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# Cosmopolitanism
## Europe's Way Out of Crisis

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**Abstract**

If Europe wants to overcome its current crisis, it urgently needs to develop a new political vision and a new concept for political integration. By focusing on the idea of a *cosmopolitan Europe*, this article outlines such a political vision for Europe. To this end, it first suggests reformulating the concept of cosmopolitanism in such a way that it is not tied to the 'cosmos' or the 'globe'. With the aid of such a generalized concept of cosmopolitanism it then presents a novel, cosmopolitan approach to European integration that is no longer concerned with harmonizing rules and eliminating (national) differences, but with recognizing them. Finally, it outlines a new, post-national model of democracy for Europe that no longer disenfranchises citizens and instead gives them an active role in European decision-making processes.

**Key words**
■ cosmopolitanism ■ democratic theory ■ European integration ■ reflexive modernization

## The Malaise of the European Project

Europe is in crisis – institutionally, economically and politically. But it would be too simple to blame the failed referendums on the European Constitutional Treaty in France and the Netherlands for the current malaise of the European project. Europe had manoeuvred itself into a blind alley long before that. With the Treaty of Maastricht in the early 1990s, Europe had largely succeeded in accomplishing the task of economic integration, but no agreement could be reached on the necessary political integration. The project of political integration was postponed and neither the Treaty of Amsterdam (1997) nor the Treaty of Nice (2000) were able solve the problem. Ever since Maastricht, European politics have been notable not for their ambitious political projects and far-reaching strategic visions, but for the increasingly indigestible leftovers of the failed attempts to achieve a new level of political integration.

This malaise of the European project has set in at the most unfavourable time imaginable. The economies of a sizable number of member states are stagnating; unemployment remains at unacceptably high levels for years; public debt continues to increase. More and more member states have difficulties satisfying the stability criteria of the Maastricht Treaty – and these difficulties have provoked highly typical political reactions. These European obligations are not used to liberate national politics from domestic obstacles to reform. On the contrary, the stability criteria are being deliberately ignored by more and more member states and the European Commission has been put under strong pressure to dilute them. If the EU wanted to introduce the Euro now, it would probably have to postpone it because the most important member states would be unable to satisfy the conditions of entry – to say nothing of the various forms of 'creative accounting' that have since come to light in some others.

Thanks to the EU's expansion to the east, the problems of economic adjustment and the resulting social tensions will not cease in the foreseeable future, but rather will continue. In 2004, Europe set in motion a large-scale experiment with a highly uncertain outcome. The issue at stake is not only whether after accession the Eastern European states will be able to follow the example of Spain, Portugal and Greece, and develop stable democracies and competitive economies. The European Community as a whole has to face the challenge of overcoming the resulting increase in economic, social and cultural heterogeneity and turn it to productive advantage. Neither question can be answered positively with any assurance. Against this background, the anxieties about the future that led the opponents of the European Constitutional Treaty in France and the Netherlands to cast their vote against the treaty seem to be well founded.

These internal institutional and economic problems paralyse Europe at a time when the world is threatened by new forms of hegemonic power and ungovernability. The calculable and controllable risks of the bipolar world order of the Cold War have been replaced by new, incalculable and uncontrollable insecurities. 'Risk society' has turned into 'world risk society' (Beck, 1999; Daase et al., 2002; Schneckener, 2006). The terrorist attacks in New York, Madrid and London, as well as the wars in Afghanistan and Iraq, point to the fact that the violence of war has again shifted from the periphery to the centres of the world. This has given rise to a new world order whose architecture is still heavily debated and whose contours are highly diffuse.[1] Are we standing on the threshold of an American 'empire' or have we already reached its end? Does the war in Iraq mean that we must bury all our hopes of a peaceful world governed in a spirit of cooperation or that we have come a step closer to it?

The answers to these questions are still open, but one fact stands out clearly: Europe has played only a marginal role in the new ordering of the world that has been taking place at the beginning of the 21st century. The main reason for this is that the EU has been deeply divided on the central issues of foreign and security policy in recent years. The heart of the problem is the question of what role Europe wants to play in the new world order. For American neo-conservatives like Robert Kagan, there is a simple, unambiguous answer to this

question. In their analyses of power, the EU does not figure at all. In the light of its minuscule military capacity and its feeble authority in foreign and security policy, the EU is much too weak to represent a significant power in any 'realistic' analysis of international politics – and the same is true of each of its member states (Mearsheimer, 2001).

Economic stagnation on the domestic front and political weakness externally – at the beginning of the 21st century, the success of the 'European project' has lost much of its gloss. It is true that there have been crises before in the process of European integration in the past fifty years: the collapse of the European Defence Community in the mid-1950s, the French 'policy of the empty chair' in the mid-1960s or the crises of the Community budget and the Common Agricultural Policy in the early 1980s. The European Community seems to provide a textbook example of what organization theory calls a 'successfully failing organization', by which is meant an organization that manages to survive even though it constantly fails to achieve its goals, and even succeeds in thriving politically on its failure (Meyer and Zucker, 1989). Hitherto, the EU has not only succeeded in ensuring its own survival; it has even managed to achieve a significant increase in its legal powers and the number of its members. In comparison with the modest results of international cooperation on other continents (NAFTA in North America or APEC in Asia), the EU deserves high marks for achieving successful regional integration (Katzenstein, 2005; Rifkin, 2004).

However, this does not allow us to conclude that the EU will survive the current crisis unscathed. On the contrary, our *main argument* is that the process of European integration has reached a critical threshold and that the political energy reserves of the European project are now exhausted. The completion of the European internal market and the enlargement to the east have wrought profound changes in the internal factors conditioning Community politics, while at the same time, globalization and recent international conflicts have brought about a fundamental shift in the external coordinates of European integration. In this situation, institutional reforms of the kind envisaged in the European Constitutional Treaty, important as they may be, do not come not up to the challenge which confronts the European project. Even if the constitutional process could be salvaged, this would not suffice to solve the structural problems of European integration.

If Europe wants to overcome its current crisis, it urgently needs to develop a new political vision and a new concept for political integration. In short, *Europe has to be reinvented*. By focusing on the idea of a *cosmopolitan Europe*, this article aims to outline such a political vision for Europe and to present it for debate.[2] It is based on the assumption that Europe's current difficulties are not rooted in an overburdened agenda or in the faulty design of its institutions. The basic problem is quite different: Europe still suffers from misconstruing itself as a nation-state. In public debates, Europe is still mostly conceived of as an 'incomplete nation', an 'incomplete federal state', and in consequence it is treated as if it should (and could) become both nation and state. This self-misconception means that the debate about Europe is mired in two unproductive and unnecessary

alternatives: either Europe or the nation-states. In such a constellation, the European project can only prosper at the cost of national identity and the sovereignty of the member states, and the survival of the nation-state has constantly to be defended against the encroachments of a European 'superstate' (Siedentop, 2001). This turns European integration into a zero-sum game between the EU and its member states, in which both sides must end up as losers. However, in the age of 'world risk society', the solution to this problem cannot lie in a retreat to the nation-state either. Our argument is that we need not less Europe but more – but we need a different, more cosmopolitan Europe.

## What Is Cosmopolitanism?

Cosmopolitanism is an elusive concept with a number of quite different connotations. As is well known, the concept can be traced back to the Cynics and Stoics of Antiquity (Diogenes, Democritus and Hippocrates). Subsequently, it always played a role in European societies when they found themselves confronted by fundamental changes. In Germany, it surfaces above all in the philosophy of the Enlightenment (see Cheneval, 2002; Kleingeld, 1999; Thielking, 2000); and a few years ago it was rediscovered (especially in the English-speaking countries) in the context of the debates on globalization, where it was treated as an alternative political vision to neo-liberal concepts of a global market.[3]

Why should cosmopolitanism, of all concepts, help us to re-invent Europe? At first sight, applying the concept of cosmopolitanism to Europe seems to represent a vain attempt to join two things that do not belong together, and indeed cannot coexist, namely the idea of 'world citizenship', on the one hand, and the idea of a continent-wide, but nevertheless territorially limited political order, on the other. Interpreted in this way, the question of collective identity and membership is answered in an either–or spirit: one is either the citizen of a particular community or one is a citizen of the world. And in such an understanding of the concept, there seems to be no possibility of reconciling it with new political forms of regional integration.

However, in the history of ideas, we can find conceptions of cosmopolitanism, which obey a completely different logic, namely the logic of 'both–and', and it is exactly this understanding of cosmopolitanism that offers new solutions to Europe's current problems. An early formulation of this logic of 'both–and' can be found in the late writings of Christoph Martin Wieland. In his definition of cosmopolitanism, formulated in 1788, '[the cosmopolitan] means his own country well; but he means all other countries well too, and he cannot wish to establish the prosperity, fame and greatness of his own nation on the outsmarting or oppression of other states' (Wieland, in Brender, 2003: 105).

If the concept of cosmopolitanism is to prove useful for European integration (and for the integration of heterogeneous societies more generally), it must be used in precisely this way. In its most general meaning, it represents a very specific approach to dealing with otherness in society – and among societies. This type

of cosmopolitanism should be distinguished from nationalism and particularism, but also from universalism, by reference to the idea that in our thinking, our actions, and our living together, the recognition of otherness and the renunciation of the egoistic insistence on our own interests should be adopted as a maxim. Differences should neither be arranged hierarchically nor should they be replaced by common norms, values and standards; rather, they should be accepted as such and even have a positive value placed on them. In a cosmopolitan perspective, it is vital to perceive others as different and as the same – something that is ruled out by both hierarchical ordering and universal equality. Whatever is strange should be regarded and evaluated not as a threat, as something that brings disintegration and fragmentation in its train, but as enriching in the first place.

However, such an idea of cosmopolitanism should not be confused with postmodernism. While cosmopolitanism accepts and actively tolerates otherness, it does not turn it into an absolute (as does postmodern particularism). It also seeks out ways of making otherness universally compatible. This implies that cosmopolitan tolerance has to be based on a certain amount of commonly shared universal norms. It is these universalistic norms which enable it to regulate its dealings with otherness so as not to endanger the integrity of a community. In a nutshell, cosmopolitanism combines the tolerance of otherness with indispensable universal norms; it combines unity and diversity.

Obviously, there is some important common ground between this concept of cosmopolitanism and some varieties of universalism, among them Jürgen Habermas's idea of a reflexive universalism based on communicative action (Habermas, 1997, 2001a, 2004). They both insist on the importance of commonly shared universalistic norms, and they both emphasize the principle of tolerance. However, they combine the two in a rather different way. Habermas mainly relies on self-correcting learning processes within universalism. Such a reflexive universalism must be based on individual rights and, consequently, has some difficulty recognizing the otherness of communities. Cosmopolitanism claims to achieve both the recognition of individual and of collective otherness.

Cosmopolitanism thus understood implies a specific approach to ensuring that one's own (individual or collective) interests are promoted and made to prevail. We may call it *cosmopolitan realism*. It calls for neither the sacrifice of one's own interests, nor an exclusive bias towards higher ideas and ideals. On the contrary, it accepts that for the most part political action is interest-based. But it insists on an approach to the pursuit of one's own interests that is compatible with those of a larger community. One's own interests should be pursued without 'the outsmarting or oppression of others', whether individuals or states. Thus, cosmopolitical realism basically means the recognition of the legitimate interests of others and their inclusion in the calculation of one's own interests. Ideally, the two can be achieved simultaneously, both individual and collective goals, national and European ones. In reality, however, there are often tensions between the two and then it depends in particular on the normative and institutional framework, in which decisions have to be taken, whether there is a cosmopolitan solution to a problem.

It is important to emphasize that on this reading, the concept of cosmopolitanism is not defined in spatial terms. It is not tied to the 'cosmos' or the 'globe'; it makes no attempt to include 'everything'. The basic principle of cosmopolitanism may be discovered and applied everywhere, at every level, and in every sphere of social and political activity – in international organizations as well as in families and neighbourhoods. Our argument is that it is exactly such a generalized concept of cosmopolitanism that provides the key to an understanding and shaping of new forms of political rule beyond the nation-states that have developed in Europe hitherto.

This generalized cosmopolitanism allows us first of all to identify and distinguish a form of 'banal cosmopolitanism', which predominates in everyday life (Beck, 2006). It is best illustrated by the many-coloured mixtures of food, drinks, nourishments, restaurants, menus, music, etc. that characterize the cities all over Europe. In a globalizing world, banal cosmopolitanism penetrates all kinds of cultural practices, without necessarily being reflected by the individuals and communities. This is what distinguishes banal cosmopolitanism from reflexive forms of institutionalized cosmopolitanism, which are the bases for the sophisticated strategies of cosmopolitan realism, as we imagine them for a cosmopolitan Europe.

With the aid of such a reformulated concept of cosmopolitanism, Europe can – and must – be reinvented and reconstituted politically at the beginning of the 21st century. In our understanding, this is the precondition for Europe to be 'united in diversity', as envisaged in the European Constitutional Treaty. This cosmopolitan renewal of Europe is based on a number of pillars and in what follows we should like to concentrate on two of them. First, the introduction of a novel, cosmopolitan approach to integration that is no longer concerned with harmonizing rules and eliminating (national) differences, but on recognizing them. Second, a transition to a new, post-national model of democracy that ceases to disenfranchise citizens and, instead, gives them an active role in European decision-making processes.

## The Principle of the Cosmopolitan Integration of Europe

The new, enlarged and globalized EU will only have a chance if the integration of Europe adopts a new approach, one based on the *principle of differentiated integration*. A brief examination of the history of the process of European integration shows what differentiated integration means – or, better, what it cannot mean. For many years, the latter primarily took the form of the *abolition of difference*. The model of European community building was – and continues to be – 'uniform integration': national regulations are 'harmonized' by being replaced by uniform European regulations. In its pure form, uniform integration means: 'A community regulation is applied by *all* member states *at the same time* and with *the same technical content*.' The 'everybody or nobody' principle holds: 'Either all member states march together and in step along the path towards integration or

they renounce a Community regulation altogether.' To put it bluntly, this means: 'Better a bad regulation for all member states than a better one for just some' (Scharrer, 1984). Clearly, this follows the logic of exclusive disjunction: *either* a single European regulation *or* different national regulations.

This 'harmonization policy' confuses unity with uniformity or assumes that uniformity is a necessary precondition for achieving unity. Unity in this sense became the highest regulative principle of modern Europe. The institutional reality of the new Europe that resulted was measured by the extent to which this uniformity through harmonization was successfully achieved in all policy domains, the Common Agricultural Policy, market regulation, competition policy, environmental policy, research policy, and many others. The more successfully EU policy operated under this primacy of uniformity, the greater the resistance it called forth and the more manifest its counterproductive effects became.

In practice, and as a consequence of these counterproductive effects, European politics has tended to relax the principle of uniform integration in the past in many ways. In its internal design of policies, various exceptional permissions, saving clauses, interim regulations, postponements, etc. have been conceded to individual member states, in order to make agreements more acceptable for them. Moreover, with the Maastricht Treaty, opting out possibilities were introduced, for example, in European social policy, to overcome the resistance of the British government and the Danish citizens. However, it is important to keep in mind that all these deviations from the common rule have been introduced with the aim of reinforcing and supporting the 'community method' and the principle of uniform integration, rather than replacing it with an alternative integration strategy.

This is exactly what cosmopolitan integration is about. Cosmopolitan integration, by contrast, is based on a paradigm shift whose principle is that *diversity is not the problem but the solution*. Any further integration of Europe must be guided not by the traditional ideas of uniformity in a European federal state, but must take the unalterable diversity of Europe as its starting-point. It must view difference not as the problem, as a restriction to economic transactions that has to be exterminated, but as a potential to be preserved and exploited (Landfried, 2002). Basically, what is at stake is maintaining a certain degree of uniformity, especially legal uniformity, in an integrated Europe, without damaging the autonomy of its member states, on the one hand, and the prospects of the European project, on the other.

Actually, there is nothing new in the practice of differentiated integration in Europe; rather, it has shaped Europeanization from the outset. As a political concept, differentiated integration was first devised in the latter half of the 1970s in an effort to overcome the stagnation of the integration process.[4] It was rediscovered – hesitantly, because it was tainted with the stigma of being a highly problematic second-best solution – in the mid-1990s when the Community undertook to bring its institutions, policies and procedures into conformity with the economic and monetary union agreed upon in the Maastricht Treaty and to prepare them for the imminent eastern expansion.[5] In this context, the principle

of differentiated integration was assigned the role of 'ultimate means' (Art. 43, 1 c EUT-A); it was supposed to function as a 'rescue concept' (Janning, 1998), as the 'dynamic preliminary and intermediate stage towards complete integration' (Weinstock, 1984).

Our thesis is that the principle of differentiated integration must be radicalized and extended in a cosmopolitan Europe. The principle of differentiated integration is an indispensable precondition for the realization of the recognition of difference in a cosmopolitan Europe. Only in this way is it possible to reconcile two at first sight mutually exclusive demands: the recognition of *difference*, on the one hand, and the *integration* of the different, on the other.

How, then, can the claim to uniformity – in particular, to legal uniformity – which is constitutive for modern states, be upheld in an integrated Europe without impairing the autonomy of its constitutive elements? Here numerous answers of the most diverse kinds have been proposed. The key point is that the potential of the concept of differentiated integration can be fully exploited only when it is spelled out completely in both its dimensions, namely, differentiation *and* integration. Consequently, we can distinguish two principal varieties of differentiated integration:

1.  Forms of *difference-friendly integration* (e.g. the principle of mutual recognition). Here the claim to complete integration is maintained but it is put into effect in ways hospitable to difference; hence, it is more tolerant towards national, regional and local peculiarities than the usual harmonization approach.
2.  Forms of *integration-friendly differentiation* (e.g. functional differentiation, geographical differentiation). Here the claim that all member states must accomplish everything simultaneously is abandoned. Integration is restricted accordingly and the claim to complete integration is subject to spatial, temporal and material limitations.

We would like to illustrate this by three examples: (1) the principle of mutual recognition; (2) the method of open coordination; and (3) the concept of variable geometry.

First, the *principle of mutual recognition*, which has hitherto been applied primarily in regulatory policy, is based on the principle of the *qualified* recognition of difference (Scharpf, 2003: 242). In this case, the EU renounces the aim of harmonizing national regulations completely at the European level and allows national regulations to be upheld on the condition that they satisfy quite specific requirements stipulated at the European level. Among the latter is the specific requirement that they be compatible with each other and satisfy the functional requirements of European regulation. In this case, the member states commit themselves to recognizing their respective national regulations and thereby to Europeanize them. Thus, it becomes possible in the area of regulative policy to arrive at cosmopolitan, i.e. inclusive, solutions, hence regulations that satisfy both the requirement of European regulation and the desire to preserve national difference.[6]

Second, the *method of open coordination*, which operates in the same way. It was agreed upon by the heads of the EU member states in March 2000 at their summit in Lisbon, initially for the area of employment and social policy, but in the meantime in an ever-increasing number of policy areas (among others, education, health care, nursing and pensions).[7] The essence of this method consists in the fact that, although the formal competences for the individual policy areas remain with the member states, common guidelines are formulated at the European level that are supposed to be realized through 'soft', i.e. non-legal, steering instruments (in particular 'benchmarking', 'monitoring' and 'evaluation'). This takes place primarily outside of the formal Community frame-work. The aim is to make possible common European policies even where a further transfer of legal authority to the EU is unwelcome or unrealistic. Euro-peanization then no longer takes place primarily through law and its goal is no longer 'legal uniformity'; instead it occurs through informal pressures, self-accommodation and learning, and its goal is 'effective political unity'. Such an approach to integration has obvious advantages from the perspective of European cosmopolitanism. This method is extremely hospitable to national, regional and local differences because it places them under the protection of the sovereignty of the member states.

Finally, *geographical differentiation* is at once the most important and most controversial form of differentiation. Geographical differentiation is geared to the varying territorial scope of rules and policies. By contrast with the 'Community method', rules and policies in this case *do not hold for all*, but only for states that expressly agree to them. This intensified cooperation can assume different forms, among others, the model of 'different speeds' (Tindemanns), the concept of an 'à la carte' Europe (Dahrendorf), that of 'variable geometry' (Delors) or the idea of a 'core Europe' (Derrida and Habermas).[8]

The best-known example of variable geometry of European integration is the economic and monetary union, a form of differentiated integration that takes place within the Community framework, but in which only 12 of the then 15 EU members participate. Participation is not completely open but is tied to commonly agreed-upon conditions (the stability criteria). The non-participation of Denmark, Great Britain and Sweden is formally only temporary but has no fixed time limit; these countries – as well as the new member states – have the option of joining the economic and monetary union at any time as long as they have fulfilled the stability criteria. A second variant is the Schengen Agreement, which was initially negotiated outside of the European treaty complex by a handful of EU member states (Belgium, Germany, France, Luxembourg and the Nether-lands). The Agreement has in the meantime been signed by 15 states, including, with Norway and Iceland, two non-members of the EU, whereas two members of the old 'EU 15', Great Britain and Ireland, have not signed the Agreement.

These examples show that the political integration of Europe already exhibits a highly 'variable geometry'. The vision of a uniform Europe has long since been overtaken by reality, and from the perspective of European cosmopolitanism there are good reasons for thinking that this principle of integration will exert

even more pronounced effects in the future. In principle, a multiplicity of possibilities exist for creating new, functionally and regionally based zones of cooperation between the EU and its member states – and beyond – as a way out of the dead end of the 'Community method'. Such a flexible strategy is not without its risks, but it offers the most promising opportunity for combining unity and diversity. If we uphold the rule that everyone must wait until everyone is ready to move, this will only maximize the power of veto players and increase the likelihood that decisions will be postponed or blocked. Therefore, a cosmopolitan Europe must adopt a new logic of political mobilization: a few must take the initiative so as to drag along those who have their foot on the brake.

## The 'Democratic Deficit' and the Legitimacy of European Politics

One further implication of applying the principles of cosmopolitanism to Europe concerns the need to strengthen the democratic legitimacy of European politics. From the outset the European Community suffered from a serious design fault. The transfer of sovereign rights to the supranational level deprived democratically elected national parliaments of some of their powers without ensuring that the supranational institutions acquired adequate democratic legitimacy. There have been constant complaints about this 'democratic deficit' in the past, but no fully convincing remedy has been found yet. The powers of the European Parliament are still insufficient, although they have been increased several times, while the European Commission is completely without democratic legitimacy; and even the European Council possesses only an indirect democratic legitimacy.

The principal problem with the democratization of Europe – alongside the asymmetry of membership forms and rights that arises from Europe's variable geometry – is its peculiar organization of political authority. In the European multi-level system, political power is not concentrated and centralized as implied in the Hobbesian concept of absolute sovereignty, but is fragmented in various ways.[9] In most areas, political decisions involve a number of national ministries, the Council responsible for a specific policy area, the European Commission with a variety of cabinets and general directorates, the national parliaments and the European Parliament, to say nothing of numerous committees, sub-committees, working groups and task forces. How can democracy function properly in such a system of highly dispersed power? How can appropriate avenues for political participation be established in these circumstances? And how can political authority effectively be controlled?

It is against this background that Eurosceptics like Ralf Dahrendorf have raised fundamental doubts that democracy can be established beyond the nation-state, and that Europe can function as a democracy. And they infer from this that the transfer of powers from the member states to the EU should be strictly limited; if at all, they accept only a minimal Europe (Dahrendorf, 2005). Thus, if anyone advocates more Europe, as we do with our concept of a cosmopolitan Europe,

ways will have to be found to democratize it. In the past decade, there has been an intense debate on this subject in the various social sciences, but also in law and philosophy.[10] In this debate, two main strategies designed to overcome the democratic deficit of European politics can be identified:

1   The first strategy seeks to democratize the EU by extending the powers of the European Parliament. Based on the model of parliamentary democracy, its ultimate goal is the creation of a bicameral system of the kind familiar from federal states (Maurer, 2002; Rittberger, 2005).

2   The second strategy seeks to close the democratic deficit with the help of new models of post-national or post-parliamentary democracy. These include and combine a great diversity of concepts, such as the associative, deliberative, participatory or consociational versions of democracy that can be combined into new models of cosmopolitan democracy (Greven and Pauly, 2000; Kohler-Koch, 1998).

Our contention here is that Europe can certainly be democratized, but that the model of majoritarian parliamentary rule is insufficient for this purpose. The democratization of Europe must be brought about with the help of a new model of cosmopolitan democracy, and this goal can be achieved only by making use of a number of new strategies: strategies of intervention, inclusion and recognition of otherness, as well as control. We will look now in greater depth at two of these strategies, namely, intervention and the recognition of otherness, since they have played a particularly important role in past years.

## Intervention Strategies

The key to the democratization of Europe lies in a shift from the principle of representation to a new principle of participation, namely, that of intervention. Previous attempts to democratize the EU have shown that the preconditions for the application of the principle of representation are inadequate. In the past twenty years, the European Parliament has increased its powers, but not its democratic legitimacy. As can be seen from the turnout in past European elections, European citizens still fail to accept it as the place where *their* political goals and interests are legitimately represented. It is regarded as belonging to the Brussels power apparatus, and not as an institution that enables citizens to exercise control. And rightly so. How many people knew the name of their MEP before the last European elections? How many people felt that they were adequately informed about their MEP's activities? Admittedly, these are the perennial problems of all parliamentary democracies. But at the European level the distance from the voters is particularly great, and at the same time, the intermediaries that are supposed to bridge the gulf (however imperfectly), namely, the political parties and the political public sphere, are especially weak.

But aren't these problems all merely transitional? Doesn't the low turnout simply reflect the weak powers of the Parliament? Why should European citizens

elect a parliament that cannot even appoint a government? And wouldn't the legitimacy of the European Parliament increase automatically if it were given greater powers? Those who argue in this way, overlook the specific institutional features of the European policy process. Thanks to the territorial and functional fragmentation of power, even in the best case, the Parliament would only be able to control a part of the decision-making process. In the European multi-level system of governance, there are built-in limits to the parliamentary control of European politics. Hence, even if its powers were maximized, the European Parliament would still find itself being held responsible for political decisions which it could only control to a small degree.

In these circumstances, a strategy that relies only on strengthening the European Parliament would inevitably lead into a blind alley. The European democratic deficit can be eliminated only if citizens are given the opportunity to intervene directly in the political process – this is the key to the democratization of the EU (see Abromeit, 1998; Grande, 2000a; Habermas, 2001a; Hug, 2002; Zürn, 1996).

This does not mean the total replacement of an indirect, representative democracy by a direct one. Rather, it means that the existing institutions of parliamentary democracy must be supplemented by opportunities for European citizens to articulate their concerns and intervene autonomously. The most important instrument with which to achieve this is the use of Europe-wide referendums. Whoever genuinely wishes to democratize Europe cannot avoid recommending their introduction. This would not only close the gap between institutions and citizens and improve the control of European politics. Properly designed, such referendums could develop a considerable 'community-creating potential' (Zürn, 1996) and contribute to the strengthening of Europe 'from below'.

However, not all referendums are alike (Butler and Ranney, 1994; Gallagher and Uleri, 1996). If Europe is to be strengthened rather than weakened by referendums, they will have to satisfy at least five conditions:

1  They must be genuine *European* referendums, not just a series of un-coordinated national referendums as was the case with the ratification of the Maastricht Treaty or the Constitutional Treaty. This would avert the risk that referendums might be misused for national purposes or even to 're-nationalize' politics.

2  The subject matter of European referendums should not be restricted. Referendums should be possible on any issue proposed by a qualifying number of EU citizens. However, in order to ensure that referendums will trigger a process of transnational deliberation, their initiation should require not only a certain minimum number of citizens, but also the support of citizens from different member states.

3  European referendums should in principle be initiated only by citizens. This would reduce the risk of their being exploited by the European power games of national governments or supranational agencies such as the European Commission.

4   The results of European referendums should be binding upon the supra-national institutions. This would give European citizens effective decision-making powers; they would not appear merely as petitioners, as was envisaged by the Constitutional Treaty.

5   However, it should be possible for supranational institutions to react to the results of referendums and to integrate them in their own proposals. In other words, referendums should not simply be used as a blocking mechanism, but should have the potential to initiate learning processes.

Conceived along these lines, European referendums might become an effective instrument with which to transform European citizens from passive objects into the active subjects of European politics. Of course, we must not forget that acti-vating people in this way can be a double-edged sword. As national referendums have shown, they can act as both the source of political innovation and as a conservative, conserving element.

## Strategies for the Recognition of Otherness

A further problem facing a cosmopolitan democracy is the problem of recog-nizing otherness in the democratic process. Granting equal rights of participation is undoubtedly important, but it is not sufficient. A cosmopolitan democracy must also ensure that this formal equality is not used to destroy differences that are worth preserving.

The greatest danger here is posed by a procedure that is commonly regarded as fundamental to democracy, namely, the majority vote. As is well known, the strength of the majority vote lies in its versatility and simplicity of application. It calls for nothing more than the mutual recognition of some universal politi-cal norms that help to ensure that all participants abide by the (jointly agreed) rules governing the acquisition and exercise of power. The obvious drawback of the principle of majority voting is that it shows no concern for otherness: a majority is a majority. However, the principle of majority voting can only create legitimacy if majorities can change and majority decisions can be reversed. If, however, the end result is the emergence of structural minorities or irreversible consequences, then, instead of creating legitimacy, the principle of majority voting will only intensify conflict. And this is the very real danger in a cosmo-politan Europe.

It follows that a cosmopolitan democracy in Europe requires strategies for the recognition of otherness that will set limits to the principle of majority voting as a way of reaching decisions. The most promising alternative is to replace majority voting in all important political issues by a consensus vote. At least this is the conclusion that can be drawn from the comparative study of democracies. Empirical analysis has convincingly shown that an overwhelming number of modern democracies have either supplemented or replaced majority voting with a great variety of consensual methods of conflict resolution. As a result, they have

changed into 'consensus' or 'negotiated' democracies (Lehmbruch, 2003; Lijphart, 1999).

This trend towards consensual decision-making must apply to a cosmopolitan democracy even more than it does to national democracies, since cosmopolitan democracy is explicitly based on the recognition and preservation of difference. On contentious issues of high importance a cosmopolitan democracy may not proceed according to a majority vote, but must seek consensus. This implies that the constant increase in the number of decisions reached by majority voting in the EU is not without problems. This procedure may enhance the ability of European institutions to act, but this will be increasingly at the cost of the demo-cratic legitimacy of decisions taken in this way. The EU is evidently in a quandary from which there is no ready exit; but there are at least some possibilities of mitigating this dilemma. Two of them are especially compatible with the funda-mental themes of cosmopolitan democracy.

First, the introduction of a 'qualified right of veto', as Renaud Dehousse has suggested (2003: 133). In such a system, the right of veto would be granted, not, as previously, to individual member states, but to a (smaller) group of states. This would have a number of advantages. In the first place, it would prevent individ-ual member states from frustrating decisions and blackmailing other members, but it would also reinforce the deliberative element in the decision-making process. A government that wished to make use of its right of veto would have to convince at least some other states of the legitimacy of its concerns.

Second, the introduction of a 'reflexive loop' into the decision-making process, as suggested by Claus Offe (1982: 332). This means that the rule for arriving at a decision in a particular area would not be laid down in advance, but left open. Those involved in the decision-making process could then decide how a decision should be reached in each individual case, and among other things that would mean deciding whether they attached greater importance to the effec-tiveness of a decision-making process or its legitimacy. In this way, it would at least be possible to avoid the blind alley of the either–or situations – either majority decisions or unanimity – in which the EU's reform debates constantly are mired.

In summary, it should be clear that there are no simple and straightforward solutions to the problem of democratizing Europe – but it is neither utopian nor impossible. However, the proposals for overcoming the democratic deficit that have thus far dominated the reform debates fall short of what is required. Ideas such as the 'full parliamentarization' of the EU, the increased use of majority voting and greater transparency of the decision-making mechanisms do not go far enough. On the contrary, they would only defer or even aggravate the existing problems. The transition to cosmopolitan democracy in Europe *cannot* be achieved simply by adopting the familiar and accustomed models of national democracy. It calls for far-reaching institutional and procedural innovations – a reinvention of Europe is impossible without the reinvention of democracy.

## The Cosmopolitanization of Europe from Below

But how is such a cosmopolitan Europe to be arrived at? Who is to make it happen? The answer to this question can only be: the citizens of Europe. Europe must be founded anew from below – by its citizens and by movements in civil society, and not from above, by the member states and their governments. In view of the widespread apathy towards Europe, this may seem utopian. The failure to build Europe up from below was also – despite the setting up of a Convention on the future of Europe – the cardinal error of the European constitutional project. An opinion poll conducted by the EU Commission in spring 2003 revealed that towards the end of the consultations about the constitution more than half (57%) of European citizens were not even aware of the fact that a Convention was working on a draft constitution for Europe.

At this juncture it is highly instructive to look back at the beginnings of the process of European integration after the Second World War. Historical accounts of the heyday of the European movement in 1947 and 1948 reveal a picture that seems amazing to us today:

> In all democratic countries in Europe there arose societies, associations or movements, but also sectarian circles which subscribed to the European idea and canvassed support for the political and economic union of the nation states, even though they had very different ideas of the form such a union might take. The resonance of the idea of European unification was so powerful and had so many influential supporters that activists believed that the movement would swell into a popular European movement and their optimism was such that they thought this might well lead rapidly to a united Europe. (Brunn, 2002: 52)

At that time there were over half a dozen important Europe-wide organizations of citizens to which countless local, national and international associations were affiliated (Niess, 2001: 158).

This backward glance at the beginnings of the European movement after the Second World War shows us that Europe is fully capable of generating enthusiasm and mobilizing popular support. If the idea of a European civil society is still underdeveloped, this cannot be explained simply by reference to public apathy. It also arises from the fact that with the establishment of the European Community, European politics were taken over by the governments and European citizens were deprived of any real influence. This development must be reversed. European politics must be returned to European society and the citizens of Europe must be made the subjects of the European political process, rather than mere objects without a voice.

## Acknowledgement

## Notes

1  The most important contributions to this debate include Kagan (2003), Mearsheimer (2001), Nye (2002), Slaughter (2004), Held (2004), Habermas (2004); for an excellent summary of the recent debate on an American 'empire' see Speck and Sznaider (2003).

2  The following ideas are based on our book, *Cosmopolitan Europe* (2006). In addition, the theoretical foundations of the concept of cosmopolitanism are examined at greater depth in Ulrich Beck (2006).

3  For a discussion, see Archibugi (2003), Archibugi and Held (1995), Cheah and Robbins (1998), Held (1995, 2004), Pogge (2001), Vertovec and Cohen (2002); for a recent example of the application of the concept to Europe, see Delanty and Rumford (2005).

4  On the history of the concept of differentiated integration and its different variants, see, in particular, Scharrer (1984). In Germany, the concept of differentiated integration has in recent years been promoted and further developed primarily by Werner Weidenfeld and his collaborators; see especially Bertelsmannstiftung (1997) and Weidenfeld (2000).

5  The introduction of possibilities for flexible integration was not supposed to overturn either the existing store of Community rules, the *acquis communautaire*, or the guiding model of 'complete integration'. As a result, the concept of differentiated integration has remained trapped in the old exclusive dichotomies and in the old categories of unified statehood. Particularly symptomatic of this outdated mindset is the Amsterdam Treaty, for although it introduced the principle of 'enhanced cooperation' (to give it its official designation) into the European treaty complex, it restricted this principle so radically that it has been impossible to apply it.

6  Here the difference between second modernity and postmodernity, i.e. between cosmopolitan and postmodern solutions to this problem, becomes apparent. In contrast to postmodern approaches, the principle of differentiated integration does not completely relinquish the claim to common norms but attempts to satisfy the claim of modern statehood to internal uniformity in a new, differentiated manner.

7  In recent years, the 'method of open coordination' has been one of the pet projects of research on Europe in political science. See, among others, Borrás and Greve (2004), Eberlein and Kerwer (2004), Héritier (2003), Hodson and Maher (2001), and Kaiser and Prange (2005).

8  For early concepts of differentiated integration, see the survey in Scharrer (1984); for a recent example, see Derrida and Habermas (2003).

9  On the concept of multi-level governance, see Benz (2003), Grande (2000b), Hooghe and Marks (2001, 2003), and Marks et al. (1996).

10  See in particular Abromeit (1998), Chryssochoou (1998), Kohler-Koch (1998), Scharpf (1999), Greven and Pauly (2000), Schmitter (2000), Habermas (2001b), Siedentop (2001), Crombez (2003), and Moravcsik (2003).

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