European Identity Process Based On Foreign And Social Policies – Attempt Of A Theoretical Approach Via Interaction Of Political Identity, Legitimacy And Political Culture.

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The paper theoretically outlines a concept of European Political Identity and argues that the European Union provides a [normative] social dimension within its script. Besides other aspects, this social dimension is an important factor to foster identity-building-processes within the EU citizens and as a consequence to receive input-legitimacy for the growing European political project.

Structuring:

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I. What does “European Identity” mean from the political science point of view?

European Identity in the current debate is mainly discussed under the aspects of legitimacy, participation, effectiveness and stability with regard to the further development of the European Union. So by the term of European Identity, political scientists understand a political concept and neither a cultural substance nor a cultural construct. But what is the proper meaning of the term political Identity? Up to now there exists no integrative theory of political identity, so that the issue is analysed on the basis of very different theoretical approaches depending on the adopted perspective. With the focus on the European Integration for a long time “top-down” analyses were dominant. It is only in the last years that “bottom-up” perspectives have been adopted more often. These are dealing with the socio-cultural aspects of the European integration process and the question if and how far the citizens identify with the European Union and as a consequence support the political project. Insofar the identity-issue is also basically a question of legitimacy of the European Union. Whether the degree of citizens’ identification has an influence on the national governments’ willingness for integration and therefore on the further development of the EU or – and this is an essential aspect of democracy theory– a democratic polity depends on the participation of its citizens in order to maintain stability

1 Ed.al. Meyer (2004); Cerutti 2001
and the capacity to act. Thus, when the issue of political identity is brought up, it is also a question of an “input-oriented authenticity of democratic self-determination.” Like any other polity, the European Union depends on a sufficient sense of shared citizens identity, which is a necessary condition for both its legitimacy as a political body and the solidarity of its citizens. Of course the EU is not and perhaps will never be a state in the same sense as the modern nation states, but there is no serious doubt that the EU already owns some important characteristics of a polity such as a coherent set of comprehensive political institutions with a minimum of sovereignty power. But the crisis becoming obvious in the course of the ratification process of the Constitutional Treaty, revealed that the EU of today is still far away from the achievement of its own political identity, a political identity, which would be in the hearts and minds of the citizens and therefore could back up the political process. According to Meyer the current crisis of the EU can be interpreted as a two-dimensional identity-crisis which affects both the identity of the EU as a political project and the related identity consciousness of the citizens of the Union.  

In contrast to individual identity, political identity is also always a collective or group identity, whereas the term “collective identity” is not essentially understood as a given and integrative concept. A collective identity stands always in relation to a group or collective so that political Identity has an individual as well as a collective dimension. It is constructed by socio-political interaction of the individual in relation to a collective within a polity. So far, modern political identity can be characterised by two basic features:

1. It is always a founded construct that among other factors requires the collective consciousness of the citizens, belonging to a shared polity
2. In a globalised world it adopts increasingly a multi-layer shape.

By the process of modern identity-building, a new “subject” emerges, which is created in and by individuals but represents no individual but a collective (social actor). According to Castells the result of such a process can be defined as a “project identity” which means that the identity construction is carried out by a project or in close relation with a project. For a political project identity means that it is somehow alterable and has a process-like character rather than being a static and fixed possession. With respect to the three dimensions of a political system, modern political identity can be characterised as “permanence in flux”, because a full-fledged political identity has to cover more or less all of these three dimensions. Insofar the polity-dimension stands for a (relatively) institutional permanence (permanent in respect to the dimension of belonging to one polity), while the two others dimensions, policy and politics, represent the more process-like and dynamic character of political identity.

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2 Scharpf (1999)
3 Meyer (2006 b)
4 Castells (2003)-pp.10
To sum up, European Identity as the identity of the European political project can only be understood in the relative sense of the term, because as an identity which is constructed, alterable and related to a collective, it cannot could never be an absolute identity as the original sense of the term “identity” suggests. A “relative identity” on the other hand does not exclude the process, as it can only exist in relation with other identities and therefore constantly constructs itself by means of interactions. The mentioned relation between political identity and other identities raises the question on how these identities can be differentiated. Within the political and academic discussions on European Identity the relation between political and cultural identity is frequently brought up. The key questions in this context are whether the identity of the EU has cultural reasons and therefore can be used as an excluding argument against strongly diverging cultures or if the existing cultural divergence in the EU is a crucial element of its political identity. Both arguments are more or less misleading. The first one because of the single fact that throughout its entire history Europe owned a particularly high degree of cultural diversity, therefore a cultural foundation of a European political identity can hardly be justified. The second argument is certainly less but still misleading because the cultural diversity within Europe cannot by itself define the identity of the EU as a polity. An identity that is likely to serve its political ends in a common polity needs to be something more, something that all citizens share despite all their legitimate differences in their cultural and religious orientations.

In this sense Europe’s “cultural non-identity” cannot be just a short cut for a difficult and sometimes irritating way of defining and creating a political project identity for the EU and its citizenry. In the European case cultural diversity certainly is an essential part of the consensus and insofar forms part of its political identity. But identity still means sameness - even though defined above as a relative identity, it still demands likeness in certain crucial aspects. Though European political identity has to be defined and constructed on the basis of such a cultural divergence, it is much more than a mere expression of it. As the EU understands itself basically as a liberal, participatory and social democracy, the claim of any form of cultural identity that goes substantially beyond the political culture of democracy itself would seriously contradict its constitutional identity and undermine its genuine norms of legitimacy. Of course, there needs to be a discussion about the cultural foundations a democratic political culture requires. As Furio Cerutti convincingly argued, political identity may find a support in the cultural memory or may get energies out of hopes which are culturally substantiated but politically not yet realised, but political identity remains in its last instance related to the project (project identity), which has its main sources in a common decision-making process and shared political actions/experiences. Insofar, the culture that turned political, the political culture, serves political identity as a source and finds in it an expression. Following Michael Bruter “conceiving Europe as a cultural identity presumably implies a reference to Europe as a continent or civilisation

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5 Bußhoff (1970)

6 Castells (2003), Meyer (2006 b)

7 Meyer (2006 b)


that stretches from the Atlantic to the Ural, [while] conceiving Europe as a “civic” identity [i.e. political identity] would imply a reference to the European Union, which covers well under half of it.”

Thus, a cultural European Identity seems neither to be realistic nor desirable as it can only be achieved at the expense of cultural diversity and pursues a retrogressive nation concept. A concept which would endanger and not do justice to the historically unique experiment of the “European Union”.

II. The relation of political identity and political culture

The theoretical concept of political identity presented in this paper assumes that political identity is based on two pillars at two levels. When, as described above, political identity is linked to a political project, in this case to the European Union, it implies a consciousness of the citizens that they belong to the same polity, which has the power to make binding decisions for the lives of all of them with respect to this project. But just because of the fact that a citizen has the consciousness of belonging to a polity it does not necessarily mean that he/she accepts and supports it. Thus the second pillar of political identity refers to the necessary identification of the citizens with a common political project of that polity as defined through certain basic values and political objectives they consent to pursue jointly.11 In other words the first pillar can be described as the objective and subjective affiliation of a person to a polity and the second as the person’s approval of the common basic values and objectives of this polity. Despite the scope left for interpretation of these basic values and political objectives it seems to be that political identity in order to become functional requires a minimum of defined propositions concerning their content and meaning. Surely, the concrete meaning of these values for political action may be and perhaps remain disputed, however, the political project defined by its values and projects needs at least a binding quality, e.g. as a core element of the constitution of the polity or in form of an uncontested element of its political culture.12 Even though the citizen’s core political identity depends upon a shared institutional framework and in this sense is still of a modern quality, in a globalized world it also has some more or less post-modern features13, especially a sense of belonging that transcends the boundaries of a given national or regional polity.14

However, the twin pillars of an institutional belonging and a project consensus are necessary conditions for an identity that is able to serve its crucial political ends for any political community. Besides, these two pillars, two levels or reality dimensions have to be differentiated: the

\begin{itemize}
  \item \textsuperscript{10} Bruter (2005) p.13
  \item \textsuperscript{11} Meyer (2006 b)
  \item \textsuperscript{12} Meyer (2006 b)
  \item \textsuperscript{13} In my understanding there is quite a need to discuss the relation between modern and post-modern elements of a European political identity. The concept of political identity presented above seems to comprise some features which could also be defined also as post-modern, like the above mentioned “transcendent” sense of political belonging and moreover the constructive and somehow alterable character of political identity.
  \item \textsuperscript{14} Somehow the open and dynamic character of the political project of an European Union meets with the post-modern sense of pluralism. Welsch (1992)
\end{itemize}
institutionalised script and the political socio-culture. In order to be functional in the political process of a polity the citizen’s political identity has to have real existence on these two levels. Within the script the project identity is bindingly institutionalised in form of well defined basic values and political objectives whereas within the socio-culture the project identity is turned into a collective mental reality.

It is a matter of fact that the basic values of the effective political culture are a cultural phenomenon in the sense of being in the hearts and mind of the citizens. But as the political culture concerns only a part of the culture, namely that part of the culture that turned to be political, it can and should be distinguished from the others sectors. Insofar the political culture of a social collective can be defined as “limited set of orientations, as it concerns just those attitudes and values that are directed at the political dimension of the community.” According to this, political culture it is somehow limited in its scope and roots and can therefore coexist with differences in other fields of cultural orientations and persuasions. Political culture researches proved that in a liberal democracy differing cultural orientations, e.g. with regard to religious beliefs or everyday life habits may be compatible with its political persuasions and habits. According to that, the political culture of a social collective effects and produces the political habits of its citizens and political actors; it influences as a source of power the political process. It can be said that political identities always find their expression in the political culture and have to be underpinned by the political culture. As a positive identification with the political institutions, values and decisions, political identity therefore represents an essential source of legitimacy for the polity.

III. Production Processes of Political Identity with regard to Policies

A European political identity can be described as an additional circle within a model of concentric circles (see figure 1). This circle model follows the principle of subsidiarity with new circles emerging and being staggered according to territorial proximity. Insofar, the model of concentric circle identities implies the possible coexistence of different identities (multiple identities). Michael Bruter refers to it as follows: “the subsidiarity principle has an equivalent in terms of theory of identities. It is the theory that claims that several identities can coexist, but that they are additive and based on territorial proximity. In other words, the coexistence of identities can be summarised as a form of concentric model as shown in figure 1.1. A citizen will “naturally” feel closer to people from his own city than to people who are from the same region but another city, closer to people from the same region than to people from another region but the same country, closer to people from the same country than to Europeans from another country, etc.. The relative strength of each additional level of proximity

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15 For the concept of an identity script see John W. Meyer (1997)
16 Meyer (2006 a)
17 Meyer (2006 b) referring to Almond/Verba (1963)
(region in addition to nation, town in addition to region etc.) are then geographically represented by the relative width of each additional circle (figure 2.1)."\(^{18}\)

Figure 1.1.

Figure 2.1.

Out of: Bruter, Michael (2005): Citizens of Europe? The Emergence of a Mass European Identity, Chippenham & Eastbourne (GB)

\(^{18}\) Bruter, Michael (2005) pp. 15 - 19
But how does a new identity circle emerge or how can an additional political identity be created? Political identity as defined above comprises the citizen’s objective and subjective sense of belonging to a polity and their shared agreement on a political project. Therefore, a new political identity is constructed by means of internal congruity and as a consequence by external segregation. Internal congruity is the one and external segregation the other side of the coin, therefore they are both essential for the production process of a new political identity as defined above (relative identity).

According to Furio Cerutti19 experiencing common decision-making in an environment with contrasting proposals is an absolute necessity for identity-building-processes. It serves to shape internal congruity. Furthermore, Furio Cerutti emphasises, common values and principles can only be the result of a practical process. Following this idea, political identity is in a sense conscious political behaviour which emerges and is expressed through interaction and common experiencing. Cerutti lists four fields of experiences, which can lead to the development of a European identity:

1. Everyday Europeanization (according to Wallace 2001): the increasing influence of EU Directives, regulations on and financial resources in more and more areas of the economic and public sector – a fact that confronts people with the growing importance the EU has for their everyday life.

2. Steps which symbolise identification, for example the Euro, not only as an integrative currency but also as a common scale unit for the standard of living in Europe.

3. The debate about the charter and the constitution – erroneously often regarded as the privileged place for identity definition although it only is the place where processes which evolved elsewhere get a provisional legal form and serve as a channel to the European public opinion.

4. Decision-making in relevant political areas (fields of policy).

Cerutti regards the fourth spheres of experience concerning policy fields as the core element for the development of a European Identity because being part of it, being an actor as well as an addressee for the “good and evil” of the same political measures, is the most important aspect for the creation of a political identity. Political participation therefore is the primary place for identity processes and for the input-legitimacy (F.W. Scharpf) of the EU. Such common political experiences and the resulting political actions (of the citizens as well as the political actors) construct political identity and make it recognisable. When (relative) political identity necessarily means congruity as well as segregation, two policy fields are of particular importance for identity-building-processes: social and foreign policy. By drawing and experiencing distinctions between values, principles and behaviours of other social collectives, political identity gets its external frontier. However, for the internal identification social policy is essential as it is the field of policy which is directly affecting the everyday life of

19 Cerutti (2001)
citizens and therefore represents an important field for common political experiences. The theory of Social Democracy\textsuperscript{20} has convincingly argued that the social dimension is an absolute necessary prerequisite for the legitimacy of a democratic political system, thus restoring democratic sovereignty of decision-making under globalisation.

Besides other crucial factors for a collective identity building such as a common educational system, a compulsory military service and a well functioning joint public sphere that constantly attracts attention for political issues of concern for all citizens, common experiences in important policy fields could foster the development of a European Identity. But, as EU-Sceptics always point out, these are exactly the two policy fields in which national governments want to remain at the wheel because of the influence social and foreign policies may have on citizens’ opinions, attitudes and values. This dilemma can surely not be solved shortly. However, different approaches in this context are widely discussed\textsuperscript{21}.

In some important aspects, the Constitutional Treaty would have been a progress with regard to fostering identity-building processes. At least, a social identity at the script level, based on the existing treaties, can be revealed.

\section*{IV. The social dimension of European Identity}

As mentioned above political identity is a two-dimensional concept that relates to both, the institutionalised \textit{script} of the EU as laid down in its legally binding basic documents and the empirical reality of the \textit{political culture} of its citizens. The pivotal question is whether or not the reality of the policies of the EU and their perception by the citizens of the Union indeed meet the challenge of both dimensions.

Both the basic treaties and the draft for a Constitutional Treaty of the EU fulfil all the conditions for a clear-cut political identity: they constitute the EU as a common institutional polity with own sovereignty power and they establish the outlines of a political project (script). The key dimensions of its political identity describe the EU as a liberal democracy, a participatory democracy, a social union, a cultural pluralistic democracy, a peaceful world power, and a subsidiary community. This concerns the objective part of political identity of the EU, the political system.

On the subjective side of it, the political culture, we observe the slow, contradictory and non-simultaneous evolution of a fragile European layer added by varying proportions of the citizenry of the

\textsuperscript{20} Meyer (2005)
\textsuperscript{21} Here one finds, e.g., calls for a common social minimum standards or the abolishment of the unanimity rule, for definite harmonisation of the national social policies or for shaping of a European Social Model.
different member countries to the more substantial national and regional layers of their political identities. Generally there is still a considerable mismatch between the objective and the subjective side of European political identity. The reasons for this are widely discussed and well known: the lack of a sufficiently political character of the political processes in the EU and the underdeveloped state of the European public sphere are the most outstanding ones.

Therefore the social dimension of European Identity should be analysed on these two-levels: script and political culture. The script contains so far the self-view of the European Union and the state of common interests or agreed compromise within the member-states of the European Union. The political culture, a bottom-up perspective, focuses the level of citizen’s identification within the European political project as laid down in the script. One has to look for them in the treaties of the Union and also in the constitutional draft. Though, the exact interpretation of such basic values and political objectives may remain, and are in most cases certainly forever disputed and to a certain degree subject to permanent silent evolution, it is necessary that there is some binding common source for all citizens that gives their contentions a common ground and some common meaning and direction.

The paper can only provide a brief outline of the historical development of the social dimension of the European Union within its treaties, the social charter and social action programmes, which will be basically taken from Linda Hantrais’ study on the social dimension of the European Union. Afterwards the Constitutional Treaty will be taken into consideration (although it is not yet ratified in all member states and perhaps never will be in its present shape) because in the here quoted parts it expresses the political consensus of the member states, which is sufficient because it shows the possible common ground on which a European Political Identity could grow.

The first treaties, the European Coal and Steel Community (ECSC in 1951) and European Atomic Energy Community (EAEC in 1957) were already interested in social policy in two main aspects: the ECSC had to deal with the social impact of structural change in the concerned two industries (endowment with funds for the resettlement of displaced workers) whereas the EAEC defined basic standards for the health and protection of workers and the general public as well as procedures for monitoring and checking their implementations.

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22 Gerhards (2005)
23 Though the constitution of the EU is not yet ratified the draft contains and summarizes with respect to the identity issues dealt with in our present context essentially what has been said in the Maastricht and Amsterdam treaties. In addition the identity issues as contrary to the institutional and competence issues do not belong to the disputed parts of the draft that most probably will be subject to modification in the ongoing constitutional process. Even in the improbable case that the constitution finally will to be ratified at all the here quoted parts it expresses, no doubt, the political consensus of the member states.
24 So Hantrais (2000)
The European Economic Community (ECC in 1957) Treaty did set long-term social objectives such as the commitment to raising standards of living (art.2), the provision of a social fund (art.3 §i) and the promotion of close co-operation in the social field (art. 118). It was not until 1961 when the Council of Europe showed an increased awareness of the social dimension by working out the European Social Charter. It served as a source of inspiration for the Community Charter of Fundamental Social Rights of Workers (adopted in 1989, w/o UK).

The aim of the ECC-Treaty was to create an economic Union, so that relatively low attention was paid to the social affairs. Any references to the social dimension were linked to the overriding principle of avoiding any distortion of the rules of competition. However twelve of the 248 articles of the ECC treaty were devoted to social policy (articles 117-128). Under title III a section on social policy was introduced in the treaty but there are no comments on how all the provisions should be implemented. Article 118, e.g., says that the Commission should promote close co-operation between member states in training, employment and labour law matters as well as in matters concerning working conditions, social security and collective bargaining. Article 119 defined equal payments of men and women and article 121 dealt with implementing common social security measures for migrant workers. Articles 123 until 128 are concerned with operating the European Social Fund (ESF), which was installed to facilitate the employment and re-employment of workers and to promote geographical and occupational mobility within the EEC by providing funds for vocational retraining and resettlement. Of course all the mentioned objectives and stipulations didn’t set a framework for a fully developed European social policy but they show that the social dimension of the EU was right from the beginning treated as an important complement to economic policy and in the long run as a necessary component of European integration.

Another concern of the original member states was free movement of labour, a fundamental aim of the ECC Treaty. In two chapters provisions were made on the free movement of persons, services and capital (art. 48 – 51) and to facilitate the right of establishment, the access of information on job availability in other countries and arrangements for mobile workers to retain social security entitlements and the recognition of professional qualifications (art. 52-58).

The ECC was built on the premise of avoiding distortion of competition so that redistributive social benefits were considered unnecessary and a matter of the individual state. All in all the treaty made provisions for equal pay, the improvement of living standards and social harmonisation, but only insofar as they support the economic integration. According to Linda Hantrais the founded compromise in the ECC Treaty “could be described as a modest, cautious and narrowly focused social policy”.²⁵

²⁵ Hantrais (2000) p. 3
In 1961 the Council of Europe adopted the social charter which was much more explicit and was seen as “the economic and social counterpart of the Convention of Human Rights.”\footnote{Hantrais (2000) p.4} Though the charter did not have the same legally binding status as the convention, its merit can be described in the comprehensive and coherent set of social policy objectives. It guaranteed a number of fundamental rights for workers and citizens and made explicit reference to the rights of the family, mothers and children regarding social, legal and economic protection. More than a decade after the social charter the Commission launched a Community social action programme (1974) which can be considered as a stronger political commitment to social legislation and towards a more positive and interventionist social policy within the EEC. The resolution from the council of ministers underlined that “the economic expansion was not to be seen as an end in itself but should result in an improvement of the quality of life.”\footnote{Hantrais (2000)p.4} The programme was primarily concerned with the working environment and aimed to achieve full and better employment, an improvement of living and working conditions and wanted to increase involvement of management and labour in economic and social decisions. Community competence in social policy was of course presented in cautious terms and under the (somehow anticipated) concept of subsidiarity which was to remain prominent in statements in social policy.\footnote{Hantrais (2000) (…)without however seeking a standard solution to all social problems or attempting to transfer to Community level any responsibilities which are assumed more effectively at other levels.“ in: Council Resolution of 21 January 1974 concerning a social action programme (OJ, C 13/1 12.2.1974). See also: Hantrais (2000)}

The resolution of the Council expresses the “political will” to adopt the measures required in order to palliate the uneven effects of economic growth on weaker sectors of the population. Following Linda Hantrais the social action programme “set the scene for the development of the Community’s social policy over the next decade.”\footnote{Hantrais (2000) p.5} So a lot of activities about education and training, health and safety at work, workers’ and women’s rights and poverty took place and led to the establishment of a number of European networks, observatories to stimulate action and monitor progress in the social field.

Since the EEC Treaty didn’t envisage a social programme and the Community didn’t have any direct powers of intervention, the justification for the social action programme could have been only politically and not legally. The Community social action programme can be interpreted as a sign of shared “mind” on the importance of the social dimension for the European integration process and in a broader sense perhaps also as a growing awareness of the social dimension as a forming part for a European (political) Identity.

During the mid-1980s voices came up for a more regulatory social policy. Francois Mitterrand was one of the first putting forward the idea of a European “espace sociale” in 1981. In 1985 Jacques Delors took up this idea during his Presidency of the Commission. So the idea of a social space came into discussion at a time when the revitalization of social policy was still very much linked to
In analogy to the French left-wing government’s positions at this time, employment was placed at the very heart of proposals for European social policy, the dialogue between management and labour was raised and co-operation and consultation on social protection was supported. This means that social policy was seen as a necessary instrument for strengthening economic cohesion and was therefore developed on the same basis as economic, monetary and industrial policy. As a result of such “neo-functionalist logic social policy” had to be built up as a functional prerequisite of economic integration. Jacques Delors position clearly shows such an attitude towards the social dimension, which was regarded as a crucial factor for a successful reification of the Common Market. He declared in 1985: “(…) Any attempt to give new depth to the Common Market which neglected this social dimension would be doomed to failure.” By referring to the social space Jacques Delors wanted to introduce an equivalence of standards, which should be agreed by both sides of industry through social dialogue. The Social Partners would be concerned with principles and objectives, leaving member states to implement them within industrial relations frameworks thereby achieving “convergence in the employment and labour policy goals of the member states, rather than standardization of industrial relations institutions and processes.”

A series of discussions on socio-economic issues was organized to secure the involvement of the social partners (Belgium 1985), but although a dialogue took place, “the employers refused to sign the final texts unless Delors gave an undertaking that the Commission would not use the joint opinions as a base for legislation.” So when the Single European Act (SEA) in 1986 was signed little progress had been achieved to get more social policy into the legislative framework of the Community. But some significant changes were introduced to speed up and facilitate the social policy-making process.

So for example the new Article 118a pointed out the importance of the working environment and the health and safety of workers and stipulated qualified majority voting for decisions concerning health and safety at work. Another new article 118b emphasised the idea of a social dialogue at EC level and article 100 was modified by article 100a by permitting qualified majority voting for decisions aimed to approximate provisions for the establishment and functioning of the internal market, whereas fiscal provisions, decisions about free movement of people and workers rights remained to be taken by unanimity rule. Moreover a new title V was introduced to strengthen economic and social cohesion, especially through closer co-ordination of structural funds (ESF, ERDF and EAGGF).

To sum up the SEA gave the Council the possibility to tackle controversial issues in areas of social policy by extending the use of qualified majority voting and “by introducing a new co-operation

30 Beretta, D. (1989) p.21
32 Delors (1985) p. xviii
33 Linda (2000) p.6
34 Hantrais (2000) p.6
35 ESF = European Social Fund; ERDF = European Regional Development Fund; EAGGF = European Agricultural Guidance and Guarantee Fund, see Hantrais (2000) p.7
procedure which imposed time limits for the passage of legislation and strengthened the role of the European Parliament.”

But still the issue of a social space remained largely unresolved.

During the Belgian presidency in the second half of 1987 another step was taken by elaborating the idea of social policy based on a “plinth” (socle) of social rights. According to the Belgian position Jacques Delors forwarded the idea that this “plinth” could be negotiated between the two sides of industry and then could be incorporated into Community legislation. So that it could serve as a common ground for the social dialogue and would strengthen European cohesion.

As mentioned above the SEA did not resolve the issue of a social space or provided a framework for European social policy, but in the preamble the signatories agreed to promote fundamental rights like it was done in the Convention for the Protection of Human Rights and Fundamental Freedoms and in the European Social Charter. As a result the Community Charter of the Fundamental Social Rights of Workers, often entitled as the social dimension of the SEA, was adopted by the heads of the member states (except UK) in 1989. Whereas the Council of Europe’s social charter included the right to social and medical assistance and social services with no reference to employment, the “Workers Charter” referred in most of its clauses implicitly or explicitly to workers and employment. Certainly the Community Charter (like the Social Charter) had no force of law and was not binding the member states, so that they could decide individually how and how much they would implement. One might say in this respect the Community Charter is nothing else than a solemn declaration of the member states without any fundamental weight. The intention was that such a social plinth was to ensure that the defined areas of social protection would be accepted throughout the Community, but the debate about the charter already made clear that there were (and still are) a lot of problems in finding a consensus in this issue. The frequent use of nebulous terms when describing the levels to be achieved indicates the different standards and disparities of the member states. The main questions were whether the Community and its member states should work towards a maximum or minimum level of social provisions and if they should be based on an average level or orientated to the highest or lowest level within the Community. Fears of “social dumping” and the problem of “level playing field” of competition came up again and served as an impetus for a deeper consideration of the social aspects of a Single European market (SEM). It shows not only the problems and disparities between the member states, it shows also that the social dimension is an important and largely discussed component of the European Integration Process. However as a consequent of the Community Charter, the Council invited the Commission to prepare initiatives (according to §28 of the Community Charter

36 Hantrais (2000) p.6f
37 Soisson (1994) pp.10-13
38 Prior drafts of the Community Charter of the Fundamental Social Rights of Workers had referred to „citizens“ rather than to „workers“ but the final version did not define rights in terms of citizenship. Community Charter of the Fundamental Social Rights of Workers, adopted in Strasbourg on 9 December 1989 by the member states, with the exception of the United Kingdom; see also: Hantrais (2000) pp.7-10
39 Such as „adequate“, „appropriate“, „satisfactory“ used to refer to the levels to be achieved.
40 „ ‘Level playing field’ means that everybody should be playing by the same rules and with equal chances of success in the market place.” cit. Hantrais (2000) p.9
which made provisions for an action programme) regarding a setting up of legal instruments for an implementation of rights which belong to the area of competence of the Community. The elaborated programme encompassed 47 wide-ranging measures, covering all the themes mentioned in the Charter and additionally also the labour market. The chosen methods for realising these initiatives were based mainly on consultations, brought about by advisory committees and social dialogue. The commission’s goal was “to establish a sound base of minimum provisions, having regard on the one hand the need to avoid any distortion of competition, and on the other hand to support moves to strengthen economic and social cohesion and contribute to the creation of jobs, which is the prime concern of completion of the internal market.”

Certainly the social dimension still had a secondary status but at least this one was explicitly underlined and confirmed by the Commission and so far accepted by the member states. In all areas treated by the Community Charter actions had been launched already before 1989, but the charter and action programme backed all these measures and provided “an impetus for a more concerted and coherent approach to social affairs.”

The Maastricht summit in 1992 demonstrated again the difficulties to reach an agreement on the social chapter, which had to be removed from the body of the treaty because of the rejection of the United Kingdom. A separate Protocol on Social Policy allowed the other eleven member states to move forward in the social field. The protocol on Social Policy was taken up the principles from the Community Charter and amended some stipulations of the previous treaties. The references to harmonization of social systems and to the belief that improvements would naturally emerge from a common market and the alignments of provisions was replaced by a number of defined social objectives such as the promotion of employment, improved working and living standards, proper social protection, high employment and combating exclusion, the development of human resources etc.. But an achievement of these quite high-ranking social objectives had to take into account the different national “habits”, especially in the field of contractual relations and shouldn’t bother the competitiveness of the Community economy (Article 1 of the Agreement on Social Policy). Article 2 allocated a complementary role to the Community in the following areas: safety at work, working conditions, information and consultation of workers, equality between men and women, integration of persons excluded from the labour market and therefore empowered the Council to adopt directives, minimum requirements for gradual implementation according to the existing conditions and technical rules in each member state. Moreover issues still requiring the unanimous voting were mentioned: so for issues regarding social security and social protection of workers, protection of workers and employers, conditions of employment for third-country nationals and financial contributions for job

42 Hantrais (2000)
43 See Treaty on European Union, signed in Maastricht on 7 February 1992; Protocol and Agreement on Social Policy, concluded between the member states of the European Community, with the exception of the United Kingdom. See also: Hantrais (2000) pp. 11-13
promotion. According to Linda Hantrais (2000) “the distinction between the areas subject to qualified majority and unanimous voting was important, since it tended subsequently to dictate the social agenda, limiting it to topics where some degree of consensus already existed.”

So far the role of the Community in Social belongings can be described as a “supervisor” who had to monitor the social situation (Article 7) but also had to consult, to encourage co-operation and facilitate policy co-ordination of the member states (article 5). The member states were still allowed to introduce their own measures above those required at the Union level (article 2 §5 and Article 6 §3).

While the treaty stipulated the competencies given to the Union, the principle of subsidiary determined how those competences should have been put into practice. The Union was only allowed to intervene if, and insofar, as the objectives of any action could not be successfully achieved by the member states themselves. Another principle, the principle of proportionality (the chosen means should commensurate with the objectives perused), had to be taken into consideration for any planned action in this area of competence. These constraints on action at EU level made it difficult to identify or demarcate areas of Union competence in the social field. Clear guidelines on how to define and legitimate minimum level standards were still missing in both Charter and Agreement on Social Policy.

It is certain that the Community Charter of 1989, the action programmes and the Agreement on Social Policy in the Maastricht Treaty all together gave a clearer expression of thinking on social policy at EU level than it was the case in the ECC Treaty; so a growing (general) awareness of the importance of the social dimension for the European Integration Process can be stated. But still they did not show a strong commitment to social affairs as purpose in its own right or on a level with economic goals. Because of this dominant secondary and functional role of social matters within the integration process, no administration structures for a common European social policy have been set up. By incorporating the principle of subsidiarity in the Maastricht treaty the member states showed their unwillingness to develop an overarching Social Policy which could interfere with national sovereignty. Despite these constraints and national reservations, the issue of a European social policy remained on the agenda. The Commission published in 1993 a green paper and in 1994 a white paper on social policy.\(^{44}\) The green paper can be seen as a kind of “inventory” of social policy within the Union rather than a programme for future action, whereas the white paper presented a clear and comprehensive statement of policy directions and goals. It argued that future policy had to be broadly based in the sense that categories of people who were unemployed should also to be taken into consideration. The White paper forwarded the idea of establishing “the fundamental social rights of citizens as a constitutional element of the European Union”. This clear statement in favour of

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legalized social rights referring to citizens and not only to workers was new in this context but the Union still shouldn’t “seek to supplant the responsibilities at national, regional and local level”45. The White Paper served as an impetus for two medium-term social action programmes, the first one from 1995 to 1997 and a second one from 1998-2000. The progress reports on these programmes reflect the increasingly proactive approach of the Commission in social matters. Social Policy was defined as “a productive factor facilitating change and progress” and should not be seen any longer as “a burden on economy or an obstacle to growth.”46. The report also underlined the importance of the dialogue in which the political (the member states), the social (employers and unions) and civil (e.g. NGO’s) actors were engaged for the implementation of the programme. The second Social Action Programme continued to put pressure on recognizing the importance of the social dimension in respect to the social challenges that the Union was facing at the turn of the century. Therefore social policy is to play an active role in promoting “a decent of life and standard of living for all in an active, inclusive and healthy society that encourages access to employment, good working conditions and equality of opportunity”.47

The Treaty of Amsterdam48 signed in 1997 incorporated the Agreement on Social Policy into the main body of the consolidated treaty49 under title XI on social policy, education, vocational training and youth, “thereby endorsing the commitment of the member states to the development of the social dimension as an important component in the process of European integration.”50 The different articles and provisions on social policy taken from the Agreement of Social Policy, the ECC treaty and also a reference to the Community charter had been introduced in the new treaty but in some cases the priority was changed. So for example the reference to a high level of employment and social protection was moved to list of priority areas at the beginning of the mended EC Treaty. A new paragraph was introduced to article 141 (ECC article 119) on equal pay and gave this policy area a legal base by giving the Council the authority to act in order to ensure the application of measures on equal opportunities, treatment and pay. But the most significant change to the treaty was the addition of title VIII on employment (articles 125-130). The need of co-operation and co-ordinated action between the Union and the member states was stressed and the objectives and responsibilities of the member states and the Union defined. All in all the treaty reaffirms that Community action will be limited to a supportive and complementary role (article 172), for example in form of reporting on the employment situation, elaborating guidelines, monitoring the measures set up by the national governments and their implementations. Though a big step towards social matters was made, employment still dominated the scene within the treaty.

48 Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts, signed in Amsterdam on 2.10.1997
49 European Union Consolidated versions of the EU Treaty and the EC treaty, incorporating the changes made by the Treaty of Amsterdam
50 Hantrais (2000)
Putting all that together the cautious but growing consideration of the social dimension of the European Union provide an indication of the self-view/self-definition of the Union as a slowly but continuously developing Social Union. Nevertheless it informs also about the difficulties to reach agreements in social matters and the disparities between the member states and their strong national anchorage. Despite these difficulties the permanent reflection on the social dimension of the integration process including the shift in the 1990s when social policy became a topical issue and has been upgraded from a “supporting role” for economic integration to a second “leading role” fostered the emergence of a social awareness and of course with reservations of a social identity on the script level. In the rhetoric of the Commission “high social standards were presented as a key element in the competitive formula and a factor contributing to the efficiency of European society”\textsuperscript{51}. The self-view that the social dimension plays an important role in the whole integration process and that the political institutions at the national and/or supranational level have a social responsibility and the right to interfere in the market can be considered as a sign of a more or less common social identity within the European Union and its member states (actors level).

Looking then at the Constitutional Treaty of the EU a huge progress concerning social matters can be recognized. According to Thomas Meyer\textsuperscript{52} it definitely contains a lot of very clear basic values and political objectives that make its political identity at the script-level much more precise and comprehensive than is the case in most of the member states that belong to it. The crucial question is, however, whether there is a sufficient correspondence between the script-level and the political culture of the European demos. This correspondence would have to comprise both, a sense of institutional belonging to the EU as citizens and an identification of the citizens with the contents of the values and objectives as laid down in the script. There can be little doubt that it is precisely in this respect where the present identity problems of the EU have their origins.

1. Dimension: The Script - In the Constitutional Treaty, the social dimension it is enshrined at five levels, which, together, give it a quite outstanding position:

   In the introductory chapter The Union’s Objectives the claims are for a “social market society, aiming at full employment and social progress”, the combat against “social exclusion and discrimination”, the promotion of “social justice and protection”, and “social and territorial cohesion and solidarity among member states” (I-3).

Both Social Policy in a wider sense and employment policies are stated as areas of shared competences between the EU and the member states where the Union can legislate framework rules and complement national policies (I-14).

\textsuperscript{51} Hantrais (2000) p.19

\textsuperscript{52} Meyer (2006 b)
The role of the social partners and social dialogue are mentioned as basic features of the democratic life of the Union (I-48).

A couple of essential social basic rights are declared in the incorporated Charter of Fundamental Rights of the Union (II-74 ff).

In the crucial operational chapter on “Policies of the Union” a wide ranging and precise list of legitimate social activities of the Union is presented (III-210) that contains among many other items: working conditions including consultations of workers (codetermination), social protection and its modernisation, and combating social exclusion some of the key policy areas of modern social policy.

As shown above, both the basic treaties and the draft for a Constitutional Treaty of the EU fulfill all the conditions for a clear-cut political identity: they constitute the EU as a common institutional polity with its own sovereignty power and establish the outlines of a political project (script). The key dimensions of its political identity concerning the objective part of its political identity [the political system] describe the EU as a liberal democracy, a participatory democracy, a social union, a cultural pluralistic democracy, a peaceful world power, and a subsidiary community. On the subjective side of it, the political culture, we observe the slow, contradictory and non-simultaneous evolution of a fragile European layer added by varying proportions of the citizenry of the different member countries to the more substantial national and regional layers of their political identities. Generally there is still a considerable mismatch between the objective and the subjective side of European political identity. The reasons for this are widely discussed and well known: the lack of a sufficiently political character of the political processes in the EU and the underdeveloped state of the European public sphere are the most outstanding ones.

A survey of the discussions that accompanied the processes of generating the Treaties of Maastricht (1993) and Amsterdam (1997) that established the EU as a political Union, the discussions about the Constitutional draft, and, moreover, the perusal of the documents themselves that resulted out of all these deliberations and negotiations lay all prove to the existence of seven central dimensions of the political project identity of the EU at the script level:

1. a liberal democracy under the rule of law and universal basic rights.
2. a Participatory Democracy,
3. a multilevel trans-national polity under the principle of subsidiarity
4. a Social Space under universal social and economic basic rights.

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54 Meyer (2006 b)
5. a multicultural community.
6. a civil global power.
7. a community that stands for the equivalence of the internal and external dimensions of its values and policy objectives.

In order to assess the quality and comprehensiveness of the social policy approach as enshrined in the Constitutional Treaty, it seems useful to draw on the results of most recent comparative research and conception building. Edeltraud Roller suggests distinguishing between four different types of welfare states as maintained by different political actors and cultures in the EU:

1. liberal (= merely basic protection),
2. christian democrat (= plus improvement of the equality of opportunities),
3. social democratic (= plus full employment polices and equality of results), and
4. socialist (= plus state control of wages and prizes).

In terms of these categories the EU script clearly enough comes, with little reservations, very close to the social democratic model, particularly in the light of its claims for codetermination and full employment policies.

2. Dimension: The Political culture-

Most recent empirical research covering all member states of the EU as well as Turkey and Bulgaria has documented that for a very high percentage of the population in all of these countries the social dimension of modern democracy is among their top priorities. In practically all countries an overwhelming majority (70-90%) favours either the social democratic or the socialist model of he welfare state, in no country there is substantial support either for a libertarian (= residualist) or a liberal welfare state. The strongest support (70-80%) for the socialist model can, with little variance, be found in the East European member states.

Though the issues in this research project did not directly target the EU-dimension of people’s political cultures but only the social policy issue as such it appears unambiguous that it is some type of social democracy with a strong welfare state that the vast majority of the European citizens is supporting. The idea of a social citizenship is part and parcel of their political identity that most probably will not be relinquished when it comes to the European dimension of their political aspirations.

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55 Roller (2000)
56 Gerhards (2005)
There is clearly a strong correspondence in place between the two levels of European identity: the high social aspirations as laid down in the script of the EU and as enshrined in the political culture of its citizenry. But how about the institutions and instruments the Constitutional Treaty provides for the implementation of such aspirations?57

V. Asymmetrical Institutionalization and legitimacy problems

It is well known and has been carefully analysed that the key problem with regard to the implementation of the social dimension in the European political project on the side of the script of the European Union is caused by the way policy making in this dimension is institutionalised. Whilst all market creating policies are institutionalised at the supranational (community) level, the substance of market correcting and supplementing policies, i.e. the bulk of the social dimension, is left to intergovernmental procedures (council majority decisions)58.

Most national governments are extremely hesitant to agree to European solutions in the realm of social policies. This is not only due to ideological and economic reasons but also to the fact that this is a primary field for them to win legitimacy and public support in the national electoral arena. Although the list of social policy topics for which the majority rule is applicable has been widened in the Constitutional Treaty, there is still a large gap between the declared social aspirations and the institutional tools to implement them in the overall architecture of the Union. Most of the social and employment policy measures considered by the Union need consensus decisions in the Council and just a few like gender equality and health and safety at the work place require majority decisions. Hence, the final implementation – what ever the treaties and the Constitutional Treaty aspire, is much harder and much more open, with regard to its outcome than the entire range of policy objectives in the way of market building. Under the present institutional regime there is not much pressure for binding regulation in the fields of social and employment policies - most of it is left to the methods of coordination.

It is, thus, the level of institutionalised implementation, of tools and instruments to make a binding reality out of it, which appears to be the Achilles heel of European of the social dimension of the EU. There is, in that respect, a certain gap in the identity concept of the EU at the script level itself.

57 In this respect the present analysis could as well draw upon the Amsterdam Treaty which is very similar in the key aspects.
58 Scharpf (1999)
To sum up, it appears that European social identity presently suffers from a double paradox that may explain some of the difficulties in the ratification process of the Constitutional Treaty.

a. Though the social dimension ranks high in the script of the EU, the institutional provisions to implement it are heavily lagging behind.

b. Though the social dimension of modern democracy is deeply enshrined in the societal political cultures of the all member countries and above average in the East European countries most of the governments, again above average in the East European countries, for a variety of reasons are unwilling to follow this course at the European level.

Consequently, the EU is plagued by two deep contradictions: first, between the proclaimed social identity of the EU and the reality of its policy programs; and second between the expectations of a large majority of its citizens in that respect and their experiences with EU policy outputs. These contradictions are most strongly felt by large parts of the European citizenry when social protection at the national level is endangered and the Union is pressing or appears to be for more liberalisation.

These contradictions naturally have a tendency to conjure up crises of legitimacy whenever European citizens feel that the Union does rather contribute to their social problems instead of providing an additional safety net. So far there is no substantial solution to this dilemma in sight. A promising approach to ease up the situation under the prevailing institutional conditions could be a two pronged strategy that combines a clarification of responsibilities between the Union an the member states that is understood and accepted by the citizens of the EU with an EU-competence to set the framework for minimum standards of social security and participation that gives the concept of the EU as a Social Union palpable substance- and leave the details and the concrete shape of welfare arrangements to the level of national legislation. Otherwise distance and distrust vis-à-vis the Union will prevail in large parts of its citizenry and hamper the emergence of a European identity.

An EU that does not or cannot take the social dimension of its political identity as serious as it promises and as its citizens expect will not be an object of their cognitive and emotional identification- i.e. part and parcel of their political identity. The only way forward to overcome the stalemate made possible by the institutional arrangements of the EU would be a joint strategy on the side of the representatives of the member state governments to make much more and more serious continuous efforts to come to decisions in the Council of Ministers that demonstrate in a convincing manner that the EU is indeed a social Union that assesses social inclusion as important as the integration of the common market.
V. Structure and interest of the country comparison

Based upon the above described theoretical assumptions, the research project about the political identity of the EU aims at a comparative country analysis of seven EU member states. The investigation will be realized on three levels: the script, political culture and political actors (e.g. parties). The analysis of the script, source for the social identity of the EU, serves as a normative point of reference in order to be able to determine the extent of congruity of the different national states. As an important source, the political debates in the Convention on the Future of Europe will be examined with regard to national positions. Furthermore, the voting behaviour and programmes of the most important national parties of the selected member states will be examined. In a last step, the results will be compared with the current political culture research data and interpretations of the single countries. Based on this comparison, we would like to create knowledge about the status-quo of identifications with the social values and principles of the EU as laid down in its script.

This analysis cannot restrict itself to one method when all three levels are intended to be adequately examined. Insofar a variety of methods is necessarily including qualitative and quantitative research methods. Regarding the debates within the Convention, a content analysis will be carried out, whereas for the political culture the mainly quantitative data of the World Value Surveys as well as literature will be taken into consideration. The investigation will be accompanied by expert interviews (e.g. narrative method) meant to countercheck the results. The epistemological interest of the investigation therefore is to find out how and to what extent the social self-definition of the EU is underpinned in the political culture of the national states. In summary, the analysis aims at answering the following key question: in how far is the political project of a Social Union supported by political actors and underpinned in the political culture of the member states of the EU.

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