

Europe should reject Jürgen Habermas' vision of a federal European state and instead create an enduring association between sovereign nations.

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*What should the ultimate aim of European integration be? **Simon Glendinning** writes on the argument put forward by Jürgen Habermas in favour of creating a 'supranational democracy' in Europe, with a common European government. Taking issue with Habermas' interpretation of the philosopher Immanuel Kant, he argues that the creation of a supranational democracy is not only unlikely, but conceptually flawed. Rather than viewing a voluntary association of independent states as being fundamentally weak or incomplete without further integration, we should recognise that it offers the best of all worlds: preserving European diversity, while also increasing tolerance and safeguarding against war.*



When **Immanuel Kant** reflected on “our part of the world” in the 1780s he was impressed by the developing “improvements” in its internal arrangements. However, it was equally clear to him that it remained a cauldron of violence and trauma. Despite the widespread movement towards constitutional government in nation states, life across Europe was still marked by “wars, tense and unremitting military preparations, and the resultant distress which every state must eventually feel within itself, even in the midst of peace.”

In this configuration each state makes its own decisions regarding its path in policy (including taxation) and government, and it does so without having to seek agreement or permission from any other state first. A state may have to take other states into serious consideration insofar as they are interdependent – but a state’s capacity for decision-making defines its state-character, and the expression of its “will” in such decisions is largely an expression of its own (ruling) perspective and perceived interest. Significantly, such decisions – *sovereign* decisions – do not only concern what to do in times of peace or war, but determine too whether the time is effectively a time of peace or a time of war in the first place.

It is in the name of peace – and often enough in the name of Kant – that this Europe began to take on a new and increasingly inter-national face. Today, at a pace accelerated by a political crisis forged not by war but by economics, a new European configuration is in the making. Nevertheless, the current arrangements still concern institutions founded on treaties between nation states. Hence it is unsurprising that, during the current crisis, it is the European Council – which is made up of the heads of government of the EU member states – that has taken the initiative; and the crucial decisions there are arrived at (when they are) collectively, by achieving consensus among these heads of government and their varied senses of both the EU’s and their own interests and priorities. Sovereignty is in this way “pooled”.

This, for **Jürgen Habermas**, is not only the current default in the EU, but also its principal fault. In his view, the configuration of a New Europe to come is not to be an international organisation dependent on the contingencies of finding on-going agreement between sovereign nations. Through what can only be seen as an unprecedented act of radical self-sacrifice of sovereignty, Habermas calls on today’s member states to take steps, as soon as possible, toward what he calls “a supranational democracy”: an international state which is formed by a fundamental “transfer of competences from the national to the European level”. A common government for Europe.

Habermas is unusually honest about the sea-change that this transfer implies. He hails it as an overcoming of “national particularisms” and the “dethronement” of the European Council. He accepts that this will involve something more than we have ever seen before. Not a further pooling of sovereignty over some policy field, not the

further extension of Union competences permitted by treaties between nation states, but a “decision”, a sovereign decision on the part of each member state, to give up the power to make sovereign decisions:

“A decision for such a Europe would amount to more than merely a further evolutionary step in the transfer of particular sovereign rights. With the establishment of a common economic government, the red line of the classical understanding of sovereignty would be crossed. The idea that nation states are ‘the sovereign subjects of the treaties’ would have to be abandoned.” As if to placate those concerned that something of importance might actually be imperilled in such a move, Habermas offers a new role for the old nations: “Nation states could well preserve their integrity as states within a supranational democracy by retaining the role of the implementing administration.”

Habermas is not so naïve as to think that this proposal will find wide popular support, at least not without taking on the vocal Euroscepticism that he thinks is, for various reasons, on the rise across Europe. However, this point seems to me to miss an altogether different kind of opposition and objection to his Eurofederalist idea: one that rejects *both* the Old Europe of nation states in endless bellicose rivalry, *and* the renunciation of national sovereignty that would give birth to the New Europe he longs for.



Immanuel Kant (Public Domain)

While Habermas does his best to omit this third way from consideration, he gets close to acknowledging it is there – and that it has its roots in the incredible anticipation of European Union in the work of Kant. Habermas is very careful not to spell it out in any detail, but he does identify its basic conception when he recalls that Kant had called for “a voluntary association of states willing to co-exist peacefully while nevertheless retaining their sovereignty.” However, having acknowledged the Kantian alternative he immediately, and I think wholly unjustifiably, claims that Kant conceived this only as “a transitional stage” *en route* to an international state. Habermas calls this supposedly transitional stage “weak”, “conceptually flawed” and “sterile”.

I suspect exactly the opposite is true. Kant’s carefully defended idea of a “negative substitute” for an international state is in no way improved on by what Habermas calls “the fortuitous hindsight of later generations.” On the contrary, it is totally misunderstood, and “overcoming” it, as Habermas demands, is not only not faithful to Kant (as Habermas claims it is), but would, if it were ever realised, likely lead to disaster for Europe.

What perhaps seduces Habermas into thinking that the idea of a negative substitute (the voluntary association of states) is a transitional stage for Kant, is Kant’s remark that, if the aim is to eliminate war, “the only rational step” would be the formation of an international state. But Kant does not think this step is ruled out only for a period of time: he thinks that this step requires something of states that is not (contingently) unlikely or hard to bear *at present* but (conceptually) strictly *nonsensical*. It makes no sense, if we are dealing with nation-states, to suppose there could be a “decision” that would be the willed act of giving up the will to act. Suicidal self-sacrifice is not the sort of thing a nation-state (as long as it is a nation-state) *can* intelligibly will.

It is for this reason that Kant insists that “the positive idea” of an international state of the sort Habermas calls for “cannot be realised”. So he does not call for a transitional institution but an “enduring” negative substitute, and

hence a strikingly paradoxical conclusion: this substitute, while falling short of the “rational ideal” that would eliminate war could not, in fact, be bettered. While it can only make war less likely, *it is better than the ideal*. And it is better because it is not only desirable but possible.

But isn't the federalist dream of a supranational democracy possible too? Couldn't it come about? Yes, it could – but not in virtue of a decision that would be “the will of the nations”. How then? We must ask: who *could* will it into being? Kant is clear that when he says it is not the will of the nations, it is what we call “nations” that he is talking about, and not some other thing. So, some other thing could will it. For example, nations-in-ruins could will it. Perhaps something at the other end of the scale could will it too: a nation which is strong enough to regard its own interest to coincide with the interests of the emerging European “supranational democracy”, so that it would be implementing and administering at the national level what it would in any case will for itself were it an autonomous sovereign power. It is a quasi-hegemonic power.

It is perhaps not altogether accidental or coincidental that Habermas concludes his discussion with the acknowledgement that, with regard to “the fate of the European Union” today, “the German government...holds the key...in its hand.” Habermas intends this to point towards the very opposite of an imperial or hegemonic act. Driving the movement towards a supranational democracy would be, he claims, a supreme act of “solidarity” to nations in peril that is conceived as an act of penance for the “moral catastrophe” of Nazism, and a way of finally putting an end to German desires for “a fatal ‘semi-hegemonic’ status in Europe.”

I have already indicated that a quasi-hegemonic position is not in the least ruled out in the formation of an international state. But I think one should also baulk at his conception of German agency in the European context as an act of “solidarity”. Indeed, it could no more be an act of international solidarity than the formation of an international state could be the will of the nations.

Solidarity, as Habermas more or less appreciates, belongs historically to a politics of friendship or “fraternity”: of standing shoulder to shoulder with one's “brother” in need. The term is, of course, part of the lexicon of socialist calls for collective action. But it is also used, and politically speaking more broadly used, in the international arena, where we often see calls for solidarity between states, for example in the aftermath of famine or flood. However, the act of (supposed) solidarity that Habermas seeks is radically discontinuous with both of these traditions. To use the very words that Kant used when he appealed to the idea of a European Union over 200 years ago, the point of an act of solidarity is to help “preserve and secure” the other from disappearance or annihilation. In international terms, to preserve and secure the state status of a state: not to submerge it in a tsunami of political overcoming.

Habermas may well be right to suppose that Euroscepticism is on the rise across Europe. But a fast-track to Eurofederalism is not the only alternative for Europe: a voluntary league of nations remains not weak, conceptually flawed and sterile but our greatest opportunity for making war in Europe less likely and allowing “our part of the world” to flourish. But to appreciate this, we need to acknowledge that the movement towards “ever increasing union between the peoples [*sic*] of Europe” does not require us to build a new singularity but an enduring multiplicity. J.S Mill, like Kant before him and [Paul Valéry](#) after him, was clear that this alone is the source of Europe's productive power:

“What has hitherto preserved Europe from [becoming another China]? Not any superior excellence in the [European family], which, when it exists, exists as the effect not as the cause; but their remarkable diversity of character and culture. Individuals, classes, nations, have been extremely unlike each other: they have struck out a great variety of paths, each leading to something valuable; and although at every period those who travelled in different paths have been extremely intolerant of one another, and each would have thought it an excellent thing if all the rest could have been compelled to travel his road, their attempts to thwart each other's development have rarely had any permanent success, and each has in time endured to receive the good which the others have offered. Europe is, in my judgement, wholly indebted to this plurality of paths for its progressive and many-sided development.”

A European Union that could both “preserve and secure” this diversity and simultaneously institute conditions of

increasing international tolerance “likely to prevent war” is not a weak idea: it is a great idea.

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