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Constitutional patriotism and the public sphere: interests, identity, and solidarity in the integration of Europe

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Constitutional Patriotism and the Public Sphere:

Interests, Identity, and Solidarity in the Integration of Europe

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Europe has occupied a special place in imaginings of postnational and transnational politics, just as it did (and still does) in imaginings of national and international politics. Europe has been imagined as civilization, as the state system of the post-Westphalian balance of power, and as a theater of war. It was the continent most thoroughly remade by the nationalist social imaginary. It has been imagined as the defender of Christianity and as Christendom's West. It was a frontier to the Roman Empire, and later claimed ancient Rome and Greece as definitive ancestors, imagining itself as the birthplace of democracy, republican virtues, and the rule of law. At the same time, it was reimagined as the cluster of imperial centers from which such virtues—along with simple exploitation--might be extended to the rest of the world. It was the nexus of an astounding new 'dynamic density' of trade relations in the early modern era and of revolutionary transformations in industrial production--both harnessed to the capitalist imagination of self-interested individuals competing, investing and accumulating, and producing the public good out of private greed.

The capitalist imaginary, however European its roots, transcended the continent. Along with colonialism, missionary religion, and projects of secular salvation—not least socialism--it propelled Europeans out into the rest of the world, making them crucial agents in the production of a new global web of relationships. The outward flow of Europeans and European institutions was of course complemented by flows in other directions, including some transforming Europe itself. The nationalist imaginary flourished as one way of trying to grasp and organize—as well as sometimes resist--the growing global flows of people, goods, and ideas. It shaped the idea of a domestic realm within which outsiders were not allowed to intervene and of an international realm within

which nations were conceived as unitary actors in relation to each other.[2] But though nationalism and capitalism grew hand-in-hand they were also in tension. Capitalist accounting might use nations as categories with which to constitute statistics on international trade, but from Adam Smith's critique of mercantalism forward, the project of constituting trade on the model of (political) international relations was limited at best. Capitalist relations were organized transnationally, cutting across the ostensibly autonomous spheres of nations, and often linking parts of each without involving any as wholes or actors. The latest phase of capitalist globalization has dramatically intensified this process, not least by allowing more of production as well as exchange to be organized in transnational fashion and on an increasingly worldwide scale.[3]

The reality of the transnational organization of capitalism—and migrations, media, religion, and even sometimes war—gives impetus to attempts to forge transnational politics. So does the troubled nature of contemporary international relations—not their impotence or disappearance so much as their recurrent insufficiency to the challenges placed before them. Yet what does transnational politics mean? On what bases might it rest? How democratic might it be? I shall consider this in three steps.

First, I shall argue that the project of cosmopolitanism (or constitutional patriotism) requires a stronger approach to social solidarity than has been offered in existing theory. This is partly a matter of the construction of identity, but also of mutually interdependent social relations. In both regards, the notion of 'constitution' may be development beyond narrowly legal-political senses to include a broader idea of 'world-making' in Hannah Arendt's sense. This is shaped by various forms of "social imaginary" that underpin the creation and reproduction of institutions and the organization of solidarity. These ways of understanding life together actually make possible specific forms of social relations. If nationalism is to give way to some 'postnational'

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[2] It is worth remarking the extent to which this vision of internal and external is informed by the ancient Greek opposition of the domestic realm of the household to the public realm of relations among autonomous individuals. Economic production was imagined as part of the domestic *oikos* and the public life outside was understood to stand on this foundation. How different (male, property-owning) individuals managed their households was not a proper topic for attention in the public realm.

[3] See discussion in Saskia Sassen, *Losing Control?* (New York: Columbia University Press, 1996).

organization of social life it will not be simply a matter of new formal organization, but of new ways of imaginatively constituting identity, interests, and solidarity. A key theme will be the importance of notions of mutual commitment—solidarity—that are more than similarities of pre-established interests or identities. Can shared participation in the public sphere anchor a form of social solidarity in which the nature of life together is chosen as it is constructed?

Second, such constitutional processes both shape and are shaped by public discourse. But, this is not only a matter of (ideally) rational-critical debate over formal propositions. The public sphere is important also as a realm of sociability and solidarity. That is, public discourse figures in two ways in the constitution of new forms of social solidarity. First, shared participation in public life enables broad populations to chose—at least to some extent—the institutional forms and character of their lives together. Second, the mutual commitments forged in public action are themselves a dimension of solidarity. The moment of choice can never be fully separated from that of creativity or construction.

In the third section, I shall return to the case of Europe more explicitly. One form of transnational politics involves the attempt to create new institutional organizations above the level of existing nation states. The European Union offers the most developed example of such regional integration. Because of the relatively high level of democracy within European states, the relative freedom of the press and flourishing not only of political parties but of the public sphere, Europe is also a test case for considering democracy fares as a regional polity develops. I shall suggest that democracy faces a number of challenges, and focus especially on the question of what sort of public sphere would allow for the effective organization of a democratic Europe.[4]

Cosmopolitanism and Constitutional Patriotism

Contemplating simultaneously the questions of German integration and European integration, Jürgen Habermas has called for grounding political identity in 'constitutional

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[4] I make no pretense to presenting a detailed empirical study of the European public sphere, and still less European civil society in general or the politics of integration. Rather, I hope that by keeping a concrete case in mind we can better understand abstract issues. It is, moreover, the concrete case behind much of the abstract theoretical discussion of postnational identity and citizenship.

patriotism'.[5] This is an important concretization of a more general and increasingly widespread but not uncontested cosmopolitanism. The concept suggests both constitutional limits to political loyalty and loyalty to the constitution as such. In the latter dimension, which Habermas emphasizes, the constitution provides both a referent for public discussion and a set of procedural norms to organize it and orient it to justifiable ends. The specific contents of any conception of the good life may vary, then, and modern societies will always admit of multiple such conceptions. Constitutional patriotism underwrites no one of these but rather a commitment to the justification of collective decisions and the exercise of power in terms of fairness. It is thus compatible with a wide range of specific constitutional arrangements, and to a varying balance between direct reference to universal rights and procedural norms and more specific political culture.

Similarly, ideas of rights and justice underpin a new movement of calls for 'cosmopolitan' democracy, democracy not limited by nation-states.[6] Though this is not uniquely European, the cosmopolitan message is most linked to a sense of 'movement' in European intellectual life. It hearkens back directly to the Enlightenment (complete with residual echoes of 18th century aristocratic culture). It also commonly expresses a sense of what Europeans have learned about living together in a multinational region and of how Europeans may take on a civilized (if not precisely civilizing) mission in a conflict-ridden larger world. Cosmopolitanism is potentially consonant with a vision of a Europe of the nations—preserving not only cultural difference but political autonomy—so long

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[5] Habermas's abstract theoretical formulations are not altogether separate from his contributions to German public debate—in this case notably in relation to the incorporation of the East into a united but Western-dominated Germany, to the "historians' debate" over the legacy of the Third Reich, and to the contention over change in the citizenship law, enacted in watered down form to allow the children of immigrants rights to "naturalization".

[6] For thoughtful examples, see essays in Daniele Archibugi and David Held, eds., *Cosmopolitan Democracy* (Cambridge: Polity Press, 1995) and Daniele Archibugi, David Held, and Martin Köhler, eds., *Re-Imagining Political Community* (Cambridge: Polity Press, 1998) and the more sustained exposition in David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Cambridge: Polity, 1995). Habermas offers a similar call in *The Inclusion of the Other* (ed. C. Cronin and P. De Greiff; Cambridge, MA: MIT Press, 1998). See the essays connecting the present to Kant's cosmopolitan project in James Bohman and Matthias Lutz-Bachmann, eds., *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal* (Cambridge, MA: MIT Press, 1997).

as nationalism is not ethnically communitarian and is subordinated to human and civil rights. It has a stronger affinity with visions of confederation or even greater integration, though it emphasizes the outward obligations of Europeans. What it eschews most is application of the nationalist vision of cultural community to supranational polities. What it claims most, in the spirit of Kant, is that people should see themselves as citizens of the world, not just of their countries.

Central to both cosmopolitanism and constitutional patriotism is an image of "bad nationalism". Nazi Germany is paradigmatic, but more recent examples like Milosevic's Serbian nationalism also inform the theories. At the core of each instance, as generally understood, is an ethnic solidarity triumphant over civility and liberal values and ultimately turning to horrific violence. Indeed, the negative force of the nationalist imaginary is so strong that each of these theoretical positions is defined more than its advocates admit by its opposition to nationalism, by the other it would avoid.

Advocates of a "postnational" Europe—or world--do themselves and theory no favors by equating nationalism with ethnonationalism and understanding this primarily through its most distasteful examples. Nations have often had ethnic pedigrees and employed ethnic rhetorics, but they are modern products of shared political, culture, and social participation, not mere inheritances. To treat nationalism as a relic of an earlier order, a sort of irrational expression, or a kind of moral mistake is to fail to see both the continuing power of nationalism as a discursive formation and the work—sometimes positive—that nationalist solidarities continue to do in the world. As a result, nationalism is not easily abandoned even if its myths, contents, and excesses are easily debunked.[7] Not only this, the attempt to equate nationalism with problematic ethnonationalism sometimes ends up placing all "thick" understandings of culture and the cultural constitution of political practices, forms, and identities on the nationalist side of the classification. Only quite thin notions of "political culture" are retained on the attractive postnationalist side.[8] The problem here is that republicanism and democracy depend on

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[7] I have discussed nationalism as a discursive formation in *Nationalism* (Buckingham: Open University Press, 1997).

[8] See, for example, "Struggles for Recognition in the Democratic Constitutional State," Habermas's surprisingly fierce response to Charles Taylor's "The Politics of Recognition" (both in Amy Gutman, ed., *Multiculturalism: Examining the Politics of Recognition.* Princeton:

more than narrowly political culture; they depend on richer ways of constituting life together.

Recognizing this, Habermas suggests that "the question arises of whether there exists a functional equivalent for the fusion of the nation of citizens with the ethnic nation."[9] He is right that democracy has depended on national identities more than many critics of nationalism recognize. His formulation, however, tends to equate all nationalism with ethnic nationalism. "The nation-state owes its historical success to the fact that it substituted relations of solidarity between the citizens for the disintegrating corporative ties of early modern society. But this republican achievement is endangered when, conversely, the integrative force of the nation of citizens is traced back to the prepolitical fact of a quasi-natural people, that is, to something independent of and prior to the political opinion-and will-formation of the citizens themselves."[10] It is true that nationalist rhetoric often invokes the notion of a prepolitical people as the basis for all legitimate politics. Relying only on the negative image, though, leads Habermas to neglect the importance of other nationalist imaginaries to the nurturance of democratic politics. The American founding and subsequent constitutionalism offers one useful example. It is true that the colonists turned nationalists largely thought of themselves as bearers of "the rights of freeborn Englishmen" but theirs was not an appeal mainly to an ethnic identity. Crucially, in fact, it was an appeal to an identity forged by public discourse itself.[11] This is part of what Hannah Arendt celebrated, seeing the Revolution

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Princeton University Press, rev. ed., 1994). On the cosmopolitan side, see Janna Thompson's distorting examination of "communitarian" arguments, "Community Identity and World Citizenship," pp. 179-197 in Daniele Archibugi, David Held, and Martin Köhler, eds., *Re-imagining Political Community: Studies in Cosmopolitan Democracy* (Cambridge: Polity Press, 1998).

[9] *The Inclusion of the Other*, p. 117.

[10] *The Inclusion of the Other*, p. 115.

[11] Michael Warner's *Republic of Letters* (Cambridge, MA: Harvard University Press, 1988) is especially informative on the ways in which debate in print informed the constitutive American public. Larry Siedentrop has noted the surprising asymmetry between the intensive and intellectually vital public discussion that informed America's founding and the relative absence of such debate in contemporary Europe; *Democracy in Europe* (London: Penguin, 2000). It is in this sense, I am suggesting here, that Europe is being given shape and solidarity from economic integration, political institutions and even some growing cultural commonalties far more than any founding public sphere.

as a prime example of the capacity of public life for world-making, founding.[12] In this sense, the nation appears more as a common project, mediated by public discourse and the collective formation of culture, not simply as inheritance.

The American example could inform a different, stronger sense of constitutional patriotism. While the emphasis on norms underwriting a justifiable life together would remain, this would not appear so much as a matter of getting the abstractly "right" procedures in place. The idea of a basic law (especially a written document) would be complemented first by the Arendtian notion of founding. This idea of constitution as world-making would clarify the role of the social imaginary. This is not simply about the imagining of counterfactual possibilities—e.g., utopias—however instructive. It is about the ways of imagining social life that actually make it possible. In this sense, it is a way of approaching culture that emphasizes agency and history in the constitution of the language and understandings by which we give shape to social life. To speak of the social imaginary is to assert that there are not fixed categories of external observation adequate to all history; ways of thinking and structures of feeling make possible certain social forms, and that the thinking, feeling, and forms are thus products of action and historically variable.[13] In this way, cultural creativity is basic even to such seemingly "material" forms as the corporation or the nation. These exist because they are imagined; they are real because treated as real; new particular cases are produced through recurrent exercise of the underlying social imaginary.

Second, the notion of constitution as legal framework therefore needs to be complemented by the notion of constitution as the creation of concrete social relationships—the solidarity of social networks and bonds of mutual commitment forged

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[12] Arendt, *On Revolution* (New York: Penguin, 1977; orig. 1963); see also *The Human Condition* (Chicago: University of Chicago Press, 1958).

[13] The idea of a social imaginary derives from Cornelius Castoriadis, though my own usage is different. For Castordiadis, it addresses the dimensions of society not graspable as a functional system nor as a network of symbols, but crucial to the idea that there can be a social choice about the functional and symbolic order or social life. The imaginary includes "significations that are not there *in order to* represent something else, that are like the final articulations the society in question has imposed on the world, on itself, and on its needs, the organizing patterns that are the conditions for the representability of everything that the society can give to itself" *The Imaginary Institution of Society* (Cambridge, MA: MIT Press, 1987, orig. 1975), p. 143. Compare Taylor:

in shared action—and institutions—shared modalities of practical action. This expanded sense of constitution would, I think, be much richer. It would also imply an understanding of 'peoplehood' much stronger than that acknowledged in Habermas's account of constitutional patriotism (or in the common variants of cosmopolitanism). This is important, as Charles Taylor has argued forcefully, because of "the need, in self-governing societies, of a high degree of cohesion".[14]

Democratic states, in other words, require a kind and level of "peopleness" that is not required in other forms of government. They offer a level of inclusion that is unprecedented—the government of *all* the people—but they place a new pressure on the constitution of this people in socio-cultural and political practice. This makes it clear, I think, that although all the aspects of constructing peoplehood cannot be brought into explicit political contention, nonetheless the process of constructing the relevant people should not be treated as prepolitical, simply the taken-as-given basis for politics. This is what much nationalist discourse does, and it is also what much political philosophy does—even in classic forms like Rawls' theory of justice. It says, in effect, "given a people, how should it be governed or socially organized?" It is important to see the constitution of "the people" as much more theoretically, and practically, problematic. One of the consequences of doing so, however, is that this entails rejection of any purely external or objective approach to resolving questions of political identity.

NeoKantian and more generally liberal models of collective life run into difficulties in grappling with the reliance of democracy on a strong notion of the people. Yet, as Habermas's question about the functional equivalent of the ethnic nation implies, it is crucial to understand not simply what constitutional arrangements are in some abstract sense good, but how they may have force for specific people. Attempts to resolve this question without a strong account of how a population conceived as many individuals constitutes itself as a people are deeply problematic and perhaps fatally flawed. This is because it is crucial to account not only for closure (so long as the polity is not a single world polity—as indeed Europe is not) but also for mutual commitments

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"The social imaginary is not a set of 'ideas'; rather it is what enables, through making sense of, the practices of a society." "Modern Social Imaginaries," draft ms., p. 1.

[14] "Modern social imaginaries," draft p. 1.

among the members of the polity—including commitments to the constitution. Citizens need to be motivated by solidarity, not merely included by law.

In particular, external approaches to identifying "the people" fail to provide an understanding of why and when the definition of the whole becomes a political problem, and which issues become the key signifiers in debate. Why, for example, are there contexts where race matters less than language and others in which that ordering is hard to imagine? This is closely related to the fact that belonging to (or being excluded from) "the people" is not simply a matter of large-scale political participation in modern society. It is precisely the kind of question of personal identity that produces passions that escape the conventional categories of the political. This is so, we can see following Taylor, because of the extent to which ideas and feelings about "the people" are woven into the moral frameworks of "strong evaluation" in relation to which we establish our senses of self.[15] There is an important Hegelian moment, thus, a dialectic of the whole and its parts. Without grasping this dialectic, we can understand neither of its polar dimensions—nation and individual. We are also especially apt to be misled into seeing them as opposites rather than complicit with each other. But in fact, the ideas of nation and individual grew up together in Western history and continue to inform each other. Far from being an objective distinction of collective from singular, the opposition of nation and individual reflects a tension-laden relationship. Nations are themselves treated as individuals--by ideologues, of course, but also by diplomats, lawyers and comparative sociologists. Moreover, the relationship between human persons and nations is commonly constructed as immediate, so that intermediate associations and subsidiary identities are displaced by it. In this way, nations commonly appear in rhetorical practice as categories of similar individuals as well as organic wholes.[16]

An external account of peoplehood is apt to rely on identity (cultural similarity) and/or interests (and implicitly or explicitly a social contract). Identity and/or interests can then be invoked to explain why people accept shared institutions and indeed accept each other. The dominant discourses about membership in a European polity work on these bases. Either people are Europeans because they are culturally similar to each other

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[15] Charles Taylor, *Sources of the Self* (Cambridge: Harvard University Press, 1989).

or they are Europeans because this is in their interests (usually described in economic terms). In either case, the emphasis is on passive preconditions not projects, adaptation to external necessity not creative pursuit of an attractive solidarity. The implication is that the persons in question are already formed as either similar or different in cultural terms, as either having or lacking common interests. Such accounts rely on a notion of the public sphere as a setting in which such already constituted people exercise reason to debate what institutions and policies they should have. It is understood crucially as the setting in which people transcend differences in identity and particularities of interests. What is missing from such accounts is the role of public life in actually constituting social solidarity and creating culture.

Taking ethnic nationalism as his model, Habermas treats the attempt to ground European unity in some sense of 'peoplehood' as tantamount to ethnic exclusion. He sees peoplehood, in other words, as necessarily a matter of some pre-established, passive cultural similarity rather than as potentially an active creation of public engagement. Habermas hopes the public sphere will produce a rational agreement that can take the place of pre-established culture as the basis for political identity. He works, however, with an overly sharp dichotomy between inherited identity and rational discourse. He identifies voluntary public life entirely with the latter, and thus obscures the extent to which it is necessarily also a process of cultural creativity and modes of communication not less valuable for being incompletely rational.

This leaves only a thin form of identity to be produced by the rational discourse of the cosmopolitan public sphere. It is then hard to see how the cosmopolitan public can overcome the disjuncture between the (ideally rational) sources of legitimation and the (too commonly irrational) sources of integration. "Whereas the voluntary nation of citizens is the source of democratic legitimation, it is the inherited or ascribed nation founded on ethnic membership that secures social integration."[17] In Habermas's dichotomous view, the alternative to such ascription is conscious, rational, agreement. This neglects the extent to which agreement and common culture alike are neither rationally chosen nor simply inherited but produced and reproduced in social action.

[16] I have explored these issues in *Nationalism* (Minnesota, 1997).

[17] *The Inclusion of the Other*, p. 115.

When this is appreciated, we can see also that there is not simply an alternative between "thick" but irrationally inherited identities and "thin" but rationally achieved ones. First, neither of these ideal types fits well with how identities are actually produced and reproduced. Second, the opposition obscures the possibilities for producing new and different but still relatively thick common identities. Third, we should take care not to reduce social solidarity to common identity and especially not to assume that this is somehow settled before political action or its legitimation.

The problem with which Habermas is grappling is real, for there is indeed a widespread tendency to treat common culture as always inherited, and to separate normative analysis of legitimacy from the givenness or facticity or actually existing collectivities. But his solution to the problem is inadequate. In the first place, however common in political argument it may be to treat cultural similarity as the basis of solidarity, this is not a sociologically adequate account. Common membership of such a category may be one source of solidarity, but hardly the only one. Functional integration, concrete social networks, and mutual engagement in the public sphere are also sources or dimensions of solidarity. Moreover, there is no reason to accept the rhetoric of ethnic nationalists who treat tradition as "the hard cake of culture," simply to be affirmed on the basis of its prepolitical ancientness. Culture is subject to continual reformation or it dies; reproduction involves an element of creative practice.

European identity is growing, thus, but although this process involves creativity the extent to which it involves widespread choice is questionable (and no doubt will be widely debated). Marketing, product design, food, and leisure activities all convey images of a European identity. Although news media are not effectively organized on a European scale, entertainment is a bit more so. And both news and entertainment media carry more and content about an integrated Europe—and implicitly a European culture.

Participation in democratic public life is not, however, separate from the processes through which culture is produced and reproduced in modern societies, and part of the process by which individual and collective identities are made and remade. The problem with which Habermas rightly wrestles remains insoluble so long as culture is treated as inheritance and sharply opposed to reason conceived as voluntary activity. I have invoked the notion of the social imaginary partly to suggest an approach to culture

as activity, not only inheritance. It suggests also the impossibility of fully disembedding reason from culture. The choice of social institutions is not simply an exercise of abstract reason about phenomena outside itself, but at the same time the imaginative constitution of institutions in the formation and reformation of culture.

Habermas's call for constitutional patriotism—like most appeals to cosmopolitanism--tries to establish political community on the basis of thin identities and normative universalism. The key questions to ask include not simply whether such a community would be ordered by good principles, though, but whether it would achieve a sufficient solidarity to be really motivating for its members.[18] There is no intrinsic reason why "constitutional patriotism" could not work on the scale of Europe, but there are questions about whether it can stand alone as an adequate source of belonging and mutual commitment. It is therefore important to address legitimacy and solidarity together, not separately. This need not involve a reduction of the normative content of arguments about legitimacy to mere recognition of the facticity of existing solidarities. On the contrary, it could involve the development of stronger normative analysis of the legitimacy of different forms and concrete organizations of solidarity. Attending to the dynamic processes by which culture is produced and reproduced also makes it easier to conceptualize the introduction into public space of other kinds of identities besides those that unify the polity as a whole. This does not mean that multiculturalism is not challenging, but it suggests that it does not introduce a radically new element into previously unproblematic uniformity and fixity of collective identity. The key is to reject the notion—which nationalist ideology indeed commonly asserts—that the cultural conditions of public life--including both individual and collective identity--are established prior to properly public discourse itself.

The Public Sphere and Solidarity

Can we conceive of public discourse as (among other things) a form of social solidarity? This flies to some extent in the face of common usage. Solidarity or

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[18] Emphasis on the public sphere also suggests a greater freedom in the important sense that it treats culture-forming activity as an open-ended process. As Arendt suggested, it is never entirely possible to know where activity in public will lead, what will be created. Just as culture is produced and reproduced, not simply inherited, so creativity not simply tolerance mediates cross-cultural relations.

integration is treated as a question distinct from and generally prior to that of collective decision-making or legitimate action. The implication is that the collective subject is formed first, and activity in the public sphere is about steering it, not constituting it.

One reason for this is the extent to which the collective subject was conceived in the most influential early modern accounts not as the people but as the state. Or more precisely, the people was arguably the subject of *legitimacy* (in a modern, "ascending" approach to legitimacy as distinct from a medieval "descending" approach emphasizing divine right or heredity). But the state was the subject of collective *action* which was either legitimate or not. So in a sense, states were actors and public discourse (where it was influential) steered states. Legitimacy came in some combination from serving the interests of "the people" or from the process by which the people contributed to the steering of the state. But in approaches deriving from this sort of account (notably, for example, Habermas's classic exposition) a clear distinction was made between the public sphere and the state.[19]

The public sphere appeared, then, as a dimension of civil society, but one which could orient itself toward and potentially steer the state. In this sense, the public sphere did not appear as itself a self-organizing form of social solidarity—though another crucial part of civil society—the market (or economic system) did. Rather than a form of solidarity, the public sphere was a mechanism for influencing the state. Civil society provided a basis for the public sphere through nurturing individual autonomy. But the public sphere did not steer civil society directly; it influenced the state. The implication, then, was that social integration was accomplished either by power (the state) or by self-regulating systems (the economy). If citizens were to have the possibility of collective choice, they had to act on the state (which could in turn act on the economy—though too much of this would constitute a problematic dedifferentiation of spheres according to many analysts including the later Habermas). What was not developed in this account is the possibility that the public sphere is effective not only through informing state policy,

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[19] Jürgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, MA: MIT Press, 1989; orig. 1962). It is worth noting that the classical vision of the public sphere which Habermas articulates does stress that citizens forge a public sphere through their interactions with each other; it is not simply called into being top-down by subjection to a common power. Indeed,

but through forming culture; that through exercise of social imagination and forging of social relationships the public sphere could constitute a form of social solidarity.

The public sphere is important as a basic condition of democracy. But it signals more than simply the capacity to weigh specific issues in the court of public opinion. The public sphere is also a form of social solidarity. It is one of the institutional forms in which the members of a society may be joined together with each other. In this sense, its counterparts are families, communities, bureaucracies, markets, and nations. All of these are arenas of social participation. Exclusion from them is among the most basic definitions of alienation from contemporary societies. Among the various forms of social solidarity, though, the public sphere is distinctive because it is created and reproduced through discourse. It is not primarily a matter of unconscious inheritance, of power relations, or of the usually invisible relationships forged as a byproduct of industrial production and market exchanges. People talk in families, communities, and workplaces, of course, but the public sphere exists uniquely in, through, and for talk. It also consists specifically of talk about other social arrangements, including but not limited to actions the state might take. The stakes of theories and analyses of the public sphere, therefore, concern the extent to which communication can be influential in producing or reshaping social solidarity.

What are some of the other choices? Let me borrow Durkheim's famous distinction of mechanical from organic solidarity to illustrate two main ones.[20] Mechanical solidarity, Durkheim suggested, obtains in societies where people and social units are basically similar to each other; it is produced above all by a shared *conscience collective*. Organic solidarity is characteristic of differentiated societies with a complex division of labor, considerable variation among individuals, and constituent groups formed on different principles. Durkheim used the distinction largely to analyze the contrast between 'traditional' and 'modern' societies.[21] It may be more helpful, however,

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in line with a long tradition of political theory including Locke, subjects of a state become citizens by virtue of their capacity for lateral communication.

[20] Emile Durkheim, *The Division of Labor in Society* (New York: Free Press, 1975; orig. 1893).

[21] Durkheim has puzzled a century of commentators by insisting that in principle organic solidarity knit people together more tightly and all the failures of modern social integration we

to think of these as suggesting two dimensions of solidarity-formation at work in modern societies. Rename organic solidarity 'functional interdependence', and recognize that this includes market relations as well as the other ways in which different social institutions and groups depend on each other. Less familiarly, rename mechanical solidarity 'categorical identity' (with nationalism as a prime example). Think of it as describing the ideology of equal membership in a whole defined by the similarity of its members, complete in the nationalist case with the strong sense of the primacy of the whole over its members, such that they will die for it and kill for it. Both forms of solidarity are at work in every country today—material relations of interdependence, more or less managed by states and markets, and collective identities, reflecting various combinations of inheritance and energetic reproduction and shaping by intellectuals and cultural producers. However, neither of these types of solidarity describes a process of choice. Both are externally determined.

Let us round out the list by identifying four forms of social solidarity:[22]

1. Functional integration. This is loosely analogous to 'system' in the sense in which Habermas employs the term, informed by Luhmann and Parsons. Interdependence based on various kinds of flows (e.g., of goods) joins people in mutuality that is not based primarily on their common recognition of it but instead can operate as it were behind their backs. Much of modern life depends on such quasi-autonomous systems. While in principle it may be possible to 'unmask' systems of functional integration as products of human choices, they are not chosen as such.

2. Categorical identities. If nation is the primary example is nationality, race, class, and a range of other identities work the same way. They posit a set of individuals equivalent to each other insofar as they share a crucial category of similarity. This is not the same as sharing culture (despite some attempts to treat it so, including by nationalist ideologues) because it refers to sharing a

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merely exceptions to the rule. What is clear is that organic solidarity can knit together larger populations.

[22] Note that power is not in itself the basis for a conception of social solidarity; subjection as such is not solidarity, though it may create a polity. This is why the ideal cases of pure despotism place a premium on the absence of active unity among the subjects.

specific dimension of culturally significant similarity; how well that stands for participation in a common way of life is an empirical question. While those who try to mobilize others on the basis of categorical identities commonly claim that one identity is a kind of 'trump' against other possible identities or interests, there is in fact always some element of choice as to which identity one accepts as salient.[23]

3. Direct social relations. Here the referent is concrete networks of actual connections between people who are identifiable to each other as concrete persons. Much reference to 'community' privileges such worlds of direct relations (but when the term is used to refer to solidarity in nation-states scale dictates that this cannot be the primary meaning, and that some other sense of solidarity is at least implicitly being invoked). Referring to direct relations also avoids the implication of harmony or affection common to some usages of 'community'.[24] While social structure and other largely external conditions shape patterns of direct relations substantially, there is also room for choice.

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[23] By the same token, interests are therefore not fixed or objectively ascertainable. They vary with the salience of different identities to individuals. Not all individual identities reflect categories of similarity to others, of course, and while there may be an element of choice much identification happens outside conscious recognition or choice.

[24] On the effort to distinguish networks of relations from shared sentiments, see Calhoun, "Community: Toward a Variable Conceptualization for Comparative Research," *Social History*, vol. 5, (1980) #1, pp. 105-129. On the problematic extension of the concept of community from networks of concrete, interpersonal relationships to broad cultural or political categories, see Calhoun, "Nationalism, Political Community, and the Representation of Society: Or, Why Feeling at Home Is Not a Substitute for Public Space," *European Journal of Social Theory*, Vol. 2 (1999) No. 2, pp. 217-31. Such networks are sharply limited in capacity to constitute the social order of a complex, large-scale society. The overall order of such a society is necessarily shaped much more by the mediation of markets, formal organizations, and impersonal communications. See Calhoun, "Imagined Communities and Indirect Relationships: Large Scale Social Integration and the Transformation of Everyday Life," in P. Bourdieu and J.S. Coleman, eds.: *Social Theory for a Changing Society* (Boulder, CO: Westview Press, 1991), pp. 95-120 and "The Infrastructure of Modernity: Indirect Relationships, Information Technology, and Social Integration," in H. Haferkamp and N.J. Smelser, eds.: *Social Change and Modernity*. Berkeley: University of California Press, pp. 205-236. The conception of categories and networks is indebted to Siegfried Nadel, *Theory of Social Structurre* (London: Cohen and West, 1957). It has also been employed creatively by Harrison White in dispersed work partially summarized in *Identity and Control* (Princeton: Princeton University Press, 1992). White sees networks as basic, categories as more typically epiphenomenal, and believes a structural network theory can dispense with need for separate reference to functional integration. He does not consider publics.

This occurs both directly, as people choose relationships, and indirectly, as they choose forms of social participation (say social movements, or jobs) that introduce them to particular populations of potential network partners.

4. Publics. Publics are self-organizing fields of discourse in which participation is not based primarily on personal connections and is at least in principle open to strangers.[25] A public sphere comprises an indefinite number of more or less overlapping publics, some ephemeral, some enduring, and some shaped by struggle against the dominant organization of others. Engagement in public life establishes social solidarity partly through enhancing the significance of particular categorical identities, and partly through facilitating the creation of direct social relations. Beyond this, however, the engagement of people with each other in public is itself a form of social solidarity. This engagement includes but is not limited to rational-critical discourse about affairs of common concern. Communication in public also informs the sharing of social imaginaries, ways of understanding social life that are themselves constitutive for it. Both culture and identity are created partly in public action and interaction. An element of reasoned reflection, however, is crucial to the idea of choice as a dimension of this form of solidarity, to the distinction of public culture from simple expression of pre-existing identity.

Emphasizing the public sphere is a challenge, thus, to speaking of institutions as though they were produced simply by adaptation to material necessity (as some market ideology would suggest). It is equally a challenge to the ways in which nationalists present membership in France, say, or Serbia as being an undifferentiated and immediate relationship between individuals and a collective whole which is always already there and

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[25] In an unpublished manuscript (forthcoming in revised form in his *Publics and Counterpublics* (Cambridge, MA: Zone Books), Michael Warner helpfully lists five dimensions to the meaning of 'public':
1. A public is self-organizing
2. A public is a relation among strangers
3. The address of public speech is both personal and impersonal
4. A public is the social space created by the circulation of discourse
5. Publics exist historically according to the temporality of their circulation

about which there are few legitimate variations in opinion. The public sphere is an arena simultaneously of solidarity and choice.

Hannah Arendt's account of public action and public spaces bring this out more than Habermas's.[26] The term "public," she wrote, "signifies two closely interrelated but not altogether identical phenomena: It means, first, that everything that appears in public can be seen and heard by everybody and has the widest possible publicity. ... Second, the term "public" signifies the world itself, in so far as it is common to all of us and distinguished from our privately owned place in it."[27] Public action, moreover, is the crucial terrain of the humanly created as distinct from natural world, of appearance and memory, and of talk and recognition. We hold in common a world we create in common in part by the processes through which we imagine it. It is these processes which the "social imaginary" shapes. Arendt emphasized creativity, including the creation of the forms of common political life through founding actions—as in revolution and constitution-making. But imagination is not involved only in founding moments, but in all social action, and the notion of a social imaginary points out attention to broad patterns of stability in imagination as well as to occasional more or less radical changes. Equally important, Arendt's account of public space approached people as radically plural, not necessarily similar, but bound do each other by promises that are explicit or implicit in their lives together.[28] In both cases, the emphasis was on political publics, but in Arendt's case the notion of politics was extended to include all public action. In his classic early account of the public sphere, Habermas worked with a narrower, state-centered notion of politics, though he recognized the ways in which a literary public sphere foreshadowed, shaped and overlapped with the political one—making the

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[26] Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958).

[27] *The Human Condition* (Chicago: University of Chicago Press, 1958), pp. 50, 52.

[28] The plurality Arendt emphasized extended not only to subjects, but to public spaces which in modern large-scale societies she thought would inevitably need to be many and imperfectly integrated. See *Crises of the Republic* (New York: Harcourt, Brace, Jovanovich, 1972), p. 232; also Calhoun, "Plurality, Promises, and Public Spaces," pp. 232-259 in C. Calhoun and J. McGowan, eds.: *Hannah Arendt and The Meaning of Politics* (Minneapolis: University of Minnesota Press, 1997).

distinction at best an analytic rather than a purely empirical one.[29] In any case, the public sphere is a crucial site for the production and transformation of politically salient identities and solidarities—including the category and practical manifestation of 'the people' that is basic to democracy.[30]

Recognizing politics beyond or outside the state is especially important to seeing how transnational public spheres might be effective. The questions of how a European public sphere might be organized and what influence it might have are as basic to Europe's future as the rise of democratic institutions within nation-states was to its past. Indeed, Habermas himself has returned to this theoretical framework recently in considering relations among nation, rule of law, and democracy in a changing Europe:

> The initial impetus to integration in the direction of a postnational society is not provided by the substrate of a supposed "European people" but by the communicative network of a European-wide political public sphere embedded in a shared political culture. The latter is founded on a civil society composed of interest groups, nongovernmental organizations, and citizen initiatives and movements, and will be occupied by arenas in which the political parties can directly address the decisions of European institutions and go beyond mere tactical alliance to form a European party system.[31]

This is clearly a statement of hopes and conditions for a desirable future as much as description of trends. Such a European public sphere is a question more than a reality, as is an integrated European party system. But the conceptual point is clear. The creation of

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[29] Habermas reaffirms this emphasis in more recent work: "the 'literary' public sphere in the broader sense, which is specialized for the articulation of values and world disclosure, is intertwined with the political public sphere," *Between Facts and Norms*, p. 365. However, his recent work is less state-centered.

[30] This sheds some light on disputes over whether Habermas's theory implies a unitary public sphere or multiple publics (Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy", pp. 109-142 in C. Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA: MIT Press, 1992); Michael Warner, "Public and Private" in Gil Herdet and Catherine Stimpson, eds., *Critical Terms for the Study of Gender and Sexuality* (Chicago: University of Chicago Press, forthcoming). Clearly in several senses, publics may be multiple, but where public discourse addresses and/or is occasioned by a state, there is a pressure for reaching integration at the level of that state. The plural publics need relation to each other in a public sphere if they are to be able to facilitate democracy within that state by informing its actions.

such a public sphere is the condition of a democratic, republican integration of Europe and the safeguard against a problematically nationalist one.[32]

The production of a flourishing public sphere, thus, along with a normatively sound constitution, allows for a good answer to Habermas's orienting question: "When does a collection of persons constitute an entity—'a people'—entitled to govern itself democratically?"[33] The common answer is much less good: "In the real world, who in each instance acquires the power to define the disputed borders of a state is settled by historical contingencies, usually by the quasi-natural outcome of violent conflicts, wars, and civil wars. Whereas republicanism reinforces our awareness of the contingency of these borders, this contingency can be dispelled by appeal to the idea of a grown nation that imbues the borders with the aura of imitated substantiality and legitimates them through fictitious links with the past. Nationalism bridges the normative gap by appealing to a so-called right of national self-determination."[34]

At the heart of the notion of a democratic public sphere lie differences, both among participants and among possible opinions. If a public sphere is not able to encompass people of different personal and group identities, it can hardly be the basis for democracy. If people have the same views, no public sphere is needed—or at least none beyond ritual affirmation of unity or plebiscites. Differences among opinions challenge not only nationalist pressures to conform, but insistence on the application of technical expertise, as though it (or the science that might lie behind it) embodied perfect, unchanging, perspectiveless, and disinterested solutions to problems. Differences among participants also pose a challenge. If a public sphere needs to include people of different classes, genders, even nations, it also requires participants to be able—at least some of

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[31] Habermas, *The Inclusion of the Other* (Cambridge, MA: MIT Press, 1998), p. 153.

[32] In *Structural Transformation,* Habermas's attention was focused not just on the ideals of public life, but on the question of why apparently democratic expansions in the scale of public participation had brought a decline in the rational-critical character of public discourse, a vulnerability to demagogic and mass-media manipulation, and sometimes a loss of democracy itself. The distorted publicity of American-style advertising, public relations, and political campaigns was a manifest focus, but an underlying concern was also the way in which public life lost its links to both democracy and rational-critical understanding in the Third Reich.

[33] *Inclusion of the Other*, p. 141.

[34] Ibid.

the time--to adopt perspectives distanced from their immediate circumstances and thus carry on conversations that are not determined strictly by private interest or identity. The point is not that any escape influences from their personal lives, but that none are strictly determined by those influences, unable to see the merits in good arguments presented by those who represent competing interests or worldviews. If there are no meaningful differences within the public sphere, it may reaffirm solidarity and *conscience collective*, but it cannot address choices about how solidarity and institutional arrangements could be other than they are.

The differences within a public sphere may be bases for the development of multiple publics (specific fields of discourse) and public spaces (settings for discourse which is always open-ended). We speak of a public sphere to the extent that these both overlap and address some common concerns—for example, about how people should live together or what a state should do. Some of the multiple publics may claim to represent the whole; while others oppose dominant discursive patterns and still others are neutral. Nancy Fraser has influentially emphasized the importance of "subaltern counterpublics" such as those framed by race or gender.[35] In thinking about the multiplicity of publics forming a public sphere, though, it is important to be critical about the distinction of some as marked while others remain unmarked; unmarked does not automatically equal either universal or univocally dominant. If the attempt to establish closure to outsiders is sometimes a strategy of counterpublics, as Michael Warner has suggested, the deployment of claims on an unmarked public as *the* public sphere is also a strategy, generally a strategy of the powerful.[36] In speaking of counterpublics, it is important to keep in mind both that their existence as such presupposes a mutual engagement in some

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[35] "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," in Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA: MIT Press, 1992), pp. 109-42.

[36] Warner, *Publics and Counterpublics*. Warner rightly questions Fraser's identification of counterpublics with "subalterns", noting that many groups not clearly in subaltern positions identify themselves by contraposition to the dominant culture or institutions of a society, and may constitute counterpublics opposed to the dominant patterns of the public sphere. His chief example is the Christian right in the United States. The new populist right wing in Europe seems largely similar in this respect. Electoral victors take pride in describing themselves as outsiders to dominant institutions, even while claiming to be the ultimate insiders to and defenders of national traditions.

larger public sphere and that individuals may participate in multiple publics. A newspaper opinion essay by a gay rights activist, thus, may address simultaneously members of a specifically gay public (and even a queer counterpublic within that) and participants in the unmarked broader public.[37] Moreover, the segmentation of a distinct public from the unmarked larger public may be a result of exclusion not choice. During the classic heyday of the 18th and early 19th century British public sphere, thus, many artisans and workers were denied participation in the public sphere. They were not simply and unambivalently members of a proletarian public sphere, though they did develop their own media and organizations and to some extent constitute a counterpublic. They claimed the right to participate in the dominant, unmarked public sphere and challenged those who introduced restrictive measures to make it a specifically "bourgeois" (or more generally, propertied) public sphere.[38] The same people who excluded those with less wealth from the public sphere nonetheless claimed it in unmarked form as simply *the* British public.

The issue of "democratic inclusiveness" is not just a quantitative matter of the scale of a public sphere or the proportion of the members of a political community who may speak within it. While it is clearly a matter of stratification and boundaries (e.g. openness to the propertyless, the uneducated, women or immigrants), it is also a matter of

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[37] I distinguish the idea of a 'gay public' from a 'queer counterpublic' to make two points. One, following Warner (in *The Trouble with Normal*, Durham: Duke University Press, 1999), there is a tension among gay man and lesbians over both practical politics and discursive practices focused specifically on the question of whether to demand reduction of the demarcation of gay from straight or to assert queer identities in a potentially disruptive (and/or liberating) fashion. Second, distinction of a gay public from a queer counterpublic is a reminder that not all demarcation of publics is necessarily the production of counterpublics.

[38] Habermas famously focused only on the 'bourgeois' public sphere, contrasting it to an earlier aristocrat-dominated public. This sparking complaints that he neglected the proletarian public sphere. See crucially Oscar Negt and Alexander Kluge, *The Public Sphere and Experience* (Minneapolis: University of Minnesota Press, 1993; orig. 1964); see also Geoff Eley, "Nations, Publics and Political Cultures: Placing Habermas in the Nineteenth Century," in Calhoun, ed. *Habermas and the Public Sphere*. Cambridge, Mass: MIT Press, 1992, pp. 289-339. But Habermas and Negt and Kluge both accept the separation between bourgeois and proletarian as already established based on objective economic conditions rather than as something forged in large part in the contestation within and over the public sphere. Habermas thus posits inclusion as an issue about the later broadening of the public sphere rather than a formative theme from the start. Tactics like raising taxes on newspapers to discourage the popular press (or disparaging workers as insufficiently rational) were, in a sense, counterpublic mobilization from above.

how the public sphere incorporates and recognizes the diversity of identities which people bring to it from their manifold involvements in civil society. It is a matter of whether in order to participate in such a public sphere, for example, women must act in ways previously characteristic of men and avoid addressing certain topics defined as appropriate to the private realm (the putatively more female sphere). Marx criticized the discourse of bourgeois citizenship for implying that it fit everyone equally when it in fact tacitly presumed an understanding of citizens as property-owners. The same sort of false universalism has presented citizens in gender neutral or gender symmetrical terms without in fact acknowledging highly gendered underlying conceptions. Moreover, the boundaries between public and private are part of the stakes of debate in the public sphere, not something neatly settled in advance.[39]

All attempts to render a single public discourse authoritative privilege certain topics, certain forms of speech, certain ways of constructing and presenting identities, and certain speakers. This is partly a matter of emphasis on the single, unitary whole--the discourse of all the citizens rather than of subsets, multiple publics--and partly a matter of the specific demarcations of public from private. If sexual harassment, for example, is seen as a matter of concern to women, but not men, it becomes a sectional matter rather than a matter for the public in general; if it is seen as a private matter then by definition it is not a public concern. The same goes for a host of other topics of attention that are inhibited from reaching full recognition in a public sphere conceptualized as a single discourse about matters consensually determined to be of public significance.

The classical liberal model of the public sphere, on Habermas's account, pursues discursive equality by disqualifying discourse about the differences among actors. These differences are treated as matters of private, but not public, interest.[40] The best version of

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[39] See, among many in this large literature, Nancy Fraser, *Unruly Practices* (Minneapolis, MN: University of Minnesota Press, 1992) and *Justice Interruptus* (New York: Routledge, 1997); Jean Bethke Elshtain, *Public Man, Private Woman* (Princeton: Princeton University Press, 1993); Michael Warner, "Public and Private," in Catherine Stimpson, ed.: *Blackwell Companion to Gender Studies* (Cambridge, MA: Blackwell, forthcoming). See also the early response to Habermas and very different development of the idea of public sphere in Oscar Negt and Alexander Kluge, *The Public Sphere and Experience* (Minneapolis: University of Minnesota Press, 1993; orig., 1964).

[40] In a similar sense, many approaches to multiculturalism treat ethnicity and community as terrains of 'privacy'—protected precisely because not public. The discourse of rights encourages

the public sphere was based on "a kind of social intercourse that, far from presupposing the equality of status, disregarded status altogether."[41] It worked by a "mutual willingness to accept the given roles and simultaneously to suspend their reality."[42] This "bracketing" of difference as merely private and irrelevant to the public sphere was undertaken, Habermas argues, in order to defend the genuinely rational-critical notion that arguments must be decided on their merits rather than the identities of the arguers. This was, by the way, as important as fear of censors for the prominence of anonymous or pseudonymous authorship in the 18th century public sphere.[43] Yet it has the effect of excluding some of the most important concerns of many members of any polity--both those whose existing identities are suppressed or devalued and those whose exploration of possible identities is truncated. If the public sphere exists in part to relate individual life histories to public policies (as Habermas suggests), then bracketing issues of identity is seriously impoverishing.[44] In addition, this bracketing of differences also undermines the self-reflexive capacity of public discourse. If it is impossible to communicate seriously about basic differences among members of a public sphere, then it will be impossible also to address the difficulties of communication across such lines of basic difference.

Democratic Public Life and European Integration

The postwar institutional ancestors of the European Union were created as economic organizations with a political purpose. They sought to limit the potential for continental (and world) wars by tying members into new webs of shared institutions and markets. In some cases, these were specifically linked to military agendas, as the coal and steel community sought to limit the autonomy of national industries in strategic lines of production. In a growing proportion of the fields of cooperation, however, the principle

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both communitarian advocates and liberal critics to ask what kind of private right—of individuals or groups—might protect differences rather than what kind of public good it is, or what kind of public claim supports it.

[41]*Structural Transformation of the Public Sphere* (Cambridge, MA: MIT Press, 1989; orig. 1962), p. 36.

[42]Ibid., p. 131.

[43] See Michael Warner: *Letters of the Republic* (Cambridge, MA: Harvard University Press, 1992).

[44] *Between Facts and Norms*, ch. 8.

was simply to increase the bonds of solidarity that kept Europeans committed to cooperation with each other. This was not without idealism, but it was a matter of strategic action, not simply reflection of popular will or common identity. And of course, the political purpose was increasingly backed up with directly economic ones, notably to compete more effectively in global markets. As in the making of the European nation-states, the internal peace was sought partly to facilitate external gain.

Economic motivations have remained important (albeit in fluctuating extent) throughout the history of European integration. Among the messages of the discourse that paved the way for the Maastrict treaty, for example, was the notion that a mere "Europe of the nations" could not compete effectively against Asia or the United States. More generally, an economistic imaginary has been basic to arguments for European integration. The notion that "we must compete" has been recurrent, framing the interests of Europeans as producers and marketers of goods. At the same time, consumers have been encouraged to think of European integration as a program for the improvement of restaurants and supermarkets.

There are of course other reasons for European integration. Nonetheless, economism has been a dominant feature of the social imaginary mobilized in pursuit of this integration. A result is that integration appears as strategic accommodation to necessity, a response—perhaps even a clever, winning response—to the requirements of a global economic system, rather than a democratic project. Collective agency is focused on system maintenance while individual agency is focused on consumption or entrepreneurship (both portrayed typically as dimensions of 'private' life). This is cognate with a culture of public decision-making based on expertise—finding the "right" technical-strategic solutions to problems defined as the pursuit of common interests. The quality of expertise is judged by outcomes and ratified through plebiscitarian processes. Diffuse democratic participation is not presented as good in itself. This in turn reduces the extent to which processes of public life provide citizens with occasions for the exercise (and through practice the development) of good public judgment; it undermines

the self-educative capacity of democracy.[45] Alternatives to economism could offer stronger bases for legitimacy.

The institutions of the European Union have gradually come more and more to resemble a kind of state. This process is resisted by advocates of a Europe of the nations, and it is seldom recognized in common speech or even academic analysis. It is true that governance of the EU is still largely effected by the collective decisions of the constituent states (e.g., by the heads of state meeting together) rather than by an autonomous process. Nonetheless, the power of the EU is growing. It will be furthered by the completion of monetary union; it is advanced by the replacement of internal border controls with a single external border; it is augmented by the development of a common foreign policy and aid structure.[46] EU governmental power may lag behind the integration of capitalist activity on a continental scale. The prospect of expansion of the EU membership may slow further integration (though it may also produce differentiated tiers of membership). Nonetheless, even if the EU "state" is weak, it is a kind of state and it is growing stronger. On what basis is the EU legitimate?

Discussion of EU legitimacy has been pursued largely in relation to questions of national sovereignty. That is, the question posed has been less about the legitimacy (or normative value) of the EU as such than about the relative strength or autonomy of EU and nation-state institutions. Two major arguments have legitimated the transfer of power from constituent states to the EU: peace and economic interests. Over time, the balance has shifted from the former to the latter. Increasingly, it has been complemented by a third: the assertion of a common European identity. In effect (though seldom openly in discourse) Europe is being described in ways common to much nationalist discourse.

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[45] This dimension is one of the important reasons not to see the public sphere as simply a setting for rational-critical debate among citizens already formed in private life. It is largely through participation in public life that people can become good citizens; this educative dimension of democratic public life is one of its modes of self-organization.

[46] The issue is not just one of the power of the center, but of the mutual implication of the political processes in different parts of the EU. This came out sharply with the rise of Kurt Haider in Austria. Other members of the EU leadership felt they had no choice but to respond precisely because the matter was internal—Austrian claims to sovereignty notwithstanding. One meaning of "internal" was that the electoral fortunes of political parties throughout the continent were interdependent; another was that each leader could potentially be held responsible for his response to events perceived as a danger to the collective body politic.

Advancing the whole will serve the interests of all members (or at least the greatest good of the greatest number); fundamental to the identity of each member, moreover, is participation in the identity of the whole.[47]

Nationalism and economic interest are only two of the powerful discourses of legitimacy in modern Europe, however; democracy and republicanism are also important. The EU is described as able to deliver economic goods and arguably peace, at least internally; does it deliver political liberty and civic virtue?

Republican traditions raise not only questions about the form of political institutions, but also the ideals of virtuous citizenship that shaped republican understandings of membership in a polity. These ideals required a level of individual liberty of political subjects (in a sense, transforming the very meaning of the word 'subject' from that of obedient underling to the more grammatical sense of autonomous actor) and emphasized that with such liberty came obligations. Republican political institutions depend, however, not only on political commitments, strictly understood, but on social solidarity and collective identity.

Likewise, democracy is more than a formal matter of elections and other mechanisms of selection for office and distribution of power. In the European context, these formal questions have been intimately bound to a shift in understandings of political legitimacy. Instead of judging governments by their conformity to top down structures of authority—those of God or tradition—modern Europeans came to place ever-greater stress on having governments serve the interests of the ordinary people under

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[47] Crucial to the shift is a growing description of individuals as Europeans, and increasingly as directly European not simply European by virtue of their membership in a European nation. This is advanced by development of a common framework of citizenship (pressed forward partly by attempts to provide similar structures of benefits as part of economic integration, partly by attempts to deal similarly with immigrants, partly by legal integration). Even though European 'citizens' elect representatives to the European Parliament only through the mediation of national parties and delegations, there is a growing reference to such direct citizenship (e.g., in reference to border controls). Technically, the EU is composed of nation-states and exists as an agreement among them. In everyday practice, however, it is growing more common for individuals to understand themselves directly as members (and to make claims on the Union which are not mediated by nation-states but by regional or other groupings if they are mediated at all). This doesn't mean that individuals or localities wield effective countervailing power. In many regards, the EU has furthered a process shaped also by other currents that gives more power to central governments and their individual leaders. Thus the heads of state could decide to pursue war in

them. This claim to have one's interests served has become basic to citizenship. Even regimes which were not in any sense formally democratic—from Victor Emmanuel's Italy and Bismarck's Germany to Jaruzelski's Poland—presented themselves as serving the interests of their "peoples".

Here democracy was intimately bound to nationalism. The development of national identities and nationalist projects gave a sense of internal coherence, boundaries, and even moral righteousness to the "peoples" whose interests states were obliged increasingly to serve. Indeed, the replacement of medieval "descending" claims to political legitimacy with modern "ascending" ones depended crucially on establishing the identity of the people from which such claims ascended, and this was accomplished largely through the production of national identities. This poses a challenge to those who would conceptualize political identities today in "postnational" terms, raising the question posed by Habermas as to what can be the "functional equivalent" of the ethnic nation.

But here it is important to emphasize that ethnicity is not the whole of the nationalist imaginary. Nations are also imagined through representations of collective action—e.g., the taking of the Bastille. They are constituted through images of collective participation in processes of nation-building. Nationalism does not just provide democracy with a vocabulary for establishing what counts as the people on a priori grounds (e.g., ethnicity). It also provides an account of the subjectivity of ordinary people, the collective action of the people, processes of self-making and popular guidance of government. In this sense, the honor of membership in the nation is not simply ascribed but achieved, ethnic members can fail when called upon to live up to nationalism, and nonethnic members can be assimilated by active choice.

Renan's famous description of the nation as a "daily plebiscite" is indicative of the merger of nationalism and democracy.[48] But it describes this in interestingly ambiguous terms, placing individuals in the position of responding (or choosing not to respond) to the calls of the nation. It doesn't clearly describe individuals as authoring the

Kosovo without substantial recourse to national parliaments or other ostensibly countervailing powers.

[48] Ernst Renan, "What is a Nation?" in Homi Bhabha ed., *Nation and Narration* (London: Routledge, 1990; orig. 1871).

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nation through participation in collective action—including sometimes public discourse. The idea of democracy as genuine self-rule and self-making thus demands political participation as a good in itself. It is not met simply by government purporting expertly to serve the interests of the people (let alone determining in non-democratic ways which the people's interests ought to be). Varying degrees of "constitutional patriotism" may also be incorporated into nationalist self-imagining, as normative ideals or substantive features of collective life.

Attempts to match states to coherent and self-recognized peoples in order to make an ascending principle of legitimacy operate have kept nationalism a live issue in Europe. In the early 1990s, many were quick to label this just a transitional concern in the East, but it quickly became a central feature of Western European politics as well, with new populisms and antagonism towards immigrants. The project of a democratically integrated Europe—as distinct from a top down or primarily functional union—inherently raises questions about the collective identity and social solidarity of the citizens who form its base.

This context is crucial for considering the development of a European public sphere, because it suggests something of what is at stake in discussion of this seemingly abstract concept. It belongs alongside nationalism and civil society in discussion of the sociocultural foundations for democracy and republicanism. On the one hand, it is important to see how each purports to offer answers to questions about the constitution of the "people" basic to a particular polity: those who share identity, those who share interests, those who self-organize through discourse. On the other hand, it is also important to see that while these answers compete, they are not opposites. To place nationalism on the side of "mere history," and thus implicitly of power without justification, is to encourage too thin a view of culture. To see civil society as simply a realm of voluntary action is to neglect the centrality of systemic economic organization to it—and of the public sphere to the self-constituting capacity of civil society. To see the public sphere entirely as a realm of rational-critical discourse is to lose sight of the importance of forming culture in public life, and of the production and reworking of a common social imaginary. Not least of all, both collective identity and collective

discourse depend on social organization and capacities for action—whether provided by states or civil society.

Given a recent wave of celebration of civil society as the potential cure to all ills of democracy, it is important to recall that the dominant forces in transnational civil society remain businesses and organizations tied to business and capital. Businesses are important in ways distinct from markets—as institutions organize much of the lives of employees, and coordinate production as well as exchange on several continents. The business dimension of global civil society is not limited to multinational corporations; it includes NGOs that set accountancy standards and provide for arbitration and conflict resolution, a business press, lawyers, and a range of consultants. The point is not whether this is good or bad, but that this is civil society—on a global scale but not totally unlike what Adam Smith and Adam Ferguson saw on a local and national scale in the late 18th century. Civil society meant then and still means the extension of more or less self-organizing relationships on a scale beyond the intentional control of individual actors and outside of the strict dictates of states. It offers many freedoms—but so do states. Neither is automatically liberal or democratic.

There is no doubt that a transnational civil society is emerging in Europe. What needs to be questioned is the extent to which this provides for a democratic public sphere. The question bears not only on the value of democracy in itself but on the legitimacy of the EU and support for Europe generally. The "democratic deficit" of the EU has been remarked frequently. But Europe faces also a potential and linked legitimacy deficit—which could under some circumstances turn into a crisis. As we have seen, discourses of legitimacy are linked to forms of solidarity.

European integration so far has produced solidarity mainly in systemic terms—above all, the integration of the European economy. So long as commitment to Europe is based largely on promises of economic gains, however, a downturn poses a threat. More paradoxically, so does relative satiation as the European welfare states learned in the 1960s.[49] A more or less utilitarian attempt to serve public interests by technocratic-

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[49] Habermas's *Legitimacy Crisis* (Boston: Beacon, 1975) explored this in terms of both the limits of economistic legitimation faced with 'postmaterial' values and the problems of a culture of bureaucratic expertise managing public policy as technical problem-solving without democratic participation.

bureaucratic management makes the EU especially vulnerable. Whether or not there is ever a crisis, however, an economistic social imaginary is unlikely to advance democracy or citizenship. As Siedentrop puts it, "If the language in which the European Union identifies and creates itself becomes overwhelmingly economic, then the prospects for self-government in Europe are grim indeed."[50]

To some extent, Europe has drawn on and furthered solidarity in terms of common identity. Basing legitimacy on shared identity, however, raises the prospect of a Europe imagined on nationalist lines—that is, as a sort of supernation matching a superstate. Legitimation on the basis of shared identity faces a long path before it outstrips identifications with and within the constituent nations. This is one of the messages of the populist-nationalist responses to monetary union, immigration, and other issues in the last few years. Nonetheless, the nationalist approach to European legitimacy is entirely plausible, just as diverse provinces were integrated into what is now France, obliterating regional differences of language and political institutions.[51] A federal Europe could take this form, and could achieve legitimacy on nationalist grounds, but in itself this need not be democratic.

The limits of both nationalist and economistic approaches to legimating European integration suggest the importance of developing active European public sphere. This indeed could underwrite more cosmopolitan visions, such as Habermas's idea of constitutional patriotism. However, it seems important that the public sphere be adequarte to more than the production of a thin layer of political or legal agreement—however useful this might be and however much it remains a challenge. Through public life, solidarity and mutual commitment could be forged on a European scale and legitimacy of the larger polity strengthened. A vigorous European public sphere could be culturally transformative and a challenge to purely market-oriented production of shared identity.

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[50] *Democracy in Europe*, p. 32. Siedentrop explores the prospects for self-government with a stronger opposition of democratic and republican visions (that is, of egalitarian but privacy-oriented civil society and often inegalitarian but public-oriented civic virtue) than seems necessary. His book deserves fuller attention but appeared only as the present article was going to press.

[51] Lest this seem far-fetched, recall that the process is not entirely ancient in the French case, but extends well into the 19th century (with echoes afterward). Eugen Weber's often-quoted point is

Activity in such a public sphere could not only give the constitution (and thus the law) greater than merely technical-bureaucratic significance--engaging issues in terms of that constitution. It could also extend the meaning of constitution beyond the specific written document to the more general making of common life.

Such a public sphere is basic to hopes that Europe might be ordered—and achieve legitimacy—in democratic and/or republican fashions. It is the most important alternative at the scale of Europe to reliance on interests and identity alone. But though such a public sphere is fully imaginable, its development faces important challenges. Perhaps the most telling of these is the extent to which media are organized on national or global bases but not specifically European.

As European communications media become less national, they do not clearly become "European". They become in different degrees and ways part of a global information and entertainment production and marketing system in which a handful of firms dominate and in which the United States is the largest market. English publishers—even academic ones like Polity--choose what books to publish in Britain partly on the basis of which they can sell in America. Other publishing houses—like Bertelsman—consolidate like car companies, even across once insuperable national and linguistic boundaries. Whatever its shifting evaluation by critics, Hollywood still sells films. So, of course, does Bombay—Indian cinema is big business in parts of Europe and as big a competitor as the US globally. Pop music tastes differ among European countries and between Europe and elsewhere, but the trend in taste cultures is toward multiple differentiations which do not follow either national or continental lines. Is hip-hop European, or Caribbean, or American?[52]

It is not yet clear whether this will be the pattern for the political public sphere. Some of Europe's great newspapers and magazines remain largely national. This is especially the case for Germany, partly because German doesn't sell well abroad. French periodicals that are at least as nationalist in content have a slightly larger—but generally

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telling: there was no point before the middle of the 19th century when the majority of Frenchmen spoke French. *Peasants into Frenchmen* (Stanford: Stanford University Press, 1976).

[52] As Paul Gilroy suggests, the answer must be "all of the above", but it is an answer obscured by the organization of even racialized resistance on nationalist lines; see *The Black Atlantic: Modernity and Double Consciousness* (Cambridge, MA: Harvard University Press, 1993).

not growing—international market. Spanish publications sell in Latin America—and vice versa. In Portugal's case the trade is even more imbalanced, with Brazil increasingly the intellectual center rather than periphery (though Brazil in turn shows deference to France and America). Major English magazines and newspapers—notably *The Economist*, somewhat less successfully *The Guardian*, and more recently, the *Financial Times,* have all become international publications. A current *Economist* slogan is "Business knows no boundaries. Neither do we." In short, there is no single trend (except for the growing status of English as the ironic *lingua franca* of the age). Rather, we see several different patterns of European integration into global public spheres. If this is true for print publications, consider how much more so it is for TV and is likely to be for the Internet.

Conclusion

> From a normative perspective there can be no European federal state worthy of the title of a European democracy unless a European-wide, integrated public sphere develops in the ambit of a common political culture…[53]

Constitutional patriotism depends on a vital public sphere. It is entirely possible, however, that European collective identity might be achieved without an effective and democratic European public sphere.[54] This might grow out of economic relations and marketing. There might be a sort of European-wide nationalism without the institutional basis to make it democratic. But if Europe is to be democratic, it needs a specifically European public sphere. It needs this as a realm of social solidarity and culture formation as well as critical discourse. It needs it for the nurturance of a democratic social imaginary as much as for informing any specific policy decisions. However, the development of a European public sphere lags behind functional integration and powerful organizations.

At the same time, it is equally important to remember the extent to which life together is made possible not simply by systemic integration, the construction of formal organizations, and rational-critical discourse. It is made possible, as Arendt argued, by promises that bind people to each other. This is a crucial dimension of constitution-

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[53] *Inclusion of the Other,* p. 160

making. It is made possible also by acts of imagination, communicated and incorporated into common culture. Think for a moment of the ways in which such acts of promising and imagination are implicated in the creation of the very institutions of our shared world. Not just the nation, but the business corporation exists as the product of such imagining (and is none the less real and powerful for that). How is the corporate whole called into being, granted legitimacy in law and the capacity to act in contracts, suits, or property-holding? It is a product of the social imaginary. But like the way in which ideas of individual self and nation are embedded in much modern culture, this acceptance of corporations is deeply rooted. It is reproduced in a host if quotidian practices as well as more elaborate legal procedures. This is indeed part of what turns a mere formal organization into an institution. This is something that can be grasped only from within the very culture that makes it possible, not externally to it. It can never, therefore, be rendered altogether objective.

The most helpful conception of the public sphere, therefore, is one that includes within it *both* a dimension of rational-critical discourse and a dimension of social imagination and promising. Among the many virtues of the former is the capacity to challenge and potentially improve existing culture, products of social imagination, and relationships. But among its limits is the fact that in itself it cannot create them.

Alternative imaginaries are operative in the constitution of global culture and social relations. From Islamism to deep ecology, there are multiple ways of imagining the possible institutions of a new and different social order. A common humanity is imagined most prominently in discourses of human rights. And in fact the most powerful postnational or cosmopolitan social imaginary is that of the market.[55] Affirmation of global society comes less from expression of some positive value than from the notion that the market demands it. "The market" in such discourse is always represented in

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[54] See also my own "Identity and Plurality in the Conceptualization of Europe" and other discussions of this question in Lars-Eric Cederman, ed.: *Constructing Europe's Identity: Issues and Trade-offs* (Boulder, CO: Lynne Reiner, 2000).

[55] Robbins notes that the first cited usage under "cosmopolitan" in the Oxford English Dictionary comes from John Stuart Mill's *Political Economy* in 1848: "Capital is becoming more and more cosmopolitan". *Intellectuals, Professionalism, Culture,* p. 182.

external and deterministic terms, as a force of necessity rather than an object of choice. And this raises the basic issue.

The speed with which global civil society is gaining capacity to self-organize autonomously from states may be debated. But there is little doubt that the global public sphere lags dramatically behind the less democratic, less choice-oriented dimensions of global society. Among the many questions to ask about global society is what kinds of identity and solidarity will orient participation within it. Are there attractive forms for collective identity that offer nationalism's potential to integrate large populations and produce mutual commitment without its tendency to external exclusion and internal rejection of difference? Fear of bad nationalism leads many to hope that relatively thin identities will predominate. Cosmopolitans and constitutional patriots may presumably orient themselves to many spheres of action from the very local to the global. But are these forms of identity that can create the new social imaginary that will commit people to each other on a global scale? Are they by their nature restricted to elites and meaningful only in relationship to the nationalism of others? Or are they attractive possibilities that follow from rather than lay the basis for more democratic public institutions?

Through this inquiry into Europe, I have tried to explore more general issues. One is the extent to which discussion of "civil society" fails to provide an adequate underpinning for analyzing democracy unless it includes substantial attention to the specific conditions of the public sphere. Civil society is indeed advancing globally, but most of the connections being forged appear as adaptations to necessity or power rather than choices, or as byproducts of choices made by a few rather than the collective achievements of a public process.

Secondly, I have argued that the idea of constitution is deepened by attending to the question of what kind of "social imaginary" underpins the creation of institutions and the organization of solidarity. That is, what ways of understanding life together actually make possible specific forms of social relations.[56] Not least in this regard, it is important

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[56] The idea of "social imaginary" is thus not simply about the imagining of counterfactual possibilities—e.g., utopias—however instructive. It is about the ways of imagining social life that actually make it possible. In this sense, it is a way of approaching culture that emphasizes agency and history in the constitution of the language and understandings by which we give shape to

to conceive of solidarity not only in terms of common economic interests but in terms of a range of mutual interdependence including engagement in shared projects of constituting a better future.

Thirdly, I have suggested that the importance of the public sphere lies not only in achieving agreement on legal forms and political identity, but in achieving social solidarity as such. For this to happen it needs to be a realm of cultural creativity as well as rational discourse, and a realm of mutual engagement. If nationalism is to give way to some 'postnational' organization of social life it will not be simply a matter of new formal organization, but of new ways of imaginatively constituting identity, interests, and solidarity. A key theme will be the importance of notions of mutual commitment—solidarity—that are more than similarities of pre-established interests or identities. Can shared participation in the public sphere anchor a form of social solidarity in which the nature of life together is chosen as it is constructed?

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social life. To speak of the social imaginary is to assert that there are not fixed categories of external observation adequate to all history; ways of thinking and structures of feeling make possible certain social forms, and that the thinking, feeling, and forms are thus products of action and historically variable. In this way, cultural creativity is basic even to such seemingly "material" forms as the corporation or the nation. These exist because they are imagined; they are real because treated as real; new particular cases are produced through recurrent exercise of the underlying social imaginary.