

THE CICERO FOUNDATION

GREAT DEBATE PAPER 2008 No. 1

Is the European Union a Neo-Medieval Empire?

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The battle over the European Constitution is over. In a sense, this is the end of Europe's history. Integration will no longer be a direct function of institutional and legal engineering. No current leader is eager to begin another inter-governmental conference, this time with twenty seven EU members. New ways would have to be found to organize the ever larger European space. We need to re-think some basic prerequisites of the European project. Let us start with the most fundamental question. What is the nature of the European Union today?

What is the European Union Today?

The Union is larger and more diversified than ever. It is now the biggest economic bloc in the world with the largest single market and its population exceeds the combined population of the three NAFTA states (the United States, Mexico and Canada). But this is where clarity and consensus end. The dominant paradigm is state-centric: the EU is on its way to becoming a kind of Westphalian federation with a central government in charge of a given territory.

The Union already has its Parliament, Court of Justice, and Executive. It has external borders, a common European currency and European citizenship. It even has a surrogate of a European army. But all this is misleading. The Union has no effective monopoly over the legitimate means of coercion. It has no clearly defined center of authority. Its territory is not fixed. Its geographical, administrative, economic and cultural borders diverge. It is a polity without coherent demos, power without identifiable purpose, geopolitical entity without defined territorial limits.

EU's Foreign Policy: Exporting Laws and Regulations

The Union is also a very peculiar international actor. Its prime “international” role (although unstated) is to keep peace among its members states and not to project power abroad. Its most successful foreign policy is conditional enlargement, and not traditional diplomacy or military intervention. Export of laws and regulations is the Union’s most favorite foreign policy instrument. Foreign trade and aid come second. Peace enforcement comes third - if ever. Besides, there is no single institutional framework to exercise the European foreign policy.

The famous or infamous CFSP (Common European Foreign and Security Policy) and ESDP (European Security and Defense Policy) are used quite seldom and usually amount to vague “joint” declarations. EU member states often prefer to act within the United Nations framework or via the OSCE, Council of Europe or NATO. European foreign and security policies are often carried out by formal or informal coalitions of the willing, contact groups or bilateral initiatives. Individual member states have a complex set of diplomatic relationships within and across EU borders and they pursue their security in a different manner depending on the case and circumstances of the day. Most notably, their loyalty is not only to the EU, but also to the US.

The EU: A Neo-Medieval Empire?

If the Union is not a super-state in the making, what is it? Is it a kind of UPO (Unidentified Political Object), as Jacques Delors, former President of European Commission, used to say? Does the Union’s uniqueness prevent any analogies and comparisons that would give us some clues for understanding or even predicting its behavior? Are we at the mercy of astrologers and fortune tellers?

The answer is: no! In my view, the enlarged Union increasingly resembles an empire and this has profound implications for understanding its internal and external politics. However, the Union is not an empire like contemporary America or nineteenth century Britain. Its polycentric governance, fuzzy borders and soft forms of external power projection resemble the system we knew in the Middle Ages, before the rise of nation-states, democracy, and capitalism.

There are many factors behind the neo-medieval development starting with globalization and ending with the ongoing cultural shift, to use Inglehart’s term. In my view however, the recent wave of EU enlargement was decisive in tipping the balance. This is partly because enlargement represents an enormous import of diversity that can hardly be addressed by the new members’ formal adoption of the entire body of European laws and regulations: the famous (or infamous) *acquis communautaire*. Compare, for instance, the GDP per capita of Denmark and Latvia. The ratio is 10:1. These differences in various functional fields imply differences in policies that these countries support within the EU. In fact, there is already a significant body of evidence showing that policies of new member states from Eastern Europe reinforce the neo-medieval scenario.

As the Latvian president, Vaira Vike-Freiberga, put it in 2002: “Latvia sees the EU as a union of sovereign states... We do not see the need at the moment to create a unified

federal European state... Europe's vast diversity is one of its greatest strengths. While this diversity may present challenges to consensus-building, it is a resource that must be nurtured and cherished. Every member-state of the European Union, whatever its size, has the potential to make a meaningful contribution to the organization as a whole." And Slovenia's Foreign Minister, Dimitrij Rupel, added: "The basis of diversity management is the principle of subsidiarity. Subsidiarity can be an efficient means of avoiding unnecessary disputes."

The increased level of diversity will complicate rather than simplify the EU's institutional structure which is another factor behind the medieval development. Even now Norway and Iceland are part of Schengen, while EU members such as Poland, Ireland or Slovenia are not, albeit for different reasons. There are more EU member states outside the Euro-zone than inside it. As a result we have a multi-level European government composed of concentric circles and acting along a variable geometry medieval style.

The EU: Neo-Medieval and Imperial?

The new Europe may well be neo-medieval, but is it also imperial? Here again, enlargement with its comprehensive and strict policy of conditionality suggests the Union's external policy is truly imperial. Through enlargement the Union was able to assert its control over unstable and poor neighbors. True, the post-communist countries were not "conquered" but invited to join the EU, and they did so quite eagerly. Moreover, at the end of the accession process they were offered access to the EU's decision-making instruments and resources.

Nevertheless, the discrepancy of power between the EU and the candidate states was enormous and one wonders how much actual freedom the candidate countries could ever have had in the accession negotiation process. In fact, the Union has from the start made it clear that the candidate countries must adopt the entire body of European laws before entering the Union. Of course, their compliance with EU laws was often more apparent than real, but cheating is the essence of imperial relations characterized by structural asymmetries. The fact is, however, that within empires the peripheral states operate under de facto (if not de jure) constrained sovereignty. This is also the case when we look at the set of relations between the EU and its new members and would-be-members.

My use of the term empire proved controversial, especially in the neo-medieval context. There was a Holy Roman Empire in the Middle Ages, but students of history often argue that it was neither Roman, nor holy nor even an empire. Besides the Holy Roman Empire continued, albeit diminished, until 1806. In many ways its direct heir, the Habsburg Monarchy continued until 1918 and it was pointed out to me that the Austro-Hungarian Dual Monarchy that existed from 1867 is more reminiscent of the contemporary European Union.

However, I never intended to suggest any historical analogy by using the term neo-medieval empire. For me the neo-medieval empire is an abstract paradigm describing the

nature of the emerging European polity. My paradigm is empirically grounded, but it relates to the situation of today. And I contrast this paradigm with the paradigm of a Westphalian state that is often used in the literature on European integration.

The Westphalian state is about concentration of power, hierarchy, sovereignty and clear-cut identity. The neo-medieval empire is about overlapping authorities, divided sovereignty, diversified institutional arrangements and multiple identities. The Westphalian state is about fixed and relatively hard external border lines, while the neo-medieval empire is about soft border zones that undergo regular adjustments.

The Westphalian state is about military impositions and containment, the neo-medieval empire is about export of laws and modes of governance. Both paradigms represent a conceptually possible expression of political authority organized at the national and transnational level, but I argue that the recent wave of enlargement makes it impossible for the Union to become a Westphalian state. In fact, the Union increasingly resembles a neo-medieval empire.

Is the EU doomed to enlarge ever further?

The most important implication of the neo-medieval development is geo-strategic: the Union, like all empires is doomed to enlarge ever further despite public anxieties in several member states. Several EU members are exposed to instabilities outside EU borders and enlargement proved to be the only effective tool of pacifying the external environment. The decision to open accession negotiations with Turkey is a clear manifestation of this, but Ukraine, and Belarus may require a similar solution in the not too distant future, not to mention several states in the Balkans and North Africa.

The second implication concerns governance capacity of the Union: hierarchical governance is doomed to failure in the neo-medieval environment. The Union would have to adopt more loose and flexible forms of economic and administrative governance to remain competitive and coherent.. Soft rather than hard law would have to be the norm. We would have to rely on liberal economic policies stimulating growth rather than central redistribution from Brussels. Incentives and shaming would have to prevent free-riding rather than sanctions and commands.

The third implication concerns the Union's democratic legitimacy: parliamentary representation can hardly work in a neo-medieval setting. This means that giving more powers to the European Parliament, for instance, may prove not only irrelevant, but even counter-productive. The Union would have to construct democracy on other principles than representation such as deliberation and contestation. We already have a rapid growth of various types of litigations in the Union. And we can think about various new ways of giving citizens the possibility of contesting European decisions.

Friends of a European state see medievalism as a symbol of chaos and conflict. Yet for someone living in the medieval cities of Florence and Oxford the medieval story is more positive. A flexible neo-medieval empire in concentric circles would be in a better

position than a European state to cope with the pressures of modernization and globalization. It would also be in a better position to compete with other great powers by pulling together vast European resources, but without eliminating Europe's greatest strength: its pluralism and diversity.

A neo-medieval empire would also be well suited to provide conflict prevention in its neighborhood by shaping countries' behavior through the mechanism of EU membership conditionality. A neo-medieval empire might even be in a good position to be seen as democratically legitimate by bringing governance structures closer to the citizens, and making the system more transparent and open.

This optimistic scenario will only materialize if we are able to adjust to change. The EU needs to adopt more flexible and decentralized modes of governance to run its economy and administration. The EU can no longer run the European foreign policy in the style of Metternich and Bismarck. And it should find new channels of political representation and participation to make democracy possible in this neo-medieval setting. This will not be easy. However, applying Westphalian solutions to the neo-medieval environment would certainly be worse.

Today more and more scholars use the term "empire" to describe the European Union: Harold James from Princeton, Ulrich Beck and Edgar Grande from Munich or Josep Colomer from Barcelona, for instance. Even the President of the European Commission, José Manuel Barroso, talks about the EU's "imperial dimension." We need to comprehend this peculiar empire, and make it work.

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