

Identity formation and the democratic reconstitution of Europe

Testing the applicability and the consistency of the RECON models in relation to collective identity

Abstract

This paper addresses the critical issue of how different options for the reconstitution of democracy in Europe can be related to the expression of collective identities. A European collective identity is perceived in terms of the discursive representation of the underlying demos of a European democracy. Against the common view that holds the self-identified political community as prior and independent of the design of the polity, it is claimed that democracy rather operates through the identification of popular subjectness. The demos is signified and recognised as distinct and internally coherent through democratic practice. How can the RECON models be used for representing and signifying the collective will of the people as the constituent power in the EU?

Situating collective identity building in relation to democratic polity building

The uncertainty about the possibilities of a democratic settling of European integration is to a large extent related to the seemingly obvious absence of a European demos. In one way or the other democratic legitimacy needs to be grounded in the collective will of the members of a constituted political community. As far as the EU is concerned, the plausibility and requisiteness of Europe as a demos is tested out in the long-term process of constitutionalisation. European integration has not only dismantled the old Europe of independent nation states, it has also formally embraced democratic principles and procedures but it has not yet consolidated democratic practice engendering citizens's trust and solidarity. The question is if and under what conditions institutional and constitutional designing can be conveyed to a self-recognizing political community. The search for the reconstitution of democracy in the EU correlates with the search for the expression of the collective identity of the underlying subject of a European democracy.

This paper addresses the critical issue of how the RECON polity models can be translated into collective representations of the democratic subject of the EU. In which ways are the formal polity models related to the expression of collective identities? For this purpose, two different notions of collective identity in relation to constitutionalisation of the democratic polity will be distinguished. The first view holds the self-identified political community as – at least partially – independent of constitutional designing. European collective identity is thus seen as the basic infrastructure of a European democracy. The second view observes how EU-democracy *operates* through the identification of popular subjectness (i.e. through discourses that signify the people as constituent power of the EU). Collective identity is thus seen a contingent by-product of entering into democratic practice.

Relating plural identities: zero sum or positive sum identity games

The question how to introduce European identity and mobilise it in a multi-identitarian field has a clear political connotation. To the extent that European actors, institutions and even political scientists become engaged in a process of democratic polity building and designing, they enter European identity politics by actively promoting trust and solidarity of European citizens. In this political struggle on the institutional-constitutional design of the EU, the question how multiple identities can co-exist and co-evolve in Europe becomes vital for modelling different paths of reform and testing out their viability (Eriksen/Fossum 2007).

Instead of relying on collective identity as a pre-political category or as a substantialist feature of individuals and groups (the participatory perspective of “nationalists”), sociological research has emphasized an operational notion of collective identity formation as a consequential effect of entering into a shared discursive practice. For research on collective identity formation in relation to the reconstitution of EU-democracy, this means that we cannot treat collective identity as a *category of analysis* while at the same time recognising its character as a *category of practice* (Brubaker and Cooper 2000: 5). In searching for the essence of “sameness” or “groupness” of the Europeans we will only be able to find “identity talk” and “identity politics”. Alternatively, we would need to look at social groups not as carriers of collective identities but rather as containers of identity discourses and practices. We need to understand how different role ascriptions of European and national actors are embedded in a plural and multi-level representative field, which is given discursive form and which signifies the social groups or the “people” as the carriers of identity.

The question of European democracy can then be reconstructed as the confrontation between different identity discourses, in which the designation of the constituting people through national democracy is put into question. In the political struggle about the democratic reconstitution of Europe, such competing solutions to the quest of allocating the popular sovereignty of the people crystallise in different master stories which are held together by a narrative that signifies a particular polity-constituency relationship. The RECON models correspond to such narratives or “master frames” for locating public authority and popular subject-ness in Europe. As such, they demarcate a *polity* in legal-institutional terms and they demarcate a *constituency* in identitarian terms. The status of collective identities is thus crucial for establishing the internal consistency of the model (or rather the consistency of the narrative that constructs the model), since collective identities refer to the differential principle that allow distinguishing the democratic subject to which popular sovereignty is allocated.

For the analytical purpose of reconstructing collective identity formation in Europe (WP 8) I thus propose that the RECON models should not be used as evaluative schemes for testing out the viability of different options for the democratic reconstitution of Europe. I rather propose, that the RECON models should be applied diagnostically as templates for signifying possible constituents of a European democracy. The model building exercises should hence be considered as part of the story telling about European democracy. The three different narratives for the institutional/constitutional designing of the EU related to a particular vision of popular sovereignty can be distinguished as follows:

1) *Audit democracy: Zero-sum relationship between existing national identities*¹

This story builds on the classical division of labour between fully sovereign nation states allocating popular sovereignty and negotiating the quest of collective identities and an international or European arena of interest negotiation. National governments appear in this story as delegated national interest representatives. The kind of trust and solidarity that is needed to make democracy work would be provided by relatively stable and historically rooted national identities. It is only on the basis of the particular notion of nation-ness that the citizens can participate in opinion-forming processes and put the decision-makers to account. Different national identities would stand in a zero-sum relationship and European integration is aimed at taming potential conflicts between them. A European identity would not only be unnecessary, it

¹ See Risse (2004: 248) and Checkel/Katzenstein (2007) for an understanding of zero-sum and positive sum identity games.

would also potentially harm the integrity of the national community. This is manifested in the increase of conflicts between the two levels that can only be overcome by a clear delimitation of competences and a self-restriction of the EU to market-building, negative integration and auditing the normative integrity of the member states.

2) *Federal democracy: zero-sum relationship between European and national identities*

This story applies elements of the established plots of the history of nation building to the European Union. In a federal Union, the interrelation between collective identities is likewise perceived as a zero-sum game with the new elements of supranational identification slowly replacing the traditional elements of national and subnational identities. The European institutions appear in this story as common interest representatives. Democracy would be grounded in a thick European identity with the potential to overcome national identity, or at least allowing for restricted identity pluralism by territorially demarcating the sub-identities within the federal union. A strong political identity needs to prevail at the federal level grounded in constitutional patriotism, which gives expression to the will of unity of the new political entity rooted in citizenship rights and practice and establishing bonds of mutual recognition between its plural cultural expressions (Magnet 2007).² Citizens' allegiance to the EU would thus be formed in purely political terms, "hinging on the validity of legal norms, the justification of policies, and the wielding of power in the name of fairness" (Eriksen/Fossum 2009: 17). At the same time, this political loyalty to the EU needs to be strong enough to specify criteria of membership and setting the terms of inclusion and exclusion. The federal political union would ultimately need to generate trust and solidarity among the European citizens as members of a sovereign political community to which persisting cultural particularities can be clearly subordinated.

3) *Cosmopolitan Europe: Positive sum relationship between nested identities*

This story combines elements of human rights universalism and global solidarity with a particular democratic arrangement. In a postnational, cosmopolitan Union, the interrelation between different identity discourses would lead to a positive sum outcome. European identity would be nested happily in persisting patterns of national identification (Checkel/Katzenstein

² It should be noted that, in spite of these categorizing efforts, there remains a basic ambivalence in the status of "constitutional patriotism" in relation to collective identity formation. It is meant to be a "thin identity" in the sense of being constituted by an attachment to abstract universal norms and principles and thus giving expression to a cosmopolitan vocation. At the same time, it is meant to be a "thick identity" in the sense of being anchored in a historically specific culture and in a particular institutional setting (Kumm 2005; Fossum 2007). While the former refers to an undifferentiated and thus basically non-identitarian world, it is only through the latter operation of bringing in social differentiation that a principled need for demarcating an identitarian space emerges.

2007: 5). In order to be able to display this reconciliatory function, the European constitutional project needs to give expression to a cosmopolitan vocation that can be transposed to the universal and inclusive community of democracy (Eriksen 2006). European institutions would appear in this story side by side with international organisations and global civil society as elements of an inclusive and encompassing democratic process that represents humanity. The EU-setting would thus be post-national, in the sense of renouncing on a strong identity and the persisting plural identities would be significantly constrained by the necessity to respect diversity and cosmopolitan values. In this sense, there would be an institutional guarantee that the particularity of collective identities is always counterbalanced by reflexivity, which is displayed in the discursive references to the “unity in diversity” of the shared political space of Europe. There would be only “weak” and “self-restrained” collective identities under the common principle of “shared humanity”.

From a substantialist to a non-substantialist notion of collective identity

By claiming a zero-sum relationship between collective identities, RECON model 1 and 2 are relying on a substantialist notion of collective identities. Democracy is seen as rooted in a popular subject, which again is given substance in a historically and culturally distinct identity. This view on collective identities as the cultural expression of unity and diversity of a political community replicates the self-description of democratically constituted nation states. In a democracy any exercise of power needs to be justified as an articulation of popular will and subject-ness. Whether emphasis is put on the idea of democracy as a process of collective will formation or on the idea of democracy as a control of power, a strong voluntaristic assumption is made, which puts trust in the freedom and autonomy of the “people” to be their own master in history.

RECON model 1 and 2 can thus be said to continue a “nationalistic” tradition of substantiating collective identities by applying the basic rhetoric of popular sovereignty as a source of democratic legitimacy. They differ, however, in their assumptions how the demos can come into existence. Following the narrative of RECON model 1, the democratic subject is searched in the manifestations of culture, traditions and distinct ways of life, which demarcate the plurality of European nation states. It is assumed that such distinct national identities can be traced back in historical accounts, located in socio-structural terms or counted empirically (e.g. through public opinion surveys). With a view on Europe, RECON model 1 would also recognize the distinctiveness of Europe as a civilisation (Giesen 2003; Kaelble 2001, 2007; Eisenstadt 1987) or as a space

of cultural diversity and multiple, historically rooted identities (Shelley 1995; Fossum 2001; Landfried 2002). The decisive point, however, is that this European commonness provides only weak indicators for an identity that would be able to sustain democracy. RECON model 1 therefore concludes that the EU suffers from a democratic deficit, which cannot easily be overcome by institutional reform but which is partially grounded in a deficit of social and cultural integration (Cederman/Kraus 2004). The formal democratisation and constitutionalisation of the European Union would remain incomplete as long as the emerging polity cannot rely upon a robust, durable and self-identified political community (Bartolini 2005). Without such a constituted political community or *demos* any democratic solution would be unfeasible.

RECON model 2 starts from the same premises of a plurality of cultural expressions that substantiate distinct national identities but goes one step further by sustaining the transformative force of European integration in re-shaping collective identities. It further specifies the mechanisms through which such a political community of the Europeans can be given substance. This is basically achieved through the constitutional designing of the emerging European polity that is given a democratic form and thus would be able to re-direct citizens' allegiance and create the kind of trust and solidarity that is necessary to sustain a European democracy. The democratic reconstitution of Europe would in this sense be followed by the reconstitution of the social carriers of democracy. The research task then would go beyond the mapping of existing plural identities and would embrace the conception of political strategies to overcome the deficit of social and cultural integration. Whereas RECON model 1 would stop with the diagnosis of collective identity cleavages that mark the European space, RECON model 2 would call for the unfolding of identity-building exercises. These identity selling efforts are also backed by academic work aimed at demonstrating through opinion surveys that individuals can, and in fact do hold multiple identities (Risse 2004). It needs to be critically noted, however, that such surveys intrinsically replicate the substantialist notion of collective identity. By measuring collective identities at the aggregated level of individual attitudes, they are usually relying on predefined categories to which the respondents have to react but in which the individuals' life histories of the people tend to disappear (Eder 2008).

RECON model 3 is innovative in the sense of claiming for the possibility of a positive sum relationship between nested identity games. This introduces an ambivalence into identity discourse, since the underlying constituents are no longer seen as fixed and homogeneous. It is sustained that criss-crossing public discourses linked to shifting allegiances can also generate

democratic legitimacy (Eriksen/Fossum 2009: 21). Types of identity and degrees of attachment may vary and must be constantly renegotiated through the democratic process. Collective identity is then no longer seen as a stable resource on which democracy can draw but a shifting target that is contingent on the democratic process.

Does RECON model 3 open the path for introducing a non-substantialist notion of collective identities? There are two readings of how a positive sum relationship between nested collective identities can be achieved: The first notion refers to the politics of recognition that pay tribute to the existence of multiple identities. Democracy would be made possible through the recognition of diverse life forms and belongings. While it would be no longer necessary to ground democracy in a substantial and homogeneous demos, the substantialist paradigm is nevertheless maintained with regard to the recognition of diversity. Democracy can in this sense always be seen as the positive sum outcome of balanced conflicts and diversity. An encompassing legal and institutional framework provided by universal law, international organisations and global civil society would be sufficient to guarantee such positive sum outcomes and could substitute the hierarchical institutions of the nation state or of a European constitutional order.

The second notion refers to narratives and discursive practices that claim for collective identities. It is assumed that there can be no substance of collective identity which exists independently of its discursive representation. Notions of collective identity need to be discursively represented and have no existence “beyond discourse.” The analytical programme that follows is linked to “identity politics” as the dynamics of raising and contesting identity claims. The non-substantialist notion of collective identities would help to demarcate a polity of antagonism, in which competing identity projects fight for hegemony towards the inside and the outside. Collective identities fulfil precisely this purpose of giving hegemonic expression to popular sovereignty. They primarily help to stabilize and equip social relations and to *objectify* them in such a way “as to give them body, performance and presence” (Boltanski/Thévenot 2006: 185). What are under these premises the conditions for turning the “shared humanity” as the “positive sum outcome” of RECON model 3 into a collective identity that signifies popular subjectness and sovereignty?

From “shared humanity” to collective identity

By shifting from a substantialist to an operational perspective on the “making of collective identities”, democracy is reconstructed as a justificatory order, in which individuals draw on particular

principles and discourses to define their common world. What are the basic operational requirements in the “making of collective identities? In order to objectify the collective, a justificatory practice cannot rest uniquely on the requirement of “shared humanity”. The identitarian moment is introduced only at the point of combining the cosmopolitan principle with the principle of differentiating possible states or worths for the members of the collective. Collective identities specify commonness through distinction. They are thus made up of two opposing forces: The first strive consists in what RECON model 3 has identified as the requirement of “shared humanity”. In consists in the escape from singularity, individualism and distinction. As an identitarian narrative, democracy postulates a relation of equivalence among human beings in as far as they all belong to a collective that includes and transcends them. Democracy consequently works to attain what is naturally common, to aspire what belongs to all, to break down isolation and to unite. This cosmopolitan strive for “shared humanity” is counterbalanced by the requirement of differentiation and isolation of the popular will and subject-ness. As an identitarian narrative, democracy justifies a relation of difference among human being, which is found in the dignification of the personal, the individual right, and the authorisation of the singular will. This includes formulas to express the worth of the particular group and to embody the collective, to draw the boundaries of belonging and to set the rules of inclusion and exclusion.

By applying this operational perspective, the positive sum outcome of a *reconciled* collective identity of RECON model 3 is revealed as a new hegemonic expression of popular sovereignty. RECON model 3 remains an incomplete identity narrative as long as it does not designate a polity-constituency relationship that unites the universal moment of “shared humanity” with the particular moment of differentiating popular subject-ness. Such a specification of the conditions of how democracy works could classically rely on the citizenship narrative of RECON model 1 and 2. But our change of research perspective allows us to turn from the substance of the “demos” to the process of its substantialisation. If RECON model 3 in turn rests merely on the cosmopolitan denotation of shared humanity, the popular sovereignty remains un-signified. The cosmopolitan Europe would fall back to naturalism by delineating a primordial state, that would be a-social and a-political in the sense of barely relying on natural signifiers of shared humanity.

Research agenda

The corresponding research programme that builds on a non-substantialist notion of collective identities consists in analyzing discourses, which signify the people as the constituent

power of the EU. Constitutional debates provide a prime example for these dynamics of underlying notions of “collective will”, “the people”, “popular sovereignty” or claiming belonging and identity. Comparative research on EU-constitutional debates is concluded and results on media debates are available (see Trenz 2008, 2009, Vettters et al. 2009; Trenz et al. 2009; Liebert/Trenz 2008a+b). As a further research strategy for linking “EU-polity narratives” to collective identities (integrating WP1, WP5 and WP8), it is proposed to re-construct more systematically and also critically *how* and *at which points* “European cosmopolitanism” as manifested in the unspecified claims for overcoming the particularity of collective identities by reference to universalism is turned into new identitarian practices. In particular in cooperation with WP1, this implies normative consistency tests of the underlying model assumptions on relating particularism and universalism. In its existing form, the RECON models have a tendency to treat particularism and universalism as special cases, the former opening up to collective identities and contextualised versions of democracy (RECON model one and two) and the latter demarcating a basically identitarian free world of a cosmopolitan version of democracy (RECON model three). From a non-substantialist notion of collective identities, the RECON models would rather need to specify the mechanisms of substantiating collective identities at the interface between claims for universalism and particularism. References to “shared humanity” and to “differentiating parts” therefore need to be singled out in each model in order to be able to arrive at a consistent account of collective identity. The model building exercise of relating the polity and the constituency of a European democracy should in this sense be considered as part of the narrative construction of Europe. European identity discourse would not be exceptional but rather follow the general rules of debating democratic legitimacy, which combines the cosmopolitan rhetoric with a differentiating identitarian practice. This could contribute to our understanding of how and why the attempts to initiate a positive sum game of collective identities continuously (and inevitably) fall back into a zero-sum logic of demarcating collective identities (the paradox of cosmopolitanism).