

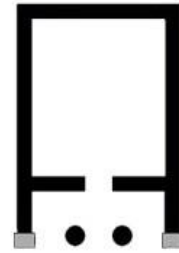
Utopia in Adversity: At the Borders of the European Project

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Utopia in Adversity: At the Borders of the European Project

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The European Project: a utopian technocratic-cosmopolitan project?

The European Union (EU) as known today came about as an attempt to break away from a European history marked by turbulent conflict between nation states. In fact, the European Coal and Steel Community (ECSC), out of which the EU later evolved, was established a few years after the end of the Second World War. The ECSC marked a new beginning for European peoples, and was envisaged as a *sui generis* technocratic-cosmopolitan utopia aimed at restoring lasting peace and economic prosperity. Its founders carefully sketched out a plan for this supranational entity with technocratic and cosmopolitan characteristics in order to detach their utopian project from national aspirations, the latter being perceived as fueling further conflicts among European nation states. The EU's traces of cosmopolitanism aim at guaranteeing the protection of fundamental freedoms and human rights, coupled with the granting of the freedom of movement to all citizens within the Union. This cosmopolitan utopia was further intended to have a technocratic nature, beginning from humble but successful economic cooperation with the aim of leading to its gradual evolution into a more complex political union. The founders of the EU, therefore, focused primarily on creating a tightly knit institutional framework—carefully crafted by experts—which, on the one hand, disciplines its member states with regard to the treatment of citizens while, on the other hand, specialises in the management of economic relations between members.

The EU's master plan worked well in so far as war among its member states became unthinkable. However, it turned out that its utopian blueprint did not quite achieve the expected results. Firstly, the complex institutional framework of the EU makes it difficult for citizens to engage and get involved in EU affairs, unavoidably creating a democratic vacuum. This leaves technocrats free to presuppose the general interest of the people from a distance with very little space for democratic representation.¹ Secondly, its cosmopolitan² aspirations failed short as the EU's citizenship regime created double standards when it came to the

¹ For a detailed account on the representativeness of EU institutions, particularly that of the European Parliament, see Simon Hix and Bjørn Høyland, 'Empowerment of the European Parliament', *Annual Reviews of Political Science*, Sci 16, (2013), 171-189.

² The kind of cosmopolitanism I am referring to here is mostly embraced by cosmopolitan theorists who were influenced by Kant's notion of cosmopolitan law. For a detailed rendition of Kant's cosmopolitanism, see Martha Nussbaum, 'Kant and Cosmopolitanism', in *The Cosmopolitanism Reader*, ed. by Garrett Wallace Brown and David Held (Cambridge: Polity Press, 2013), pp. 27-44.

treatment of EU and non-EU migrants.³ Moreover, the legal obligation enshrined in Union and international law, binding EU states to grant entry to those seeking asylum, is increasingly becoming perceived as a matter of national choice.

The degree of democratic control exercised by EU citizens over EU and domestic affairs receded further as the economies of EU member states were cast into a deep recession with the unfolding of the financial crisis of 2008. At the same time, an unprecedented humanitarian crisis engulfed the EU with hundreds of thousands of migrants and asylum seekers seeking refuge on European soil.⁴ The absence of democratic control by the people, coupled with the lack of responsible political direction from above—especially with regard to the management of the financial and humanitarian crises—increased Euro-scepticism and hostility towards outsiders. Right-wing movements across the EU are gaining momentum, at best pushing towards populist and nationalistic policy reforms, at worst convincing people to exit the Union altogether, and erecting physical or symbolic walls to keep non-nationals out. Much needed cooperation to address common issues in the Union is becoming increasingly difficult to achieve, even among those members still faithful to the European project as originally conceived. In view of this, my contention is that, in their current shape, not only are the technocratic and cosmopolitan characteristics of the EU far from utopic, but, instead, they are contributing factors to the current detrimental state of the EU.

The aim of this essay is to critically engage with the current institutional framework and political developments of the EU and its member states and to offer a utopian counter-discourse to the current rise of right-wing populist discourses pervading EU politics. In order to achieve this, in the first part of the paper I will delve into what I mean by “utopia”, following James D. Ingram’s and Chantal Mouffe’s work. In particular, my contention will be that utopian politics is an open-ended struggle which demands that the realm of politics facilitates contestations between “adversaries” in a democratic context. Furthermore, I will posit that where political institutions fail to bring about just and democratic processes, the people have the right and responsibility to demand change through civil mobilisation and alternative ways of resistance, through what Bonnie Honig calls an agonistic cosmopolitics. The second part tackles two case studies of the political reactions of Greece and the UK in the face of the current hegemonic and technocratic character of the EU. The third part, then, deals with the cosmopolitan traces (or lack thereof) inherent in the EU institutional frameworks in view of the development of the unprecedented immigration crisis. Finally, I conclude by giving insights on how the EU needs to develop into an agonistic cosmopolitan polity.

³ See Garret Wallace Brown, ‘The European Union and Kant’s Idea of Cosmopolitan Right: Why the EU is not Cosmopolitan’, *European Journal of International Relations*, Vol. 20(3), (2014), 671-693.

⁴ See BBC News, ‘Why is EU Struggling with Migrants and Asylum?’, *BBC News*, (2016).

<http://www.bbc.com/news/world-europe-24583286>. [Accessed 26 April 2017].

What kind of utopia for Europe?

There is no doubt that a utopian re-imagination of the current state of the EU is quite difficult, if not altogether vain. Various EU scholars are increasingly of the view that the disintegration of the Union represents the only hope to save some form of European cooperation. Jan Zielonka, for instance, argues that EU integration and cooperation may still be possible without the hindrance of the EU, with its bureaucratic and ‘too big to fail’ institutions.⁵ On the other hand, Chantal Mouffe blames the neo-liberal agenda permeating current EU policies, resulting in increased mistrust in the Union. This can be clearly seen in the Union’s (mis-)management of the financial crisis of 2008 as bailout packages were granted to problematic banks with taxpayers’ money and with little legal action taken against their executives. All this happened without seeking to involve EU citizens in decision-making. Mouffe argues that criticism of the EU’s neo-liberal agenda is ‘constantly presented as expressions of anti-European attacks against the very existence of the Union’.⁶ Thus, she contends that the call for the disintegration of the Union might not be entirely justified as failure is not necessarily on the part of the European Project itself but, rather, on the part of the left who have taken neo-liberalism as a given constant in EU politics.

My intention in this essay is not to offer a utopian blueprint to save the EU from its current malaise. We have arrived at a point in time where it is impossible, if not pretentious and arrogant, to hope for a utopian state where the tensions between that which is particular and that which is universal are resolved once and for all. My understanding of utopia is not so much a prescription, but a means of resistance towards current hegemonic political configurations and socio-cultural norms. In this sense, my understanding of utopia is more akin to James Ingram’s definition of radical cosmopolitics as an ideal which, although perhaps inconceivable at the present time, nevertheless offers a platform through which one can hope for that which may seem impossible to attain. The project of utopia is therefore a present struggle and an engagement with current political realities. It is an attempt at constructing and reconstructing political alternatives which are closer to an ideal which in turn always destined to be deferred to the future.⁷

Moreover, utopia is impossible to achieve because any attempt to universalise a norm is imbued, often in a hegemonic way, with particular historical narratives. Following Mouffe, it needs to be recognised that every social order has an inherent hegemonic nature and, as such, order is produced through a series of ‘temporary and precarious articulation[s] of contingent practices.’⁸ She argues that because any order is bound to be the expression of a particular configuration of power relations, politics necessarily calls for an open-ended struggle by those who are excluded in an attempt to install another hegemonic order. This take on the

⁵ Jan Zielonka, *Is the EU Doomed?* (Cambridge: Polity Press, 2014), p. 102.

⁶ Chantal Mouffe, *Agonistics*, (London: Verso, 2013), p. 58.

⁷ See James D. Ingram, *Radical Cosmopolitics: The Ethics and Politics of Democratic Universalism* (New York: Columbia University Press, 2013), p. 52.

⁸ Mouffe, p. 2.

nature of politics has brought Mouffe to distinguish between 'the political' and 'politics' whereby:

'[t]he political' refers to this dimension of antagonism which can take many forms and can emerge in diverse social relations. It is a dimension that can never be eradicated. 'Politics', on the other hand, refers to the ensemble of practices, discourses and institutions that seeks to establish a certain order and to organise human coexistence in conditions which are always potentially conflicting, since they are affected by the dimension of 'the political'.⁹

In light of this, the aim of this paper is not to present a scenario where, as Jürgen Habermas contends, unanimous consent is reached as a result of rationally contested discourses until a better and stronger argument is presented as a contender for public consideration.¹⁰ Contrary to Habermas, Mouffe argues that such a rational consensus between conflicting alternatives cannot be reached since antagonisms make up and characterise human societies. Such a rationalistic view, she argues, results in an inadequate way of envisaging "politics". She further argues that 'what antagonism reveals is the very limit of any rational consensus', as liberal thought vouching for such rationality is rendered impotent, 'when confronted with the emergence of antagonisms and forms of violence that, according to its theory, belong to a bygone age when reason had not yet managed to control the supposedly archaic passions'.¹¹ Mouffe argues that the very possibility of the existence of a collective identity, or any other configuration of identification for that matter, is the affirmation of a difference, or that which it is not. Since—following Mouffe—"politics" deals with collective identities, it necessarily entails the constitution of a "we" which requires as its very condition of possibility the demarcation of a "they".

Following Mouffe, I will argue for alternative ways to reconfigure the realm of "politics" within the Union in such a way as to channel antagonisms through agonistic formulations. This entails converting antagonisms between enemies—whereby the constitutive 'other' is perceived to pose a threat to *our* identity—into agonistic confrontation between adversaries within a democratic context. In Mouffe's words, democratic processes revolve around 'the category of the "adversary", the opponent with whom one shares a common allegiance to the democratic principles of "liberty and equality for all", while disagreeing about their interpretation'. In order to do this, I will argue that there is the need to rearticulate current political discourses, particularly as a counterweight to the 'no alternative' hegemonic discourses promoting a politics of 'fear' which currently pervade EU politics.¹²

⁹ Mouffe, p. 2.

¹⁰ See Jürgen Habermas, *The Inclusion of the Other: Studies in Political Theory* (Cambridge: Polity Press, 2005), p. 23.

¹¹ Mouffe, pp. 3-4.

¹² *ibid.*, pp. 4-7.

EU institutions: democracy and solidarity or technocratic neo-liberalism?

According to Habermas, in order to account for their democratic deficit, EU institutions need to be democratically reconstructed, paving the way for a pan-European public sphere. This democratic public sphere requires that the people are enabled to critically examine the institutional conduct of the EU and be involved in its decision-making process. A two-tiered democratic process is of particular importance here. On the one hand, EU citizens should be enabled to address collective interests at the supranational level, ensuring that individual member states do not act counter to the common good; on the other hand, national and cultural preferences should be addressed at the national level through national democracies.¹³ Traces of such a framework can be said to exist in the current makeup of the EU. However, although efforts have been made to democratise institutions, decision-making procedures during the financial crisis became even more non-transparent and non-democratic.

This hegemonic character of the EU can be challenged by new alternatives of political creativity and the exercise of civil agency through mobilisations and solidarity initiatives. This calls for a form of agonistic cosmopolitics from below where the people, faced with institutional inaction to become more transparent and democratic, beyond demanding such institutional changes, also offer a platform of resistance by stepping in where institutions fail to act. Such political alternatives also invoke the acknowledgement of what Mouffe calls “passions” as the driving force in the political field’, without which it would be impossible to understand democratic politics.¹⁴ Following this reasoning, therefore, it is not difficult to apprehend that the very technocratic and impersonal mechanisms which crew the EU’s institutional vehicle have not only failed to create a much desired pan-European identity among European peoples but have a disenfranchising and alienating effect on its citizens.

From Grexit...

To illustrate such alternative political initiatives, Greece can serve as a good example. Never before did the Union ignore so blatantly a dissenting democratic call from a member state as when it refused to negotiate a less harmful bailout package for Greece after a national referendum expressed a clear “no” to austerity even if it meant facing an uncertain and turbulent future outside the Union. As the former Greek Finance Minister Yanis Varoufakis revealed in an interview, there was no room for negotiations within the Eurogroup, an informal forum of Eurozone financial ministers formed to negotiate bailout conditions for Greece, since the group did not intend to budge from their proposed programme of strict austerity measures against which the bailout was to be granted. Varoufakis argues that, at some point, the Eurogroup excluded him altogether from the negotiating table and this was permitted due to the fact that the group does not fall within the jurisprudence laid out by the

¹³ See Jürgen Habermas, *The Crisis of the European Union: A Response*, (Cambridge: Polity Press, 2012), p. 35.

¹⁴ Mouffe, p. 6.

Treaties. This informal forum was thus vested with the power and authority to dictate the way forward on very sensitive issues that have a significant effect on the lives of a whole nation without it being accountable to the constituting Treaties.¹⁵

The Union's refusal to budge from its planned rescue package reflected the resistance and reluctance of European technocrats towards the referendum, and the perception that the Greek government led by Syriza's leader Alexis Tsipras was being irresponsible for letting such a sensitive and complex issue in the hands of the people. This resistance unveils the hegemonic force with which the EU was undermining a member state's democratic process. Moreover, it confirms the arguments set out by William Walters and Jens Henrik Haahr that EU governance is led by a predominant expert-rationality discourse which does not seek to justify its decision-making processes through the rational consent of its constituents but, rather, by persuading them that EU technocrats know better as to what is needed for European peoples.¹⁶

Despite the fear-imbued discourses and speculations promulgated by some European media that a "No" vote is equivalent to voting for a Grexit, and that Grexit means more hardship and worse economic conditions than the austerity proposed by the Eurogroup, the Greeks voted a resounding "No" to austerity.¹⁷ Although the Greek government itself campaigned in favour of a "No" vote, following the result of the referendum, it decided to accept the Eurogroup's bailout package, accepting harsher austerity measures than were originally negotiated. This political change of heart stirred a lot of criticism as the government contradicted the democratic process, surrendering the majority to the will of the minority.

In the struggle of the Greek people, however, what comes across clearly is not only the Greeks' attempt to reclaim control over their country's governance but also the EU's failure to abide by the principles of democracy, solidarity and human rights. As Slavoj Žižek argues, the contradictions inherent in the government of Syriza are nothing more than a mirror image of the contradictions inherent in the EU, 'as it gradually undermines the very foundations of a united Europe'.¹⁸ On the other hand, the "No" vote of the Greek referendum shows that the Greeks had no illusions that the establishment of the EU would have showed them solidarity and democratic cooperation. The hefty bailouts granted to the Greek government served only

¹⁵ See Harry Lambert, 'Yanis Varoufakis Full Transcript: Our Battle to Save Greece', *New Statesman*, (2015). <<http://www.newstatesman.com/world-affairs/2015/07/yanis-varoufakis-full-transcript-our-battle-save-greece>>. [Accessed 26 April 2017].

¹⁶ See William Walters and Jens Henrik Haahr, *Governing Europe: Discourse, Governmentality and European Integration* (Oxon: Routledge, 2005), pp. 81-82.

¹⁷ See Mike Bird, 'Here's What Happens If Greece is Forced Out of the Euro', *Business Insider*, (2015). <<http://uk.businessinsider.com/grexit-if-greece-leaves-the-euro-2015-2>>. [Accessed 26 April 2017].

¹⁸ See Slavoj Žižek, 'How Alexis Tsipras and Syriza Outmaneuvered Angela Merkel and the Eurocrats', *In These Times*, (2015). <<http://inthesetimes.com/article/18229/slavoj-zizek-syriza-tsipras-merkel>>. [Accessed 26 April 2017].

to repay German and French banks which were heavily exposed to Greek sovereign debt, while it was left up to the Greek citizens to clear the final bill.¹⁹

Demonstrations and protests in front of the Greek Parliament in Syntagma Square were not the only collective actions which brought Greeks together. The hardships imposed upon Greece have also ushered new alternatives of political creativity and civil agency through mobilisations and solidarity initiatives. Faced with the collapse of public health care and other government sectors, people started to find alternatives to organise their economic and social activities through bartering, sharing of resources, informal learning, alternative entertainment, and volunteering. A sense of personal responsibility as a call for collective action is a reflection of one's need to seize control upon one's life and reclaiming sovereignty as a collective community. This sense of solidarity is not featured in the media, or, at least, not as much as images of economic hardships, chaos and uncertainty, and images of Greek citizens as passive and powerless victims of the economic crisis and an irresponsible government. As Giota Alevizou argues, populism is depicted as the driving force behind anti-austerity movements in European media, undermining

the legitimacy of a new breed of political culture suggesting that it is driven by 'one-off antagonistic spheres' emerging from the squares, or from 'unrealistic' and 'utopian' proposals, and fail to represent how these emerging movements of citizen participation arose as a genuinely alternative response to Europe's fiscal Odyssey.²⁰

Furthermore, protests of solidarity with the Greek people have taken place in various cities across member states, including Brussels, Berlin, Paris, London and Valletta, sending a message to national governments and EU technocrats to respect democracy and admit that austerity measures have failed to align problematic economies.²¹ Although still weak, the Greek crisis offered an example of an active pan-European civil society coming together in solidarity to reclaim sovereignty in the face of the limits and injustices of any given configuration of institutions.

¹⁹ See Pratap Chatterjee, 'EuroZone Profiteers: How German and French Banks Helped Bankrupt Greece', *Global Research*, (2015). <<http://www.globalresearch.ca/eurozone-profiteers-how-german-and-french-banks-helped-bankrupt-greece-2/5460786>>. [Accessed 26 April 2017].

²⁰ Giota Alevizou, 'Modalities of Solidarity in Greece: A Civil Society at the Cross-Roads', *LSE Blog*, (London: LSE, 2015). <<http://blogs.lse.ac.uk/eurocrisispress/2015/02/23/modalities-of-solidarity-in-greece-a-civil-society-at-the-cross-roads/>>. [Accessed 26 April 2017].

²¹ See Euro News, 'Greece: Solidarity Protests in Paris/Berlin as Tsipras Calls Urgent Cabinet Talks', *Euro News*, (2015). <<http://www.euronews.com/2015/06/21/greece-solidarity-protests-in-parisberlin-as-tsipras-calls-urgent-cabinet-talks/>>; Euro News, 'With the Greeks in Brussels, Thousands Turn Out in Solidarity Protest', *Euro News*, (2015). <<http://www.euronews.com/2015/06/21/with-the-greeks-in-brussels-thousands-turn-out-in-solidarity-protest/>>; and Tim Diacono, 'Greeks in Malta Rally Against Austerity, Call for No Vote', *Malta Today*, (2015). <http://www.maltatoday.com.mt/news/national/54742/greeks_in_malta_rally_against_austerity_call_for_no_vote#.WBMbAJVu9C>. [All accessed 26 April 2017].

...to Brexit

Greece is not the only nation state which sought to resist the hegemonic forces of the EU establishment. The United Kingdom (UK), albeit for different reasons, has also taken a stand to reclaim its sovereignty in the face of an EU obstinately pushing forward for more Europe despite the stagnation and visible cracks in its structural framework. Notwithstanding that the UK's relationship with the EU has always been a thorny and difficult one,²² in the past year it was made clear that many Britons were no longer happy in the Union—to Scotland's dismay—as a referendum asking UK citizens whether they would like to remain or leave the Union resulted in a preference for Brexit.²³ The preference to leave the EU came despite a new deal drawing more flexible terms for the UK's membership in the Union being secured by the UK government, led by David Cameron, who pledged to campaign for the “Remain” camp.²⁴

The “Leave” vote in the UK unveils another symptom of the EU's failure to show its relevance in citizens' day to day life. Rising unemployment, deteriorating welfare benefits and the national healthcare system, as well as the increased number of EU and non-EU migrants, were common concerns of the average citizen, and particularly of low-income earners. In this context, Cameron's moderate revamped membership deal was of little success back home. The “Leave” camp was mainly dominated by anti-EU, anti-migration and right-wing populist discourses that pitched their campaign around how the people's concerns will be over once they quit EU membership, take back control, and assert national sovereignty. The “Remain” camp, on the other hand, was very weak and failed to engage with the concerns of the people, mainly pitching their arguments around how harmful Brexit can be in economic terms. These arguments were of little success with the people who were still grappling with the spectre of the financial crisis of 2008, which left long-lasting dire economic effects across all of the EU bloc.²⁵

EU elites and a number of EU leaders have made it clear that Brexit negotiations will be hard on the UK, again showing efforts to deter any other dissenting member states who might be

²² See Oliver Wright, 'The Independent Guide to the UK Constitution: Europe—a Union Too Far?', *Independent*, (2015). <<http://www.independent.co.uk/news/uk/politics/the-independent-guide-to-the-uk-constitution-europe-a-union-too-far-10316437.html>>. [Accessed 26 April 2017].

²³ See Bloomberg, 'EU Referendum: Final Results', *Bloomberg*, (2016). <<http://www.independent.co.uk/news/uk/politics/the-independent-guide-to-the-uk-constitution-europe-a-union-too-far-10316437.html>>. [Accessed 26 April 2017].

²⁴ See Claire Phipps, Matthew Weaver, Ben Quinn and Kevin Rawlinson, 'EU Summit: Cameron Secures Deal and Starts Campaign to Keep Britain In—As it Happened', *The Guardian*, (2016). <<https://www.theguardian.com/world/live/2016/feb/19/eu-summit-all-night-negotiations-deal-cameron-live>>. [Accessed 26 April 2017].

²⁵ See BBC News, 'Eight Reasons Leave Won the UK's Referendum on the EU', *BBC News*, (2016). <<http://www.bbc.com/news/uk-politics-eu-referendum-36574526>>; Larry Elliot, 'The Progressive Argument for Leaving the EU is Not Being Heard', *The Guardian*, (2016). <<https://www.theguardian.com/business/2016/jun/19/progressive-argument-for-leaving-eu-is-not-being-heard-referendum-brexit>>. [All accessed 28 January 2017].

tempted to follow suit as was the case with Greece.²⁶ However, this time round, the EU might be more willing to negotiate with the dissenting member state as it has more leverage power, whereas Greece had little to bring to the negotiating table.²⁷ At this stage it is still very unclear how the UK hopes to still benefit from the EU Single Market while not being subject to EU laws and whilst curbing internal migration flows as was initially promised during the “Leave” campaign.

In an interview, Mouffe admits that although she would have probably voted “Remain”, she expected a “Leave” result since only the “Brexiters” reflected the passions and concerns of the people. She argues that the Labour party, although inclining towards the “Remain” camp, was for the most part silent because it could not identify with a neo-liberal EU.²⁸ For Mouffe, populism does not necessarily hinder democratic processes; on the contrary, it can in truth strengthen them. She contends that the difference lies in whether the passions of the people are appropriated by right-wing populist sentiments promulgating a politics of fear, or whether such passions are channelled by left-wing populists through a politics of hope. What worries Mouffe is the lack of left-wing populism to counterbalance its right-wing adversary in a stale political environment where central-left and central-right political parties offer no alternatives. According to her, the kind of populism needed is one ‘in which the notion of “the people” is constructed in a different way: it includes both immigrants and all the people who are working in a specific country.’²⁹ Furthermore, she argues that the adversaries of the people are not immigrants as suggested by right-wing populists but the big transnational corporations and all the forces of neoliberal globalisation.

Right-wing populist movements are gaining considerable ground not only in the UK but in various EU member states such as France with Marine Le Pen, Austria’s Norbert Hofer, Hungary’s Viktor Orban, and also in the US with the newly elected President Donald Trump.³⁰ I have taken the current political developments in the UK as an example of how such politics of “fear” can be manifested. In an increasingly globalised world based on neo-liberal trade, anti-globalisation movements aiming at strictly surveilling borders and securing

²⁶ See Othon Anastasakis, ‘Grexit to Brexit: “Be Careful What You Wish For!”’, *Open Democracy*, (2016). <<https://www.opendemocracy.net/can-europe-make-it/othon-anastasakis/grexit-to-brexit-be-careful-what-you-wish-for>>. [Accessed 26 April 2017].

²⁷ See John Henley, ‘EU Leaders Line Up to Insist UK Will Pay a High Price for Brexit Stance’, *The Guardian*, (2016). <<https://www.theguardian.com/politics/2016/oct/08/eu-leaders-line-up-to-insist-uk-will-pay-a-high-price-for-brexit-stance>>. [Accessed 26 April 2017].

²⁸ See Joseph Confavreux, ‘A Salutory Shock?: Chantal Mouffe on Brexit and the Spanish Elections’, *Verso*, (2016). <<http://www.versobooks.com/blogs/2732-a-salutory-shock-chantal-mouffe-on-brexit-and-the-spanish-elections>>. [Accessed 26 April 2017].

²⁹ Julia Korbik, “Populism is a Necessity”, *The European*, (2014). <<http://www.theeuropean-magazine.com/chantal-mouffe--4/8420>>. [Accessed 26 April 2017].

³⁰ See Gregor Aisch, Adam Pearce and Bryant Rousseau, ‘How Far is Europe Swinging to the Right’, *The New York Times*, (2016). <https://www.nytimes.com/interactive/2016/05/22/world/europe/europe-right-wing-austria-hungary.html?_r=0>. [Accessed 26 April 2017]. It should be clarified that Marine Le Pen announced to step aside as the leader of the National Front party, at least for the time being, on the 24th of April 2017. For further information see BBC News, ‘France Elections: Le Pen Steps Aside as National Front Leader’, *BBC News*, (2017). <<http://www.bbc.com/news/world-europe-39696861>>. [Accessed 27 April 2017].

a homogenous indigenous population are not only unrealistic but also harmful as growing tensions and antagonisms become more accentuated and tangible. As Mouffe argues, if an adversarial democratic confrontation is missing, there is increased danger that 'this democratic confrontation will be replaced by a confrontation between non-negotiable moral values or essentialist forms of identifications.'³¹ Leftist political movements like Syriza in Greece and Podemos in Spain can offer a counterweight to right-wing populism and rekindle an affective sense of hope and civil responsibility to act in solidarity and demand that the democratic founding principles of equality and liberty—and not exclusion and discrimination—are reinstalled in political discourses.

The EU's cosmopolitan crisis

The manifestation of solidarity and the demand for respect of democracy and human rights is of particular importance in a political environment which is at present devoid of such principles. EU governments are unashamedly evading their human rights responsibilities by denying persons in need access to international protection. Erecting physical walls goes against current EU laws setting out the provisions with regard to the treatment of migrants and asylum seekers. Furthermore, efforts to alleviate receiving countries like Greece and Italy through a provisional relocation system of migrants are being stalled by several member states, including Hungary, the Czech Republic, Romania, and Slovakia.³² This relocation system is intended to provisionally suspend the current Dublin agreement which harmonises practices of granting asylum and refugee status across member states.

Even if a migrant or asylum seeker is finally admitted into an EU member state, the prerogative to grant citizenship to non-EU individuals lies solely with nation states. This creates a situation where non-EU residents can be denied political membership indefinitely, having their civil and political rights curtailed. Alongside such national practices, an EU-wide transnational citizenship is granted to all citizens of EU member states allowing them free movement and the right to settle and work across the EU. This delineates a stark contrast to the treatment of non-members. Such contrast has created a two-tiered status of foreignness where, on the one hand, there are third country nationals residing in an EU member state, some of whom were born and raised in these countries while, on the other hand, there are others who might be near-total strangers to the language, customs and culture of the host country but who enjoy privileged status because they are EU nationals.

The current treatment of migrants and asylum seekers reflects a form of bureaucratic cosmopolitanism where human rights regimes are mistaken for the actual enjoyment of such

³¹ Mouffe, p. 7.

³² See Sergio Carrera, 'To Adopt Refugee Quotas or Not: Is that the Question?', *CEPS: Thinking Ahead for Europe*, (2015). <<https://www.ceps.eu/content/adopt-refugee-quotas-or-not-question>>. [Accessed 26 April 2017].

rights. For Patrick Hanafin, the enjoyment of rights is not tantamount to the achievement of human rights regimes, since the former ‘is a continuous process, a moving towards rather than an ending’. As with the need to transgress the limits of hegemonic institutional frameworks delineated above, where institutional cosmopolitanism fails, there needs to be a creative re-definition of cosmopolitanism from below. Following Bonnie Honig, Hanafin argues that what is needed is a form of cosmopolitanism which is intimately related to an ethos of action where ‘the self declares itself not as the subject matter of rights, but as an active participant in political affairs’.³³

The difficulty here lies when outsiders within a bounded political space are excluded from articulating and contesting a given legal order to which they are subject. Thus, Hannah Arendt’s “right to have rights”, argues Hanafin, delineates the limits of constitutional politics and institutionalised rights discourse. This is because, in order to have the right to have rights, an individual needs to be a member of a political community.³⁴ As Honig puts it, Arendt’s right to have rights is a double gesture since, on the one hand, we demand rights from the political community to which we belong, but, on the other, we depend on the very same political community to grant such rights.³⁵ Since there will always be human beings excluded from the legal protection of the rights of citizenship, there needs to be continuous political engagement to get closer to the true essence of cosmopolitanism. Honig argues that such continuous political engagement takes the form of what she calls an agonistic cosmopolitics, one which

locates itself squarely in the paradox of politics—that irresolvable and productive paradox in which a future is claimed on behalf of peoples and rights that are not yet and may never be. Arendt’s unconditional right to have rights is as good a motto as any for that project, as long as we understand rights to imply a world-building that is not incompatible with the project of building juridical institutions and safeguards but also reaches beyond that project because it is wary of how power and discretion accrete in such institutional contexts.³⁶

Despite the fact that the rise of right-wing sentiments is a reality in Europe, there is another facet which does not get a lot of media coverage. Since the breakthrough of this unprecedented humanitarian crisis, a lot of EU citizens have taken to the streets calling on their governments to start taking measures to alleviate the suffering of migrants who have entered, or are left stranded at the borders of their country. Tired of government inaction, some citizens have taken it upon themselves to set up crowd-funded accommodation for

³³ Patrick Hanafin, ‘A Cosmopolitics of Singularities: Rights and the Thinking of Other Worlds’, in *After Cosmopolitanism*, ed. by Rosi Braidotti, Patrick Hanafin, and Bolette Blaagaard (Oxon: Routledge, 2013), pp. 40-1.

³⁴ See Hanafin, pp. 41-42.

³⁵ See Bonnie Honig, *Emergency Politics* (Oxfordshire: Princeton University Press, 2009), p. 117.

³⁶ *ibid.*, p. 130.

refugees, donate food, clothing and textbooks, and volunteering to teach the language of the host country.³⁷

But how can those denied the right to have rights, or, in other words, the right to politics, contest and transform the universal democratic norms they are subject to? Judith Butler argues that all universal values are historically constituted. Thus, by exposing the parochial and exclusionary character of a given historical articulation of universal norms, the notion of universality itself is rendered more substantive and extensive. Butler argues that when those excluded claim to be covered by that universal, the contradictory character of previous conventional formulations of the universal is exposed. This triggers a continuing process of revision and elaboration of historical standards of universality. For Butler, to claim that 'the universal has not yet been articulated is to insist that the "not yet" is proper to an understanding of the universal itself: that which remains "unrealized" by the universal constitutes it essentially'. She argues that the excluded constitute the contingent limit of universalisation and, through their contestations, the universal 'emerges as a postulated and open-ended *ideal* that has not been adequately encoded by any given set of legal conventions'.³⁸

In the case of the EU, the disjunctions between that which is perceived as European and that which is not already pose a challenge to the attempt to democratically account for those categorised as outsiders within the Union. This is because the needs and preferences of the latter were previously excluded from democratic articulations. As Mouffe argues, democracy necessarily presupposes the contestation of democratic principles between adversarial collective identities. In a globalised world, where free trade unavoidably results in the mingling of people from all over the globe, it is of essence that the Western model is not seen as the only possible way of life. This does not mean that it cannot contribute positively; however, there needs to be an opening for the possible engagement with different ways of life which do not necessarily preclude forms of democratic configurations. Therefore, while it is important that the EU remains loyal to the democratic principles of liberty and equality for all, adversarial interpretations of such principles can be contested through forms of agonistic democratic processes. Furthermore, such democratic processes should also include a form of agonistic cosmopolitics wherein the people offer resistance when confronted by undemocratic institutional activity.³⁹

³⁷ See Cassie Werber, 'Ordinary Citizens Across Europe are Stepping in to Help Refugees Where Their Governments Have Failed', *Quartz*, (2015). <<http://qz.com/492473/ordinary-citizens-across-europe-are-stepping-in-to-help-refugees-where-their-governments-have-failed/>>. [Accessed 26 April 2017].

³⁸ Judith Butler, 'Universality in Culture', in *For Love of Country?*, ed. by Martha Nussbaum (Boston, MA: Beacon Press, 1996), p. 48.

³⁹ See Mouffe, pp. 29-30.

Which way forward for the EU and its citizens? Towards an agonistic Europe

Whereas the intention of the European Project at its outset was to construct an agonistic configuration by establishing supranational institutions that would create a collective identity comprising the peoples of all its members which would thrive alongside national identities, it is clear that its institutional framework needs to be rethought and its democratic deficits addressed to make way for an agonistic democratic Europe. As Mouffe argues:

[s]uch an agonistic Europe clearly has to acknowledge the multiplicity and diversity of collective identities existing in its midst, along with the affective dimension. Its aim should be to create a bond among its different components, while nonetheless respecting their differences. Indeed, the challenge of European integration resides in combining unity and diversity, in creating a form of commonality that leaves room for heterogeneity.⁴⁰

In the absence of such political will from EU leaders and technocrats, it is of essence that citizens come together and demand political sensibility. My contention is that through a form of agonistic cosmopolitics, the utopian ideal of the EU can be revitalised, re-articulated and re-imagined as an open-ended project which is always yet to come. A cosmopolitics from below opens up the space for potential democratic re-articulation, including the re-articulation and re-imagination of existing institutions. The utopian imaginary for the EU which I am here putting forward implies an open-ended struggle between adversaries which can redeem the European Project from the pernicious effects of the current neo-liberal discourses which are bringing the EU as a project of solidarity and inclusion to its limits. These very same political struggles, however, may also stretch the European Project to its limits by motivating a more inclusive re-imagining and re-articulation of the current institutional practices. This necessarily entails a moving away from the current institutional framework of the EU in order to open up new and unforeseeable domains to politics which can be asserted. Such re-imaginings ought to happen, as Ingram puts it, ‘wherever interdependences and, above all, power relations are denied, wherever there is the exercise of power without accountability, wherever potential objections or interlocutors are denied or simply ignored’.⁴¹ This kind of cosmopolitics from below can be brought about as both those granted the right to have rights, and those who are still caught up between the murky space of legality and illegality, expose the inherent contradictions of the current political setup and the current dominant political discourses which dictate that there is no alternative to the current neo-liberal framework and the strict demarcation of borders.

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⁴⁰ Mouffe, p. 49.

⁴¹ Ingram, p. 220.

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