# The European Civil Society Discourse

# Democratic deficit

The EU's soft spot is that its institutions are not thoroughly transparent and lack the democratic social legitimacy. The democratic deficit during the 90's was constantly growing. The consensus that was symptomatic of the integration-orientated elite has been drained after the war. This consensus played a noteworthy role in the regular and effective co-operation of the Western-European governments and societies. Nevertheless, this is no longer cogent in the process of the post Cold War Eastern enlargement.

Commenting the situation after Nice, Director of the European Policy Centre John Palmer mentions a growing turmoil and doubt in connection with „the fundamental aims of the European integration".[1] Palmer comes to the conclusion that the Future of Europe debate - owing to the uncertainties around the fundamental aims - cannot mobilize a critical social mass. This standpoint is also underpinned by the public opinion polls (Eurobarometer), the fairly social echoless of the Convention and the aloof tendencies of the Western-European political arena. One should not be surprised. After the failure of Maastricht that tried to create the polity from above, the Amsterdam and Nice Treaties attempted to implement long-term reforms in order to reach a „a civic engagement to the broader political community or the creation of a normative order that is maintained by the independent source of the input-orientated legitimacy"[2]. These forced attempts from above to create a common identity or the public apprehension of public good have been regularly flopped. As Chryssochoou neatly indites „Amsterdam failed to incorporate any substantive civic rights in a formal 'constitutional' document addressed to the citizen directly, thus reflecting the insistence of sovereignty conscious states on codifying existing trends in both jurisprudence and legislation"[3]. In other words: the unkind national interests shadow the broader vision. Amsterdam and Nice - adjusted into the European Communities and to the Union's development history -were under the necessity of creating and/or addressing the political community – in spite of it, policies were produced and developed.

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[1] Palmer, John – Gillespie, Paul, *The Mission and Values of the Europe We Need.* The European Policy Centre 20 September 2001.

[2] Op. cit.

[3] Chryssochoou, Dimitros Towards a Civic Conception of the European Polity. p15 Working Paper 33/01 ESRC "One Europe or Several?" Programme, Sussex European Institute

Chryssochoou's critique of European elites – in accordance with the tenet of numerous European social scientists –, that primarily enhances the self-echo, sharply conceives the gist of the problem: „ The significance of tying the self-image of the elites to the dialectic between citizenship and demos-formation is that no common civic identity may come into being unless all major actors engaged in European governance see themselves as part of a polity-building exercise that has to evolve from lower level 'upwards'. Likewise, a transnational political space must be built up up in the everyday networks of civic engagement, instead of being constructed from the top down".[4]

Chryssochoou's chart models the present state of the European polity and the civil society.

Typology of Civil Governance[5]

| | | |
|---|---|---|
| Nascent | **CIVIL SOCIETY** (functionalist demos) | **CIVIL SPACE** (interactive demos) |
| civil identity | **PUBLIC SPHERE** | **CIVIL COMMUNITY** (organic demos) |
| Formed | | |

There is an incontestable sign of trans-national civil society at the level of the EU; therefore the EU occupies the upper left box. Although, it is restricted in this position because the original grass-root civil identity did not get to the point of institutionalising the European-level civic competence. Chryssochoou convincingly argues for that the civic order institutionalised at a European level would not have come to existence without the normative frames of the transnational civil society or civicness.

The Big Project of the Europeanization of the civil society exerts a significant influence on the future reforms that can create from "the present fragmented demos" a civil identity. In the light of those agreements that are based on the 'costs-and-benefits

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[4] Op. cit.  p17
[5] Op. cit. p18

philosophy' and apparently inadequate to generate civil engagement, it is difficult to say how these fundamental reforms would exist.

Laurence Whitehead adjoins the complex and uncertain question of Eastern enlargement with the notion of democracy promotion.[6] As so frequently, it is true in the case of the Eastern enlargement that the reality foregoes the theory. Whitehead has right in saying that the Helsinki Summit in 1999, which decided about the beginning of the negotiations with 10 Central-East European countries, both in terms of the EU enlargement and the Central-East European democratisation process, denotes an intense risk. Despite the conceptional wit of the integration and democracy-theories, Whitehead indicates that „democracy promotion was an indispensable component of the EU's enlargement strategy, but the academic literature on democratisation pay scant attention to this aspect of the process, either."[7]

Can we consider Eastern enlargement from a Brussels point of view as an honest effort to strengthen and broaden democracy or it is dominated by much more profane goals, namely economical interests and security considerations? The answer does not turn up easily and can also be multiple. The sure thing is that the Eastern enlargement of the European Union is a complex and uncertain process that is probably followed by unintended circumstances and which – according to Whitehead's prognosis – costs the EU dearly.

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[6] WHITEHEAD, LAURENCE: *The enlargement of the European Union: a risky form of Democracy promotion.* = In: Central European Political Science Review. 2000. I/1.

[7] Op. cit. p17

# The European Civil Society and the Future of Europe

When contemplating civil society we conceive more than society. The adjective contains an added value. When we are discussing the notion of European civil society it connotes a further grading, qualification but at the same token a restraint. If we study present European societies with their democratic governmental forms and from the other side the lack of democracy at the transnational level of the EU, it unravels why the notion became so relevant for the decision makers, bureaucrats, politicians, regional planners and for the activists of the civil society. These actors one way or another are the architects of the New Europe. The future of Europe peculiarly depends on to what extent they will be able to co-operate, reach compromise and to mobilise their social environment in those questions that are determinant regarding the constitutionalizing processes of the European political community and society.

The project of the European civil society is far from being accomplished, it's rather a promise than *fait accompli* and there's no guarantee to its birth despite the fact that there are visible signs of the emerging representations of the European civil society. Precautiousness is inevitable when determining the usage of the notion, otherwise we fall into the traps of different ideologies, wishful thinking or illusions. For the time being, we have to do with open or hardly answerable normative questions. Can the formulating European civil society become instrumental during the handling of social exclusion and able to open the new channels of social affiliation; will civil society organisations come to more co-operative and establish the interactive networks of a new European public sphere and redound to the implementation of new policies thereby actively participating in the processes of the integration and Europeanization; or on the contrary, they settle for protesting only. In other words: is there any substantive change in attitude of the civil society organizations towards a more effective co-operation?

When referring to the ligature of the civil society, we will reach after the East-Central-European renaissance of the notion at the multiple metamorphosis of civil society and accordingly to its altering usage. From the early '70s to the end of the '80s, the notion of civil society meant to be social movements and initiatives as well as trade unions and the critical discourse of the independent white-collar; after that the notion moved through from the world of the NGOs of the '90s to reach the widest usage at the beginning of the

new millennium: it appears in the reports and projects of the European Commission, the UN and the World Bank as well as in the programmes of the multinational firms, governments and political parties. Although the meaning of the notion varies in line with the cultural, political and institutional context, the practice proves what JEFFREY ALEXANDER argued in the case of the East-Central-European white-collar namely that all of these actors would create their own civil society in order to qualify itself and its own activity. Civil society can relate in this way to public spheres, to a defined manner and mentality as well as to the community of NGOs. This extended usage preserves the ambivalence of the notion. It can serve fighting political battles, mantling social and political problems, but could also turn into a part of the language of power. No doubt, after God and the international proletariat a new „ signifier"[8] has been born in the end of the 20th century.

The need for new players and movements ensures a prodigious status to the notion of the European civil society. It is the only tool to link the often contradictory processes of integration, Eastern enlargement and the Europeanization. It suggests that there is a European Path to restructure and stick together the disintegrating elements of society, political community and culture. It refers to that all this can happen under the conditions of the equal opportunities, democratic participation, individual freedom, peace, restraining state, social welfare and the basic civicness.

During centuries the development of civil society was exceedingly inequable in Europe: it was totally confined to some segments of societies of Western-Europe. From its rebirth through '80's it has gained new and new connotation and conquered wider social spheres. We can also agree that the notion itself went through the process of democratisation. Nowadays Europe is a steadily broadening multi-level social space.

Individuals, NGOs, decomposing and re-uniting coalitions provide its colours. Caritative associations, social innovators, independent media, traded unions etc. are the actors of the European drama. The end of the 20th century, the lack of bipolarity, the accelerating of the globalisation process and the widening European integration led to the opening of a new period oppositely to the last 200 years when civil society was principally evoking inside the borders of the nation state, nowadays its activity and networks growingly cross the borders and there is an increasing sign of apperception of its leaders that the new period represents new and more complex conditions. Each civil social group

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[8] John Keane's expression

in Europe is lobbying with governmental organisations, coalesces with international associations and experiments with the new forms of cross-border co- operation.

These new cross-border networks owe the potential to create new identity or resuscitate the old ones into new forms. With this act they contribute to the Europeanization process of Europe inasmuch they are capable of „to stimulate awareness among the inhabitants of Europe that (despite considerable differences of language and history) mutual understanding of different ways of life is becoming a practical necessity, that Europeans are being drawn into the first genuinely European civil society."[9]

When attempting to understand the trans-national mobilisation of interests groups, sub-national agencies and citizens we need new notions, probably a new central conception. JOSÉ MAGONE suggests the same when examining European civil society as a heuristic device.[10] The European civil society could become the central category of such central conception.

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[9] *Towards a European Civil Society*, p12 Research Proposal. Berlin : WZB, January 2002.

[10] MAGONE, JOSÉ M.: *The Modern World System and European Civil Socity. A reconstruction of the long dureé of modernity in the new millennium.* Copenhagen: University of Copenhagen, 2000. (Join Sessions of the European Consortium for Political Research)

# In the „Great Signifier" White Paper

If the analyses are relevant and we still need to wait in the interim for the creation of an effective European civil society, the birth of a new Europe-wide discourse with the Great Signifier in the middle is univocal. Whether the categorical imperative at one side and the Prophesy and Vision on the other will fructify early enough still remains an open question.

The gap between the rhetoric and reality is uncontested. From the analysed documents it seems that civil society serves as the supreme shelter, the redeemer of the Europa Projekt. The European elite needs its own civil society as well as national governments and political parties do. Under these conditions the European civil society could easily become the new language of the dominant or the discourse of the power if civil society cannot articulate itself in transnational/European level. Crucial question whether the frames and structures needed for the development of the transnational/European civil society will come into existence in the near future. This would be the moment of the simultaneous democratisation both from under and above. From this point the alienator and unlearnable techno- bureaucratic language that determines the operation and ethos of the EU would loose from its omnipotence. However distant it is, it is not impossible that the language of the unilateral bureaucratic „provisions" will be superseded by the language of social dialogue. How can we overcome the present situation? Can the EU get out from the legitimate crisis and monologue-type dialogues? If we want a faithful answer, it is worth examining the self-reflections of the EU.

The White Paper on European Governance released by the European Commission in July 2001 was made with the demand of a strong self-reflection and can be recognized as an attempt to start the real dialogue. What counts most from our viewpoint is that civil society and the citizen stands in the central.

> *„Democratic institutions and the representatives of the people, at both national and European levels, can and must try to connect Europe with its citizens. This is the starting condition for more effective and relevant policies.*[11]

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[11] *European Governance. A White Paper*. Brussels: Commission of the European Communities. COM (2001) 428 Final, p3

The White Paper emphasises that immediate reforms are needed, at the same time the authors of the document make it clear that the power of the Commission itself is not enough to succeed.

*„The Commission cannot make these changes on its own, nor should this White Paper be seen as a magic cure for everything. Introducing change requires effort from all the other Institutions, central government, regions, cities, and civil society in the current and future Member States. The White Paper is primarily addressed to them."[12]*

The most important recognition in the White Paper is that (similarly to a lot of official EU declaration released in the past years) the condition of the successful continuation of the integration is a stronger and more effective interaction between „the regional and local municipalities and the civil society."[13] At the same time, authors of the document would hold the nation states responsible for the progress that invariably refers to the survival of the state-centred thinking and the hierarchic approach. The Commission takes over something in the forms of fragile engagements from this responsibility: „*Establish a more systematic dialogue with representatives of regional and local governments through national and European associations at an early stage in shaping policy.*"[14], etc.

In spite of its weaknesses and imperfectness, the White Paper can be regarded as a change in the process of the European construction. Official recognition of that the process does not proceed on the right track, furthermore the Commission reached its own boundaries and to develop it needs different and new partners, in other words „new players".

*„European integration has delivered fifty years of stability, peace and economic prosperity …Yet despite its achievements, many Europeans feel alienated from the Union's work."[15]*

At one point self-critique goes into especially deep and brings on *expressis verbis* the possibility of the paralysis of the Union:

*„The decreasing turnout in the European Parliament elections and the Irish "No" vote also serve to show the widening gulf between the European Union and the people it serves….There is a perceived inability of the Union to act effectively where a clear case exists,*

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[12] Op. cit. p3

[13] Op. cit. p9

[14] Op. cit. p4

[15] Op. cit. p7

*for instance, unemployment, food safety scares, crime, the conflicts on the EU's borders and its role in the world."[16]*

The critique turns against the most important partners namely the Member States: „By the same token, Member States do not communicate well about what the Union is doing and what they are doing in the Union. "Brussels" is too easily blamed by Member States for difficult decisions that they themselves have agreed or even requested."[17]

After the double critique and frustration the White Paper examines the role and the possibilities of the civil society. It is a new development in the history of the EU and also shows the birth of a new rhetoric i.e. the White Paper emphasises an outstanding role to the creation of the future Europe. There is a whole sub-chapter on the topic of civil society - titled „*Involving Civil Society*" (14–15p) - and this chapter not only enhances the possibility and the new role of the civil society, but also its responsibility in the shaping of a good government/governance. The first recommendation of the closing chapter („*From governance to the future of Europe")* speaks about the formulating relation to the civil society. The recommendation mobilizes to re-structure the EU's relation to the civil society in the hope of mutual responsibility and accountabilty. European Union needs civil society so it urges to determine and stimulate the dialogue with it. Inasmuch this experiment will continue according to the five fundamental principles laid in the White Paper, namely publicness, participation, accountability, efficiency, coherence, it can create a new situation driving the process of integration and Eastern enlargement into a new channel. Inasmuch it remains only rhetoric, it can worsen the already disgarnished credibility of the EU in the circles of institutionalised and non- institutionalised civil society.

Acknowledging the crises and accepting the problems that couples with the recognition that there is a need to create a new relation with the wide circles of actors is highly noteworthy. The White Paper makes the impression that community method amended with the civil societal method could be the only efficient device of the proceeding of the European integration. Remarkable also is that the notion is not limited to the present EU countries, but it is extended to the civil societies of the accession countries.

However, it is questionable whether this initiative to establish a transnational dialogue with the civil society will meet with the expectations, aims and visions coming

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[16] Op. cit. p7

[17] Op. cit. p7

„from beneath"? The developments so far are not reassuring. At present most of the European societies – both member and candidate countries – are in a bolt in period and fairly sceptic about abrogating European affairs. Refreshing exception is the document titled „Common Europe" published by independent Polish intellectuals and NGOs in 2001 who apostrophise themselves as „the voice of the Polish non-governmental analyst centres". They share and support a vision of Europe that „*where solidarity is a common standard, which is not divided between better and worse Europeans, and which is not founded on a fear of unification.*"[18]

Similarly to the White Paper they believe in that „the involvement of the citizens into the creation of the new political and social image of the common Europe is the key of the real and democratic legitimacy of the European integration."

> *„The voice of European citizens is increasingly heard as a result of the activities of varous civic organisations – associations, foundations, churches and informal groups. We are witnessing the birth of a European civil society, which, despite all its deficiencies, is a real expression of the concept of solidarity, the fight against social exclusion, discrimination, and for a clean environment and education. The activities of the organizations of civil society reach into those areas where the state cannot act effectively, and stop integration being limited to elites..*"[19]

Almost echoing the challenges of the White Paper, the authors of the document also encourage „civil dialogue" and the involvement of the civil organisations.

But nowadays our way of thinking and language is still determined by the economical and technical efficiency that is controlled above by the strong institutions and organised bureaucracy. According to LARRY SIEDENTOP we are still „sacrificing at the altar of economical growth and not on the altar of citizenship."[20] SIEDENTOP while analysing the evolving of the European democracies and the historical differences between them remarkably and neatly indites that Europe, which is principally covered by a French political design, was basically engendered in economical terms.[21] Similarly to CHRYSSOCHOOU, he criticizes first of all the European elites who he thinks could be regarded as the cause of the deep moral and institutional crises in Europe. We agree with

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[18] In: Common Europe: http://www.common.org.pl/, p2

[19] Ib.

[20] SIEDENTOP, LARRY: *Democracy in Europe*. London: Penguin, 2000. p217

[21] Op. cit. p226

SIEDENTOP's conclusions that European elites fell a victim to „the tyranny of the economy language."[22] Furthermore, the re-discovering of civil society at a European level, combined with the introduction of publicness, participation and accountability from above, can be regarded as a hopefully not late and first of all hopeless experiment.

It is tough to deny that the European construction since 1957 is basically arising from economical devices. Consequently, it has its own peculiar reasons that the language of the market efficiency and the bureaucratic control blanketed the language of politics and did not let develop the language of civil society. Owing to this, today we do not have a common language of the European publicness as such and consequently it could only exist fragmented and potentially. It unravels that taking into consideration these facts the ambitions – especially Eastern enlargement – in this situation are difficult to maintain. At present we are witnessing an interesting experiment i.e. how the new European language can be created simultaneously from beneath and above.

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[22] Op. cit. p227

# The European Project in Global Context: Europe's New Role?

The protection and enlargement of the values of the European social model is unthinkable without a European Union that is taking a superior role in world politics. Politicians, visionaries and social scientists like DELORS, JOSPIN, HABERMAS, JOSCHKA FISCHER would impute normative allurement to the Europa Projekt. They emphasize plausibly and consequently that a European constitution would increase the ability of the Member States to act together providing the legal conditions and the deeper sense of togetherness, thereby to win back something in Brussels from what was lost at national level namely the ability to have a word in world politics. There is an intense unity between the leaders, experts and analysts of the European Union. However, there is not an agreement on what kind of changes and reforms would be needed for having a stronger and more effective representation of the European interests and values.

As the inquiry towards the European construction increase and as the question marks in connection with Europe's role in the world politics are augmenting, world-system theory more often comes under the surface in the analytical essays. JOSÉ M. MAGONE, who set out one of the most complex and comprehensive approach, borrowed his the title from IMMANUEL WALLERSTEIN *The Modern World System and European Civil Society. (A Reconstruction of the Long Durée of the Modernity of the Millenium).*[23] MAGONE himself starts from a post-national constellation and continues his essay with the analysing of the slow, but radical change of the international system. He argues that this change resulted in a paradigm-shift in the field of the international relations, and it is substratum is that the nation state is no longer the only and even the centre actor of the international society. The European Union which itself is a „result" of this slow and radical metamorphosis, significantly contribute to this paradigm-shift that was analysed by a lot.[24] MAGONE's approach is new, because he connects the world-system theory and European integration with the processes of the change in the role- and function of the European nation state and the transnationalisation/Europanisation of the civil society. However, the notions of democracy, civil society, sovereignty, regionalization, representation, identity, multi-level governance etc. need rethinking. MAGONE considers the European Union as a political

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[23] Magone, José M.: *The Modern World System and European Civil Society. A Reconstruction of the Long Durée of the Modernity of the Millenium.* (Manuscript). University of Copenhagen, April 2000.

system sui generis that was created by a set of treaties.[25] In his remarkable study MAGONE first of all examines what impact the world system and the capitalist world economy has on the realignment of the European space; whether a new political economy structure that could create a counterforce against the globalized financial capitalism will be born.[26] This question is relevant, because meanwhile the European nation states got at the new age of intergovernmental co-operation, on the other part of the world totally different tendencies are proceeding. Consequently the sharing of the power and hegemony at a global level is greatly asymmetric. The system of the international relations, especially the international organisations, was capable to react to this new situation only in retard. MAGONE's important recognition concerning the future of Europe is that „although a global multilevel governance system is emerging, it is asymmetrical in its integration in different places of the world.*"[27] This asymmetry and dilatory institutional reaction opens the door to civil society in the new, enlarged European space as well as in the global arena. Logically we reach to a crucial point: will the European Union as a political system sui generis together with the civil society mobilise towards the paradigm shift the global governance or in other words dilute the national orientated capitalism to „proactive cosmopolitanism"[28].

Undoubtedly, MAGONE do not consider the EU or the European civil society as an exceptional, worldwide blueprint, a completed project. He emphasises that it is a half-made product and speaks about tendencies, possibilities. According to his diagnosis, the Westphalian system of international relations is now transforming into a post-Westphalian system, in which the stress is on the co-operation between the states. In the new world of increasing complexities and interdependencies the so appreciated institutions of global governance like the UN, IMF, World Bank or WTO has to be restructured in order to maintain themselves. MAGONE is convinced that the American model of the 20th century capitalism has to hand over its place to a „global negotiated model*"[29], and into this new model the European Union will transport the most genuine and innovative elements. And

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[24] q.v. the works of Habermas, Jeremy Rifkind, Iván Vitányi etc.

[25] Magone regards this phenomenon so important that he introduces a new expression: „treatism"

[26] Magone, José M.: *The Modern World System and European Civil Society. A Reconstruction of the Long Durée of the Modernity of the Millenium.* p. 3. (Manuscript). University of Copenhagen, April 2000.

[27] Op. cit. p. 2.

[28] Op. cit. p. 3.

[29] „global negotiated model", op. cit. p. 14.

this is the point where the European civil society comes on the scene, because its role becomes indispensable.

According to some authors[30] 'Pax Democratica' will follow the long period of Pax Americana in the 20th century. Rethinking the conception of Wallerstein, MAGONE summarises the metamorphosis of the modern world system in a chart.

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[30] Huntley, James Robert, Pax Democtatica: A Strategy for the 21st Century. Macmillan, 1998.

**Table 2:THE TRANSFORMATION OF THE MODERN WORLD SYSTEM**

| Phases of Capitalism | | ECONOMY | POLITICS | INTERNATIO- NAL RELATIONS | STRUCTURE OF INTERNATIO- NAL POWER RELATIONS |
|---|---|---|---|---|---|
| Agricultural Capitalism(Early Capitalism) 14th -18th centuries | | Expansion of market economy in nation- states; economic theory of mercantilism and physiocratism | The making of the nation-state. Absolutism Internal pacification | The making of inter- state system. Final settlement in Peace of Westphalia in 1648 No international bodies | *Pax Britannica* in 19th century Hegemonic Design of strongest nation- states. |
| Industria l Capita- lism 19th-20th centuries | Liberal Capita- lism 19th century – 1945 | Industrial revolution; Imperialism of 19th century; taylorism as new system of production organisation | Consolidation of nation-state. Democratization Citizenship | Consolidation of the Eurocentric inter- state system; Colonial empires; Emergence of USA as global peacemaker; Emergence of the Soviet Union;Emergence of several new independent European countries countries in 19th and 20th century League of Nations in interwar period(1919-1939) | No Hegemonic structure, Regionalism, isolationism of the USA |
| | Organi- Sed Welfare Capita- Lism 1945- 1989 | Industrial society; Taylorism continued; mass society and culture; stability created by redistributive state; Socialist planned economies and experiments in post- colonial countries in Asia, Africa and Latin America; Global economy | Europe:Nation-state Mass democracies Social and economic citizenship Soviet Union, Central and Eastern Europe: Centralised political systems Developing countries: In search of new models of democracy | Institutionalisation of inter-state system Gradual challenge of eurocentric model by postcolonial states. Bretton woods systems and United Nations as global governance institutions Gradual increase of number of states and non-govenrmental organisations. Growth in complexity | *Pax Americana* based on ideological containment strategy against the growth of influence of the Soviet Union. Military, political and economic hegemony |
| Financial, services Capitalism 1990- 21st century | | Services society; New forms of production based on more flexible systems of production;globalisa -tion strategies of large Transnational corporations; new technologies based on internet and telecommunications | Europe:European Union as a shared sovereignty device Collapse of socialist empire; developing countries moved towards liberal democracy and market economy | Multilevel global system of governance.(Agenda of Reform of global institutions) Regional continental integration:European Union, Mercosur, Nafta, APEC, Asean, CIS. Emerging of Global Civil Society. | *Pax Democratica* Globalisation of peace and democracy as essential elements of a postnational system of international relations. |

# The European Agenda: Publicness, public spheres, network governance.

# European circle from national squares?

Turning back to the constructivist approach of the creation/evolving of the European *demos* and the associated critiques, HABERMAS defines that the common currency (or with DELORS the single market) is not sufficient to establish a political community in the European minds. At the same time, he also rejects the idea that the European *demos* does not exist at all. Euroscceptics disclaim exactly with this argument the reconstruction of the legitimate basis of the Union from the level of the international treaties to a European constitution. Without nation there is nobody to govern: the subject of the constitutionalizing process, the collective singular, is missing. HABERMAS arguing pertinently with that the political community not necessarily mean the community of the origin, the language, the tradition etc.. However, it is true that during European history the democracy and nation state emerged and consolidated strengthening each other in a concentric process, and civil society was also primarily understandable inside the national borders. Nevertheless, in the post-national period nothing justifies that even democratisation or the organisation of the democratic/constitutional political communities would terminate at the nation state borders. Similarly to CLAUS OFFÉ, HABERMAS also comes to the conclusion that the European construction reached the point from where the development can only happen with conscious state building i.e. constitutionalisation.

*„There are two lessons to be learnt from the history of the European nation-states. If the emergence of national consciousness involved a painful process of abstraction, leading from local and dynastic identities to national and democratic ones, why, fi rstly, should this generation of a highly artifi cial kind of civic solidarity—a 'solidarity among strangers'—be doomed to come to a fi nal halt just at the borders of our classical nation-states? And secondly: the artifi cial conditions in which national consciousness came into existence recall the empirical circumstances necessary for an extension of that process of identityformation beyond national boundaries. These are: the emergence of a European civil society; the construction of a European-wide public sphere; and the shaping of a political culture that can be shared by all European citizens."[31]*

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[31] Habermas, Jürgen Why Europe needs a Constitution? New Left Review 11, September-October 2001 p16, (Habermas here quotes Claus Offe)

A political structure of a democratic European Union is still has to be constructed. Although it is true that for the success of such a multi-factorial, multi-dimensional process the slight willingness of the political-economical elite is not satisfactory, but taking into consideration the state of the uncertainties, ambiguities etc. a constitutionalisation process prospectively would have a significant catalytic effect on the mobilisation of the political and social sphere that was overshadowed by the economy. We can agree with HABERMAS and with the committed actors of the European constructivism also on that this process together with the expectable referendum and the preceding social dialogue holds the possibility of trans-national communication and the self-materializing prophesy. „Europe has to apply to itself, as a whole, 'the logic of the circular creation of state and society that shaped the modern history of European countries'.*"32*

Using this logic – HABERMAS and OFFE know it – is not evident, nor uncomplicated. To succeed several conditions like the livening up and institutionalisation of the before-mentioned cross-border civil society has to be accomplished.

The necessity of a new, a European publicness sticks out from these conditions. Without this premise, it is impossible to imagine the overcome of the democratic deficit and the crystallization of a positive European identity. At the same time, the idea following the change in the approach that the new European public sphere can be imagined only as a network is increasing. With the words of HABERMAS this new European public sphere is a kind of „a network that gives citizens of all member states an equal opportunity to take part in an encompassing process of focused political communication."[33]

As we experienced one of the inevitable consequences and partially the development device of the great European transformation processes is the phenomenon that the European nation states increasingly lose from their ability to control. The demand of the collective control over the negative external facilities transferred a lot of power to Brussels that used to be under national control (environment, migration, the fight against illegal national trade, etc.). The creation of the single market during several years call for a set of measures that would be impossible to control at national level

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[32] Op. cit. p 16.
[33] Op. cit. p. 17.

The process of the sharing of power for the time being is in favour of Brussels that overset the internal balance of the national governments and modifies the relation between the central institutions and municipalities. This change is quite advanced in the case of the West-European societies, but still remained a far-reaching aim for the acceding East-Central-European countries.

If these initiatives successfully adapt and live with the possibilities given by the new supranational structures, not only assure their own survival, but also expand the narrow national public spaces, with the words of YVES MÉNY contribute to the changing of national squares to a European circle. These attempts, however successful they are will not immediately and automatically lead to the evolving of the public sphere suggested by HABERMAS and others, notwithstanding they can function as important elements.

# The New European Social Space

The European social space is populated by the old and new institutions, structures and actors. The regions, especially the cross-border regions, outstand from these.

Although it is not incidental that they obtain more attention and turn out to be in the center of international researches, the state still remained the most important unit of the European space. At the same time, it is also proper that we can witness in the relation of these two notable actors the changing of a centurial trend: while from the Middle Ages until nowadays the emerging nation states represented the challenge for the historical regions, today just reversibly, the challenges betide the nation states from the side of the regions. The connective networks inside and between the regions acquire a new importance in the post-national constellation, as well as the functional civil social chains crossing natural and administrative borders. In this new age of the birth of the new institutions and actors and the changing of the old ones, the notion also experiences a shift in the connotation. Thus for instance, the residual sovereignty of the states growingly serves the strengthening of its negotiation positions rather than expressing the supremacy over the territory which is inside the state borders. The new proceeding forms and networks of the civil society offer alternative loyalties and identities for the participants, and with this, the emphasis moves from the nationality to the citizenship. We could witness in these new co-operating frames – with a special emphasis to the cross-border co-operations – how the principle of the „obligations without borders" proceeds. The static definition of notions increasingly passes over its place to the dynamic definitions, where the process, the movement and the change are determinant. As the inhabitants of the nation state growingly become active citizens participating in different networks, in the case of the state the emphasis is also growingly on the intercessor, negotiator role. Latest literature appeared to mark this phenomenon with the notion of the „virtual state"[34]; the state as the mediator between the economical and the political sphere as well as the national and international activities. A similar denotation is the notion of the regulatory state; here the emphasis is on that the state does not latch on to the redistribution or the stabilization and does not take on the symbolic functions of the governments; the state regulating the other states bank upon the existing administrative functions in its policies. So the regulatory state has not got a clear tracing pyramid-

structure that would identify the progression of the control of power. Symptomatic also of it that it does not regulate the relation of the citizens and the state with a constitution and the level of the budget is again preciously low.[35] Consequently the regulatory state is neither a traditional federal state, nor a Westphalian modern European nation state; it is rather a sort of political construction that based on the division of labor between the Member States.

The notion of the network derives from the source-field of the natural sciences and was captivated by the social sciences only in the past years. The network conception or network-creation resulted in the headway of the „open system perspective" over the traditional handling of the political institutions. The analyzing unit developed into an interaction between the different organizations and the attention channeled from the formal structures to the informal organization. At the same time, this shift in the approach also indicates the metamorphosis of the political structures. The political and social institutions and organizations are more inherently linked to the interdependency-chain of the European and global spaces. The substratum of the network principle is horizontality and juxtaposition. The policy networks developing in the framing of the European Union are „based on the coexistence of autonomy and mutual dependency."[36] These are the alternatives of the previous hierarchies. The appearance and headway of the network co-operation is not an adventitious or unforeseen event in the history of the European construction.

The architects of the European integration were working on since the beginning of the integration to establish economical and political spaces where the emphasis is on the cross border exchange processes. This is the root of the new governing form that is based on permanent interaction. According to Jachtenfuchs and Kohler-Koch: „the actors of the European networks not only object of the governance, but partners in the solution of the common problems."[37] So it is not accidental that some often corresponds to the EU as a greenhouse in which different kinds of networks are breeding.[38]

Against the austere structures and formal controlling, networks make the wide and flexible participation possible; open the door to the establishment of agglomeration

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[34] Jönsson-Tägil-Törnqvist, Organizing European Space, London, Sage, 2002. p. 93.
[35] Spends 1,3% of the overall GDP of the EU's Member States.
[36] Q.v. Jönsson–Tägil–Törnqvist, p104
[37] Transformation of Governance in the EU. Paper presented at the ECSA conference, May, 1995 p9
[38] q.v. Peterson.

points, assemblies, associations, novel federations, and worthwhile feedback. All this ease the adaptation of the decisions and reduce the inconsistency, the possibility of the 'breaking' of the processes, and create the frames of a more anti-friction bargaining procedure.

By this token, the regional, national and supranational levels are linked by the trans-national networks. In the phrase of the Former Foreign Minister of Belgium Willy Claes a wrought system of networks would be able to harmonize the differencies and common interests.[39]

Does all this bring us closer to our original question namely what is the European Union in effect? The inventory positive definitions and comparisons – „new-mediaeval", „post-modern, soft Empire", „post-national constellation", „post-sovereignty", etc. – all refers to that the emerging political structure cannot be measured up to the traditional formula of the territorial sovereignty, but rather the consists of the elements of the' diffuse and the public influences' overlapping each other'[40]. Both the federal and the regulatory state is discoverable in the EU (and more herein not analyzed types), but we cannot identify any of them to the full. It seems there is an increasing consensus in the circles of EU experts that the parturient political order can be regarded neither as an inter-governmental (Staatenbund), nor as a supra-national state (Bundesstaat[41]). Nevertheless, it does not betoken at the same that the EU could be definable as equilibrium between the two or as some sort of mean proportional. Its liquid and constantly changing structure is growingly determined from one side by the supranational regulations, while from the other side by the formation of the trans-national society as well as the institutional expansion. Therefore inter-governmentalism is bordered from two sides so its chances are restrained and decreasing.

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[39] Jönsson-Tägil-Törnqvist, Organizing European Space, London, Sage, 2002. p130

[40] Op. cit. p126

[41] q.v. Philippe C. Schmitter Imagining the Future of the Euro-Polity with the Help of New Concepts, in: Gary Marks et al. (ed.): Governance in the European Union, London  (1996)