinguish the EU from the US which has traditionally been very hesitant to submit itself to international jurisdiction. (Manners: 35)

The adherence to rule of law and its promotion worldwide is definitely a success story of the EU. Obviously, however, it has not yet had much effect on identification with the EU. According to Eurobarometer, rule of law is regarded by EU citizens much less characteristic for the EU than democracy. (Eurobarometer 69: 22)

Respect for human rights seems to be more conspicuous and better perceived by the public in the EU than the realization and promotion of other basic values. According to Eurobarometer this is the value which by the largest percentage of people is seen as most representative for the EU. (Eurobarometer 69: 22) 9 % of the EU population even think that the promotion of human rights and democracy should be the main objective of the building of Europe. (Eurobarometer 70: 71) Human rights are already an important element in the Document on the European Identity of 1973. I have already further above referred to the inclusion of human rights in subsequent Treaty revisions. At the same time, the European Court of Justice has developed human rights law. It is, however, probably not through legislation and jurisdiction that the public becomes aware of Human Rights issues in the EU. It is more likely that periodic discussions on human rights reached a broader public than discussions about other values, e.g. in connection with the accession of Greece, Spain and Portugal, with the renegotiation of the Lomé Convention in 1985 and 1990, and the military campaign against Serbia in 1999. (Manners: 34f)

Respect for its political values is an essential element of all contractual relations which the EU entertains with its partners. With many important partners, like Russia and China, it has a special human rights dialogue. In all financial instruments which the EU uses to finance cooperation with its partners assistance to improve the realization of these values is an important part. The EU has even created a special instrument for cooperation in human rights matters with non-governmental organizations. In this respect the EU lives up to its objectives. (Smith: 125-131) But for its impact and its external identity it is perhaps even more important that it has a good record in its own human rights situation.

7.2 Economic and social values

Economic and social values have been part and parcel of the EU Treaties right from the beginning in form of principles and objectives. We can distinguish four groups of objectives:

- General economic objectives, like sustainable growth, price stability, competitiveness
- Objectives relating to the environment (high level of protection and improvement of the quality of the environment)
- Social objectives which are for the first time spelt out more clearly in the EU Charter on Fundamental Rights and the Constitutional and Reform Treaties.
- Cohesion and solidarity objectives in relations between member states.

From outside, the EU is usually seen as an economic success story. But I doubt whether, in spite of the importance of EU legislation for economic affairs, citizens in the member states associate the economic situation in the MS closely with the EU.

Environment norms originate nowadays mainly from the EU. Standards for car emissions, for example, have an important place in public awareness. Apart from that, the EU has managed to acquire a progressive image in connection with international agreements on environmental matters, like the Kyoto Protocol. Environment protection is a field which can potentially become an important source of identity for the EU. At the moment, this is not a very high concern for people but a great majority of them is of the opinion that environment protection should be handled at EU level. (Eurobarometer 70: 25, 50)

In the current EU Treaties social objectives and policy have only a wallflower existence. In the Reform Treaty “solidarity” only appears in the descriptive part of Art. 2. But in its objectives the emphasis on social objectives is greater than before. Social justice is mentioned for the first time. The Charter on Fundamental Rights sounds very progressive on social rights but a closer look reveals that,

whenever sensitive core issues are touched upon, reference is made to national conditions, laws and practices.

EU actions within some of its core competences have considerable impact on the social situation, like commercial policy, single market, free movement of persons and services, competition and social coherence between member states. At the same time global competition puts strain on social policies in MS. In this respect a sharper profile of the EU in social policy would be desirable. In practice, strong interests work against common social policies. (Meyer 2007: 47f, Schildberg: 58-61) There are basically three lines of interest:

- MS with a high level of protection, roughly “old” continental Europe and Scandinavia, have an interest in harmonization on a high level to avoid competitive disadvantages and erosion of social standards.
- MS with a comparatively low level of social standards, like UK and Ireland and the Central and Eastern European Countries, are interested to maintain a low level of protection to safeguard their competitive edge.
- There is more or less agreement among all leading politicians to preserve national competences in this field. Specific traditions and cultures are normally given as reasons. But the fact that this is also one of the most important areas where money is spent and presents are given to voters seems to be at least as relevant.

As a result, we are far away from a European Social Model as conceived by the French Commission President Delors and French President Mitterand in the 80s which could have been an important feature of European distinction from other continents and countries, in particular the US. (Schildberg: 60, Opielka: 126-129) Depending on the viewpoint, the EU is often regarded as too ambitious or as not pro-active enough. The strain from globalisation has rather exacerbated the divide. Nevertheless, in the context of globalization and economic crisis Europeans have been perceived to be more concerned than their US and Asian partners with the maintenance of certain social standards. Against the background of divergence in social systems and disagreements on social policy it is hard to imagine, however, that this will be enough to create an EU social profile with its citizens. Citizens’ opinions as to where social issues should be handled are somehow contradictory. On the one hand social policy has a low priority among the issues which they want to be taken care of at EU level. On the other hand they want social issues to have a high spending priority for the EU budget. (Eurobarometer 70: 50, 68)

The fourth group of objectives related to solidarity and cohesion between MS has been transformed into practical policy much more substantially and conspicuously than social policy. EC support for the French and Belgian overseas territories was already an important part of the basic compromise on the EC Treaty of 1957. The ideas were later put into concrete form by various funds, Regional Fund, Cohesion Fund, Social Fund, Agricultural Funds, which all

imply transfer payments between member states and regions. Compared to spending in MS the amounts involved are small. But there are indications that this has strengthened EU identity with the beneficiaries of this help. In Germany, for a long time, the public discussion was mainly informed by the catchwords “paymaster” or “net-payer”. Apparently, the need for solidarity across national borders was not yet part of the awareness of a broader public. It is telling that this discussion subsided after the flow of EU funds into the new federal states started.

The strong attachment of the EU to solidarity reflects also on its external relations. Development aid is a priority area in EU external action. It started with the former colonies of MS. This cooperation has evolved into a comprehensive contractual relationship with some 80 developing countries in Africa, the Caribbean and the South Pacific under the so-called Cotonou Agreement. In the meantime, almost all developing and transformation countries are part of EU partnership and/or cooperation schemes with special emphasis on neighbouring regions in the South and the East of the EU. The EU has become the most important provider of development aid in the world. Solidarity is not the only mainspring for this but it plays an important role and it has become an important part of EU external identity.

8. Values and external identity

I have already in connection with the values mentioned above referred to their external dimension. We have seen how values that are part of EU identity influence EU policies in international relations. These policies, in turn, we experience as substantiation of our proclaimed values and as affirmation of our identity. Discussion of our policies with our partners and their reactions reflect on our own identity formation.

In the current Treaty the EU underlines its concern with external identity by setting itself as the first foreign policy objective “to assert its identity on the international scene” (Art. 2, EU Treaty). The wording has not been taken up in the Reform Treaty but in both Treaties safeguard of its values is placed before the fundamental interests in the list of EU foreign policy objectives (Art. 11 Nice Treaty, Art. 10a Reform Treaty). This testifies not only to the importance the Union attaches to its values but also to the importance it attaches to values for asserting its identity.

I would only like to take up one further core value in EU external action, peace. Peace is in the Treaties mentioned as an objective or desirable situation. We can easily interpret it as a value. It gives me an opportunity to broach two aspects of EU foreign policy which are deeply value-related and specific to the EU and which are pertinent for shaping its external identity: conflict prevention and regional cooperation. (Manners: 33)

The observation of human rights, rule of law and democratic principles can be seen as a prerequisite for long-term peace and stability. In this sense the promotion of these values can already be interpreted as conflict prevention. The EU supports its value-driven conflict-prevention policy with a broad range of policy instruments, like diplomacy, dialogue, trade policy, development assistance, defence and civilian crisis management capabilities. It pools member states resources and thus carries more weight than single MS. Through its comprehensive approach and its weight EU has acquired a special profile in conflict prevention. The main focus of its activities has been in Africa and in the Western Balkans. (Smith: 145-170, Balducci: 70-85)

Due to its own nature as a regional grouping of countries the EU has established a wide network of dialogue and cooperation with other regional groupings. It started with the Association of South East Asian Nations (ASEAN) where the first ministerial conference took place in 1978. Meantime, the EU cooperates with regional organizations in Latin America, Africa, the Mediterranean and the Gulf region. The cooperation is adapted to interests and potential of the relationship. E.g. in case of the Asia-Europe Meeting (ASEM), which comprises on the Asian side ASEAN plus China, Japan and Korea, or the Rio Group of Latin American and Caribbean Countries the focus is on dialogue. With other partners the emphasis is more on cooperation. By dialoguing and cooperating with regional partners the EU encourages them to become aware of regional identity, to define their common interests and to develop regional positions. It is beyond doubt that non-military regional cooperation strengthens peace, stability and prosperity in the region and beyond. The EU benefits from that for its trade and economic interests. (Smith: 69-96, Costea and Van Langenhove: 86-96)

By its own nature, the EU is more convincing in conflict prevention and regional cooperation than other international players. It has demonstrated its ability to prevent conflicts on a sustainable basis in its own area which throughout history had been prone to violent conflicts. In this respect, ultimately, even enlargement can be regarded as an instrument for conflict prevention, effective but of limited scope. Regional cooperation has almost become a value in its own right for the EU. The EU is generally regarded as the most outstanding success story of regional integration. No other international actor can talk with more authority, legitimacy and know-how about regional integration as the EU. The EU can serve as a model both in conflict prevention and in regional integration. Its model character in these two fields has become an important element of its identity associated with the values of peace, stability and prosperity. As a consequence, the EU is often described as a “gentle, normative, post-modern or civilian power” as opposed to the US which tends more to unilateralism and use of military power.

9. Identity politics

In concluding, I would like to refer briefly to identity politics in this context. Identity politics are not new in European history. In particular, the rather late unification

processes in Germany and Italy posed similar problems. This was graphically expressed in a famous statement attributed to Massimo d’Azeglio, a protagonist of Italian unification, in 1861: “We have made Italy, now we have to make Italians.” (Massimo d’Azeglio, Da Wikiquote, aforismi e citazioni in libertà)

Examples for EU identity policy are:

- the prominent place which the EU assigns to the assertion of its identity on the international scene in its Treaties.
- the efforts for a People’s Europe in the 80s which culminated in the establishment of a European citizenship in the Maastricht Treaty.
- the creation of European symbols, mobility and exchange programmes.

Identity considerations played an important role for the introduction of the Euro, the EU Charter of Fundamental Rights and the Constitutional Treaty. With respect to values and identity I would just like to mention two aspects: education and enlargement.

Our national identity is among other things the result of long-term education at school. This is definitely an important instrument for European identity politics too. I have not taken the time to examine what has been done in the EU to impart a common basic knowledge about Europe at European schools. It would be interesting to know to which extent the identity formation aspects we have discussed here are part of school curricula in MS. According to Eurobarometer a great majority of Europeans is in favour of common educational measures. (Eurobarometer 67: 193-197)

Enlargements have always been crucial points in the evolution of EU identity. There is general agreement within the EU that values are central in this context because they are at the basis of the policies of a MS in the EU and of EU identity. This is why the EU Treaty provides that only European states can apply which respect the basic EU values. Also, in the Copenhagen criteria which candidates for accession have to meet before they can accede values have a prominent place. Nevertheless, I think it is unavoidable that with each enlargement the actual structure of the EU value system changes and becomes more complicated and diluted. The treaty provisions remain the same but the priorities and emphases change. And this has repercussions for internal and external EU policies. We have referred to this phenomenon in connection with the value of solidarity and its realization in social policy. This reasoning suggests for the EU to proceed cautiously with new accessions if it does not want to make identity building even more difficult than now.

10. Summary and conclusions

With successive enlargements and efforts to deepen EU integration the identity question has become more and more acute for the EU. A robust EU identity,

which reaches beyond certain elite groups among its citizens, would help, to strengthen the commitment of citizens to the EU and democratic legitimacy, to further develop integration, to assert the place of the EU in the world and to counteract nationalism. The EU can only rely to a limited extent on the traditional sources of national identity formation, like culture and history. Therefore, EU identity building has been focussing on the creation of a political or constructed identity based mainly on values and institutions. It can be shown that values have the potential to become objects of identification if certain conditions are met, in particular, if there is consistency between values and actions. The values at the basis of Constitutional Patriotism and Community of Values as concepts for identity formation are made visible by promulgated sets of values in the Treaties. They offer only a rather abstract source of identity. Specific values, e.g. respect for human rights or rule of law, seem to be more conducive for identity formation. They can easier be put into context and related to policies and actions. We identified two major structural obstacles for democracy and solidarity to become sources of identity for the EU: The institutional set-up which largely excludes participatory government and the lack of an EU social policy which could underpin at EU level the idea of a European social model. As to identity politics, two aspects have been emphasized: The role of a common approach to education and the effects of further enlargements on the value system.

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