

The Fragile Equilibrium of the Tripod

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“Faced with this very serious situation, it is necessary to act with all forces in order to defend the independence, **liberty** and integrity of the country. I address the citizens with the call to demonstrate **responsibility** and contribute to the order and tranquility in the whole country [...] I would like to openly state that I will respond to the **trust** given to me by the people and do everything in my power to defend the integrity and independence of this nation.”¹ No, these words were not spoken by president Bush on the eve of the war in Iraq. What might look like a display of democracy is in fact the usual rhetoric of an oppressive dictator: Nicolae Ceausescu. Just three days before the Romanian revolution of December 1989, which brought communism to an end, Ceausescu was clinging desperately to power and playing its last cards: **liberty, trust and responsibility**. Shortly after, he was executed.

Fifteen years after the hard fought-for independence from communism and two years prior to joining the EU, we find a slightly different *free* and *responsible* society in Romania but still wearing the scars of 45 years of oppression and loss of identity. How will this blood stained independence survive under European directives? Here, in the East, we still bear the legacy of the Soviet experience so liberty and trust have different meanings for us, at times hard to understand by the West. We value our freedom more because we were deprived of it for decades and have to bear the perpetual anxiety of being part of another federation, another empire. How will the European Union act in order to foster a stable equilibrium of freedom, trust and responsibility in this part of Europe?

The EU has ceased to be reduced to accounts and has become a vision, a cultural, judicial and economic project, a new “political animal” at the boundary between federalism and sovereignty consequently revealing a new meaning for the concept of liberty. The European project has been a vision used for both good and evil ends: from ancient Greeks and Romans to Napoleon and Hitler. The post-modern benign European empire is attracting new member states for three reasons. Firstly, “every *free* European can expect to be part of it and obtain European citizenship”. Secondly, “just as the Roman Empire, the EU also is a big market”. Thirdly, “EU membership offers the prospect to live under the rule of law – a Roman and European obsession”², a perfect translation of responsibility into trust.

However, Eastern Europe is a special case, ex-communist countries being drawn to the EU mainly by the illusion of belonging to the ‘rich men’s club’ while hoping they will not be treated like a guest indefinitely. The fear and mistrust of allowing Brussels to tackle national concerns are being temporarily replaced successfully by a wave of optimism upon joining, as politicians pose as heroes who bravely fight for national interests in the European arena where they are sometimes constrained to make tragic sacrifices. The fear of liberty loss, apart from being associated to the Russian or even the not-yet-forgotten Turkish dominance in the region, is also a result of the skepticism surrounding the rather undemocratic nature of the Union’s institutions. Indeed, “Many east Europeans already appreciate the irony that a democratically

¹ Speech delivered by Nicolae Ceausescu on December 20th 1989

² Christopher Coker, professor at London School of Economics. Excerpts from a lecture at the “Europe after the Iraq war” Summer School, 10-16 August 2003 Mangalia, Romania

deficient body is telling them how to become functioning democracies.”³ East and Central Europeans will discover that the “volume, complexity and timing of the Community decisional process makes national parliamentary control more an illusion than a reality.”⁴

Can people be really free as long as unelected bodies are given the power to take decisions that have a strong impact upon their lives? Can permanent *mistrust* in decision-making bodies coexist with the other two principles of the democratic tripod, *liberty* and *responsibility*, without the collapse of the entire edifice?

Time will tell if the EU will be able to become a fully legitimate system through tradition and not only through legal sources (democratic institutions), considering that “well-known shortcomings regarding representation and participation (such as the House of Lords in the UK or the banning of some parties in Germany) are accepted relatively benevolently by national publics”.⁵ The Westphalian state has been around for over three hundred years, the nation state, as we know it today, for about one hundred and the European institutions for about half that time, with increased attention given to the democratic functioning only in the past few years. As decades pass, the difference of time between them will decrease and the EU will hopefully seem more natural and trustworthy to people.

At the present moment we inevitably tend to restrict the complexity of the EU to the conceptual framework of the nation state as politicians explicitly make comparisons between the American model and the European construction and, in a desperate attempt to be taken more seriously, all terminology in Brussels is taken from internal politics. We can have a Parliament, a minister of foreign affairs, but this can only cause ironic remarks as the EP does not function as a real Parliament and the minister of foreign affairs does not have a government nor the power and authority of a real minister. In our quest of legitimacy we “insist on using conceptual schemes typical for the 19th century in order to describe a political organization that belongs, by excellence, to the 21st century”.⁶

Describing the nature of the European Union is subject to controversy but there is unanimous agreement on the fact that the EU is not and will not become a nation state. Which poses the question: are liberty, trust and responsibility achievable outside the nation-state? Can we feel *free* while permanently fearing that decisions are being taken to favour other nations? Can we *trust* an intergovernmental body in taking decisions with qualified majority voting? Can *responsibility* or *loyalty* be generated within an institution that does not require me to pay taxes to its budget? Will a European politician ever say “ask not what the EU can do for you-ask what you can do for the EU”⁷?

The problem is that the European Union has the tendency to be perceived primarily as a trading block, as an economic union, which thus becomes “little more than a national sum of private ambitions”⁸. Economics and politics can sometimes follow different or even contradictory decisional patterns and once politics perceives reality through another type of lenses and becomes, therefore, incompatible with the market, democratic decisions lose credibility, “given

3 Heather Grabbe, “European Union Conditionality and the Acquis Communautaire,” *International Political Science Review*, July 2002

4 Joseph Weiler, *The Constitution of Europe* (Cambridge: Cambridge UP, 1999)

5 “Debating democracy in the EU”, taken from <http://sweb.cz/jsc/prispevky/jolly.doc>

6 Prof. Anand Menon, “The USA, the EU and the development of the ESDP”, conference at the European Institute in Romania, October 2003.

7 Inspired by President John F. Kennedy’s Inaugural Address, 1961

8 Pranger, Robert J., “The Decline of the American National Government.” In *The Federal Polity*, 1998

that money can be neither democratised nor held responsible"⁹, and citizenship is converted into plain "ratification of decisions or consumption of services"¹⁰.

When participation of citizens becomes a rather decorative and redundant element of a system, participation falls and elections turn into "a simple appointment of agents and delegates of interest groups. Orientation is top-down, i.e., the elected representative is the *appointed agent* of the voters, dependant and subordinate"¹¹. Certain societies can simulate democracy but as soon as *trust* is eliminated from the scheme and *responsibility* loses its democratic meaning, *liberty* becomes a sham.

Ultimately the concept of freedom within an organization such as the EU is intrinsically intertwined with identity issues that lead to a feeling of subordination or peripherality for some nations, partly due to historical relations between states. The drive for supremacy is inherent in any type of association and mistrust towards entities that are perceived as being different has always been a constant in history. Burke argues that "the love for the whole does not make the predilection towards subordination disappear [...] To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affections"¹². For the moment the nation is associated with the platoon and the EU, in public perception, is far from meeting its objective of becoming the 'army' to which the European 'civilisation' freely subordinates.

The essence of the state, as Engels would put it, is the fear of humankind faced with itself. Therefore, all we need in order to insure a degree of liberty, trust and responsibility comparable to the one within the nation-state is the acknowledgement of the impossibility of survival outside the Union.

When European citizenry will come to realize that no nation state in Europe can face globalization by itself, that none of us is rich enough to afford the cost of non-Europe indefinitely and that there is no other alternative but further integration in achieving optimum efficiency, only then will a genuine European identity be fostered. We witnessed a similar process with the unification of Italy and Germany in the 19th century. For Germany there was no other option if it wanted to "fight for [its] existence against Austria" (Otto von Bismark) and Italian unification was a reaction against the Congress of Vienna, which imposed Austrian rule in many Italian states. History has thus proven that a 'we-feeling' is generated by fear and quest for survival and an instant creation of identity due to civilisational affinities is just an illusion. The paradox revealed by past experiences is that *trust* is a creation of fear and *liberty* becomes a state of mind only due to subordination. *Responsibility* appears to be resulting from fear as well.

Apart from the problems arising from within the Union, the tendency of creating a 'fortress-Europe', reluctant towards its neighbours, poses serious questions concerning the moral responsibility of all member states in insuring that the Huntington line¹³ does not become a palpable and dangerous reality, potentially leading to unwanted clashes. Is there a trade-off between being a heaven of democracy and having a strict neighbourhood policy? Can "Ode of Joy" and strict border security measures coexist?

9 David, Isabel, "From dialectics to political theology: rethinking complexity in federalism"

10 Hawkings, Jr., Robert B., "Power-Sharing and Municipal Governance." In *Constitutional Design and Power-Sharing in the Post-Modern Epoch*, 1991

11 Schmitt, Carl, "Théorie de la Constitution", 1993

12 Burke, Edmund, "Reflections on the Revolution in France", 1791

13 Huntington, Samuel P., "The clash of civilizations and the remaking of world order", 1997

Assuming the responsibility of a more enhanced policy towards neighbouring countries can only bring about consolidation of trust and liberty across the continent, based on shared values but also on common interests. However the idea of sharing "everything but institutions" (Romano Prodi) reveals a rather condescending attitude and, although enhancing liberty, it deliberately circumvents trust as "neighbours are expected to align with the EU system, while EU regulations are not open for negotiation"¹⁴.

A wider European region is actually a strive for full democratisation of Eastern Europe. What politicians in Brussels often seem to forget is that expecting perfect equilibrium of the tripod in countries crippled by communist legacies is unachievable in the short-run. When a country (i.e. Romania) witnesses the first democratic change of the head of state in its history only in 1996, it is natural that western democracies might find it difficult to understand the variability of concepts such as trust and responsibility in a confused and anaemic society such as the Romanian one. Trying to set the standards only by comparison to the western 'model' often proves to be inefficient in democratising the East. As the UN Secretary General said in his report of 1995, "democracy is not a model to be copied from certain states but a goal to be attained by all people and assimilated by all cultures".

Here, in Romania we often evaluate Communism and Nazism as having been more or less equally destructive as far as liberty and trust are concerned, so seeing communist symbols on cloths becoming fashion in the West poses serious questions on whether European values will just be reduced to Western values. Cultural and historical misunderstanding inevitably leads to dividing lines and hinders the process of gradually achieving a different, domestically consolidated equilibrium of liberty, trust and responsibility.

Taken separately the concepts behind these three values can be highly volatile. Freedom is just a state of mind and by excellence relative: I am free because I am not constrained by a certain entity, because I am able to act without interference or control by another. Liberty is thus an emotional experience of being unrestricted, unlimited and uncontrolled but does it guarantee immunity from all restraints? Sartre's existentialist vision of "*absolute liberty*" being ultimately translated into "*absolute responsibility*"¹⁵ thus supplies a sensible explanation for the compatibility of liberty and trust with dictatorship in Ceausescu's system of values.

Is the EU's attempt to provide an equilibrium of the tripod just another illusionary perception of reality, a distorted vision of what the democratic tripod actually involves? Is the EU another Ceausescu?

14 Flechtner, Stefanie, Presentation for the "Young Leaders' Form", Nowy Sacz, Poland, 2004

15 Sartre, Jean-Paul, "L'Existentialisme est un humanisme", 1946