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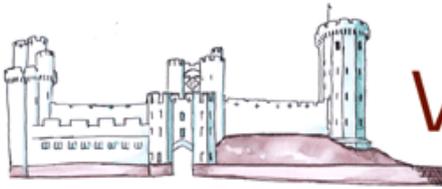
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TOWARDS A HUMANISTIC PHILOSOPHY
OF THE EUROPEAN UNION

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Towards a Humanistic Philosophy of the European Union

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Abstract

The present institutional reality in the EU is characterised by two contradictory dynamics; namely, the institutional one, centred on a quest for macroeconomic solutions, more sustainable public expenditures and even the design of a fiscal Union, and the centrifugal one, calling for a 'palingenesis', that is, for renegotiated, and more intergovernmental, arrangements. Although this reality gives the impression that there exist more problems than solutions, I shall use the disjunction between 'the centripetal' and 'the centrifugal' as a point of departure for outlining a humanistic philosophy for the European Union. The EU needs a more inclusive way of appraising where we are and this inclusive way of seeing things cannot be divorced from a humanist axiology. Five guidelines show how structures and policies can contribute to creating, and bettering, the conditions for a more fulfilled and dignified living.

Keywords: European Union, institutions, palingenesis, humanism.

I. Introduction

The economic crisis in the Eurozone has unsettled the European project and has provided a fertile environment for the reassertion of national particularism and for polarisation among the EU Member States and their citizens. Imperfections in the design of the European Monetary Union and the search for formulae for macroeconomic stability and for better fiscal regulation have been accompanied by the rise in Euroscepticism and the dissemination of populist neo-nationalist discourses from both the Right and the Left. Political elites in certain Member States see clear advantages in 'turning inwards', that is, seeking to judge, and justify, everything against the background of 'adjectival interests'- and not on the basis of common, or broader, interests. It seems that the present institutional reality in the EU is characterised by two contradictory dynamics; namely, the institutional one attracting actors searching for macroeconomic solutions and seeking to make undisciplined public expenditures more controllable and sustainable and even contemplating a fiscal Union[1] and the centrifugal one, calling for a 'palingenesis', that is, for renegotiated, and more intergovernmental, arrangements. While the debates continue and the pendulum is swinging towards an increased fiscal coordination and reform, Europe's citizens and residents, particularly those who are deeply hit by the austerity measures, are in a state of generalised anxiety. The new forms of economic policy coordination and delivery (e.g., the European Semester, the so-called Six Pack, the Treaty on Stability, Coordination and Governance and the Two Pack, the Single Supervisory Mechanism and so on) have not only made European governance more complex, but they have also contributed to creating feelings of insecurity

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[1] Godino, R. and Verdier, F. (2014) 'Heading towards a European Federation. Europe's Last Chance, Policy Paper 105, Notre Europe, February, http://www.eng.notre-europe.eu/011-17715-Heading-towards-a-European-Federation.html; Herman Van Rompuy 2012 Towards a Genuine Economic and Monetary Union, Brussels: European Council.

and apprehension about the alleged replacement of democratic politics with technocratic politics (Brunkhorst, 2014), the preoccupation with macroeconomic scoreboards and a policy bias towards austerity.

Although such an environment sustains an impression that there exist more problems than solutions and makes us perceive the disjunction between 'the centripetal' and 'the centrifugal' as setting a definitive limit to what can be achieved, I shall use the latter as a point of departure for sketching a democratic humanistic philosophy for the European Union. I argue here that this orientation could form the new narrative needed for European integration. Two premises lend support to my argument. First, policy formulation and implementation cannot, and should not, be disentangled from broader considerations about the ultimate goals of policy convergence or of integration of, and through, law. And any reference to the purposes of certain institutional outputs, arrangements or policies has to be informed by an assessment of their value-addedness. The test for appraising the latter is nothing else than the extent to which they advance the socioeconomic activities they seek to regulate and facilitate the betterment of the living conditions of human beings.

Secondly, if I were asked to depict the impact of EU law and policy making in various policy domains in ink or chalk, I would probably draw sets of intersecting circles, each representing national or European regulatory interventions and each shadowing partially, or more fully, the other. And all the circles would be connected around an empty space in the middle. This empty space in the middle around which all circles intersect in a complex Venn diagram has traditionally been an empty space in pivotal struggles for power and the colliding intergovernmentalist/supranationalist dynamics. This is because priority has been given to macro- and meso-political structures and processes, be they national or supranational or mixed in location or nature. But this space can no longer remain empty. Ordinary human beings in their social settings have to reclaim it. The premise that institutions and policies must serve individuals in their life worlds and to ensure their flourishing is thus the point where all circles of governance intersect. This is a simple, but enduring, humanist guideline; all institutional arrangements must promote and facilitate not only 'zen', that is, living, but 'eu zen', that is, living well.[2]

I would not like to give the impression here that humanism is a clearly articulated and coherently defined perspective. It is not. Nor is it a unified perspective. Instead, it is a fusion of many ideas and normative orientations. It is true that there exist many versions of humanism and historians would be quick to pinpoint the differences among, for example, the ancient Greek humanismus, the Roman one and the Christian version of it. Similarly, one could trace similarities and differences among all the above and the intellectual movement which characterised the Renaissance and the protest against the ecclesiastical dogma of the Middle Ages. In all those versions, however, one discerns: i) the significance given to the latin term *humanus* (human) which is, in turn, derived from the noun 'homo' which means human being, ii) the belief that the social realities and institutional structures that house and bind human beings must be fit for human living and iii) that there is an explicit, or implicit, expectation that some form of 'anthropoplassy' is both possible and desirable. The latter refers to the belief that the development or growth of human beings takes place through their

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[2] Aristotle, *Politics*, I.2.1252b29.

exposure to humanistic principles, such as respect for persons, kindness, compassion, sympathy and care for their needs and solidarity as well as to democratic life.[3]

Humanism, as defined above, can be the springboard for a different orientation which would allow us to evaluate both macropolitical policy priorities in the EU and goals that are formed at the meso-level of political decision making. This is because it shifts our thinking away from what appears to be obvious and given or from technologies of governance and the binary of intergovernmentalism/supranationalism to a more inclusive way of appraising where we are and are heading. And this inclusive way of seeing things cannot be divorced from a humanist axiology; structures and policies must contribute to creating, and bettering, the conditions for a more fulfilled and dignified living.

II. Features of a humanist orientation in the European Union

Guidelines, in the main, are devised in order to guide and protect. The parameters they set safeguard human activities against the frivolous, the futile, the wrong and the arbitrary. As argued in the foregoing section, humanist guidelines prompt attention to the fact that juridico-political realities are not distinct from, and antagonistic to, the living realities of ordinary human beings. On this view, laws and policies are not the outgrowth of legal dogmatics or the manifestation of abstract wills and interests. Nor are they devices for reducing transaction costs. Instead, they are reflections of the needs, relations and realities of socio-economic life they seek to regulate. They emerge from the contexture of, and in, social life (Ross, 1936). As such, they should give rise to courses of action which add to its beauty and complexity; they should not tear social life apart. By conferring eurhythmy to human relations, they gain legitimacy. A humanist philosophy of the European Union could centre around five such guidelines, as follows.

a) From polarity to process

The process of European integration has been ridden with conflicts between strong statist interests in the preservation of national regulatory autonomy, on the one hand, and supranational impulses, on the other. Nationalist ideology and narrowly defined political interests on the part of governing elites in the Member States have traditionally made the adoption of European Union law and policies in many policy fields strenuous and protracted. Similarly, the implementation of the above is often imperfect and controversial. However, despite the existence of antagonisms, conflicts and polarities, the process of European integration has advanced through the decades because all its constituent units displayed the 'will to believe in it'[4] and an appreciation of the positive results it has delivered.

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[3] Compare, here, *inter alia* Dewey (1922) and Said (2004).

[4] I borrow this from W. James (1897). Thomas Franck (1966, p. 177) has also made a similar point in seeking to account for the failure of federations; 'The principal cause for failure, or partial failure of each federation studied, cannot, it thus seems, be found in an analysis of economic statistics or in an inventory of social, cultural or institutional diversity. It can only be found in the absence of a sufficient political-ideological commitment to the primary concept or value of the federation itself'.

While the Member States had to concede a number of important changes in their legal systems, laws and practices, ordinary citizens have benefited from the growth of associated action and the adoption of protective and anti-discriminatory legislation. A diachronic perspective on the process of European integration also shows that the rivalry between the Commission, the Court and the European Parliament, on the one hand, and the Member States, on the other, is a surface or time-bound phenomenon. All institutions rely on each other and disagreements and opposing positions add to the complex texture of juridicopolitical outputs. There is nothing fundamentally wrong in debating and reflecting on the limits of laws and policies for the more we test and scrutinise them the broader these limits will be. It is thus important to acknowledge this as well as the fact that both layers of governance have a common interest in promoting the interests of the inhabitants of Europe and bettering their life chances.

Any humane and equitable institutional order cannot be sustained by rigid and doctrinal polarities. It needs to overcome them by incorporating processes which facilitate multiple ways of seeing things and a willingness to consider the other's interest and point of view. It has to inspire the raising of questions such as 'Why is this needed?' and 'Is this better?'. This immediately points to a difference in perception between an institution as a datum, that is, as political or legal entity, and the process by which institutional activity is guided, formed and evaluated.

b) From institutional givenness to institutional layering and co-creation

If humanism becomes the trigger for such a shift of perspective, then the background assumption that singular institutions at the national level are the best promoters of the development of human beings in their associated contexts and the best managers of these contexts is called into question. Institutional layering (Thelen 2003) becomes the norm in a political context which facilitates co-being among diverse peoples and the co-creation of institutional arrangements. No single institutional actor can accomplish things without the manifold input of other institutional actors. Institutional collaboration creates more intricate meanings as well as more effective policies. The beauty of institutional collaboration lies in the fact that there is no longer one perspective or a privileged framework, but many variations, permutations and combinations which must be debated publicly. In such an institutional configuration, co-authoring, cooperating, deliberating and reflecting are more important than obligating, accepting, internalising and plighting one's word to a course of conduct.

This shift of perspective is significant, but is not unique. If we pause to reflect on the state of democracy today, we quickly realise that all liberal democratic states owe their existence to the subversion of the dominant way of viewing political relations and to their inversion; instead of viewing political relations from the ruler's point of view, they came to be observed from that of the ruled. Similarly, instead of looking at the EU principally through the lens of the state and power games, we realise the importance of the multiplication of the connections among various processes and institutions and their interlacing. This cannot but have the effect of multiplying the junctures where policy outputs would have to be considered, evaluated and rejected or adopted in view of their impact on meeting human needs and advancing living realities.

c)   The salience of human beings-in-societies

Accordingly, analyses of specific institutional configurations and the power dynamics underpinning them should not be divorced from broader considerations about their overall purposiveness in terms of making a difference to the lives of individuals in their existing worlds. To insist on separating the structural properties of institutional contexts from the human condition which gives them meaning and weight unavoidably narrows political life artificially. The corrective suggested here is the abandonment of abstract references to political exigencies in favour of an appreciation of the role European Union laws and policies play in human interaction and betterment.

This also means that the latter must display a sympathetic regard for individuals as ends in themselves and must create institutional conditions which enable and enhance human living and social fellowship. The latter requires the enhancement of the voice of individuals, qua individuals or qua group members, thereby integrating their perspective within the overall policy frame as well as laws and policies that enhance human beings' capacity for self-directed action and provide a more enriched framework for social associated life. In other words, EU law and policy must be humane; they must be guided by humanism (the *anthropic principle*).

In reality, there is no antinomy between the individual and the social. The socio-political world within which human beings grow, act, react and sustain themselves is essentially the result of their actions and visions and, consequently, the determinant of who they are and who they become. William James and the pragmatist movement in the US articulated this reciprocal and necessarily tangled relationship. James (1897, p. 232) observed that: 'Thus social evolution is a resultant of the interaction of two wholly distinct factors, - the individual, deriving his peculiar gifts from the play of physiological and infra-social forces, but bearing all the power of initiative and origination in his hands; and, second, the social environment, with its power of adopting or rejecting both him and his gifts. Both factors are essential to change. The community stagnates without the impulse of the individual. The impulse dies without the sympathy of the community'. There is a close alignment between the individual and the social, for both are always unfinished, co-dependent and in action. This leaves little room for either methodological individualism or social subjectivism since the individual and the social are intertwined.

The European Union literature is characterised by both methodological individualism and social subjectivism. One notices that EU citizens are depicted as purely economic actors and not as real persons tangled within webs of association and relations in either the state of origin or the state of residence or in both.[5] Similarly, one finds the tendency to subsume them within the national and thus endow them with a solidified national identity which is not hospitable to socio-political change in the European Union. Misperceptions underpin such perspectives; the professional side is just one aspect of the self and thus does not do justice to the fullness and complexity of human living. In addition, individual identities are always in a process of formation, reformation and transformation. Dewey (2008 [1900-1901]) used the term 'projective self' in order to denote the process of the incessant creation of the self and

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[5] See, for example, Everson (1995). The market bias underpinning the literature on EU citizenship has been criticised by Kostakopoulou (2014a).

the metamorphosis that takes place consciously or subconsciously owing to individuals' experiences, changes in the environing conditions and everyday encounters.

Marx (1844), Dewey (1930) and others have insisted that human beings' activities determine their being. The selves we become or the identities we assume depend as much on our deeds as well as on the activities that surround and envelop us. Unethical deeds or living in an unethical environment do not create moral selves; they do not induce human conduct that is moral and humane. The ability to transform oneself and the surrounding environment is one of the most crucial characteristics of humanism. But transformation, be it personal or collective, has to be life enriching as opposed to life constricting; that is, it must be characterised by respect for personal sacredness, compassion, kindness, sensitivity to one's needs, understanding and care for each other. In other words, it must enhance symbiopolitics or the flourishing of associated life.

There exists a close connection between individual and associated lives or between the private and public selves. For the answer to the question 'what kind of life do I live?' depends on the answer to the question 'What is the quality of my associated life?[6] And since our lives unfold in the societal domain, constriction, closure and instability in the latter affect deeply both our public and private selves.

d) Symbiopolitics in the European Union

According to guideline c above, the notion of an abstract individual or an asocial European Union citizen is unsustainable. Similarly, seeking to subordinate fully individuals into communities or groups endowed with a 'natural' interest which has been articulated and defended by the spokespersons of these groups or elites is a perilous endeavour. Both viewpoints assert things which do not exist in reality; namely, the former is centred on atomistic individualism while the latter projects a notion of society that is emptied of human relations and activities. Human beings are always in society and in the world, more generally. Their lives are parts of larger social processes, are conditioned by the latter and, in turn, feed into those processes in a small or larger way. Everything is cyclical and any attempt to slice the circle into convenient quarters cannot but result in an imperfect understanding of the socio-political process.

Similarly, it would be unwise to posit the existence of different purposes for man/woman, on the one hand, and for society, on the other. Both are guided by the same purpose, namely, the experience of relating to, and empathising with, human beings. In other words, the realm within which human beings can act meaningfully and ethically is the realm of symbiopolitics. Symbiopolitics reflects relations and connections; horizontal, vertical, that is, with institutions at all levels of governance, and diagonal. The increase in connectivity and social relations leads to the breakdown of the walls and the barriers that separate people and the opening up of membership circles at all levels of governance. This, in turn, increases the

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[6] As John Dewey (2004 [1920], 113-4) put it, 'are men's senses rendered more delicately, sensitive and appreciative, or are they blunted and dulled by this and that form or organisation?'

possibilities of action and the opportunities for self-empowerment. As James (1978, p. 76) observed in the 19th century, the world surrounding us is a world of conjunctions.

The European project has been a manifestation of symbiopolitics. Eurozens (Kostakopoulou, 2014b), that is, European Union citizens, are already citizens of the Member States and of regional and local configurations, that is, members of existing political communities and nodes of variegated bonds and relations. In this respect, they are not abstract individuals as normative political theory would like us to believe. Instead, they are human beings-citizens (anthropoi-polites). Nor do they have to exit their communities in order to gain membership of the European polity; they gain the latter because they possess the former. Accordingly, they do not have to abandon who they are and to embrace the 'code' of the EU in order to engage in political relations for the EU is a community of heterogeneous communities or a community of antinomic cooperation (Kostakopoulou, 2001). It is a correlative whole as opposed to an abstract monadic entity, i.e., a nation-state, which has often been oblivious of the context and the environment within which it is situated.

More importantly, EU governance does not, and cannot, replicate settled stateways or folkways. Since its inception it has promoted institutional ways and institutional mechanisms which make different communities with similar, but also conflicting, interests or similar interests, but conflicting interpretations and perceptions of how best to advance them, to coalesce around common institutions and to interlock into a fairly well-organised whole.[7] True, institutional ways and mechanisms do not always guarantee smooth political processes, but it is equally true that they provide vessels for channelling discontent and opposition into constructive attempts to reform arrangements and to improve processes.

e) Economic *relativismus* and *correlativismus*

Although the European Union has been explicitly a political and social union since the adoption of the Treaty on European Union (in force on 1 November 1993), the economic paradigm of European integration remains prevalent in the academic literature and policy circles. Accordingly, its institutions are seen to fulfil mainly economic functions and even its citizens have been pronounced to be market citizens (Everson, 1995). Scepticism towards the economic discourse and thinking about the EU, and about European integration in general, is warranted not only because economic relations do not take place in political and social emptiness, but also because the purpose of economics is intimately linked to the purpose of life.[8]

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[7] Commenting on the US constitution in the 1930s, Llewellyn (1934, p. 19) captured the essence of institutions: 'no institution consists of like ways among all the persons concerned. It is the unlikeness plus the complementary crossplay of the organised ways which is the most convenient criterion for marking off an 'institution' from a mere 'way' or simple culture-trait'.

[8] Keynes (1930) expressed this in his essay on 'Economic Possibilities for our Grandchildren'. Compare also Lord Robbins's work. See, in particular, *An Essay on the Nature and Significance of Economic Science* (London: Macmillan St. Martin's Press, 1932).

In this respect, overtly economic accounts of institutional dynamics need to be relativised and correlated with democratic politics and the advancement of social relations and human needs. To disregard the correlation and co-implication of the economic, the social and the political would be tantamount to replacing pluralism with monism, that is, reducing the complexity of European integration to a singularity or a reductionist market hypothesis. Economic relations are not self-sufficient even when they are governed by the intention to maximise profit; they rely on human interrelations and social cooperation and exist in order to regulate and advance the above. Therefore, any conception of economics that does not take into account social intercourse and the concrete needs of human beings is unsustainable in the long run. True, many of these needs have economic underpinnings. But they are also in reality quite complex. Similarly, as we move from the micro-level to the macro-level, it becomes difficult to argue that profit-making within a single, but also heterogeneous, market and a reduction in transaction costs animate the whole process of European integration. The latter has been informed by the fact that markets do not benefit all in the same way and for this reason the European social model has always aligned capital accumulation with resource redistribution.

The present economic crisis, and more specifically its management, has raised a number of pertinent questions about the EU's institutional responsiveness to fiscal and financial exigencies but also about the assessment of the impact of the measures adopted thus far and the salient role of solidarity in the process of ensuring macroeconomic coordination and stability. The Fiscal Compact (Title III of the Treaty on Stability, Coordination and Governance of the EMU) has established a strict limit for the structural deficit in the Eurozone Member States[9] and Regulation 472/2013 has provided for enhanced surveillance for Member States facing serious financial difficulties and receiving financial assistance.[10] However, for many a social cost-benefit analysis is missing from the economic negotiations and agreements. The scoreboard of macroeconomic indicators is not accompanied by a scoreboard of efforts to enhance social protection for vulnerable citizens and groups. The tidying up of fiscal and macroeconomic coordination and the long-term effectiveness of present and future reforms in this area require the grafting of a humanness test onto measures hitherto considered purely economic.[11] If this does not happen, that is, if social policy considerations are not inserted into the new economic governance, then indignation on the part of the citizens-receptors of economic austerity measures will give rise to protest and alienation. For, as Nietzsche (2000, p. 504) has observed in the *Genealogy of Morals*, 'what really arouses indignation against suffering is not suffering as such but the senselessness of suffering'.[12]

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[9] The Treaty was signed on the 2nd of March 2013. It entered into force on the 1st of January 2013.

[10] The regulation was adopted on the 21st of May 2013; OJ C141, 17.05.2012, p. 7.

[11] I paraphrase Theodore J. Lowi. In 'Four Systems of Policy, Politics and Choice', he commented that 'the making of a real law (as contrasted with a policy without a law) is an act of setting a public morality upon some action or status hitherto considered private'; *Public Administration Review*, Volume 32(4), July –August 1972, pp. 298-310.

[12] See also Daniel Kahneman (2011, p. 397): 'The objective of policy should be to reduce human suffering'.

III. The difference that a 'democratic sensus humanitatis' makes

It would probably be an intellectual hubris to argue that the above mentioned humanistic guidelines could provide answers to all the problems facing the EU and its constituent units. No outline and, in fact, no philosophy can do so. Nor can a more humane dimension and a different way of searching for the 'right' policy in a certain policy domain address all possible ways of knowing and anticipating undesirable implications and risks. Rather, a humanist axiology can help us overcome a number of existing contradictions and to recognise the fact that political governance has no other purpose than to promote human flourishing. And it can only do so by creating liveable realities, as opposed to constricted, strenuous, and uncongenial ones.

It is beyond the scope of this article to provide a list of specific institutional recommendations about how the perspective advocated here would affect particular policy areas and reform them. Similarly, it has not been my intention to provide an institutional blueprint about the evolution of the European Union as a polity and to reflect on a future federal Union. Rather, my aim has been to highlight the fact that there exists an undeniable particularity about the situation in the European Union which requires that a humanist approach is given priority and that respect for human beings and their life worlds is placed at the core of institutional designs and policy efforts.

There exists a 'creative impatience' in almost all human activities which involve choices and decisions and even more so in law-making and policy design. In many respects, this is the midway between the actual and the '*en dynamei*', the potential - a potential which is at once graspable in contemplation and abstract and shadowy as a terminus. However, there are occasions in the temporal process when events 'conspire' to bring about opportunities for action and to necessitate hope in possibilities. As William James (1897, p. 183) noted more than a century ago: 'The great point is that the possibilities are here…. The issue is decided nowhere else than here and now.' On such occasions, critical judgement and a preference for 'what might be', or 'ought to be', that is, a more humane reality that eases strains, reduces suffering and facilitates social relations, can trigger qualitative reforms.

A humane orientation, a 'sensus humanitatis', therefore, can easily serve as a baseline for the assessment of, and choice among, these possibilities here and now. As such, it exerts a corrective influence on decision-making guided by power games, the pursuit of unrestrained and insular state interests, capital accumulation and profit maximisation. By defining and redefining law and politics in the European Union, the 'anthropic principle' defogs the process of governing so that attention is paid to the quality and the impact of proposed legislation and policies. Humanism is thus no longer confined to the domain of philanthropy; it returns to the domain of politics.

To humanise and moralise political power in institutionalised ways does not mean that veils of ignorance before and during decision-making will be lifted or that we might be better equipped to appraise the fluctuating changing environment or that human fallibility will be averted. That would be an unrealistic expectation. Failed attempts and unintended consequences are inevitable. What a 'sensus humanitatis' does inter alia is to accentuate the responsibility of public officials to 'do the right thing'. 'Doing the right thing' means prudent

and multilateral cooperation in the design of humane institutional arrangements with a view to promoting the welfare of the citizens and residents of Europe.

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