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Great-power confederalism: European republicanism at a crossroads

1. Reflecting on confederal politicality

A good place to begin this chapter is with the unashamedly hagiographical account of Switzerland from a study by Gabriel Bonnot de Mably (*De l'étude de l'histoire*), published in 1775:

“It is in Switzerland that the truest and most natural ideas of society have been preserved”. It was here, he claimed, and here alone that it was still possible to practice the noble ideals of true politics, where ‘no man should be sacrificed for another man’, where property was inviolable and where the magistrates’ authority was founded less on force and ‘external decorations’ than on their moral integrity and total dedication to the common good” (Kapossy, 2002: 228).

Writing on the eve of the outbreak of the American Revolution and a few years before the French Revolution, Mably – a staunch defender of Roman republican principles – expressed a widely shared view of the Swiss republics as the last home of civic virtue and true liberty. And of their bonds – in the form of a loose confederation – as the most appropriate device for the preservation of both civic virtue and true liberty.

But what is ‘true’ liberty in this context? It is the sort of liberty that requires not merely the absence of actual coercion but the absence of conditions of domination and

dependence. In other words, to enjoy liberty is not sufficient to be *de facto* free from coercion; it is necessary to be free from the possibility of being coerced: liberty should not be contrasted with coercion but with servitude (Pettit, 1997; Skinner, 1998). As Cicero famously declared in the *Philippics*, it is the sort of liberty that requires the straightforward rejection of a ‘condition’, the ‘most miserable feature of which’ is that, ‘even if the master happens not to be oppressive, he can be so should he wish’ (Skinner, 2002: 10). In early modern republican thought, despite considerable variation, ‘true liberty’ was best attainable in the context of a confederal polity.

And what is a ‘confederal’ polity? Is it more than an early, archaic, or maybe transient form of arrangement in the process of federalization? There can be little doubt today that the conceptual distinction between a ‘confederal’ and a ‘federal’ system is clear. To quote from an eminent source, ‘the difference between a confederation and a federation lies in the greater emphasis on the independence of the members in the first case, and on their unity of purpose and organization in the second’ (Scruton, 2007a: 126). In other words, a ‘confederation’ denotes a political order with a weaker center than a federation, often dependent on the constituent units (Watts, 1998: 121).

In what follows, my aim is to discuss confederalism and confederal politicality as something much more than an archaic, transient or – worse – a stillborn system. I wish to provide an introductory sketch for the apparently persistent confederal features of the present and future forms of the evolving European polity. The interaction between new types of intergovernmentalism and confederal politics will be assessed in this context.

2. Confederalism and the political nation: the Swiss case

Why would Mably in 1775 consider the Swiss republics to be the last home of civic virtue and true liberty? After all, in just a few years revolutionary fervor would radicalize government and its sources of legitimacy, first in America, then in France.

At least in part, the early republican fascination with Switzerland was because the country was considered a paradigm of ‘political’ nationality. This assessment of Swiss politics and institutions continued well into the 19th century. When Acton praised the

‘purely political nationality of Switzerland’ in the context of British debates about liberty, nationalism, and the limits to national unity, he expressed – as Burgess reminds us – a ‘belief in the futility of the idea that every nation should, by virtue of its self-definition, have its own independent state’ (Burgess, 2006: 106). Indeed, ‘Canada, Belgium and Switzerland are national states only in the sense that they are communities of political allegiance [...] not nation-states. And this applies also to some other contemporary federations, such as India’ (Burgess, 2006: 106).

Forming a political nation

The road to the formation of a political nation successful in both domestic arrangements and foreign affairs was a difficult one. When, in 1291, three communities in Central Alps (Uri, Schwyz, and Unterwalden) united to defend their members against the Habsburgs, they formed the first nucleus of the Old Swiss Confederacy (still within the Holy Roman Empire). Between then and the mid-14th century, the three original communities were joined by two more cantons plus the city states of Lucerne, Zürich, and Bern. In this way the Confederation of eight states was formed. It was a system that persisted well into the 15th century and left its mark on the political culture of Switzerland. Even today, in Article 1 of the Federal Constitution of the Swiss Confederation, the city states and cantons of the original Confederation are listed first, followed by the cantons that joined the Confederation after the 15th century, in historical order. Today, Switzerland's 26 cantons are the federal components of the Swiss confederation.

The Swiss remained neutral during the War of the First Coalition against revolutionary France. Eventually Napoleon Bonaparte invaded, annexed and looted Switzerland in 1797-98, forcefully replacing the loose confederation with the more centralized, near-unitary structure of the short-lived *République helvétique* (1798-1803). From the prism of the present analysis, what is significant about this, first Swiss constitution was that it was, indeed, a constitution: not a treaty establishing a confederation but a constitution establishing a republic.

The short-lived constitution was replaced by the Act of Mediation, which was in turn replaced by the Federal Treaty of 1815, which restored the Confederacy with a twist: individual cantons drew up cantonal constitutions, some of them introducing important

participatory innovations. In this way, what had been ‘essentially a Germanic unity was finally broken as a number of French-speaking territorial communities, together with Ticino, the only Italian-speaking area, were admitted to full canton status and re-established Switzerland as a loose confederation of 25 cantons based upon a treaty that guaranteed collective security by mutual assistance’ (Burgess, 2006: 82).

Federalism was formally introduced in 1848, as a system that bore the marks of the spirit of the Age as well as being the outcome of domestic power balances. After a brief internal conflict between Protestant liberals pushing for a centralized political center and the Catholic conservatives defending the old confederal order, most cantons sided with the idea of a federal constitution modeled in part on the U.S. Constitution. The new constitution, ratified by a vote of both the citizens and the cantons, established a range of civic liberties at federal level and made provisions to maintain cantonal autonomy to placate the Catholic minority.

The constitution’s amendment of 1874 established federal responsibility for defense, trade, and legal matters, as well as introducing direct democracy by popular referendum (Watts, 1999; Burgess, 2006). To this day, following the most recent constitutional amendment which introduced articles on fundamental rights (1999), cantonal autonomy and referendum democracy remain defining features of the Swiss polity.

The term “canton”, increasingly in use after the 15th century to denote the various communities (originally defined as *Orte*, *Waldstätte*, *Stände*) that formed the confederation, implied an equal status of free and independent entities within the confederation. Since Neuchâtel ceased to be a principality in 1848, all Swiss cantons have a republican form of government; most of them describe themselves as republics in their respective constitutions.

A political culture of mixed republican heritage

As the early modern Swiss republics left the world of apparent agrarian simplicity and stability, to embark on lives of commercial exposure, what would be the chances for maintaining and further cultivating their republican features? Many influential thinkers, including Montesquieu, famously regarded the possibilities for small commercial republics to be rather slim.

Switzerland proved otherwise. Deep-rooted traditions of neo-Roman republicanism provided a conceptual and ideational background against which (and in interaction with which) modern Swiss political culture evolved. When needed, the Swiss republics were able to manifest exceptional military skills, exemplified in the defeats inflicted between 1315 and 1388 on the Habsburgs, and culminating in the destruction of the powerful armies of Charles of Burgundy in three crucial battles (at Grandson, Murten, and Nancy) in 1476-1477.

Even before the European powers recognized a form of Swiss neutrality (hence, indirectly, independence from the Empire for the Swiss Confederation) in 1648, a combination of strong participatory ethos and military prowess (an early, pre-French Revolution variant of the 'citizen-soldier' army) left its mark as a main feature of Swiss politicality. The idealization of the Swiss republics evident in Machiavelli's writings, for example, owes much to the perception of military polities living an independent life and, when provoked, inflicting crushing defeats on the powerful armies of great powers.

Against this background, from mid-eighteenth century onwards, Swiss thinkers became engaged in lively debates on the possibilities opening on the road to reforming the early written and unwritten traditions of their city republics (Kaposy, 2002: 231-232). In this process, Geneva – Rousseau's native city – was in fact not so typical of republican political thought and culture in many other cities and cantons. As Bela Kaposy argues,

“For most Swiss and foreign commentators Geneva was not the flag bearer of Swiss military republicanism but rather its opposite, namely a highly unstable commercial republic which managed to maintain its independence only because of the vital role that it played in the French deficit-based system of public finance. As an alternative to Rousseau in German-speaking countries, readers tended to concentrate on the ambitious and recognizably modern vision of how to accommodate the Swiss republics within the modern European world of commerce which could be found in the writings of the secretary of state of the Republic of Basle, Isaak Iselin. From the mid-1750s onwards Iselin rose to prominence [...] formulating a specifically Protestant theory of modern republicanism which spelled out the conditions needed for a market society to fulfil both the republican and Christian requirements of stability and distributive justice expected in a Swiss city-state. He concentrated his attacks on the protectionist policies of Basle's city guilds not only as economically disastrous but as anti-political and amoral” (Kaposy, 2002: 232).

Kapossy goes on to explain that Iselin developed a view of republican liberty in a participatory commercial republic that exercised significant influence on German-speaking republicans, some of them considering him as a precursor of Kant. The combination of the traditions of Basle's commercial republicanism and Berne's military-aristocratic republicanism, argues Kapossy, constitute the essential cement in Swiss republicanism's claim to distinction in the context of the diverse republican heritage of Europe.

It is a heritage that does not necessarily identify with the anti-monarchical cause: it embraces a model of institutional participatory governance and the strong values associated with it, irrespective of whether a monarch or a president or indeed a collective form of leadership (such as a council) heads the state (see, inter alia, Scruton, 2007b: 594). Accordingly, several authors in early modern Europe adopted the terms 'republic' and 'republican' to denote a modality of participatory governance irrespective of whether the political system in question was monarchical in form (Peltonen, 2002: 85-106). Hence not just towns or cities could be viewed as republics, but even the whole '*republica Anglorum*' was approached from the prism of citizenship, as in Edward Walshe's writings (1545) on the 'cytizens' who 'take paynes in the common wele of their countrey' (Peltonen, 2002: 94).

Summing up: external challenges and the formation of a political nation

In the Swiss case, confederalism evolved in response to external threats and challenges, but it was also the result of (a) an original nucleus of communities achieving increased numbers of followers over time, (b) the more powerful city states gradually playing key roles, occasionally leading to religious and other forms of conflict but ultimately being able to survive as a system of shared power in a country with multiple cleavage lines, and (c) various forms of distinguished skills and activities – from providing mercenary armies at an early stage to providing banking services at a later stage – that helped consolidate independence and prosperity.

A major background factor has been the evolution of a vibrant as well as diverse political culture in which different republican themes interact and gradually shape a shared, Swiss view of government. In this sense, Swiss nationality is both political (the result of a process of identification with particular institutional features such as the

constitution, cantonal autonomy, foreign neutrality, direct democracy with referenda, the citizen-army) and cultural, i.e., a function of shared folk heroes and traditions, a shared view of the 'other', significant symbolic milestones and standards, and so on. As David Miller has argued, in societies such as Switzerland, citizens have developed 'nested national identities': they identify, to varying degrees, with the nation as a whole, but also with one of its sub-units, which may also be characterized as a nation, while they may also feel part of larger cultural affiliations, such as German, French, or Italian (Miller, 2008: 144).

3. Groups, identities, and states

The EU's evolving institutional architecture has acquired – since the Lisbon Treaty entered into force in December 2009 – certain proto-federal characteristics. The new powers of the European Parliament can now impact decision-making in most policy areas and the ensuing tripartite decision structure (Commission – Council – European Parliament) begins to resemble the interactions between a proto-federal executive and a proto-federal bicameral legislature, the Council of Ministers still uncomfortable in its guise of an upper house in the making.

But despite its historic achievements, the EU possesses certain features that appear to hold it back in the foreseeable future: multiple fragmenting lines, persistent intergovernmentalism, rise of anti-European forces in several member states, perceived gaps in democratic legitimacy, and so on. Would an appropriately modified distillation of Swiss experience in a new, European formula serve as a compass for the EU's future direction? The answer to this query is a rather complicated one, involving both conceptual complexities and real-world conditions that change rapidly.

Fragmented polities have long been considered difficult to govern; in response to such received wisdom, several comparative studies in political science have explored the conditions in which countries with multiple cleavage lines were in fact able to find solutions that would ensure non-majoritarian governability while respecting minority identities and values (Lijphart, 1977). The political systems of European states like Belgium, the Netherlands and Switzerland as well as certain non-European cases (such

as Lebanon) have been examples of consociational rule. The politics of compromise become dominant as the lack of a thick layer of shared values and norms were compensated by the search for accommodation and problem solving at the elite level: the threat of fragmentation being constant, there is “the need to generate enthusiasm for stability precisely because of the continuing threat of fragmentation” (Taylor 1990: 174).

Turning to the EU, the term ‘confederal consociation’ (Chrysochoou 1998) was introduced as an attempt to build on Taylor’s application of consociational theory to the Community system. It refers to a compound polity made up of distinctive constitutional units which are bound together in a consensual form of union, without either losing their sense of forming collective national identities or resigning their individual sovereignty to a higher central authority.

True, some of the basic elements of consociation can be found in the EU: an elite cartel in the form of a managing coalition of states; a proportional representation of the state units to central decision-making; the retention of state competences in areas important to them; and a qualified right of mutual veto for the protection of dissenting interests. What qualifies the EU as a confederal rather than a federal consociation is that – until now – it is made up of equally sovereign demoi, that the publics of the plural polity are represented in their dealings with the center by democratic governments, and that decision-making authority is delegated to the separate segments as much as possible, while on issues of common interest, the decisions are made jointly by the segments (Lijphart, 1977). This means that, as Paul Taylor and others have argued, consociationalism is about the capacity of states to exercise control over integration, not about the development of horizontal links among the member publics or the creation in Europe of a single community of common practices, norms, and standards (for a detailed analysis see Chrysochoou, 2009).

Nested identities and civic polyculturalism

However, the *lacunae* in this approach are serious and can be traced in two areas. First, unlike consociationalism’s institutionalized component parts, group politics in contemporary EU are much more complex in terms of the variety of identities, partial attachments, and nested nationalities. In fact, there are crucial aspects of Europe’s social

and political life that cannot be fully accounted for with the help of consociationalism. Ethnic, linguistic, religious communities, gender identities, life-style groups, new types of allegiance, all these create a set of multiple and often cross-cutting cleavages, introducing a new multicultural landscape in EU politics (Stephanou and Nikolakopoulou, 2007).

Since the EU cannot motivate action by engaging with emotions and sentiments of community, European civiness calls for a different approach. The question is how to disentangle the issue of participation in the EU from the cultural and emotional dimensions of participation based on pre-existing affinity and confirmations of belonging (Lavdas, 2001). The point is that ‘some elements of the real and symbolic *res publica*, may sustain a degree of political motivation vis-à-vis the EU and its relevance for peoples’ lives while also allowing for other and more intense forms of motivation and involvement at other levels of participation’ (Lavdas, 2001: 5).

But given the lack of organic unity among the member *demoi*, the republican challenge, in line with that of multiculturalism, is one of institutionalizing respect for difference and group rights, whilst sustaining ‘a shared sense of the public good’ (Bellamy 1999: 160). This is more likely to emerge through Pettit’s (1997) third concept of freedom (freedom as non-domination), as it encourages a viewpoint which combines ‘the recognition of the significance of the pluralism of cultural possibilities for meaningful choice and a framework based on a minimal set of shared political values’ (Lavdas, 2001: 6).

This approach – associating as it does the value of a liberal version of multiculturalism with its ability to enhance possibilities for meaningful choices, rather than uncritical commitment to inherited community values – aims to combine the recognition of the pluralism of cultural possibilities for access to meaningful choice and a framework based on a minimal set of civic values shared by individuals. The latter may possess a minimalist quality but is nonetheless crucial in that it helps avoid the traps of naïve relativism whilst focusing on arrangements and institutions that help citizens increase control over aspects of their own lives. Within this framework, a multitude of commitments may develop emotional engagement and enhance opportunities for meaningful choices. This would entail a condition of ‘civic polyculturalism’ (Lavdas and Chrysochoou, 2011) in which multiple allegiances co-exist in an expanded

pluralist field, without denying the basic adherence to certain minimal shared political values.

The increased salience of multiple cleavage lines that transcend national boundaries needs to be conceptualized in novel ways. And, while there exists considerable analysis to rebut the claim that multiculturalism is dead, the real problem lies in the fragile mix of individual rights, cultural recognition and the acceptance of a certain limited set of transnational values: defending a liberal focus on individual rights needs to be accompanied by the cultivation of a transnational civic ethos at EU level informed by republican values (for a detailed analysis see Lavdas, 2017).

4. Asymmetric intergovernmentalism on the increase

The second problem with consociationalism is its tendency to gloss over the fact that intergovernmentalism in the EU is not only persistent but appears to be increasingly asymmetric. The latter signifies a partially institutionalized modality whereby powerful member states strive to assume hegemonic positions while exercising some self-restraint (mainly due to the investment in the long-term horizon of cooperation – see Lavdas, 2002). In a nutshell, EU preferences are increasingly formed as a result of intergovernmental power calculations rather than uninhibited collective deliberation.

Let us get a grip on what this may or may not entail. Beyond the well-known, formal distinction between a *Staatenbund* (confederation of states) and a *Bundesstaat* (a federal state), today's EU is exploring – often in novel ways – arrangements that appear to combine elements of the political principles of federalism (guiding federal political systems) and persistent intergovernmentalism. In 1993, assessing the country's participation in the EU after Maastricht, Germany's *Bundesverfassungsgericht* coined (in its Maastricht-Urteil) the concept of a *Staatenverbund* to denote an intermediate arrangement. An arrangement in which member states retain constitutional sovereignty despite federal features acquired by the Union in areas such as monetary and economic union.

In this context, the EU is at the forefront of novel approaches to sovereignty. Indeed, sovereignty conceived not as an absolute status but as a bundle of attributes, powers

and capacities (Brown and Ainley, 2009: 128) is better equipped to address this world of nested allegiances, shared policy capacities and asymmetric intergovernmentalism.

But the experience in recent decades, including recent experiences associated with the eurozone crisis after 2009 indicate that strategies in hard times are defined not just by the states, but by the most powerful among them. Often using auxiliary institutional structures, like the Eurogroup Working Group (EWG) which is a 'preparatory body' in name, it is the most powerful states and their permanent or occasional allies that determine process, content, and outcome.

Of course, familiar fragmentation has always threatened to disrupt the very fundamentals of the Union, i.e., the power-sharing arrangements upon which 'integration' has been built. As we noted in the discussion of consociationalism, fragmentation in plural societies marked by multiple and largely overlapping cleavage lines has led to the search for political accommodation through power sharing and longer-term institutional features that create incentives for maintaining a degree of unity. But the power-politics that came to the fore on a number of occasions (e.g., during the crisis surrounding the so-called 'Luxemburg Compromise' in the mid-1960s, the rift between states over the Yugoslavian wars in the 1990s and the eurozone crisis after 2009) belong to a different category and point to a different direction for the Union.

Nobody seriously disputes that the eurozone crisis brought to the fore Germany's preference for maintaining its ordo-liberal principles over giving in to policies that would better express its long-standing pro-European commitment. It may be that, as Bulmer has argued, the domestic German political situation explains why ordo-liberalism has trumped pro-Europeanism. Ordo-liberal emphasis on stability culture has provided a valuable strategic resource for securing German objectives within the eurozone while satisfying the perceived requirements of domestic politics (Bulmer, 2014: 1244-1263).

Whatever the explanation behind Berlin's policies in the crisis, the fact remains that austerity and 'stagnation by design' (Stiglitz, 2016) raised major issues about the Union's nature. On the one hand, following some initial improvisation, the formation of the ESM combined with bailout programs to assist the five eurozone states in need (Greece, Ireland, Portugal, Spain, Cyprus) appears to confirm a proto-federal sense of

solidarity. Even in this context, there were serious shortcomings: in its 2017 special report on the European Commission's intervention in the Greek crisis, the European court of Auditors (ECA, 2017) provides succinct and often critical insights into the saga of EU – Greek relations since 2009. For example, as the ECA notes, 'insufficient consideration [was] given to the administrative capacity to implement the reforms', and while 'financial reforms ensured short-term stability in the sector, [...] a number of structural weaknesses were not comprehensively addressed or were included late in the programme' (ECA, 2017: 76-77).

On the other hand, the crisis that tarnished Europe and the eurozone after 2009 was largely portrayed by official discourse as the result of different national problem-stories, the role of the incomplete economic union was ignored and the debate over Eurobonds was quickly side-stepped. It is worth quoting Matthijs and McNamara (2015: 243):

“Of the multiple narratives EU policymakers could have chosen at the onset of the euro crisis, why did austerity and structural reform win out over other plausible cures for member states' problems? Arguably, sovereign debt pooling or more federalized economic governance would have been a solution to member states' national deficits and competitiveness woes. [...] Alternative views of the crisis could paint a functional picture of governance as the major issue, where a single currency disembedded from the standard historical institutions of nation-states would create serious problems no matter what the policies of the individual member states were [...] Instead, the theory effect that unfolded in the Eurozone crisis was situated squarely in the vision of ordoliberalism and neoliberalism that has illuminated the German public policy sphere throughout the postwar era: [...] national problems of fiscal profligacy and weak competitiveness were the source of the problem. Eurobonds stood no chance of being adopted, despite their functionality in addressing the euro's woes, given the ways in which the ideas about Northern saints and Southern sinners both served and structured the reality of the euro crisis.”

It made sense, during the most difficult years of the eurozone crisis, between 2010-2015, to argue that the institutional system of the Union takes a backseat in periods of crisis and change when intergovernmental bargaining and decisions through both formal and informal channels assume a leading role. However, the increased salience of intergovernmentalism and the leading role of key governments now appear to be more than transient.

When Germany's Ursula von der Leyen succeeded Luxembourg's Jean-Claude Juncker in 2019, bypassing the Spitzenkandidaten process that France's Emmanuel Macron had deemed unnecessary, commentators focused – justifiably – on the aspect of gender: a woman would be at the helm of the Commission for the first time. Equally justified, however, would be a focus on nationality: a German assumed the leadership of the Commission for the first time since 1958, when Walter Hallstein, a distinguished academic and diplomat took on that responsibility as a symbolic expression of the country's integrated role in the West.

Great-power politics in the EU can bypass some of the cleavages or they can try to put them to use for their own purposes. Indeed, Germany in 2019 is a different, successful and powerful, member state. One does not need to endorse the analyses that approach European integration as the route by which Germany was able to restore its full sovereignty and economic pre-eminence in Europe and the transatlantic networks to realize that in the post-1980s era of finance-driven globalization, Germany is increasingly 'speaking for Europe', as its corporations have become nodal points in the communication structures through which the responses to the challenges facing the EU and the West at large are being shaped (van der Pijl et al., 2011: 384-408).

As the eurozone moved toward creating the banking union to shield the banking sector against future crises, there was criticism in Germany (which boasts a number of important regional banks working under special provisions) that neither the EU treaties cover the decision to grant the EBC supervisory powers over eurozone banks while nor the German constitution permits the government in Berlin to put taxpayer money into a common ECB fund. In a crucial ruling issued on July 30, 2019, the *Bundesverfassungsgericht* in Karlsruhe determined that the fact that the ECB shares oversight powers was "pivotal" because national regulators still retain 'broad authority'. On the fund, the Court considers there are 'questions' but it is constitutional if "the boundaries of the tasks and powers granted to the [fund's] board are strictly respected" (Deutsche Welle, 2019).

While the Court in effect rejected the challenges to the banking union, it also appears to have set limits by suggesting that substantial parts of oversight remain national and that any constitutional doubts can be addressed by employing a restrictive interpretation of the EU rules (Münchau, 2019). As in the landmark Maastricht-Urteil, Karlsruhe

appears to consistently endorse European Union realities while simultaneously defining national constitutional limits to their reach.

Within the EU, apart from the obvious features regarding GDP, export capacities, systematic surplus accumulation, population data, and so on, Germany has also been able in recent years to position its nationals in key positions at every level of the EU's institutional structure. France in 2019 is also a very different member state in comparison to the 1960s, even more so since Brexit leaves France in the role of the sole European power capable of power projection at world level in both conventional and nuclear aspects of defense. And, although Macron's presidential race and his election in 2017 boasted a strong European dimension, the policies advanced by Paris since 2017 possess an unmistakably national aura: how to make France great again, to paraphrase an American slogan so much hated in Europe.

5. Tentative conclusions on great-power confederalism

In an influential generalization, Watts (1998, 1999) suggested that the more the degree of homogeneity in a society the greater the powers that have been allocated to the federal government; the more the degree of diversity the greater the powers that have been retained by the constituent units of government. In fact, things can be more complicated when it comes to (a) extremely diverse societies with multiple dividing lines (like India) or (b) emerging proto-federations in which state identities are well formed and consolidated and include one or more very powerful members that are becoming hegemonic – this, *grosso modo*, is the case of today's EU.

What does the increased influence of great-power strategies within the EU and in its international presence imply for the Union's evolving political system? At first glance it appears that the salience of what we labeled 'asymmetric intergovernmentalism' drastically erodes the Union's status as a political system, bringing back in familiar features of power politics.

When Switzerland, after a brief period of internal conflict, transformed its confederation into a federation in 1848, there were risks but no supreme internal power was on the rise to become hegemonic in the new union. Federalism is desirable so long

as it buttresses an existing spirit of a political nation; it may prove problematic when the spirit is absent and federal institutions – such as a federal constitutional court exercising judicial activism with often unintended consequences (Burgess, 2006: 160) – push for further federalization.

By contrast, confederalism can work in the context of thin underlying shared values and ominous intergovernmental imbalances, working to improve conditions, encourage further common goals and gradually nurture a sense of European republican patriotism that could – in the future – be a substitute for the unattainable political nation.

The challenges, however, will be considerable. They can be grouped under two familiar categories: globalization and power politics. At the point of transition of many early modern republics from relatively compact, highly motivated, egalitarian polities into commercial, trading systems, republican thought registered the anxiety that newly trading republics would – in turn – degenerate into plutocratic oligarchies (Kaposy, 2002: 227-228). The view that republican government would be unable to cope with the socially dislocating effects of modern economic relations was a point of fierce debate. It still is.

The longer-term emergence of a shared pride in the common civic values, a European republican patriotism, will also depend on the extent to which individuals recognize in the EU polity a degree of policy and political relevance. The synchronicity of severe challenges may result in a multifactor-induced breakdown of the Union's functioning as a result of the decomposition of its underlying consensus. We need to be reminded of the Aristotelian view that the middle classes support a good polity. As the middle classes struggle to survive as active actors in several member states, this is becoming a threat for both democracy and the EU.

At the same time, migratory waves and the challenge of dealing with refugees play significant but various and often contradictory roles in this process. Respect for refugees, their dignity and their rights reinforces some of the reasons why a common European project may be worthy of support; on the other hand, the same stimuli bring out the worst in Europe's political cultures, leading to a backlash of extremisms, and they do so without appearing to contribute to the emergence of a 'we'-versus-'them' identity at European level.

Back to the future?

The precarious lives of small republics since the rise of modernity invited scholars to rethink the links and the relations between community, liberty, expansion, and economic success. Looking back and attempting to enlist the support of history, Adam Smith in his lectures at the University of Glasgow (1763) distinguished between “a defensive republick” (such as Athens) and “a conquering republick” (such as Rome). While the former declined as advanced sophistication shrank the numbers of available and committed soldier-citizens, the latter proved no less precarious due to the increased recourse to mercenary armies led by generals who paved the way to imperial autocracy (Armitage, 2002: 44-45). If the perceived trade-off between empire and liberty became a ‘republican dilemma’ (Armitage, 2002: 29-46) as the road to modern, commercial republics favored expansion and political detachment at the expense of participation and community allegiance, variations on the confederal formula appeared to offer a promising solution.

Indeed, as Daniel Deudney has argued, federal union as a political and institutional innovation permitted republics to attain the size and security previously available to empires, ‘while at the same time preserving internal political liberty, popular sovereignty, and limited government’. In this context, ‘security through federal union, not peace among democracies, has been the most important security fact for free polities over the last two centuries’ (Deudney, 2007: 270).

View on the obsolescence of great-power conflict in Europe are still dominant today; yet in the presence of a powerful security blanket in the form of NATO, it is difficult to assess just how genuine is the Europeans’ move beyond power politics (Mearsheimer, 2001: 377-380-396). The early months of the Yugoslav war laid bare the acute divergence of views between France, Germany, Italy, Greece, and the UK (Lavdas, 2002: 150-172). Thankfully, the transatlantic ties prevailed. The relative loosening of these ties during the Trump administration in Washington, when the US begun to look like a less dependable ally, represents a serious test not just for NATO but for the integrity of the EU as well.

Simplistic views have been quick to conclude that both Brexit and the Trump administration represent a boost to EU coherence. Yet as John Mearsheimer predicted back in 2001, both nationalism and statehood appear to be alive and well – even in Europe, even in the context of the EU (Mearsheimer, 2001: 366). Apparently, the achievements of extreme interdependence and economic and monetary integration are here to stay – at least for a (stable?) nucleus of member states. A system of asymmetric intergovernmentalism structured through great-power politics exercised with self-restraint and through supranational institutions only partially detached from the Union’s most powerful members – that will be the framework in which EU politics will be played for the foreseeable future.

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