

De-mystifying the European Union: Reflections on the margins of the conference on the future of the European Union

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ABSTRACT

The intellectual constructs of communities, especially myths of origin and other myths, play a role not only in interpreting the present but also in shaping plans and strategies for the future. Fortunately, political myths facilitate these processes: they strengthen community cohesion and motivate collective action. Myths are useful as long as they promote intellectual connection with reality rather than isolation from it. But the European Union is a special intellectual construct in the sense that it does not seek to represent or interpret reality, but to transform it. Hence the particular strength of the myths of the European Union, which claim exclusivity both in the face of reality and in the face of political will to the contrary. At present, these myths frame the debate on the future of the European Union – and, at the same time, strictly delimit the discourse that can emerge about its objectives and functioning. This academic work presents and analyses some of the myths of European integration.

KEYWORDS

European integration, future of the European Union, myths of the integration

1. The myths of the European Union

“The European Union has always been an idea in search of reality”¹ – writes Ivan Krastev, who can hardly be accused of being averse to the idea of European integration. The phenomenon is certainly not specific to the European Union: the existence of any political community cannot be confined within the framework of material reality. The intellectual constructs of communities, especially myths of origin and other myths, play a role not only in interpreting the present but also in shaping plans and strategies for the future. Fortunately, political myths facilitate these processes: they strengthen community cohesion and motivate collective action. Myths are useful

1 Krastev, 2017, p. 5.

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But the European Union is a special intellectual construct in the sense that it does not seek to represent or interpret reality, but to transform it. Hence the particular strength of the myths of the European Union, which claim exclusivity both in the face of reality and in the face of political will to the contrary. At present, these myths frame the debate on the future of the European Union – and, at the same time, strictly delimit the discourse that can emerge about its objectives and functioning.

A substantive debate on the future of the European Union presupposes, on the one hand, an objective description of how integration actually works and an objective assessment of its achievements; and, on the other hand, an exploration of the political – i.e. not emotional or intellectual – demands of European citizens for integration and the most effective way to meet these demands. This cannot be done without demystifying the European Union, i.e. without a conscious and critical approach to its myths. To do this, we need to identify the myths of European integration and how they distort the self-image of the European Union. We need to analyse how myths determine the debate on the future of integration and how they disqualify certain ideas and proposals.

To this end, we look at some of the myths of European integration.

2. The European peace project: the myth of origin

The origin myth of the European Union is that integration is the continent's response to the horrors of the Second World War. It is thanks to the historic Franco-German reconciliation on which it is based that there has been no armed conflict between EU Member States since then.

The historical basis of the myth of origin needs to be nuanced: the mission of European integration from the 1950s onwards was not only to make war between the states of Western Europe impossible but also to prepare Western Europe politically and economically for the struggles of the Cold War. In this sense, European integration was a distinctly 'war' project, although the Europeans did not see the Cold War as necessary, and specifically wanted to avoid actual war. The added value of the European Union to peace in the western half of the European continent is difficult to quantify precisely, since an armed conflict involving western states outside the Union was no more likely than war between the Member States of the Union. Perhaps we are closer to the truth in stating that without the consent of the hegemonic power in the Western bloc, a conflict between the states of the bloc was as unthinkable as a similar conflict in the Eastern bloc without the consent of the Soviet Union. However, the European Union's peace project had no effect on European territories outside the sphere of influence of the United States: the Union had repeatedly failed to prevent armed conflicts from breaking out, and it was and is unable to manage on its own the conflicts that did break out.

Regardless of its historical foundation, the myth of origin contains two implicit claims. The first is that the project of peace in Europe is in fact a Franco-German reconciliation project,² or, more permissively, a project of the six founding member states of the Communities. The implication of this claim is that the European integration project is an ‘alignment’ process. Its proper functioning presupposes the acceptance that the strategic directions of integration are set by Franco-German cooperation. Alignment applies not only to the specific legal obligations of the EU but also to the European economic and social model in general. The contours of the European economic and social model are constantly changing, but two factors remain constant: the requirement of alignment means that only one model can be recognised as European, and its defining elements are the French and German economic and social development. This integration structure perpetuates the centre-periphery dichotomy, regardless of economic development, because it sees it as a distinction between the states that provide the model and those that receive it. This distinction inevitably leads to a cultural and moral hierarchy between the Member States: the model countries consider themselves to be ahead of the game in implementing the European economic and social model and reserve the right to evaluate the progress of catching-up countries and to encourage the catching-up process.³

The second claim is that the only alternative to the European peace project is a return to destructive wars. It follows that questioning the direction of Franco-German cooperation is an attack on European peace.

For Member States that joined from 2004 onwards, acceptance of this myth was a prerequisite for EU membership. However, the majority experienced it not as a constraint but as a decision taken in the possession of their regained freedom and sovereignty. The growing prevalence of this myth in the functioning of the Union and the resulting resentment have led to a certain, but not universal, need for a critical examination and revision of it. Alongside the ‘alignment’ narrative of integration, the ‘unification’ narrative gradually took shape. This can be traced back to the defining experience of the Central and Eastern European region, which sees the historical mission of European integration as the reunification of a continent artificially divided during the Cold War. For many decades, the Franco-German peace project was a structure that reflected and fitted into the specificities of a divided continent. The end of the Cold War therefore requires not simply an extension of this structure but a redefinition of it.

In the “unification” narrative, the source of Europeanism is not exogenous (the Franco-German point of alignment), but endogenous (Europeanism constituted by certain elements of one’s own identity in common with other related identities), which does not require external legitimation. Different European identities can lead

2 The Schuman Declaration, which outlined the plan for a European Coal and Steel Community, says: “The coming together of the nations of Europe requires the elimination of the age-old opposition of France and Germany. Any action taken must in the first place concern these two countries.”

3 For a similar description of the model, see Krastev and Holmes, 2019, pp. 54–76.

to different European socio-economic models. The objective of European integration in this context is to create an institutional framework for close cooperation between European models. The geometry of cooperation does not follow a centre-periphery but a network formula between European models. The alternative to European integration is not war but a divided continent.

The differences between the ‘alignment’ and ‘unification’ narratives of integration are also relevant to the debate on the future of the European Union because they lead to different approaches to its institutions and policies. For the ‘unifying’ narrative, it is important to develop mechanisms that would be able to genuinely assert national identities and constitutional traditions in the process of legal harmonisation. In this narrative, national identity and constitutional tradition are not aspects that EU institutions have discretion to ‘factor’ into their decisions when and to the extent they deem it appropriate, but are core values protected by national constitutional institutions and subject to institutionalised constitutional dialogue. The ‘unification’ narrative similarly attaches great importance to reinforcing a culture of consensus seeking. Its weakening has created divisions without contributing anything to a faster and more effective functioning.

For the “unification” narrative, it is also important to adapt the decision-making rules in such a way that the economic and social interests of entire regions or significant groups of Member States cannot be ignored. A return to unanimous decision-making is desirable in the Council of the EU on issues that fundamentally affect national identity and social organisation. In the post-Brexit situation, the voting rules for qualified majority voting in the Council should also be reconsidered.

The ‘alignment’ and ‘unification’ narratives also take a fundamentally different approach to the enlargement of the European Union. For the former, enlargement is an ancillary and contingent element of the integration project, which can take place when and in such a way that it serves the expansion of the Franco-German model of social development and does not threaten its dominance. For the latter, enlargement is an essential element of the integration project, which has its place irrespective of the fact that the new Member States will enrich the European Union with a different, but also European, economic and social model.

3. European democracy: the myth of legitimacy

From the very beginning, European integration has struggled with accusations of a democratic deficit that can be interpreted in many ways. Certainly, European integration has never been an organised grassroots movement. It crossed the dividing line between intellectual experiment and political project only after the Second World War, under considerable external pressure, but it remained an elite-driven process throughout. Of course, it cannot be said that the majority of European public opinion is hostile to European integration. However, even Ernst B. Haas, the father of the neo-functional model, which served as the official ideology of integration, was forced to

admit that public opinion ‘favored “European unity” in general and unsophisticated terms in the earlier as well as in the most recent periods of history, but it still remains impressionistic, weakly structured, and lacking in patterns of demands and expectations except among young people.’⁴ In other words, it is incapable of doing precisely what a European political public opinion should do: formulating and enforcing expectations in relation to the European political agenda and decisions.

Regardless of this – or perhaps because of it – European public opinion can be very useful for the European integration process. A permissive consensus – that is, a general belief, based on little information and knowledge, that integration processes driven by the European institutions are fundamentally on the right track – can be a source of legitimacy in its own right, which can be used to counter national advocacy efforts. The Commission and the European Parliament also use thematic opinion polls for such purposes.

The legitimacy myth of European democracy can be summarised as the existence (or at least the advanced stage of formation) of a European demos capable of formulating political expectations of the integration project. The legitimacy of the European institutions is based on the fact that they put these expectations into practice. The integration project must support the formation of the European demos and the formation of its will, and break down political resistance to the will of the European demos. This will take the form, among other things, of strengthening the position and supranationality of the European Parliament and the European political parties, European interest groups and NGOs. The victims of this process are national governments, whose national democratic legitimacy is being eroded by European democracy, and national parliaments, which no longer have any meaningful control over the transfer of powers from national institutions to the EU level.

There are legal and political objections to the myth of European democracy. It is a legal fact that the European Union is an international organisation whose founders and members are states. Its functioning is based on the sovereign equality of the Member States. Accordingly, the legal legitimacy behind all decisions of the European Union can be traced back to the consent of the Member States, albeit often through multiple referrals. This situation is not altered by the fact that the European Union is unique in the world in that it is bound not only to its Member States but also to its citizens by a legal bond with its own content, namely citizenship of the Union. The European Union is therefore constituted not by its citizens but by its Member States. In legal terms, therefore, we cannot speak of European popular sovereignty – but this does not in itself preclude the existence of a European demos in political terms.

But the most important political objection to the myth of European democracy is precisely that this European demos does not exist in political terms. This claim should be examined from two angles: from the point of view of political identity and from the point of view of the formation of political will. A long-standing and consistent finding of Eurobarometer opinion polls is that the majority of EU citizens have both

4 Haas, 2004, p. xiii.

a non-exclusive European and a national identity, and that they usually identify primarily with their national identity.⁵ The myth of European democracy foreshadows the consolidation of a European identity that is exclusively political, neutral in terms of all other community ties, but which claims political loyalty. Its archetype is the American identity in the United States, which is a loyalty based on political creed and constitutional foundations, and independent of origin, language, culture, religion and other community-building aspects.

The seeds of this process can also be seen in European development: modern French and German identities, which are decisive for integration, are also based on political creed and constitutional foundations, so that most of their constituent elements can be understood at the supranational level. At the same time, an intellectual trend has emerged in Europe which sees national identity as one of the elements of individual identity, but not as a priority, alongside religious, linguistic or gender identity, among others. This process can lead to the emergence of a hierarchical system of identities, with European political identity at the top and a range of other community identities, including national identities, in a subordinate role. The defining feature of American identity formation, however, is that there are no identities competing for political loyalties among the parallel identities: political loyalties are exclusively linked to American identity, and American identity claims this exclusivity. In contrast, European and national identities are competing political identities. The fact that the two loyalties are not necessarily mutually exclusive does not change the situation: such a clash is conceivable. In such cases, national identity has an exclusive claim to loyalty, and the vast majority of EU citizens now take this for granted. The identity to which political loyalty is attached will therefore be the decisive factor in drawing the boundaries of the demos, and from this point of view there is clearly no European demos today. The lack of political loyalty also affects the content of European identity: in its current form, it can be described as a derivative identity constructed from common elements of national identities and solidarity with other European nations, rather than as a separate phenomenon that is built on national identities.

From the point of view of political will-building, we could speak of a European demos if common political challenges were met by a common discourse seeking common answers. This model does not reflect political agenda setting in the European Union. Political challenges are identified within national political communities, and the demand for European-level responses is expressed in national political discourse. The demos of each Member State acts as an autonomous political community in this process, rather than as a geographically delimited part of a larger demos. The content of the European response is shaped at the level of the EU institutions, where actors act to assert national needs, particular lobbying interests or institutional self-interest, as

5 Eurobarometer has published data on the relationship between national and European identities between 1992 and 2019, which show a relative stability over the last decade. In spring 2019, about one third of respondents identified exclusively with their national identity, while 55% identified primarily with their national identity and secondarily with their European identity.

shaped in national discourse: neither strategy can be seen as an expression of European democracy.

The European Parliament deserves special attention in the myth of European democracy. As the only directly elected EU institution, the European Parliament sees itself as the depository of European democracy and representative of the European demos. From this role it naturally follows that it is constantly seeking to extend its powers and strengthen its supranational character. Within the myth of European democracy, there are no substantive objections to this ambition, and the European Parliament's advance is unstoppable: it can take the legislative initiative; it can extend its legislative powers to the few areas where they have not been exercised to date; and, through the system of top candidates (*Spitzenkandidaten*), it can exercise a decisive influence on the Commission's management.

However, the objections to the myth of European democracy also stand with regard to the European Parliament: the direct election of MEPs is not a manifestation of the European demos. European Parliament elections are second-order⁶ national elections, where political discourse between political forces organised at national level takes place within a national framework. As a result, representatives who have national political legitimacy and are therefore politically accountable to the community that elected them are elected. When an MEP assumes this political responsibility, he or she becomes a national MP who happens to sit in the European Parliament. If, in accordance with the myth of European democracy, he/she does not assume this political responsibility, but wants to represent the European Union or the citizens of the European Union as a whole, he/she loses their democratic legitimacy. The European Parliament's response to this objection is to strengthen its supranational character: the full or partial introduction of transnational lists.⁷ This solution, however, does not change the current European specificities of political identity and will formation. The likely result would be that, instead of a single national political mandate, the European Parliament would be occupied by a number of MEPs with inconsistent national mandates, who would have no political responsibility to any national community. This would lead to a weakening of democratic legitimacy.

The myth of European democracy can be contrasted with the concept of a Europe of nations or a democracy of democracies. The starting point that seeks to implement democracy at EU level as the rule of a non-existent European people is flawed, because it actually leads to the elimination of the democratic control of existing

6 The turnout rate in European Parliament elections showed a steadily decreasing trend between 1979 and 2014. In 2019, the turnout rate (50.66%) exceeded the 2014 rate (42.61%), but remained significantly below the activity rate in national parliamentary elections.

7 A further means of strengthening supranationality could be to make the European Parliament's current degressive system of allocating seats more proportional. The current system sets a minimum and a maximum number of MEPs for each Member State and applies a more favourable distribution of seats for smaller Member States. There are around 82 000 inhabitants per MEP in Malta and 865 000 per MEP in Germany. The rationale behind this system is that the European Parliament's role is not to represent European citizens, but to represent the European national communities properly – which is, of course, incompatible with the myth of European democracy.

European nations over EU institutions. Democracy in Europe can only be secured by strengthening the role of democratically organised national communities, and the way to achieve this is through the participation in EU decision-making of actors with real political responsibility for real political communities.

An obvious solution is to strengthen the role of national parliaments. The right to withdraw a proposal if a majority of national parliaments or chambers of national parliaments in a Member State consider that it is not acceptable should be guaranteed. This could be the red card procedure, replacing the current orange card procedure. A similar solution could be to bring the European Parliament closer to national parliaments. It could be a return to the solution that prevailed from the beginning of European integration until 1979, whereby national parliaments of the Member States delegate representatives to the European Parliament. This solution is the most effective way of ensuring that the European Parliament takes decisions based on a genuine political mandate, adapted to the realities of the Member States and taking due account of their economic and social specificities. Another option worth considering would be for EU citizens to elect their MEPs in individual constituencies in the Member States, which would create clearer political accountability than at present.

4. Ever closer union among the peoples of Europe: the myth of finality

European integration started with well-defined, interconnected functional cooperation in the form of the coal and steel community, the common market and the nuclear community. But the founding fathers never hid the fact that the objectives of the European project went far beyond this level. The basic thesis of the neo-functionalist model of integration mentioned above is that successful functional cooperation will generate pressure to broaden and deepen integration and shift political loyalties to supranational institutions. According to the myth of the finality of European integration, the spillover of the integration process is not only desirable but necessary and encoded in the functioning of the integration institutional system, to which member states have given their political approval at the time of accession. The myth interprets the objective of *ever closer union* between the peoples of Europe as a process of the stealthy transfer of powers and decisions to the supranational level, which is beyond the political control of the Member States and whose dynamics are determined by factors outside their control, or rather by unnamed factors. It is also part of the myth that Member States who complain about the lack of control over the integration dynamic are calling into question the very essence of integration, in violation of the principle of loyal cooperation.

In contrast, the sovereignist position is that the Member States are the masters of the future of European integration. Member States created and run the EU to exercise certain powers jointly or through EU institutions where national action is not effective enough. The Member States are the sole holders of sovereignty, so they alone can decide which powers they wish to exercise jointly. Member States can decide not only

to extend but also to narrow the scope of EU powers. All non-delegated powers remain with the Member States, and this principle cannot be overridden by the general objectives of the EU. Even in areas where the EU has powers, EU action is justified only if the objectives envisaged cannot be sufficiently achieved by the Member States.

The practical implementation of this stealthy division of powers would not be possible without the specific role of the Court of Justice of the European Union and the case law that derives from it. The jurisprudence of the Court of Justice of the European Union has often pushed the stalled machinery of European integration beyond a state of political indecision and assumed the responsibility of the political decision-maker. This activity, like judicial activism in general, has always been controversial, but it does not necessarily pose a sovereignty problem as long as it does not override but reinforces the need to achieve a politically accepted level of integration. In such cases, activism merely ensures that Member States can be compelled to comply with their integration commitments despite occasional disagreements or conflicts of interest. As long as EU law remains within the framework of the integration structure defined by the political consensus of the Member States, effective enforcement of EU law is a means of implementing the political will for integration. However, when the interpretation of EU law becomes a means to change the framework of the integration structure, it loses its EU legal nature and replaces the will-building of Member States to devolve powers. This is not a technical legal problem but a fundamental question of political legitimacy and sovereignty.

Member States are powerless in the current institutional structure and procedures of the European Union to challenge decisions of the Court of Justice of the European Union such as the above, even if they are unverifiable, irrational and inconsistent with previous decisions – i.e. arbitrary. Power can only be limited by power: instruments must be created that provide a real counterweight to the EU institutions in enforcing the principle of devolution. This could be achieved by a court of jurisdiction, to be set up on a basis of parity between the members of the Court of Justice of the European Union and the constitutional courts of the Member States or constitutional institutions with similar powers.

5. Equal and more equal Member States: the myth of fiscal and political gestures

Central and Eastern European Member States are all net beneficiaries of the EU budget balance. This measure ranges from around 4% of gross national income (GNI) per year in the region (Hungary) to around 2% (Czech Republic). The main sources of revenue for beneficiaries are cohesion and agricultural funds. By comparison, the largest net contributors in terms of GNI are Germany (0.41%), Sweden (0.36%), the Netherlands (0.35%) and Austria (0.31%). This indicator is mythical, confirming that the „West” is making gestures towards the „East” in all areas of integration: just as our admission to the European Union was a gesture, so too is the EU budget transfer

towards us. In return, the myth goes, net beneficiary member states can rightly be expected to accept the preferences of net contributor member states in the formulation of EU policies: to take the position of *policy taker* rather than *policy maker*. The radical but natural corollary of this line of thinking is that EU budgetary resources are only available to those Member States that adopt the *policy taker* position: this can be enforced by withholding resources where appropriate.

It is perhaps not superfluous to point out, first of all, that reducing the effects of European integration to the aspects of the budget balance gives a very distorted picture of the process. There are no net losers from EU membership, which is the general rationale of European integration. The combination of unquantifiable benefits, the opportunities offered by the internal market and the subsidies received means that everyone benefits more than they pay into the EU budget.⁸ European integration is not a zero-sum game.

But it also follows that European integration is not a chain of budgetary and political gestures, but a rational pursuit of mutual benefits. The political position of the net beneficiary Member States in budgetary terms is no different from that of net contributors.

An integral part of the process of integration according to the „unification” narrative mentioned above is the assumption of this equal political position in European structures. If this happens, net contributors can only maintain their status by transforming the previous political asymmetry into a legal asymmetry. This could be done, for example, by introducing a sufficiently general fiscal conditionality, which could also be used to impose political demands. This solution upsets the balance of a system of integration based on complex linkages and transfers, highlighting an element of integration that only poses a real threat of sanctions for net beneficiaries.

6. The magic of Europe without magic

De-mystifying the European Union is unusual and, as we are often emotionally attached to myths, not always a pleasant undertaking. But the promise of success is that we can move from a European Union of myths to a more democratic and effective European Union. Clearly, this short essay could not complete the task. It may, however, have provided insights into its theoretical and methodological challenges, and may have contributed to transforming the debate on the future of the European Union from mythological rhetoric into a genuine political discourse.

8 For an overview of the balance beyond a budgetary approach, see for example the technical background paper prepared for the European Parliament's Committee on Budgets in February 2020: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/648145/IPOL_BRI\(2020\)648145_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/648145/IPOL_BRI(2020)648145_EN.pdf) (Accessed: 12 October 2021).

Bibliography

- Haas, E. B. (2004) *The Uniting of Europe: Political, Social, and Economic Forces 1950-1957*. Notre Dame: University of Notre Dame Press, 2004; <https://doi.org/10.2307/j.ctv19m62zk>.
- Krastev, I. (2017) *After Europe*. Philadelphia: University of Pennsylvania Press; <https://doi.org/10.9783/9780812294262>.
- Krastev, I., Holmes, S. (2019) *The Light that Failed*. Allen Lane.
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