FOREIGN AFFAIRS

Published by the Council on Foreign Relations

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Monday, May 14, 2018 - 12:00am
How Choice Can Save Europe
The EU Needs Less Technocracy and More Democracy
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The European Union [1], bruised and battered by years of political and
economic crises, is at a crossroads. In a recent speech [2] to the European
Parliament, French President Emmanuel Macron warned that today's political
divisions in Europe are like "a European civil war." Although the decade-old
eurozone crisis has faded from public view, the ongoing refugee crisis,
Hungary's and Poland's descent into illiberalism, and the aftershocks of the
Brexit [3] vote continue to divide the continent. In this context, it is not surprising
that the EU itself has become an increasingly politicized topic among voters,
many of whom have come to doubt the competence and integrity of their
political and financial masters in Brussels and at home. Although support for a
full-blown exit from the EU still finds only limited public support, Euroskepticism
[4] has moved from the fringe to the mainstream.

Yet there is a way out of Brussels' current predicament. It starts with
recognizing that both Macron's EU speeches [5] and the broader debates
between the pro-EU camp and hard-core Euroskeptics rest on a false
dichotomy of the EU as a choice between "in and out," between blind support
for the European project and further integration or a retreat into nationalism.

Instead, the future of the EU needs to be built on an acknowledgment of the
need for some differentiation across its member states—without losing sight of
the broader common European project. This delicate balancing act requires
building the capacity for healthy and overt debate over specific European
policies and the shifts in national sovereignty that they demand. "What sort of

EU?" is the right question for citizens and their parties to ask going forward—rather than defending a monolithic vision of the future of EU governance as either expansive scaling up or a wholesale shutting down.

THE CASE FOR MORE FLEXIBILITY

In the first decades of the EU's existence, the so-called bicycle theory held that the EU must keep relentlessly going forward with integration among all its members or it would fall over and crash, perhaps fatally. In a similar vein, too often in the debates over Europe, successful integration is seen only in terms of harmonization or even homogenization. If these remain the only goals, the EU will continue to stumble from crisis to crisis—the diversity in member state conditions and policy preferences is simply too great. Continuing down this path will most likely lead to further fragmentation and increase Brussels' irrelevance on the global stage.

To remedy the situation, EU leaders need to be honest about the degree to which the European Union infringes on a nation's laws, policy capacity, and identity but also highlight the tangible material benefits and broader geopolitical security that this brings. They and their supporters need to be open to democratic debate over a flexible union comfortable with multiplicity and variance rather than one that implicitly mimics a unitary nation-state. A flexible mode of governance would combine a commitment by all member states to a common supranational base with optional integration in other areas through open partnerships and overlapping jurisdictions. The shared base could include key aspects of the current body of EU law but would not require member states to harmonize on every aspect. (This is already the case in certain instances, as with the Schengen open borders agreement or the eurozone.)

The EU can advocate "unity" in the sense of a common overall purpose of peace and prosperity and an overarching sense of political community but frame it as inclusive and not exclusive, as flexible and not rigid. In the area of defense, for example, the EU can continue to pursue a networked version of security capacity, where member states come together in specific areas rather than create a single European army. To name but two examples, the Nordic Battlegroup integrates across the military forces of Estonia, Finland, Ireland, Latvia, Lithuania, Norway, and Sweden, while the Eindhoven-based European Air Transport Command, which controls aerial refueling and military transport, is run jointly by Belgium, France, Germany, Italy, Luxembourg, the Netherlands, and Spain. Others might opt out entirely of such security integration. Likewise, when it comes to economic governance, a core group might push forward with elements of a fiscal union to better support the euro,

while those outside the single currency would continue with the status quo. Although all the EU countries would still adhere to the basic legal framework of the single market, some member states might wish to further centralize policies in areas such as workers' rights. Key to the success of such efforts is to embrace true debate within each national setting, and in the pan-European political space, over the merits and downsides of each specific policy of deepening or not deepening the union.

Some areas are clearly less appropriate for multispeed solutions. To tackle the migrant crisis, the EU needs to continue collectively building deeper cooperation in policing, counterterrorism efforts, and border control through a European border and coast guard. But differentiation in terms of the specific forms of national implementation and national policies regarding legal immigration regimes could continue, with different rules regarding the path to national citizenship.

Membership in a truly flexible union would allow for a more democratically informed process, where member states gain the benefits of unity while respecting one another's deeply rooted diversity. Current estimations [6] suggest that about 40 percent of EU legislation is already diversified, as member states opt out of EU rules altogether or apply these rules differently, with some member states adopting stricter domestic interpretations than others. Although one can easily draw a map of EU member states, this map has become increasingly unreliable in showing where EU rules and rights really apply. So why not replace the principle of an "ever closer union" with one of "unity in diversity," the EU's own motto? The allowance for differentiation is especially important for the EU, where support for its policies and institutions is based [7] very much on the specific tangible benefits that individuals perceive.

This differentiation scenario is not far-fetched, as there are clear historical precedents for the political challenges that the EU faces. The history of federal systems [8], such as in Germany or the United States, shows that subnational units fight hard among themselves over the nature of the path to a federal union, as well as with those seeking to centralize power, yet can remain robust political communities. In contemporary cases such as Canada, India, Indonesia, or Spain, asymmetric federalism, with opt-outs and a multiplicity of state-level arrangements, has underpinned the successful efforts to create lasting political entities. The reality of politics is that it is sometimes necessary to strike deals that allow a larger political community to stay together, even if they produce imperfect unions.

A BETTER WAY FORWARD

The Brexit referendum demonstrated that a choice between nothing but integration or exit from the EU will only lead to chaos. EU supporters need to boldly embrace meaningful and healthy flexibility and differentiation instead of simply falling back on elite-driven, technocratic blueprints for more integration. Developing a legitimate and stable political community at the European level can come only through the hard work of allowing democratic politics to unfold, with responsible leaders informing citizens about the political bargains and compromises necessary to sustain the EU and citizens responding with engagement over real choices. Allowing for a more flexible model is critical for sustaining the innovative peace- and welfare-creating entity that is the European Union.

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