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Towards Differentiated Integration

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Abstract

The principle of European solidarity, which was originally conceived as one of the founding values of the European Union and as a motor for social cohesion, is currently redefined. European solidarity has become one of the most contested claims in public debates turning it into a mobilization force for intellectuals, political actors and citizens' movements. By providing an analytical framework for the analysis of such solidarity contestation in times of crises, we argue that a new politics of *differentiated solidarity* in the EU can be distinguished, which is different from the old politics of European identity. In line with and as a consequence of the intensified argument in favour of differentiated integration, differentiated solidarity entails a shift of emphasis from the promotion of European integration aiming to establish a reciprocal relationship among equals to the promotion of flexible arrangements among EU members, discretionary redistributive mechanisms and hegemony. More specifically, during the Eurocrisis years, the following three mutations in the concept of EU solidarity can be observed: a) the exceptionality of charity: solidarity as acts of benevolence towards thirds; b) the exclusivity of egalitarian solidarity: national solidarity communities becoming more exclusive; c) solidarity among non-equals: constant renegotiation of the costs and benefits of solidarity as a rescuing mechanism, which binds donating and receiving countries together in a situation of emergency.

Keywords

Introduction

The principle of European solidarity was originally conceived as one of the founding values of the European Union as a motor for social cohesion and the creation of social bonds among the Europeans. In the preamble which in 2004 was meant to precede the Treaty establishing a Constitution for Europe, claims for European solidarity were intertwined with claims for democracy and a strong identity of the Europeans as belonging to a community of equals. Such an inclusive notion of solidarity as a marker of the European demos was later abandoned, under the pressure of increasing contestation of solidarity and its linkage to European identity. The Treaty of the Functioning of the European Union established only a narrow notion of the European solidarity with reference to the obligation of the EU member states to act jointly in case of a terrorist attack or a natural or man-made disaster (Official Journal of the European Union 2012: Art 222). This so-called 'solidarity clause' is, in fact, to be understood as a kind of emergency mechanism. Mutual support in the 'spirit of solidarity' is meant as an altruistic relationship between donors and receivers and not as a relationship of reciprocity among equals. Therefore, this provision entrenches the distinction between the inclusive solidarity of the nation (reciprocity among a community of equals) and the open and flexible solidarity of Europe as a community of non-equals. Solidarity in Europe becomes a flexible arrangement that is open to constant renegotiation and contestation.

The direct implication of this arrangement lies with the fact that the Europeans cannot draw on an *a priori* settlement of the question to whom solidarity relationships apply and what these relationships entail in terms of moral duties and responsibilities. At the same time, the EU faces numerous challenges that make a dispute about the notion of solidarity and its application unavoidable. Solidarity is frequently evoked in times of crisis and drives the politicisation of the EU in terms of questions of redistribution, burden-sharing and justice. To understand such solidarity-driven contestation and its effects on integration/disintegration, we do not only need to enter a normative debate about what it means to be solidary in the EU, but we also need to develop, above all, the conceptual tools that help us to understand the politicised dynamics of EU solidarity contestation and its differentiating effects on integration. To this end, we relate differentiated integration to what De Wilde et al. (2016: 3) define as 'differentiated politicisation across times, countries and settings'.

We argue that politics of differentiated solidarity in the EU is driven by three interrelated factors. Firstly, restricted resources available for redistribution in times of economic crisis and austerity bring into question existing provisions for solidarity both across the EU countries, but also within national constituencies. Secondly, the new dynamics of differentiated integration have *de-facto* fragmented the European space of solidarity, leading to adverse effects and visible negative impact on social cohesion and deepening social and structural inequalities among and within member states. In the search of solutions to the EU's multiple crises, differentiation (as opposed to differentiated integration) is however also increasingly promoted as a new paradigm subverting the Community method of integration and shifting the locus from integration as centre-formation to member states prerogatives in constantly

(re)negotiating their relationships to the EU along territorial and sectoral lines. Thirdly, the entrenchment of a 'Europe of unequal living conditions' fuels politicisation of the EU *across* the countries. While politicisation could be beneficial for the democratisation of the EU as it carries the potential to raise awareness and to mobilise Europe's citizens (de Wilde et al. 2016; Statham and Trenz 2015), its differentiated manifestations across member states hinders democratic will formation. EU politicisation is in this sense not unifying, i.e. improving the conditions for public control, political equality and justification within the EU political system), but differentiating and creating unequal opportunities for democratisation between the member states (de Wilde and Lord 2015: 159).

In the remainder of the paper, we unpack our argument in three steps. At first, we outline three modes of establishing solidarity relationships that rely on different justificatory repertoires ranging from charity (pity), egalitarian (contextualised) justice and humanitarian (global) justice. Secondly, we reconstruct how these different notions are translated into the politics of European solidarity and taken up by different actors (EU actors, national governments and civil society).Thirdly, we discuss the salience of these politics of European solidarity in the current EU framework and its implications on differentiated integration.

Establishing solidarity relationships among strangers: from charity to global justice

Solidarity, in most of the general terms, connotes a posture of benevolence towards the vulnerability of others. It establishes a social relationship between a benefactor, someone who provides (or considers providing) a particular service of aid and the recipient of such service. We can distinguish cases where solidarity is 'unreflected' and informed mainly by feelings or emotions of pity and cases where solidarity is reflected with reference to particular norms and interests. It further makes a difference whether a solidarity relationship is established in-group (within the family or between friends) or out-group (between strangers). By looking at how these roles are differentiated over time, applied to specific cases and translated into policies and legal-institutional frameworks, we can trace changes in communicative practices through which appeals for solidarity are made salient and justified. Accordingly, we distinguish between: 1) Solidarity as charity; 2) Egalitarian solidarity within a community of equals; and 3) Humanitarian solidarity as global justice.

Solidarity as charity

In the most elementary situation, solidarity finds expression in the private act of providing assistance to people in need. A solidarity relationship is established on an inter-personal level to resolve an emergency situation. As such, it typically results from the casual encounter of a passer-by who confronts the suffering of an unknown person. Casualness and anonymity are often found in charity, which is meant as an exceptional help that does not need to result in an established social relationship. This form of solidarity as charity or benevolence is often criticised as non-political. Detached from

any political agenda it avoids raising underlying questions of justice and is often applied in an arbitrary way, i.e. depending on the good will of the benefactor and not institutionalised or legally guaranteed.[1] Solidarity as benevolence helps us however to identify a primary (or genuine) form that becomes important as a reference point for the differentiation of other derivative political notions of solidarity. Of significance is first of all that this genuine relationship of solidarity is built without considerations of groupness or identity of the people involved. The distinction between in-group and out-group solidarity does not apply. Witnessing other people's suffering requires some form of intervention irrespectively of the question of origin of the person in need. This situation is described in the parabola of the Good Samaritan: The casually passing-by Samaritan assists precisely because he is a stranger to the person in need (and not a member of the in-group, like the other two passers-by in the story who refused to provide assistance). Solidarity is thus distinct from identity and generalised as an absolute ethical obligation to overcome strangeness in a situation of emergency. As an act of grace, solidarity is also detached from considerations of reciprocity and justice. Solidarity remains a private act; it is like an impulse to relieve suffering and that applies only to a direct, often casual and unique interpersonal relationship that is informed by a morality of altruistic benevolence (Boltanski 1999). The altruistic behaviour of benevolence is typically nourished by the emotion of pity, which is only possible if some notion of 'fraternity' applies, not as a brother of kinship, but as a stranger-brother, who share basic human traits despite the misery of the one and the fortune of the other. This form of solidarity survives in the present world in the universal obligation to provide assistance as a witness of the misfortune of others. Rejecting this basic aid to strangers can be costly and result in punishment.

Egalitarian solidarity within a community of equals

In the second case, solidarity is confined to the identitarian space of a community of equals. This situation is derivative from the case of charity ('the good Samaritan') in the sense that a differentiation is introduced between a passer-by in need and a person in need who belongs to one's own community. Solidarity towards strangers is perceived as impulsive and exceptional, whereas solidarity towards members of the same community is seen as based on shared values and self-interest. This includes a concern with the roots of suffering of the other and a commitment to invest in its future well-being. Kymlicka outlines this difference as follows:

> If someone has a heart attack in front of us on the street, we have a humanitarian obligation to assist, whether they are tourists or citizens, but in the case of citizens, we also have an obligation to identify and address factors (such as economic insecurity) that make some people much more vulnerable to heart attacks than others.
>
> (Kymlicka 2015: 4)

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[1] See Boltanski (1999: 181-83) for the tradition of the (mainly Marxist) critique of what he calls a 'politics of pity'.

For Kymlicka, as for many defenders of the national welfare states, such as Claus Offe (2000), or Fritz Scharpf (2012) in Germany, social justice depends on bounded solidarity. It ultimately relies on an ethic of membership, i.e. on identity and its institutionalised form of citizenship. As member of the national community, you still have the humanitarian obligation to assist to a person in need, but you also have the additional option to engage with others in a debate about justice, for example to raise the question about underlying inequalities that have caused the person in need to end up in an emergency and about measures that could prevent future misfortune. Contextualising question of social justice within a community of exclusive solidarity further helps to establish a relationship of reciprocity between the donator and the receiver of welfare. Reciprocity includes a notion of paying back and is thus combined with certain moral obligations of the receiver of benefits. Usually, such pay-backs are displaced in space and time, which makes it possible to add a temporal dimension to solidarity, which is crucial for building a community of shared interests. The role model for this idea of solidarity through reciprocity is the family where each part has rights and duties. Children have the right to receive care but also the duty to pay back when they are elder. By introducing the moral duty to return services, solidarity is further linked particular sanctioning mechanisms, which are justified by assumptions of deservingness. Children must be deserving to receive benefits from their parents, but also parents must have a proven record as care givers to expect benefits in later life from their children. Solidarity relations within the nation follow this model of reciprocal solidarity within the family by posing expectations of return payments to future generations. This comes at the price of conflating solidarity with collective identity: the nation as a kinship relationship of reciprocity among equals.

Humanitarian solidarity as global justice

The choice of containing the political struggle for social justice is rejected by cosmopolitans, who follow a different trajectory of solidarity as revolution, which encompasses humanity and a vision of emancipation from any kind of domination that is perceived as unjust (Chouliaraki 2013: 11). The same morality of social justice and reciprocity among equals that became contextualised and confined to particular groups in the previous model is thus projected upon the inclusive and non-discriminatory solidarity of humanity (as defended, for instance, by Marxism). Here, the notion of solidarity returns to its original meaning as solidarity with strangers, but provides a generalised account of the moral implications of such an encounter with strangers. Solidarity implies not only assistance (like in the first model), but also conceives the possibility to build a reciprocal relationship to the stranger. The donator and the receiver are thus bound together by their engagement with questions of justice and the desire to overcome persisting inequalities between them. Solidarity among strangers is built, as noted by Hauke Brunkhorst (2005), on the universalistic extension of the notion of fraternity, which is not a kinship relationship within a closed group, but a principle that binds all humans together as equals. Such a notion of universal brotherhood has been made possible by the monotheist religions which conceive all humans as children of the same and unique God, thus turning them also into brothers and sisters, or, in other words, as equals before God. Fraternity as universal brotherhood is the basis on which we can feel solidary to strangers. The humanitarian

movements which in the contemporary world rely on this construct detach again solidarity from collective identity. By exposing the arbitrariness of any confined social justice arrangements, they base solidarity not on distinction but on the recognition of the commonalities of shared humanity (Glick Schiller 2016: 6).

Differentiated integration and European solidarity

The European Union has arguably embraced elements from all three notions of solidarity and has turned them into specific policies and legal arrangements. It has shown a willingness to go beyond solidarity as charity and has entered together with its citizens a post-national experiment, which in parallel to the freedoms of the Common Market introduced the principle of non-discrimination by nationality (Favell 2014). European citizenship builds on the formal equality of citizens to be treated as equals when deciding to live in another country and when relying, for instance, on the solidarity services of the welfare state. The EU has further entered the field of humanitarian politics promoting an agenda of global justice and cosmopolitan solidarity and advocating strong supranational institutions with the power of human rights enforcement (Sjursen 2007). Thus, the EU has occupied successfully the entire field of solidarity politics: in its capacity as a foreign policy actor, norm-setting actor, the EU promotes humanitarian solidarity; in its capacity as a domestic, law enforcing actor, the EU imposes egalitarian solidarity among EU citizens.

By embracing all three dimensions of solidarity, the EU inevitably has to face the so-called 'progressive dilemma' of solidarity (Kymlicka 2015): the need to enter a trade-off between the humanitarian solidarity towards the outsiders and the egalitarian solidarity towards the insiders. According to this idea, there are limits with regard to what a family can share with others without running risks of losses for its members. The efforts to create equal living conditions for all Europeans might result in rising inequalities at the national level. In other words, there would be a trade-off between an inclusive, social justice-based and redistributive solidarity in Europe with the equally inclusive and redistributive agenda of social solidarity among co-nationals. From the perspective of humanitarian solidarity towards outsiders, such a trade-off also works into the other direction: Western countries could be more solidary towards refugees and admit more migrants and refugees if they were less committed to offering those rights and benefits. The 'number versus rights dilemma' (Bauböck 2016: 2) also applies to EU migrants, e.g. when Denmark discusses cuts in study grants to be able to accommodate the higher number of foreign EU students. This has nourished the fear among the electorates that European solidarity transfers would come at the cost of eroding existing services at national level or down-grading services and standards for all.

For a long time it has been believed that such solidarity trade-offs between the EU and its member states would not be necessary. European solidarity was promoted as a win-win constellation for all. Given the macroeconomic conditions of growth, the common market would to some extent automatically create equal living conditions of an ever closer Union. Positive integration measures for rebalancing existing inequalities (for

example through structural funds) could be kept at a minimum or temporary. EU actors and institutions thus embraced a strong notion of egalitarian solidarity among EU citizens as equals. European solidarity was the secondary outcome of a much bigger project: the building of a European identity: the integration telos of a community of belonging that embraced citizenship, democracy and redistributive justice (Bottici and Challand 2013; Schulz-Forberg and Stråth 2010; Trenz 2016). The progressive reading of European solidarity was thus ultimately coupled to the project of European identity building. An inclusive and redistributive notion of European solidarity was conceived in the framework of inclusive citizenship as nationhood.

Differentiated integration in the EU can be measured in the degree that identity and solidarity become decoupled. The unitary notion of a European identity has been increasingly replaced by a repertoire of differentiated solidarity discourse: ambivalence ranging from charity to humanitarian assistance but increasingly blending in equality of rights. Such a repertoire of differentiated solidarity discourses has the advantage that it can be flexibly linked to various policies that are used to address inequalities within the Common Market and in the EU's external relations with third countries. The new solidarity agenda treats such inequalities increasingly as structural, i.e. as inbuilt in the relationships between the Europeans. Solidarity is then no longer the bond of a community of equals but a driver of differentiation among non-equals (e.g. those who have and can share and those who have not and claim for their share). In a Union based on differentiated integration, assumptions of equality and shared identity between the donators and receives of solidarity might ultimately be given up. In appealing to European solidarity, the differentiated parts are no longer driven by the strife for equality among the members and populations of Europe, but rather seek for ad-hoc solutions in emergency situations.

Such a shift from identity to solidarity is clearly visible in the Lisbon Treaty and its avoidance of the emphatic language of identity that was used in previous Treaty drafts (e.g. renouncing on the symbols of the European Union). Solidarity references in the Lisbon Treaty are no longer related to a notion of egalitarian justice but mainly rely on weak notions of solidarity as charity, both in the EU's external action and in its measures to conceive intra-European solidarity as an obligation to assist in response to disaster. Solidarity in the EU is thus conceived of as an altruistic and non-reciprocal relationship (see Official Journal of the European Union: art 222). With this, solidarity is no longer defined as an integration telos but as an exceptional measure.

The notion of European solidarity has thus been gradually decoupled from struggles of social justice, which remain the prerogative of national welfare states. Solidarity is primarily envisaged as case-specific salvation, and no longer as system related revolution. There is in other words one justice promoting form of solidarity that remains bound to the nation-state and one form of solidarity as humanitarian assistance that applies to external relations or relations between the member states. The European solidarity is no longer progressive, but merely auxiliary. Solidarity as a principle of differentiated integration is more malleable than the internally inclusive and externally exclusive solidarity within a community of equals. European and transnational solidarity can, for instance, be claimed for, based on a notion of unequal

reciprocity: the differentiated parts that seek a solidarity relationship are not necessarily considered as equals, on the contrary, power and hegemony is crucial in the way European and transnational solidarity relationships are established. Shifting from egalitarian solidarity to differentiated solidarity makes it possible to decouple the humanitarian from the social justice agenda. While egalitarian solidarity within an identitarian community requires sustainable solutions and legal codifications, solidarity to strangers can be stretched and linked to flexible solutions and policies that remain non-institutionalised, non-legally binding, unique and exceptional.

It is thus important to emphasise that solidarity relationships in the EU are established based on the perceived differences between the member states and populations of Europe, e.g. differences of income, of life chances, of welfare, of economic growth, but also cultural differences and differences of power that constitute the differentiated space of the EU and no longer the Europe of equal living conditions. These perceived differences are now to be considered as the primary reason for the need to act in solidarity. The solidarity agenda becomes necessary, because the others are perceived as different and not as equals to be embraced by an encompassing identity.

An outlook of what this shift from egalitarian solidarity within an identitarian space of equals to differentiated solidarity and humanitarian assistance among un-equals can mean has been presented in a joint statement issued by the four Visegrad countries on occasion of the Bratislava EU summit meeting of September 2016. This statement introduced the new principle of flexible solidarity to the EU s refugee relocation scheme. As the other member states seem to accept this new principle, it marks a clear turn from the idea of solidarity as mandatory and imposed by supranational authority. Flexible solidarity should enable member states to decide on specific forms of contribution taking into account their experience and potential. It further stressed that any refugee distribution mechanism should be voluntary. This would imply that 'solidarity' and 'responsibility sharing' need to be negotiated case by case and that member states would ultimately have veto power to decide about degrees of involvement in humanitarian assistance. Solidarity is thus reduced to an act of charity that entirely depends on the good will of the donor. The principle of sharing with others is no longer absolute but decisions need to be taken case by case and depend on current power and interest constellations (such as the availability of side payments).

With this notion of 'flexible solidarity', the EU has recognised the necessity to enter solidarity trade-offs. It has also renounced the possibility to provide a legal and institutional framework to settle such inevitable solidarity conflicts but rather agreed on the solution to negotiate such trade-offs at an ad-hoc basis and case-specific. It is thus recognised that the promotion of European solidarity would not be a win-win constellation for all, but rather that the costs of European solidarity transfers need to be calculated case-by-case and closely scrutinised.

From the progressive perspective of egalitarian justice, the new differentiated European solidarity agenda can be easily denounced as a de-politicised form of solidarity, as it blends off questions of social justice and redistribution and does not provide an institutional setting to settle such questions, neither internally, nor

externally. The EU measures of humanitarian assistance can be further accused to remain punctual and incomplete and to perpetuate suffering, instead of providing sustainable solutions. On the other hand, the requirement of case-by-case negotiation of transfer payments is likely to enhance conflicts between the governments of the member states and to lead to a politicisation of solidarity related issues both in domestic politics and across member states. Appeals to European solidarity become more easily politicised as trade-offs need to be searched between the option of confining solidarity as exclusive to nationals or expanding it to other Europeans or non-Europeans in need. European solidarity politics are in this sense different from a private version of charity, as solidarity action is heavily contested in terms of deservingness and questions of redistributive justice. In line with the argument of differentiated politicisation, such a differentiated politics of solidarity would empower some actors over others, enhance international polarisation and ultimately lead to the reinvigoration of exclusive notions of national solidarity that are further fragmenting the EU political space and damaging the democratic legitimacy of the EU. In the following, we are going to outline the contours of such a politics of differentiated solidarity by looking at different manifestations of charity, national closure and redistributive conflicts within the EU.

Solidarity under threat: the mutations of differentiated solidarity in Europe

To ground our approach of differentiated solidarity in Europe in empirical examples, we focus on the cases of the migration/refugee crisis and the Eurocrisis, both of which have been several years in the making. These crises have fostered social discontent, fuelled (and been fuelled by) deep socio-economic changes and have subsequently challenged traditional sources of identity, unleashing unprecedented cross-country solidarity mobilisation but also equally unprecedented (in the history of the EU) waves of xenophobia and nationalism (Brunkhorst 2011; Closa and Maatsch 2014; Delanty 2008; Trenz 2016). We particularly focus on the public expressions and justifications of solidarity, i.e. the ways solidarity is performed in and contested in public debates among the Europeans. Such an approach is different from measuring public attitudes on solidarity in the sense that it takes into consideration the performative force of solidarity and the way dispositions of solidarity are shaped by public discourse (Boltanski 1999). Appeals to European solidarity take a discursive form and actors who move within the European contentious space draw on a shared repertoire of such discursive forms to meaningfully engage with each other. Crucial to such an approach is the role of the media to stage the vulnerability of others as an object of our empathy as well as of critical reflection and deliberation (Chouliaraki 2013: 22). Although EU media have frequently opted to frame the coverage of the Eurocrisis or the refugee crisis in terms of solidarity, they have done so in a negative context, i.e. to show why solidarity is not necessary or required or merited (Michailidou 2017; Mylonas 2012; Tzogopoulos 2013). As Kontochristou and Mascha (2014: 57) put it, referring to the coverage of the Eurocrisis by German and French media, 'blackmail tends to but should not replace solidarity as a mentality.' Thus, the theatricality of solidarity communication in the media creates a distinct virtual space of morality that links

spectators of suffering to vulnerable others and thus divides the roles of potential donators and receivers of solidarity. The virtual media sphere creates the selective visibility for the subjects of solidarity (both the donors and the distant others), where they can be seen and heard, and also where we can consider the question of why we should act collectively in solidarity with strangers. The performance of solidarity through mediatized debates is currently changing the space for humanitarian politics in important ways. In the case of European solidarity contestation, we observe a mutation of solidarity discourse in the following dimensions:

The exceptionality of charity: Europe of fragmented spheres of privatised solidarity action

In facing humanitarian disasters, we observe how charity is currently being redefined by the members of Western publics, who pay highly selective attention to the needs of strangers. Solidarity relationships are increasingly built through our selective media gaze upon the suffering of others. Emotions of pity and compassion are often shared through social media and thus reach and mobilise individuals who do not necessarily wish to promote a political agenda, but nevertheless support humanitarian action in exceptional circumstances. According to Chouliaraki (2013), such a depoliticised solidarity (what she calls post-humanitarian solidarity) becomes the dominant form on social media, which facilitate self-expressive forms of communication, and block out the agenda of social justice. Solidarity is communicable through social media formats in a non-political from that builds on the shared compassion of the community of users with the victims which are made visible often through icons (such as the drowned Syrian boy, who was found on a beach in Turkey), but disregards controversial issues of responsibility and justice. This form of solidarity is often criticised as a private and individual morality of 'feel-good activism' that is part of consumerist behaviour. Such practices of post-humanitarian solidarity can be detected, for instance, in the social media morality displayed in collective user responses to the iconic images of refugee children (Mortensen and Trenz 2016).

This is not to say that such practices of selective and individualised solidarity remain without effect and do not bear political consequences. For instance, tt can be claimed that Angela Merkel's decision to open Germany's borders to the refugees entering from other Schengen countries was backed by emotionally intense campaigns, whose core aim was to evoke compassion for war victims. These campaigns were successful in mobilising many Germans not only to show their support online, but also in the streets by providing first aid to refugees. At the same time, these campaigns emphasized the exceptional character of solidarity towards refugees. Solidarity in this instance was made possible precisely because questions of justice (for example, fair distribution of refugees over the Schengen area) and political consequences of the decision (long term political support, integration hurdles, financial burden or rise of xenophobia) were momentarily disregarded. This returns to the original notion of solidarity as an absolute principle of assistance. Like the Good Samaritan, many Europeans who witnessed the suffering of civil war refugees acted on impulse to assist.

We would nevertheless content that this depoliticised solidarity of 'feel-good activism' remains marginal. In the context of a new politics of solidarity in Europe, it is important to understand how charity as exceptional solidarity is in itself highly politicised and open to constant contestation. For example, the exceptionality of charity towards strangers has led to a sharpening of identitarian struggles about the location of one's kin and ultimately led to the strengthening of the right-wing populist parties (Dahlgren 2016; Vollmer 2016) in Sweden and Germany, , the two countries where empathy and solidarity on arrival of the refugees in September 2015 still dominated the discursive landscape. Similarly, Stefan Auer (2014) has shown how the Eurocrisis and the ensuing measures taken to counter it have tested the spirit of 'transnational solidarity' in the previously pro-European states of Germany, Slovakia and Ireland. Auer explains that the measures taken by the EU institutions and national governments to address the effects of the Eurocrisis have been (falsely or at least inaccurately) justified as measures of solidarity towards fellow EU member-states. However, these measures have required such efforts or sacrifices from EU member states that:

> Their European projects [have been] put on a collision course with their political traditions, expectations and material interests. Slovaks can no longer be confident in strengthening their post-communist democracy through its engagement with Europe. The pressure to demonstrate more 'transnational solidarity' with nations far richer than themselves contributed to Slovakia being ruled by a populist, who simply proved more compliant with the EU demands rather than his pro-western and significantly more liberally minded predecessors. In Germany, people are concerned that they can no longer trust their currency, the euro, let alone see it as the bedrock of economic and political stability. Perhaps more than citizens in any other nation, Germans are also profoundly worried about having both their own as well as the EU *Rechtsstaat* eroded through euro rescue measures, which are yet to prove their effectiveness. In Ireland, people who had experienced European integration as hugely beneficial both economically and politically have been forced to question their commitments. Their primary aim after the collapse of the Celtic Tiger is not just to restore the solvency and the economic viability of their nation, but reclaim as much self-government as possible.
>
> (Auer 2014: 331)

At the European level, we find that unilateral decisions of charity taken in one country remain highly contested in other countries and bear consequences for the fragile solidarity construct of the whole continent and its relationship to the world. This shows the limits of differentiated integration through unilateral solidarity actions in the field of humanitarian policies which ultimately require collective solutions and not emotional national reactions. Uncoordinated charity politics are therefore coupled to power politics and ferment a non-reciprocal relationship between donating and receiving countries and a sharper delimitation of spaces of solidarity (Western Europe) versus spaces of vulnerability (the global South, but also increasingly Southern Europe). In the absence of institutionalised mechanisms of reciprocity, acts of solidarity among EU member-states become the subject of a bargaining process and enhance the inability (or difficulty, more accurately) of EU leaders to identify their

interest in helping other EU members (Fernandes and Rubio 2012: 20; Langford 2013). What the refugee crisis has shown is that a Europe of fragmented spheres of privatised solidarity action is not sustainable and can only account for short-term exceptional and privatised altruistic support actions that mobilise parts of the population while polarising the others.

The exclusivity of egalitarian solidarity: Europe as an exclusive space of solidarity

In the second case, we observe that as an effect of crisis and in parallel to the appeals to transnational solidarity, the egalitarian solidarity of the nation-state becomes more exclusive. The advocacy to nationalism by new populist political parties is primarily meant to preserve national welfare state regimes. This is done in a way that foreigners (including EU citizens) are increasingly excluded from social welfare services. National welfare chauvinists do also categorically disregard questions of fairness of redistribution between nations, often by negating history and obscuring the sources of national wealth. Exclusive solidarity among nationals is often also defended based on notions of superiority or they are based on acclaimed entitlements that have been earned by 'us and not by others'. This includes increasing references to the notion of deservingness in the distribution of wealth which stabilises existing regimes of inequality. Such notions of deservingness are especially evoked in dealing with the European South. Being undeserving is justified by references to alleged failures of the past or by reference to current governments which are seen as deviating from shared European values and therefore subject to official or unofficial sanctioning. In the North of Europe, such notions of deservingness come often close to the promotion of a new racialised superiority, with reference to forms of cultural racism, which sees the protestant, solidary and 'naturally democratic' communities of Northern welfare states as superior to the more individualised, self-interested and often corrupt societies in the South of Europe. Welfare chauvinism is often paired with nativism, which defines belonging along 'native' and 'non-native' lines with the primary goal to exclude immigrants from the national community of solidarity (Guia 2016). At the same time, one could argue that the manifestations of welfare chauvinism indicate a crisis of national solidarity, as it is often supported by increasingly dispossessed citizens, who are themselves exposed to high levels of insecurity, which makes them gather behind the national flag in the name of exclusive solidarity and xenophobia (Brunkhorst 2011). The crisis of European egalitarian solidarity is therefore also related to the demise of redistributive welfare programmes at national level. It shows that differentiated solidarity might be a direct result of enforced EU market integration and the failure of the market's promise to create equal living conditions for all in Europe.

The new power politics of European solidarity: towards reciprocity among non-equals?

Humanitarian solidarity, one could argue, works best in a depoliticised environment, when solidarity trade-offs and costs of redistribution are not thematised by the partners. This is often the case of EU external action and humanitarian assistance in third countries, where the EU has a (limited) mandate to build an image as a solidarity

actor whereby the mandate and (restricted) scope of solidarity action is seen as consensual by all the partners involved.

The situation is quite different in the politics of European solidarity that are meant to establish egalitarian relationships and to settle redistributive conflicts among the member states of the EU. The attempts to settle such conflicts about the reciprocity of solidarity relationships among the Europeans result in differentiated politicisation with a dominant focus on conflicting national demands and an empowerment of national political institutions (de Wilde and Lord 2015; de Wilde et al. 2016). Differentiated politicisation of the conditions for reciprocal solidarity in the EU, de-facto results in differentiated solidarity. In times of crisis, when increasingly exclusive solidarity communities enter a process of negotiating solidarity relationships between them, solidarity politics become intrinsically related to power politics. To make solidarity negotiable among unequal partners, the solidarity-identity linkage that is constitutive to the egalitarian solidarity within national-welfare states needs to be broken. Only under the assumption that there is no legal and moral obligation of equality that 'binds me to my partner', the costs and benefits of solidarity can be renegotiated.

Solidarity towards the European partner is then different from the altruistic solidarity of charity, i.e. it is not seen as an exceptional assistance but as a form of payment that is linked to particular expectations. In the politics of European solidarity, these expectations need to be made explicit. Reciprocity is established in the sense that each part in the European solidarity relationship has rights and duties, yet these rights and duties are not derived from formal legal and constitutional entitlements but from intergovernmental arrangements. These intergovernmental settlements of solidarity relationships differ and are open to constant re-negotiation, enhancing the role of individual government leaders, as for example in the case of the Greek so-called bail-out agreements (McDonnell 2014: 87-88).The net-contributing countries give but can also legitimately expect a return. As there is, however, power dis-equilibrium between the contributing and the receiving countries, the contributor can then also set conditions of return and set up rules of compliance. Solidarity politics thus become intrinsically related to questions of power and hegemony in a relationship among non-equals. This power disequilibrium is both the root of and the outcome of the legal ambiguity that surrounds solidarity in the EU Treaties (McDonnell 2014: 87-88). It is precisely this ambiguity that has allowed the concept of flexibility to be attached to that of solidarity, pointing directly to the differentiated solidarity solutions. In the case of the Eurocrisis and the Greek bail-outs, the ambiguous nature of differentiated solidarity creates a situation whereby the same grounds that allow for solidarity in the first place could also enable member states to withhold solidarity: 'if solidarity implies making necessary arrangements to allow even those States which are in severe difficulties to remain within the Eurogroup' then those opposing solidarity could fight it on the basis that 'flexibility, in its structural sense, whereby different groupings of Member States can make arrangements to cooperate, according to their wishes, and also their capabilities', could […] allow a forced "exit".' (McDonnell 2014: 87-88).

Solidarity provisions in relation to asylum and refugee services that member-states ought to offer are similarly vague, or at least open to interpretation and conditionality. McDonough and Tsourdi already in 2012 – well before the dramatic surge in numbers of mostly Syrian refugees arriving in Greece in 2015 – pointed to some of these ambiguities (even though the authors themselves do not classify these as ambiguous):

> In a December 2011 communication, the Commission linked solidarity and trust. It acknowledged an EU responsibility to assist Member States under pressure to ensure 'adequate reception of asylum seekers and refugees and access to protection', and that the Union has a duty not only to its Member State[s], but also to asylum applicants'. Council conclusions of March 2012 affirmed that 'the framework for genuine and practical solidarity is a flexible and open "tool box" compiled of both existing and possible new measures'.
>
> (McDonough and Tsourdi 2012: 76).

The key phrases in this excerpt are: 'linked solidarity and trust' – which makes solidarity in the case of the refugee crisis conditional upon other member-states identifying the member in need as trustworthy enough without providing any quantifiable/measurable criteria as to what would render a member-state trustworthy; and 'the framework for genuine and practical solidarity is a flexible and open "tool box"'. Here again the words 'genuine' and 'flexibility' remain open to interpretation, this time also from the point of view of the recipient of solidarity.

European politics thus end up implementing a scheme of differentiated solidarity. What is meant as a reciprocal relationship among equals becomes differentiated. The deservingness of the receivers of solidarity is not predefined by belonging to the inclusive community of co-nationals but needs to be constantly negotiated. Solidarity becomes again optional, not a moral duty but a political choice and, as such, needs to be claimed for, defended and justified. The positions are themselves negotiable: Some might think that Germany has an economic interest to be solidary with others as a way to stabilize markets, others claims that Germany has a moral obligation to European solidarity, because it has profited most in the past. Solidarity relationships which are not based on moral and legal bonds of reciprocity among equals, are in this sense not only more political, they also turn to a more archaic situation of solidarity that applies in a stratified social context (e.g. Bieler and Erner 2015). Claims for the establishment of reciprocity relationship of solidarity in the EU are, in fact, often an implicit recognition of the inequality of partners, as they operate through highly moralizing notions of deservingness often include assumptions about the conditionality of solidarity based on disciplining measures or punishment.

Conclusion

The crisis of European solidarity, as Gerard Delanty concluded already eight years ago, is defined not so much by questions of belonging (identity) but nurtured by anxieties over security, jobs and welfare (Delanty 2008). As the EU has no response to these anxieties and the demands and expectations of citizens are still mainly addressed to

national governments, the European crisis of solidarity is translated in differentiated patterns of politicisation. Differentiated solidarity is in this sense, on the one hand to be seen as the outcome of solidarity trade-offs between competing welfare regimes. On the other hand, it also results from the mutations of solidarity discourse and solidarity policies as implemented by the EU with a notable shift from the unitary approach of an inclusive and egalitarian solidarity principle, to more flexible approaches of humanitarian aid programmes (the old notion inter-national solidarity) and ad-hoc negotiations of schemes for redistribution among the European partners ('solidarity among non-equals').

One might ask why the solidarity mutations identified in this paper are necessarily problematic — solidarity, in any form, should be welcome particularly in times of crisis and in cases where the national/egalitarian framework is absent. This is in line with Rainer Bauböck (2016: 5) who argues that a rescaled solidarity in a multinational and multilevel unit might also be a normatively attractive solution: differentiated solidarity can more easily made fit the functional needs of the receivers of solidarity benefits, if cities, nations and the EU divide the different tasks and do what each unit can do best. Our paper has however argued that solidarity in the EU cannot simply be differentiated along the lines of collective identity. Solidarity is different from identity as a claim for a single unit where preferences and values converge. Unlike identity, solidarity is not relying on an ethic of shared membership but rather evoked towards strangers in situations of uncertainty about the border of community or political unit. A wider notion of European solidarity is needed, therefore, to embrace these ethics of humanitarianism as detached from community and identity. Only on this basis, the challenges to social justice, which contemporary Europe is facing, can be addressed properly.

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