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"Re-asserting the National:

The Paradox of Populism in Transnational Europe"

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Re-asserting the National: The Paradox of Populism in Transnational Europe

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Abstract

This paper examines the widening electoral appeal of populist movements and parties in view of the broadening of European political space. It argues that there is a tension between the ways that citizens *are situated* in diverse political spaces (laws, institutions, etc) and the way in which they *situate* themselves (labor markets, identities, community ties). Long standing territorial boundaries adjudicates these tensions. When these boundaries shift, there is a range of ideological and practical possibilities from market liberalism to post-nationalism with concomitant implications for citizenship. This paper part of a larger project on democracy and security in Europe takes the case of what I label the *right wing populist moment* to explore the concept of experiential nation-ness as one of the possibilities that European integration elicits.

The Right Wing Populist Moment

The twin and interconnected processes of Europeanization, the expanding process of European integration, and globalization have altered the social and political landscape of contemporary Europe (Berezin, 2003). Insecurity in both the public and private domain has been one response to these processes. Fear of immigrants, crime, disease, unemployment--has become a recurrent theme in European public discourse. Europeanization and globalization have fueled social and cultural anxieties that imbue the rhetoric of fear with emotional resonance as well as political salience. Although the European right is not alone in its evocation of insecurity, it has been the most effective in bringing the emotion of fear to the foreground of political discourse.

This paper is part of a larger project that analyses the populist response, particularly its right wing manifestations, to changing political and social environments of contemporary Europe. The electoral success of right wing political parties is the strongest empirical indicator of this emergent phenomenon that I label—*the right wing populist moment*. Right wing parties are not new to European politics. A majority of European nation-states have such parties—some dating back to the 1930s (Pettigrew 1998; Eatwell 2000).¹ *What is new* is that parties that analysts had viewed as extremist and fringe are attracting sufficient numbers of votes to become part of legally constituted governing coalitions.

¹ I make this observation to underscore that in some cases there is a degree of formal continuity between old and new right parties not to imply that there is substantive similarity between the past and the present.

March 1994 when Gianfranco Fini's "post-fascist" *National Alliance* became part of the Italian governing coalition is an analytically sensible starting date for the new European right wing populist moment. The short-lived first Silvio Berlusconi government was the first instance in post-War Western Europe where the right so visibly emerged as a legitimate political actor (Ginsborg 2003, pp. 285-324). In 1994, the genre of political parties to which the National Alliance belonged appeared as an exception to the prevailing political rules. From the vantage point of 2004, these parties appear more as fixtures than as fissures on the European political landscape.

In March 1998, Jean Marie Le Pen's *National Front* made a significant showing in the French regional elections (for analysis see, Perrineau and Reynie 1999). In April 2002, the first round of the French Presidential elections gave Le Pen enough votes that he could have become President of the Republic if he had won the second round. In February 2000, Jorg Haider's *Freedom Party* became part of an Austrian governing coalition—that has since unraveled. International alarm and public outcry in the national and international public sphere followed these events in Italy, France and Austria. In the Austrian case, the European Union applied sanctions. In addition to these more prominent cases, fringe parties have posed significant parliamentary threats in Switzerland, Belgium, the Netherlands and Denmark.² In short, the electoral ups and downs of the genre of parties that constitute the *right wing populist moment* suggests that they are expressions of deeper social phenomena that explanations based on narrowly constituted analyses of party strategy and electoral behavior do not capture.

² Hossay (2002) provides profiles including electoral data of right wing parties in eleven European nation states.

Political extremism of all stripes may generate violence and hatred—but it tends not to make electoral inroads. Electoral success suggests thin rather than thick commitments. This paper argues that the right is a response to changes in the nature and structure of the European nation-state and the way individuals *situate themselves* and *are situated within* the nation-state—a process that I label *situativity*. By analyzing the *right wing populist moment* in the broader context of Europeanization and globalization, this paper aims to understand the resonating cultural claims of the right that help produce the thin commitments that expand the base of its popular support.

Scholars usually approach democracy through the study of liberal political regimes, parties and movements. In contrast, I begin with fissure points in democratic nation-states to understand what mechanisms come into play when democracy produces its opposite.

Re-orienting Approaches to the Right Wing Populist Moment

There currently exists no general theoretical discussion of the right in contemporary Europe written from a broad and nuanced position that takes politics and culture into account or that situates the right within the changing political, social and cultural context of Europeanization. Sniderman's (2000) *The Outsider* that focuses on racism in Italy comes closest to a novel formulation of the appeal of the right. Holmes (2000) melding of ethnography and intellectual history is ultimately more descriptive than analytic. One reason for the lack of nuanced writing on the right is that the scholarly space that such studies would have usually occupied has been captured by the interest in ethnic conflict.

A characterization of recent scholarship captures the tenor of current approaches to the right wing populist moments. The electoral success of European right wing populist parties has re-awakened social science interest in *historical fascism* (for example, Sternhell 1994; Laqueur 1996; Payne 1995) and created a *niche* market among political scientists who take a narrow view of the phenomenon—concentrating on survey data that taps into political attitudes, voting behavior and party strategy. This work yields much valuable statistical information but given its party-centric approach it tends to be under-theorized.³

Both the political science and the historicist approach share certain weaknesses. Precise conceptualization eluded past exegeses of *historical fascism* (see literature discussion, Berezin 1997, pp. 11-29). Theories that were reductionist or inconclusive in the 1950s are not likely to serve as useful starting points for contemporary analysis.

Research within political science that has examined the logic of party coalitions and changes in the class structure of post-industrial society to structure explanations of the rise of the right (Betz 1994; Ignazi 1994; Kitschelt 1995) also has limitations. Among these studies, Kitschelt's (1995) political economy model of right wing success is the most influential. He argues that the new occupational structure of post-industrial society has pushed traditional left/right parties towards an undifferentiated center and left an ideological void that “extremists” fill.

³ For example, see the essays collected in Perrineau (2001) and Schain, Zolberg and Hossay (2002).

The relation between xenophobia and immigration policy has dominated issue-oriented studies of the European right (for example, Schain 1996, Lafont 2001, Karapin 2002). Issue analysis is highly contingent and does little to explain long-term secular trends. Increased numbers of immigrants in the former Western Europe presents a social problem; there is no necessary reason why xenophobia has to be the response.

In short, no matter what approach scholars have taken to the *right wing populist moment*, no one has produced a broad account that puts forth a cogent story about why Europe is experiencing a right wing populist moment.

A non-reductionist account of right wing populism requires *both* historical and analytic re-formulation. This incorporates two tasks. First, we have to use the same types of historically sensitive conceptual frames that we apply to other forms of politics—that is, we have to think about citizenship, nationhood, and democracy.⁴ Second, we have to examine how the right emerges at particular moments in the interstices of the modern democratic nation-state and how this re-emergence renders transparent the social mechanisms underlying modern democracy.

This paper begins such a non-reductionist account. First, it re-examines familiar analytic concepts such as territory, citizenship, identity and nation-state in ways that foreground, emotion and place. The paper then turns to the new Euro-polity; examples of

⁴ By “historical” and “historically sensitive”, I by no means wish to imply that the right in 2003 is a continuation of the right in 1920s and 1930s Europe—as one reviewer of my original proposal seemed to infer. Nor do I wish to suggest that history is about to repeat itself. “Historical” underscores the national context and institutions in which the right is embedded. After all, the new right is emerging in legally constituted parliamentary democracies.

the right wing response to it—using the analytic concepts as guides. The focus here is how persons are situated within the nation-state. The next part of the paper turns to the changing nature of solidarity in Europe—that is, how persons situate themselves within the polity. The last section lays out the paradox of populism in what should be a transnational, neo-liberal European political space.

Territory, Citizenship and The Legal Constitution of Identity

From the mid-eighteenth century to the present, some articulation of the sovereign nation-state has embodied modern political territoriality (Poggi 1978). Territory, the political re-calibration of geographical space, intersects power, nature and culture.

Territory derives its intuitive appeal and resilience from its combination of conceptual plasticity and physical specificity. As a conceptual frame, territory is active and re-active, simultaneously analytic and empirical. As an empirical entity, territory is manifest in a range of organizational forms from the macro-level of the nation-state to the micro-level of the household—and every other type of spatial configuration that lies between the public and private.

Territory has *four* experiential dimensions that fuel thicker attachments than its purely formal components would suggest. Territory is: *social* because, independent of scale, persons inhabit it collectively; *political*, because groups fight to preserve as well as to enlarge their space; and *cultural*, because it contains the collective memories of its inhabitants. Territory is *cognitive* as well as physical and its capacity to subjectify social, political and cultural boundaries make it the core of public and private identity projects. Emotion is a constitutive dimension of territory.

In short, territory is congealed identity that embeds relations of social, political, cultural and cognitive power in physical space. Neither identity nor territory is cast in stone. Territory is identity to the extent that it gives physical place to the iterations of the self or arenas of identity that constitute social, political and economic life. But identities may change when territorial boundaries change.

Institutions constitute identities.⁵ Law provides the mechanisms that support both institutions and the identities that they define. Public identities principally include citizenship and work identities that are institutionally buttressed by the organizations of the modern nation-state and the market. Interest and rationality govern these identities. Private identities are principally kinship based. Marriage and inheritance law institutionalizes family ties. Cultural identities—religious, regional, ethnic, and lifestyle identities—are more fluid and may be either public or private depending upon historical context. Identity is practical as well as cognitive. Social existence requires an identity embedded in an institution.

Territory as an analytic category inscribes membership and identity in physical space. Territory as a physical and historical phenomenon generates the cognitions and emotions that tie individuals to place. Membership and citizenship are equivalent terms in discussions of belonging in modern political organization. Citizenship as political practice is a modern phenomenon linked in time and space to the formation of national states. Laws governing nationality were part of 19th century European civil codes.⁶ Conceptually, citizenship has evolved from a conception of rights attached to persons

⁵ While there is a large literature on both identity and institutions, scholars have never explicitly linked the two. Friedland and Alford (1991, pp. 247-256) in their discussion of multiple institutional affiliations address some of these issues.

⁶ On the development of nationality laws in various European nation-states, see the collection of essays in Hansen and Weil (2001).

(Marshall 1964) to a discussion of rules of inclusion (Brubaker 1992), relational processes (Somers 1993) and rights attached to groups (Orloff 1993). When the object of citizenship moves from the individual to the group, rights become articulated as claims. The concept of membership expands to include the cultural, as well as the legal, valorization of the group and stretches the limits of democratic practices (Offe 1998) and institutions (Turner 2001).⁷

Whether one subscribes to revisionist positions that view citizenship as a vehicle for making claims about rights, as opposed to a status with rights attached, two constants hold. First, activists of various persuasions may seek to define citizenship in categorical and collective terms but it is still granted to individuals (Schmitter 2001). Citizenship still defines the legal relation between an individual and a national state. Second, focusing upon citizenship as a boundary-making device underscores the exclusionary as well as the inclusionary aspects of citizenship but it also attenuates its affective dimensions. Citizenship is more than simply a juridical relationship. It also signals an emotional bond that arouses feelings of national loyalty and belonging in a politically bounded geographical space.

Situating Citizens in Nation-State Projects

Nation-state project is an analytic concept that demarcates a historically specific form of political organization that weds bureaucratic rationality (the infrastructure of the state) to the particularism of peoples and cultures (the nation as community). The term “project” denotes any set of ongoing actions where collective actors attempt to institutionalize new sets of norms, values, or procedures. Project is a felicitous term

⁷ For a summary of different iterations of the term “rights,” see Jones (1999).

because it links culture to organization.⁸ Citizenship as a body of laws with corresponding institutions permits modern nation-states to locate persons in time (history) and space (culture). As vehicles of political membership, identity and belonging, modern nation-states move the epistemological –citizenship as category—towards the ontological—citizen as felt identity.

Competition as well as necessity unites identities to institutions. The success or strength of a political identity project depends upon first, the other identities with which it must compete; and second, the strength of the competing institutions that buttress those identities. A central paradox underlies nation-state projects. Without loyal members, i.e., citizens who identify with the project, a state will be at a comparative disadvantage in international relations and competition. On the other hand, a state cannot create new identities from whole cloth. The existing identities from which it borrows or appropriates its cultural claims can, unless completely eliminated, at any moment re-emerge to undermine the nation-state project. For example, the Catholic Church as institutional and cultural actor has often found itself in conflict with the competing claims of nation-states. The debate over Islam in contemporary Europe is another example of this phenomenon.

Aside from the legal norms embodied in citizenship and nationality law that juridically tie individuals to the nation-state, nation-state projects require two kinds of activities to create political identities. The first sort of activity is the compulsory participation in institutions that affect all citizens. These activities typically are the military, the schools and the national language. Fighting, learning, speaking, as collective actions create a shared culture of participation. The second activity is

⁸ I use the term project (Berezin 1997) to speak about the Italian fascist state; Fligstein and Mara-Drita (1995) use a variation of the term to discuss the formation of the Single Market Policy in Europe.

consumption—the consumption of national images, words and symbols in newspapers, art, literature, theater. While students of European identity tend to focus on consumption issues, people are more likely to come together over production issues. The collective European response to America’s invasion of Iraq is an example of a production issue that brought Europeans together as anti-American.

The New European Political Project: Re-situating Citizens

The territorially defined nation-state project was not a seamless effort. The development of the nation-state was contingent, conflictual and contested. Its emergence varied as to time and space—history and culture. Between what historian Eric Hobsbawm has called the “long nineteenth century” and the “short twentieth century,” three state-centered political projects in Europe designed variations on the nation-state form. These projects were: first, the nineteenth century nation-state consolidation projects; second, the conflictual projects of the early 20th century of which fascism and Nazism were one example; and lastly, the post war re-building period, including the Cold War, the Marshall plan and the original Common Market.

National and international events that occurred during each of these periods suggest that it took hard cultural institutional work in the form of national education policy, language consolidation as well as museums; monuments and music (not to mention war) to consolidate identities around territorially bounded bureaucratic forms—to make citizens of modern nation states. The European Union is arguably the fourth variation on the nation-state theme.⁹ We can now turn our attention to how the issues discussed so far may play themselves out in an emerging Euro-polity.

⁹ Goldstein (2001) takes up the issue of “federal sovereignty” in comparative perspective.

The European Union consolidated in the Maastricht Treaty in 1992 is a supra-national political project that transforms Europe 2004 into a geographical space where territory, membership and identity are once again sites of contestation and re-negotiation. European integration is the principal process of institutional change at the core of the new Europe.¹⁰

What does European Union mean today? In the last decade, a public discourse that focuses on European citizenship and the drafting of a European constitution has emerged and, if not replaced, at least attenuated the economic mission of the Union.¹¹ But what can citizenship mean in a supra-national body whose members have no direct voice in governance?

European integration challenges the prerogatives of territoriality and by extension disequilibrates the existing mix of national culture and legal norms. By threatening to make the national space “unfamiliar” to many citizens, it opens a space for contestation as well as positive change. The remainder of this essay takes up four responses to territorial re-calibration in the cultural and social field: identity, populism, solidarity.

European Popular Identity—Re-identifying Ordinary Citizens

In the last decade, the question of a European identity and European citizenship has begun to dominate the discourse of European political and intellectual elites (see for example, Delanty 1995; Kastoryano 1998; Hedetoft 1999; Strath 2000; Schanpper 2002; Risse 2001; Borneman and Fowler 1997).

¹⁰ In a field densely populated by scholarly and journalistic studies, Moravcsik (1998), Ross (1995) and Milward (2000) present rigorous full-length studies that serve as introduction to the issues involved in integration.

¹¹ Bruneteau (2000) argues that European Union, or the idea of it, was a lynch pin of instrumental and contingent national political goals and not a normative vision of European solidarity.

The raw material for a European political community in the Weberian sense is flawed on two counts. First, Europe as a political space is territorially ambiguous.¹² Regulatory decrees are trans-European. Membership is nation-state based. Only individual member states, not the European community, may bestow citizenship. The ability to work across national borders—one of the attractions of the EU for the educated and upwardly mobile middle classes frequently bogs down in a mass of red tape that defies the rational language of the Schengen Accords (Romero 1990).¹³ Second, Europe as a cultural space lacks “affectivity”—that is emotional attachment (Weiler 1999, p. 329). Old European nation-states, as Weber argues, crafted a fiction of shared culture and history from a widely diffused community of popular memory. “Europe” has no common popular civic space or cultural past from which to forge an identity except for memories of war—and usually among member states (Mann 1998).

As Darnton (2002) reminds us, European identity *per se* is not new. A shared high culture among university educated—usually European men—who spoke and read in various national languages usually English German and French in addition to their own was the procrustean bed of the “old” European identity. Exclusive social and professional networks forged one part of the old European identity. Nineteenth century innovations such as mass schooling and conscription helped to foster bonds of national solidarity among workers and members of the lower middle classes (Hobsbawm 1983; Weber 1976). Post-Maastricht European identity claims to be popular and inclusive. In

¹² For concise technical discussions of the legal issues involved, see Wouters (2000) on national constitutions and Davis (2002) on citizenship law.

¹³ Suzanne Daley, “Despite European Unity Efforts, to Most Workers There’s No Country Like Home.” New York Times (New York) 12 May 2001, A6.

contrast to old European identity, new European identity is a product of political demand rather than social contingency.

The “unbundling” of nation-state sovereignty and the logistical problems that it brings to ordinary citizens is as likely to strengthen existing national identities, as it is to generate a feeling of common Europeanness (Wallace 1999; Berezin 1999; 2000a). Bureaucrats in Brussels who seek to turn Germans, French, and Italians into Europeans face the twin obstacles of a contradictory legal framework and thin cultural demand (Deflem and Pampel 1996).

Rejecting Re-identification: The Populist Response to Europe

The tangle of interpretation and administration that besets European Union in the fullest sense of the term—juridical, social and cultural suggests that a trans-national polity with a loyal and attached citizenry—a citizenry that identifies itself as European--is in the distant future. **It also points to an unpleasant underside of union.** Political aggregation upwards yields social disaggregation downwards and downward disaggregation has the potential to create political and cultural disruption and conflict.

Euro-protest is an evolving phenomenon. To date, the weight of protest against Europe has been in the parliamentary rather than the extra-parliamentary sphere. The *right wing populist moment* has been one “disruptive” response to the expanded process of European integration. In the past, discussions of national sovereignty and identity, always central to European unity, were restricted to the governing strata. The electoral success of formerly fringe parties such as Jean Marie Le Pen’s *National Front* in France, Jorg Haider’s *Freedom Party* in Austria and various fringe parties in Switzerland,

Belgium, Denmark and the Netherlands have catapulted European Union into the public sphere and made the national political community a subject of popular debate.

Jean Marie Le Pen's *National Front* provides the best illustration of these trans-European populist tendencies and serves as a yardstick against which to measure other parties. The *National Front* has been on the French political scene since 1972. Widely viewed as a fringe ultra-nationalist party, the *Front* began, between 1983 and 1986, to attract significant portions of the electorate. In the 1988 Presidential elections, Le Pen received a surprising 14.4% of the vote (Schain 1987). Scholars and pundits alike attributed Le Pen's success to his belligerent stand against immigration and his racist ravings in a country that some segments of the population perceived as overcome with immigrants. In response, French politicians concerned with the national commitment to republicanism and "Frenchness" began their own effort to restrict immigration and to reform the Nationality Code (Schain 1996; Weil 2001; Feldblum 1999).

The respectable center-right's cooptation of his positions did not deter Le Pen. His party won three mayoral elections in 1995. Success in the mayoral elections encouraged Le Pen to launch a full-scale mobilization for the regional elections of 1998 where again the Front won a surprising 15.3% of the vote. The Front attacked the European Union as a "utopian scheme of Eurocrats," in contrast to the National Front, "the Party of France."¹⁴ Just as the French state had absorbed the immigration issue, it also managed to absorb and diffuse the "Europe" issue. Alarmed by the Front's success in the 1998 regional elections, a center-right coalition headed by Charles Pasqua (who was also the author of the new Nationality Code) managed to lure its less fanatical supporters. The center-right had famously argued, "The Front poses good questions...it simply gives bad

¹⁴ Berezin (1999) describes these issues at greater length.

answers!” The emergence of a center-right alternative coupled with an internal split within the National Front leadership sent the party to a crushing defeat in the European elections of June 1999.

Le Pen and the *National Front*, while they did not disappear from the political landscape, appeared to have lost their political clout after the 1999 elections. In spring 2002, a structural oddity in the French electoral system, a two round ballot process in the Presidential elections, catapulted Le Pen to the forefront of French politics once again. Le Pen came in a surprise second to Jacques Chirac in the run off for the presidency of France. The lackluster campaigns that front-runners incumbent President Jacques Chirac and Socialist Prime Minister Lionel Jospin ran for the Presidency contributed to Le Pen's success. First, many small parties competed in the election splitting the left and center right vote; second, a bored and disaffected populace stayed away in droves. The election had the highest rate of abstention, 28%, in any post-1958 French election

The idea, as much as the reality, that Le Pen would be a serious contender for the Presidency of the French Republic sent shock waves throughout France, “*le choc*” as the French referred to it, and the international community. The spectre of Le Pen as President of France led to many political oddities. Socialists and leftists of all stripes ended up voting for the center right, even if some did it with clothespins on their noses. Chirac who had been the center of a corruption scandal and was popularly referred to as a “crook” was returned to office with a vote of 82%--the highest ever in modern French history. Spontaneous mobilization occurred in the streets of Paris and all over France. On May Day, over a million people took to the streets of Paris---the only demonstration that had been larger was the 2 million that emerged in the streets when Paris was

liberated from the Nazis in 1944. Chirac's campaign slogan was "yes to the Republic" contrast to Le Pen's more nationalist oriented depiction of himself the party of France. In the end, the Republic—assimilationist, democratic and French—not European—won.

The rise and fall and rise and fall of the *National Front* brought the issue of national identity and Europe to the front of the French political agenda. In Austria, Jorg Haider's *Freedom Party* brought the issue of national sovereignty to the forefront of European public debate. When Haider's party achieved enough votes to become part of a governing coalition, the European political community responded with alarm and moral outrage. In the past, Haider had made violent statements against immigrants and defended the Nazi persecution of the Jews. He justified his defense of the Holocaust by saying that members of his parent's generation were not to blame for Nazi atrocities. To ensure that his party would become part of the government and that new elections would not be called, he quickly "apologized" for past mistakes and immediately stepped down from his position as party head. Haider re-treated to his base in the border province of Carinthia.

Despite Haider's retreat, there were international calls for Austria to re-do the election. The European Parliament, which had no authority in this matter, placed sanctions on Austria as a member of the EU. Austrians perceived the EU sanctions as a violation of national sovereignty. A democratic national election had brought the *Freedom Party* into the government. On one level, the sanctions backfired: first, they increased the popularity of the Freedom Party among Austrians who resented "foreign" interference in their national election; and second, they raised the issue of an organization without a democratic mandate attempting to undercut the authority of a national-state.

Since the sanctions had no juridical force and were, in practice, rather pallid amounting to little more than snubs to Austrian diplomats and ministers at international forum, a cynical interpretation might be that the Parliament might have perceived the Austrian elections as an opportunity to show that even if they had a “democratic deficit”, they did not suffer from a moral deficit. By May of 2000, members were already speaking of lifting the sanctions.¹⁵

From Polity to Persons: Neo-liberalism and the “Unbundling” of Institutionalized European Social Solidarity

Very public events, such as the French and Austrian elections, are more often than not transient and deflect attention from more fundamental social changes. Territorial re-calibration brings with it conceptual re-calibration. The “unbundling of territoriality,” to return to Ruggie’s phrase,” also has the capacity to “unbundle” collective *mentalite*. Europe, in contrast to the United States, always had a more finely honed sense of the social. European nation-states were more or less solidaristic. Solidarity, in a Durkheimian sense, that is simply put a tacit acknowledgement that the whole functioned better if the parts were in harmony, informed national policy decisions.¹⁶ When membership or citizenship was attached to tightly bounded territorial nation-states, a vision of society based on solidarity and mutuality was possible to legislate.

¹⁵ I base this discussion upon a broad reading of the European and American press at the time. See particularly, Judt (2000); Roger Cohen, “Six Nations Seem Ready to Ease up On Austria,” *New York Times* (New York), 10 May 2000.

¹⁶ There is a large literature on the development of the European Welfare State—much of which attributes its development to various forms of popular struggle from workers’ movements to women’s movements. It is beyond the scope of this essay to examine that literature. My basic point is that there was for a large array of reasons a different, more community based vision of society in Europe than in the United States that contributed to the relative success of those movements in Europe and their relative failure in the United States. Although he does not take the *Charter* into account, Rosenvall’s ([1995] 2000) argument resonates with mine.

The European Union's new *Charter of Fundamental Rights* and the opposition to it is the first tangible sign of the "unbundling" of what had become an institutionalized form of social solidarity. Participants in a February 1999 meeting of the European Commission on Employment, Industrial Relations and Social Affairs decided to design a document that outlined fundamental rights in the European Union (European Commission 1999). Union expansion to the countries of the former Eastern Europe, demographic changes, globalization and even rising crime rates (The French National Front campaigned on the issue of "*securite*.") suggested that the time was propitious to come up with a set of common European principles. On the surface, affirmation of rights is laudable. From the perspective of politics, the action was puzzling. The 1996 revision of the *European Social Charter*, originally passed in 1961, had already accounted for changes in the structural positions of women and the influx of immigrants (Harris and Darcy 2001).

A sequential reading of the *European Social Charter* of 1961 and 1996 followed by the *Charter of Fundamental Rights* places in bold relief how much, and in how short a time, the political culture of Europe has changed. The 1961 *Charter* was written with the view that full employment was a goal, the International Labor Organization was a party to the *Charter* and it firmly supported the idea that the family was the basic unit of society. It was, socialist or not, a collectivist document. The 1996 Amendments kept the basic spirit of the 1961 *Charter* while bringing it up to date with contemporary issues such as gender discrimination, informed consent, the right to housing, and the rights of the disabled. Work and family, labor and community were at the core of the *Social Charter* in both its iterations.

Read against these two previous documents, the *Charter of Fundamental Rights* represents a striking departure from an earlier political culture. The sense of the social is absent from the new Charter and it is replaced with an affirmation of the individual. Rights, as I discussed in the earlier section on citizenship, are always attached to individuals, but in the past they also implied and conveyed entitlement. The new *Charter* is individualist because it replaces entitlement with a neo-liberal version of freedom that shifts responsibility from the **polity to the person**. A few examples from the *Charter* serve to illustrate this point (Charter of Fundamental Rights of the European Union 2000). The individual has the right to freely seek employment; society is not responsible for creating jobs (Article 15). Women have the right to be free of harassment and discrimination—once they have found their market niche (Articles 21, 23). The family as the basic unit of society has been replaced by the guarantee that the family has an absolute right to privacy (Article 7).

The European Council unveiled the *Charter of Fundamental Rights* at its bi-annual meeting in December 2000 at Nice, France. Although the Charter was signed unanimously, representatives of the member states were not united in their enthusiasm.

From the vantage point of 2004, it is easy to forget that solidarity in the old Europe was not only laborist. It was embedded in the collective mentality of long defunct aristocracies as well as in bourgeois networks of family capital and national firms. Global capital de-personalizes capital transactions. In the United States with its individualist ethic, the de-socialization of capital is hardly noticed—until its economic effects are felt. In Europe, de-socializing capital sends shock waves through the political and social system. From that perspective, the new *Charter* protects individuals against

the abuses that are constitutive of unbridled market forces. But as this strategy focuses upon the individual rather than the collective, it represents a distinct rupture with past practices in Europe and a challenge to—if not the complete end of European versions of social solidarity. It also means that individuals qua individuals must now situate themselves in markets of various sorts. In contrast to the past, where individuals as part of corporate groups, (i.e, business, agriculture, labor etc) dealt with market forces.

Conclusion: Re-Asserting the National and the Paradox Of Populism

The interpenetration of territory and capital made the nation-state and the modern era. Forms of de-territorialization and re-territorialization, from globalization to Europeanization, are making the post-modern era. Spatial re-calibration in Europe presents opportunities as well as challenges. Territory is durable but not eternally fixed. Opportunities will emerge that lie somewhere between populist pessimism and post-national optimism.

The territorially defined nation-state as it evolved in the 19th and 20th centuries consisted of a set of legal, political, economic, social and cultural institutions that provided its members a sense of, as well as *de facto*, security.¹⁷ The twin institutions of citizenship and nationality provide individuals a legal and cultural place in the world by enabling them to participate in the social and cultural as well as economic and political institutions of the nation state.

Proximity in space and habituation in time embeds the nation-state in the individual and collective consciousness of its members. Habits of being and belonging coupled with structural and emotional security comprise the experiential dimension of the nation-state. If we think of the nation-state in terms of experiential and legal security

¹⁷ Berezin (2002; forthcoming) elaborates the argument that follows.

then we can conceptualize it as an arena that adjudicates risk for its members. To the extent that it contains threat and minimizes risk for its members then it will be able to ensure a generalized type of democracy that brings democratic sentiments in line with democratic procedures.

The summary point is that when the European nation-state begins to mutate if not dissolve due to the push of European integration and the attendant processes of Europeanization, then the evolving political space reconfigures *both* the social and cultural relations as well as institutional relations upon which the old nation-state had been built.

If the legacies of past institutional arrangements led to defined experiences and established practices, then the next question to address is why changes in those arrangements do not provide an opportunity for a collective leap towards progressive democracy instead of the recidivist move that right wing populism seems to represent. Zolberg (2002) in his discussion of the United States' response to 9/11 argues that movement not immigration is the core of global society. (Although the immigrant is sometimes a convenient image upon which to project insecurity and fear.)

Zolberg's insight is useful to the analysis that this paper develops. Free movement across borders (i.e., refugees and immigrant groups who move out of necessity do not fit this category) requires capital—monetary, social and cultural—that travels. Only certain groups of persons, i.e, the educated, multi-lingual, technical or professional class can take full advantage of freedom of movement. The majority of ordinary Europeans have economic, social and cultural capital that is firmly tied to their nation-state of origin.

This point is not lost on the resilient National Front. Recently, Jean Marie Le Pen appointed his daughter to a position of prominence in the National Front in an attempt to moderate its image. In an interview given to the *New York Times*, Marine Le Pen picks up the salience of ordinary people when she says to the reporter, “My emergence is a signal that, ‘There are people like you in the National Front....70-year old men and traditional Catholics, and young female divorcees like me.’”¹⁸

To adapt Hirschman’s (1970) classic formulation to the case in point, when a groups’ exit capacity is low such as the unemployed youth, elderly and small businesspersons who find parties such as the National Front appealing, investment in place becomes more intense.¹⁹ Groups who lack the forms of capital to participate in new social, cultural, and economic markets re-assert the national. They over identify with place, in this case the nation-state, and look to organizations (such as right wing political parties) who promise to guard the gates against security threats—real and imagined.

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¹⁸ Elaine Sciolino, “The New Face of France’s Far Right.” *New York Times* April 27 2003, p. 16.

¹⁹ Mayer (1999) has produced the most recent analysis of the social composition of the National Front.

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