

# Europe's Migraine?

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Migraine is a troublesome problem; it is not a headache which a pill may alleviate, but a more persistent pain which requires more patience to endure, one that has longer-term causes and is far more difficult to kill. I think that the organizers of the meeting recognize those phenomena which have such long-term and persistent causes and are pointed out by publicists and politicians, such as Brexit, the migrations and the growth of nationalist sentiments in various parts of Europe. Indeed, those three phenomena contribute to the migraine among politicians and/or analysts of political processes, who proceed in a similar way to medical doctors, trying to discern what can be observed with the naked eye, what can be experienced through senses and expect to find an appropriate measure or measures to reduce these problems and in this way to alleviate their own migraine.

Trying to reach those layers, which are accessible not by the senses but by the intellect, let us say that Brexit, the migrations and the growing nationalist sentiments are all related to an issue which ought to be followed nowadays with the utmost attention, namely that of collective identities. After all, we are constantly reminded nowadays about the danger which migrations from the south and east pose to the West, or about Europe threatened not only by those, but also as a result of disagreements, especially within the EU structures and within its member states, or about national states or nations – and each of these notions hides some assumed “collective subject”

characterized by its own assumed identities. The following question arises with regard to each one of these notions: do they constitute wholes with some common identities or identifications? Does Europe in particular – as part of the West and comprising a number of states, some of them clearly monolithic, like my country, Poland, and others more divergent ethnically, like Belgium or, as it turns out, Spain – have a common core identity? Should it be sought in human rights and democracy as ideas accepted by all its participants or rather should one search for it at a deeper intellectual, or perhaps, spiritual, level, which may be the foundation of those ideas, or should it be associated with a certain idea of Christianity, Classical legacy (Stoic-Aristotelian or Stoic-Roman), or perhaps with the Enlightenment or Post-Enlightenment project? To my mind, the migraine of Europe – or perhaps, even more broadly, the West – has its origin in this question. Experienced by politicians, publicists and analysts, especially European elites, but also by political leaders of the member states, it has an underlying cause which lies deep and is occasionally concealed, so as not to irritate us and not to expose the basic tension, but rather to hide it deeper and make it seem old, outdated, and thus obsolete or worthy of transgress.

In the past, when – as it was once stated by Quentin Skinner, mainly in reference to the English experience – the liberal approach was replacing the republican attitude, or even making it obsolete, the individualistic stance supplemented by the contractual solution was supposed to invalidate an earlier belief that individual communities develop over a longer period of time and “by nature”, at that, due to the inherent propensity of every human being to form groups with a view to satisfying the individual’s needs more easily. While such a solution, going back to Aristotle or even Plato, could be associated – as it happened in the case of Christian thinkers – with the universalist project and in consequence with a negation or weakening of “particularist sentiments”, it was more typically associated with the thesis about slow, gradual evolution of groups sharing one culture, which was supposed to regulate the everyday behaviour of members of a given group, rather than be a collective product of artists. It is repeatedly pointed out in the approaches analysed by sociologists even today that this older and vanishing (republican rather than liberal) mentality characterizes the peoples who – like the inhabitants of Central Europe – perceived themselves as similar to “organisms” developing or taking shape over a

longer period of time, similar to “ethnic wholes”, having existed “for ages” or “from time immemorial”, but actualized at a certain historic moment and thereby acquiring what is referred to as self-awareness, confidence in one’s existence and one’s distinctive character. Those peoples became aware of themselves at some point, of their meaning, like Hegel’s spirit comparing itself to “the other”, to “the not-I”; they did not construct themselves, but rather discovered themselves; they did not create themselves as new entities, because their existence had already been a fact and they had already existed as entities, and what happened to them at a certain historic moment was more epistemic than metaphysical in nature, and had to do with the level of awareness of their own existence and themselves as distinct and self-aware entities. This, let us say, “organicistic” mentality is allegedly – as have I already said – characteristic of peoples of this – central or eastern – part of Europe. As pointed out by numerous 20th-century sociologists, and summarized by Shlomo Sand, among others, it was to be their distinctive feature differentiating them from peoples living more to the west, albeit in Europe, who either abandoned or ignored a similar “organicistic” attitude, but instead accepted the idea of a “civic nation” as opposed to an “ethnic” one, a formal and political group, rather than an organism whose foundation is inherent rather than decided upon, a community which consciously sets itself a specific goal to pursue, rather than one resting on an ever strengthening and eventually recognized foundation.

Those two attitudes are related to an issue more important than Brexit, migration and the growth of nationalist sentiments. The first, say, “organicistic” or “ethnic”, mentality refers to an identity which cannot be simply established or easily changed. After all, this attitude does not assume that the objectives of a group’s existence are consciously determined, but makes the “epistemic aspect of self-awareness” secondary to the “metaphysical” one. It does not accept the two main liberal approaches: either Hobbes’ answer, whereby the establishment of a state makes possible the formation of a group by creating an opportunity to define laws and the cultural resources which complement it, or Locke’s solution, according to which individuals themselves form what that author refers to as “civil society”, based on a single norm recognized by all entities. It does not allow the purpose of existence to be determined or resources to be selected either by an “abstract state” on the basis of legal norms and cultural patterns consistent with them, or

by individuals on the basis of the data in their minds, allegedly equipped to the same degree with the knowledge of “the law of nature” (“the law of reason”). Therefore, it does not agree that the consciously acting “state” or individuals should be the source of cultural patterns that shape the identity of a group, and along with it, at least to some extent, the identity of its members. This is so, because this attitude – perhaps by touching upon the main philosophical problem of modernity, which is to justify that all entities are in their essence similar or even identical – places analogical rather than identical content in a cultural context which has taken shape over a long period of time, in a somewhat similar manner to British empiricists of the 17th and following centuries; empiricists, who in a sense seem to provide a “link” between the mentality of those who decided about Brexit and those who are nowadays presented as “populists”, “nationalists” or even “fascists” threatening Europe.

I could make an attempt at this point to analyse the origin of the mentality allegedly only typical of the peoples of Central or Eastern Europe, by referring to views put forward in England or in France in the 13th century or even earlier. However, the point is not to demonstrate the long pedigree of the aspirations expressed nowadays by the nations or ethnic groups of Western Europe, like the Flemish and the Walloons, the Basques and the Catalonians, the Welsh and the Scots. The point is not even to demonstrate the significance of conservative criticism levelled at the liberal ideas of individuality and contractualism, which may be occasionally associated with the danger of “statolatry”, the threat of creating an overwhelming state which not only guarantees safety to every individual, but also promotes certain (politically correct?) attitudes in its name. The point is to realize the significance of an alternative mentality to the one that dominates in the west of Europe or among its many publicists and eventually politicians, who promote the notion of a self-aware individual whose role is to create, along with other self-aware individuals, that which has not existed so far, i.e. a “nation”, and who is not only given precedence over the latter, but is also supposed to determine it and plainly treat it as a tool to serve their own, individual and subjective interest; it is the individual whose identity is given precedence over that of the nation, whereas the latter is to acquire an identity as a partnership of sorts (“civil society”) pursuing a goal that serves not so much the partnership itself, but rather the participants in it.

Let us try to understand this. The view that dominates elsewhere, in the west of Europe, allegedly demands respect for the otherness of each individual, since every individual takes precedence over what is characteristic of the group he or she belongs to, and since all individuals shape their identity themselves and as such should not come under pressure from the group, which does not possess any identity in itself. Adherents to this approach will invalidate studies of communitarians and belittle the arguments they advance in their disputes with liberals and libertarians as similar to Marx's collectivist delusions, or worse still, to foresee a normative pressure on individuals by Aristotle or St. Thomas Aquinas. After all the individual does not draw identity from the group's cultural patterns, given that it is the group that depends on the individual rather than the other way around, and since it is the individual who determines what is good (for him or her) instead of utilizing "standards of what is right" once associated – as it has turned out, erroneously, or without justification – with our generic nature and natural law, with God's will and divine law, with reason and the law of reason universally found in people's minds, and therefore common to them and binding on all of them. The dispute between moral absolutism and moral relativism has the same background as the dispute over whether there exists a moral programme which is shared at least by all Europeans or all participants in what is commonly referred to as Western culture or even Christian legacy, and which has an effect on legal solutions characteristic of them. It is the background of the dispute over whether it is possible to implement tolerance towards members of other cultures in a distinct, allegedly uniform, European, Western or Christian culture. Finally, it is the background of a dispute among the theoreticians of what is commonly referred to as multiculturalism as to what is its purpose, namely whether it is tolerance towards the otherness of other groups or rather moral autonomy for each and every one of their members. This last issue seems to be particularly important for the understanding of the reasons behind the migraine. Will each European be allowed (after all) to identify himself or herself with a certain idea of "Europeanness" or with a nation that has an identity? Or rather – according to the dominant view among the European elites – will Europeans be "liberated" from those ideas, liberated from any pressure from the group and given the possibility to determine every or almost every action of theirs for themselves and according to their own

standards? Or will they only be forced into some normalized procedures or forms? An individual liberated from such entanglements will be allegedly free from the temptation of nationalism, which is now to be understood not so much as an aversion to other nations or as building up the power of one's own, but as unbearable pressure exerted by a group of a given identity on an individual belonging to it, who, as it is postulated, should enjoy autonomy in the sense of independence in establishing one's own moral standards; pressure which develops into a negation of individual autonomy, since it entails an imposition of alien standards onto the individual "from outside". However, will the individual be free without such standards? Will they actually implement their own decisions or rather those which are suggested no longer by the culture of the group but by "political correctness" advocated by the academia or the media? Will the rejection of standards borne by the culture characteristic of a given group not be concomitant with the advocacy of other standards, hitherto alien to the culture of the group, and possibly also imposed by the educational system and – again possibly – preferred by the constructors of a new culture?

This "new culture" – considered by Pope Benedict XVI as currently dominant to the extent that it downgrades traditional culture to the role of "counterculture" which should be erased from the memory of individuals, abandoned as potentially dangerous with its roots either in Christian universalism or in nationalist projects – bears a liberal mark. It is not only associated with uncritical "positivist faith" and relativism, views that are also paradoxically incompatible, and give headache to anyone who attempts to understand how a belief in the existence and cognition of a reality independent of the subject with a belief in the historical and social conditioning of the cognitive process undertaken by the subject.

The problem is not new, as the West has been suffering from migraine for a similar reason for a while; this reason was also known to the patron of this place, Thomas Mann, when he characterized two approaches which he considered dangerous, one personified by the Jesuit, Naphta, and the other by the freethinker, Settembrini. Mann's focus was, however, limited, as he was concerned with what is related to man's behaviour towards others and towards himself. Let us, however, turn our attention also to this aspect which – as we engage in scholarly activity nowadays – we can still notice and we do so more and more often. On the one hand, scholars still

adhere to the basic positivist intuition and “commonsensically” assume the “objective” existence of “a real world of objects”, and on the other, they contextualize their knowledge, they make it subjective and even go as far as to assert that any object is constructed by the cognizing subject. This in turn is a sign of the reason behind Europe’s migraine, perhaps one that is shared with the migraine that the “scholarly world” suffers from: on the one hand, that which is universal, and on the other, that which is specific; on the one hand, that which is objective, and on the other, that which is subjective; on the one hand, that which is independent of the subject, and on the other, that which is constructed or established by the subject.

The problem of group identity, considered to be uniform and thus allegedly shared by all group members, is also related to the essence of so-called liberal democracy. Today’s “populist threat” is a consequence – particularly, as it seems – of the fact that those political elites which enjoy growing support emphasize the democratic rather than the liberal aspect, in other words, that which is universal, in a sense, objective, and independent of the individual subject. In particular, the point is not for the legal system to guarantee every individual the fullest possible fulfilment of his or her moral autonomy, but rather for it to provide citizens, including the poorest ones, with an opportunity to prosper, and in this way to offer an opportunity to prosper to the group, and eventually to the state or even a group of states. The state itself is understood as a separate political entity which participates in the process of integration with other states. Whether the state will decline in importance as a result of the ongoing integration is again related to the question about identity: will a collective identity be forced upon it or rather will it retain its own identity? The paradox internal to the states, similar to the paradox within the scholarly community, overlaps with another one: since nation states have their own identities which may potentially threaten the freedom of citizens/individuals, who nevertheless prefer to realize their own moral autonomy as part of them, how can one not criticize them, how can one not try to persuade them to change their attitude towards citizens? In the name of freedom one should not only defend the individual against states governed by “populists”, but also enact for the elites of such states “European standards” of proper conduct; they should be forced to obey the rules which guarantee individuals not only tolerance towards their otherness but also an opportunity to establish their own standards of conduct.

However, who and based on what authority establishes those standards/rules which are to be binding on all those who – via their states – belong to the European Union? In other words, who do those who establish standards/rules represent? That's another question that has to be asked. In the 19th century, when the threat of the so-called democratic tyranny was being pondered on, it was pointed out that representation is only an instrument whereby democracy is implemented; democracy as a procedure or form was becoming a more important issue than representation associated with a particular culture; the procedure, or rather form, became more important than the mechanism of electing representatives capable not so much of recognizing their own opinions or opinions of particular groups, as of uncovering correctly that which is. Much less significance was attached to whether the citizen-mandator controls the actions of the representative-agent and whether the representative takes decisions relatively arbitrarily, since, as it repeatedly turned out, the citizen-voter identifies himself or herself with the representative's interests and agrees to be represented by an agent of a group of interests or a party member. It was finally observed then that representation should depend not so much on the liberal "principle of individualization" of citizens' votes or on the democratic "principle of the people", say in electoral acts or referendums, as on the "group principle", or in fact the "party principle". However, should representation in e.g. EU bodies nowadays be guaranteed to individuals, who are after all those ultimately affected by decisions of their representatives (if so we may indeed face not so much the oft-mentioned "deficit of democracy", as a deficit of representation, or even a lack thereof), or rather to already existing collective entities, such as states (in such a case one cannot speak of a deficit of this kind, since the mandate provided to local representatives serves to justify their activity)? By accepting the second alternative we acknowledge (just like in premodern times) that the representative needs no consent from those affected by his or her decisions in order to take a decision which is binding on those he or she (allegedly) represents.

Both the problem of group identity in relation to individual identities and the problem of representation of these identities are difficult issues, repeatedly raised in the debate on the condition of Europe. Not only are they linked to the threat of nationalism or even "fascism", when it comes to group identity and "populist representation", they are utilized in debates



on law and lawfulness. The question is repeated over and over again of whether the foundation of Europe, the bond that links all its members is a common culture (despite the obvious cultural diversity of the peoples inhabiting Europe) or rather only common law? In both cases, however, who is the source of the culture and/or the law come from and how are they established? Are the attitudes which make Europeans different and which are rooted in different cultures to be upheld or are Europeans to be encouraged to honour procedures that determine the “European identity” which goes beyond those cultures and which is revealed in legal formulas abounding in slogans of democracy and human rights? Are these formulas supposed to facilitate the building of democracy as an area of struggle (agonism), communication (deliberative approach) or majority vote (agregative tradition)? Is a legislative body which is divided by endless internal conflicts and which acts on the basis of compromise or majority vote (which emanates a “populist threat”) still bound by any higher rules? Does it still respect the liberal limitations on its arbitrary character that are associated with inviolable rights of individuals or does it aim to enforce the particularist point of view of some “European political group”?

However, it was rights that formed the foundation of legal security in the West after Auschwitz and Kolyma, two symbols of arbitrary rule imposed in the name of nationalist aspirations or proletarian universalism, symbols of two projects whose executors were responsible for indescribable crimes since they did not respect any individual rights and struggled instead to impose “particularist point of view”, whether “national” or “proletarian”. The “community aspect”, based on the cultures of given groups, was usually ignored as a potential “nationalist” – or more broadly, “collectivist” – threat and in any case one that was insensitive to “differences” found in groups and eventually to moral autonomy of each individual. While it has been sometimes repeated after Hayek that it is the “rule of law” that should be established and defended rather than “lawfulness”, as the latter may be a realization of a legal system established arbitrarily, the appeals of the Nobel laureate, who defended the idea of “spontaneous order”, were not subjected to serious scrutiny. After all, in a world dominated by a positivist-normative view of legal systems, not many were willing to admit that there are some principles that take precedence over the norms of established law; principles that are not derived from such a system, but from an order that

precedes this system; not even from the constitution or acts of an international organization, but from “a meta-legal doctrine or a political ideal”, which “forms part of the moral tradition of the community” to be found in shared memory, as a shared point of reference. There is an irremovable tension between the belief that this memory, this point of reference, lies in the Western Christian legacy, as if separating the West from the East, and the belief that it lies in the Post-Enlightenment projects of democracy and human rights, independent of such an entanglement or even in projects going further, which are referred to as postmodern; this tension manifests itself not only in disputes over the essence of national identity in relation to individual identity, but also in disputes over the essence of supranational as well as supraindividual identity, independent of the will of the autonomous individual; ultimately over the identity that binds Europeans together, one that makes them European. I have an overwhelming impression that this tension is irremovable, and therefore one cannot eliminate the causes of the migraine, which results from the constant tension in the minds of the Europeans between what is universal and what is specific.

The questions may be multiplied. One may ask about the Three Seas Initiative and the Euro Zone, about the influence of the financial system and the applicability of the category of “sovereignty” to the EU member states and to individuals who belong to mankind and to nations, about globalization and glocalization, about emigration from those countries that joined the European Union more recently to the older member states and the outcomes of the penetration of Europe by representatives of obviously different cultures, about the validity of social policies and the primacy of the judicature over the other “kinds of power”. However, the tension identified above seems far more significant for the understanding of the persistent and irremovable character of the migraine that torments Europe – a Europe whose elites usually believe uncritically both in continuous progress of human intellect, and the dominance of the so-called Western values in the world. However, neither the progress, in the name of which various impediments to its implementation are removed, nor the dominance of the West should be taken for granted. It turns out after all that not so much the United States of America, a hope of many Europeans who want to live in safety and accumulate wealth, as the Eastern superpowers have already assumed a leading role in the world. We can see, especially in our, central, or

even eastern, part of Europe that both Russia and China are engaged in the politics of accumulation of power at the expense of others, not accepting as their own the idealistic projects of procedural democracy and human rights.

The migraine will persist and one cannot expect it to recede in the nearest future; it will most likely get worse in critical moments, like the one that my own country, Poland, is experiencing; a country which is trying to subjectify itself, to become a significant part of Europe, with its “Catholic character” and adherence to tradition, struggling between critics in the West and critics in Poland, who constantly demand recognition of the identity of individuals not adhering to monotheistic religion, those who prefer to look ahead than to look back, to devise plans of change rather than adhere to standards that were shaped in the past. My country may appear anachronistic, but the events taking place here may make it easier for us to see the reasons behind the migraine that Europe is suffering from – Europe rather than just Poland, where multiculturalism is not yet a problem, so significant elsewhere; however, it’s a question of respect to the nation as a whole, sharing a common past and common interests, different from those of other nations. Whether it is right to interpret the emphasis put on the significance of this whole as fascist or nationalistic is an important question; the argument presented here, however, suggests that the dichotomy frequently assumed to be true is the cause of a certain disease rather than its symptom only.

*Translation by Mateusz Urban*