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Where Europe is falling apart and where it could emerge anew

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Many years ago, a colleague of mine rather shocked me during a lecture on the topic of European Identity by deploring that “no one is willing to die for Europe”. Apart from the fact that this approach to collective identities still seems doubtful to me, the colleague was probably wrong even then. But nowadays, he could certainly put his mind to rest: In 2011, at least 1500 people died while trying to reach Europe.

Obviously, this was not the theme of this lecture which focused on European citizens not willing to risk their lives to defend the outer borders of the EU. But, maybe this willingness would even exist if this risk was necessary. As long as Europe only feels threatened by people who want to start a new life in Europe, such drastic actions are not necessary.

In contrast, however, it is urgently necessary to reflect on the foundations and aims of the project of European unification. In 2012, the EU received the Nobel Prize for Peace in recognition of the original aims of this project – to create peace and democracy on a continent thus far not prone to these concepts. It was probably not by chance that this prize was awarded at a point in time at

which Europe is at the verge of falling apart – due to the economic crisis but, even more so, due to EU measures aimed to end this crisis while driving whole populations into poverty. But it is probably in fact an historical coincidence that precisely at the time when the Nobel Prize was presented, refugees in Vienna, Berlin, and elsewhere publicly protested against the inhuman conditions under which they are forced to live.

This movement is part of numerous protest movements that have taken place during the last few years in Europe. These movements have different, although interrelated reasons: Pauperization due to austerity measures, inhuman treatment of refugees and asylum seekers, extremely rising individual costs and worsening conditions for students. The addressees of these protests are in all cases the EU and the governments of its Member States. And the cause of the political situation attacked by the protests can also be found in the structure and development of the EU, oscillating between assumed supranational economic rationality and the acceptance of national(ist) claims. The costs of this combination of contradictory political strategies have always been borne by underprivileged societal groups; their consequences for the EU, however, are ambiguous.

The ever closer Union: Dublin II

According to all EC/EU Treaties, "the ever closer Union among the peoples of Europe" forms the ultimate goal of European unification. At the beginning, this goal was to be reached by economic measures only. Since the Treaty of Maastricht, however, the unification of ever more policies is aimed at – e.g. of asylum policies pursuing the aim of a "common European asylum system" as part of an "area of freedom, security, and justice".[1]

Against the background of the situation of refugees in the EU, this formulation seems highly cynical. However, refugees are not included in this area, they are defined as a threat to it. The "area of freedom, security, and justice" shall be developed for EU-citizens; refugees form an anomaly of this space, and are accepted only in exceptional cases.

This understanding contradicts the realities of a globalized world characterized by dramatically differing living conditions. But these living conditions are not part of EU asylum policies which are *by definition* limited to political prosecution while *in political reality* constantly reducing accepted reasons for political flight. The anomaly has to remain an anomaly, otherwise, it would threaten the system – not only the system of asylum policies but the whole system of a supranational polity based on national concepts of borders and exclusion.

If one follows this logic of exception, anomaly and exclusion, the regulations of Dublin II make sense – at least, at first sight: To minimize costs and to speed up processes, it should be clear from the beginning which Member State is responsible for an asylum seeker. In most cases, this is the state where the refugee has entered the EU for the first time. The "burden" caused by the anomaly of refugees is seemingly distributed in a just way.

But apart from the dubious logic at the core of this system, it also ignores differences between the Member States – with regard to their economic performance, their legal system, but also their geographic situation. According to Dublin II, responsibility for refugees is mainly shifted to the Member States at the outer borders of the EU. When a country at a frequented outer EU border gets into economic difficulties – as it has happened to Greece – then, this regulation leads to dramatic problems for

refugees and the population alike. While more and more Greeks need the support of NGOs originally founded for refugees, Greek neo-fascists are making political profit out of the increasing racism and xenophobia of the Greek population. In Greece, Dublin II means imminent danger for the lives of refugees who are provided for adequately and who are constantly threatened by violence.

But it is not only the precarious situation in Greece which leads to dramatic inequalities in the treatment of people coming to Europe. Dublin II stipulates that "[a]ny Member State shall retain the right, pursuant to its national laws, to send an asylum seeker to a third country, in compliance with the provisions of the Geneva Convention." This paragraph officially recognizes different interpretations of the Geneva Convention – and different interpretations of human rights determining life or death of individuals contradict the principles of these rights.

The EU coordination of asylum policies in its current form reduces the life and survival chances of refugees in Europe as they do not have the possibility to apply to an EU country acting in higher conformity with human rights or, for whatever reasons, to apply to an EU country accepting specific reasons for flight. As it is impossible for many of the concerned to leave the EU, the only remaining possibility is to struggle for survival as a "sans papiers".

The fact that this is the outcome of many asylum processes, it is used by media and populist politicians as a reason for further tightening asylum regulations and border controls. The term "illegal" residence suggests that the mere stay of a refugee forms a crime which should be punished.

At the same time, such precarious situations open up possibilities for continuous economic exploitation. While, according to the

Lisbon strategy, the EU aims at becoming "the most competitive and dynamic knowledge-intensive economy"[2], tedious jobs in other parts of the economy (as well as in parts of knowledge production) are frequently carried out by people without the possibility to demand minimum wages and compliance with labor laws. This system is not only profitable for big enterprises but also for individual EU citizens – apartments are reconstructed and cleaned, relatives taken care of – and all this at very low costs. In this way, the contradictions of nationalist populism and supranational economic policies serve the implementation of neoliberal governmental strategies.

National Sovereignty: The No-Bailout-Clause

With regard to the European economic crisis, however, this neoliberal governmentality is currently reaching its limits. On the one hand, it is a questionable strategy to use neoliberal austerity measures to combat neoliberal economic and political failures. On the other hand, here, Europe is on the verge of falling apart at its predetermined breaking points. Even at the introduction of the Euro, economists of all parts of the political spectrum pointed out that a common currency without a common economic and tax policy was a high-risk enterprise. This critique fell into oblivion for some time as the Euro was an extraordinary political success (and, probably, contributed more to the identification of citizens with the European Union than all communication efforts of the European Commission) while it seemingly also led to economic advantages for all countries of the Euro zone: Exports of stronger economies were facilitated while weaker economies were stabilized. Among other factors, this stabilization has been possible due to easier access to credit based on a stable currency – and, in this way,

the Euro has contributed to the debt crisis of these economies in the last years.

As is the case for asylum policies, also the Eurozone is characterized by interplays between national interests and supranational policies. The no-bailout-clause between the EU Member States and the regulation forbidding the European Central Bank to buy debt instruments of the Member States play an important role here – although, in the case of Greece, these obstacles established by the Treaties were circumvented in rather imaginative ways.

But also the rescue measures for Greece have been shaped by national interests – more concretely, by the interests of the not (yet) affected Member States. The rescue measures are beneficial for the banks of the creditor states while the populations of the debtor states are driven into poverty. And when, previously to Greece, the Central- and Eastern European Member States (who are not Members of the Eurozone) got in economic problems, the EU did not become active at all. Responsibility was shifted to the International Monetary Fund; EU-institutions only involved themselves by insisting on even more severe austerity measures than proposed by the Monetary Fund.

The Cultural Heritage of Europe: Nationalism and Colonialism

The EU-slogan "United in Diversity" suggests that the plurality of the EU is one of its strengths. Frequently, the diversity of (national) cultures and languages has been pointed out; differing life conditions and chances of EU citizens have not been part of official chest-beating but, still, they can be justified by this slogan. This situation has not changed due to the efforts in recent decades

to construct a "European identity". Above all, these efforts have been based on the assumption of a common European cultural heritage – and not, for example, on a claim for European solidarity.

Every form of political unification needs limitations towards the outside of the new polity. In the history of European unification, we can find several definitions of this outside – the Communist threat from the East, US dominance as the World police, Islamism. Nowadays, a new clarity has emerged: Europe is united in diversity against those Non-EU-citizens for whom Europe presents the hope for a better life. And, in this way, Europe, in fact, returns to important parts of its cultural heritage, namely to the traditions of intra-European colonial competition and extra-European strategies of exclusion and exploitation in the colonial style. Historically, this combination contributed to the wealth of European nations while, at the same time, triggering wars between the European powers. Nowadays, post- and neo-colonial exploitation sustains the living standard of many EU citizens while the lack of intra-European solidarity threatens the political project of European unification.

A Monnet Method in Asylum Policies?

As is the case for every crisis, also this crisis could become an opportunity – for a better EU: a EU internally not yielding to strongly emerging nationalisms and externally not acting like a supra-nation state.

This project would base its politics on the frequently celebrated historical fact that human rights are a European invention – and, foremost, it would not use this assumed European superiority in external policies (and, frequently, in accordance with economic

interests) but it would understand it as a mandate for the internal development of the EU.

This project would take at face value its own reaffirmations of closeness to the citizens. Therefore, it would understand the increasing protests of citizens as efforts to develop a new European project and not as disturbances to the everyday business of EU institutions.

This project would open up a fundamentally new perspective on EU citizenship and not content itself with endowing national citizenship with some further supranational rights. It would interpret the widely acknowledged obsolescence of the concept of national citizenship as a political mandate to develop new forms of citizenship instead of silently accepting that more and more people in Europe are subjected to laws in whose formation they did not have a say.

This project would offer opportunities for European identifications far beyond the sterile efforts of the European Commission to bring the EU closer to the citizens. For the starting points of this project would not be the assumed wishes of the silent majority but the engagement of people in Europe for a better Europe – people who do not want to die for Europe but who want to live in and for Europe.

It has to be admitted: The chances for such an outcome of the multifaceted crisis of the EU are not all too high. Further erosions of solidarity seem much more probable at this point in time. Inhabitants of Member States with economic problems, ominously dubbed PIIGS (Portugal, Italy, Ireland, Greece, Spain), as well as refugees fighting for their survival are presented in the media as lazy, dishonest, and, in general, hurting the EU. These pseudo-

moral arguments are complemented with assumed inherent constraints and doubtful prognoses: What would happen if no Member State paid its debt or if the EU were flooded by refugees?

If the founding fathers of European unification had thought and acted in this way, the whole project would have remained limited to the Coal and Steel Community. In order to reach the aim of peace and democracy in Europe, no master plan on the basis of worst-case-scenarios was drafted. European unification developed according to the so-called Monnet method: Steps to unification were taken where they seemed necessary and possible, further steps were their consequence.

This method has many disadvantages, among other things, it leads to undemocratic automatisms. And the neoliberal bias of the EU is a consequence of the concrete implementation of the Monnet method. At the same time, however, this method is adequate to the necessary contingency and unpredictability of political action.

What if the EU defined the new aim of a community that both internally and externally acted in solidarity and took some steps towards this aim? To fulfill the claims of protesting refugees would be a good beginning for such an endeavor.

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[1] COUNCIL REGULATION (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national

(Dublin II), http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:050:0001:0010:EN:PDF

[2] Lisbon European Council 23 and 24 March 2000. Presidency Conclusions, http://www.europarl.europa.eu/summits/lis1_en.htm