

On the Sarajevo Debate

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Between Walter Bröcker's essay *Europeology* of 1978 and that by Jürgen Habermas called *On the Constitution of Europe* (2001) lie thirty-three years during which the philosophical discourse on the continent's political and cultural identity has changed. For Habermas Europe is not simply defined by a common culture, but specifically by a common political culture: it is a »community of democratic legal procedure«. In my lecture I attempt to show that democratic legal procedure is the very cause of the current difficulties the European project finds itself in. The European Union is, so to speak, a victim of its own success. Because the French and the Dutch have voted according to democratic procedure against the European Constitution of 2005 it could not be installed, just as the demos of Great Britain decided to leave the Union. We see that a demos that always decides reasonably is just a useful fiction of political philosophy without any base in empirical politics. A correct democratic procedure neither guarantees that decisions will be morally right nor that they will lead to the maximal common good. In this the will of the demos isn't any different from the will of the individual. Walter Bröcker has warned: »What man really wants is something we cannot define generally nor is it something we may derive any postulates from.« It is the same with the demos: A people may want good things or bad things, may opt for projects realizable or unrealizable – or for those attractive in the short term but à la longue damaging to itself. The European project went forward through an executive federalism defined by a certain democratic deficit and it entered its crisis when the final decisions were outsourced from the parliaments to the »peoples of Europe«.