Europe as a political society: Emile Durkheim, the federalist principle and the ideal of a cosmopolitan justice

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1 | INTRODUCTION: RECOVERING DURKHEIM’S LESSONS

One of the most important debates in contemporary social thought concerns the origin and meaning of the general concept of “society” as it was first introduced in the modern order of scientific knowledge by classical sociologists. It is an inescapable and pressing question for a reflexive understanding of the social sciences. The founding fathers of sociology could not have started comparing human societies and replacing their significant differences along the line of a ramified process, in order to explain and assess the break introduced in history by modernity, without first specifying what enabled the different kinds of human association and forms of collective order to be internal variations of one and the same social condition, seen as a universal anthropological feature. The present discussion thus tries to examine what allowed classical sociologists, when they started defining the project and program of their discipline, to distance themselves from the immediately given empirical reality in order to point out the existence, previously unnoticed, of that common reality to which they referred as the proper object of the new social science.

This legitimate question, both historical and theoretical, has, however, progressively taken the form of a widespread reproach addressed to classical sociology as such, finally leading to a general criticism aimed at dismantling its project from its very bases. Indeed, according to some of the most prominent figures of contemporary sociology—Ulrich Beck, Anthony Giddens, Alain Touraine, and many others—the founding fathers managed to trace the frontiers of the social only by wrongly taking for granted a specific form of associated life, both historically determined and normatively laden, implicitly considered as the parameter of an accomplished collective order: that of the modern nation-state. Denouncing in successive and ever more radical waves of critique, the intrinsic limits of this inherited methodological nationalism, these sociologists have thus been trying, in the last 30 years, to extricate themselves from this limitation as a preliminary step towards the elaboration of a new sociological paradigm—differently labeled and conceived as global, international, or cosmopolitan—better adapted to the challenges of the complex intertwined world characterizing our second, reflexive modernity.

If the contemporary self-interpretation of the history of sociology is true we should conclude that classic works are not only subject to seriously misleading socio-centric prejudices when dealing with premodern or non-European forms of life, 2 but also that they cannot help us to characterize political supranational entities like Europe. Indeed, Europe as an original collective order would have been, for classical sociologists, as unthinkable on its grounds just like
in fact any other human society outside and beyond the narrow conceptual and institutional framework of the modern nation-state. Only the actual crisis of the nation-state itself would have opened the path to the required renewal of social sciences, thus enabling historical sociology to understand and explain the past better, as well as to encourage the development of a different future for Europe. Facing such unprecedented transnational processes as economic globalization, political pluralization, and the circulation of people and culture (Albrow, 1996; Beck, 2000a; Urry, 2000), sociologists would now be finally able to think Europe as an emerging post-societal political order, conceived and organized to address and correct, on a properly institutional level, the problems raised by the new phenomena confronting each nation-state on its own (Beck & Grande 2006; Delanty & Rumford 2005).

Yet this attempt to defend Europe as a political unit, while renouncing the idea that it is a society, appears to be radically jeopardized nowadays by the crisis of its institutional translation, the EU. If this crisis has taken different forms, they all seem to lead to only one conclusion. From the dramatic debt crisis in Greece to the unexpected movement of Brexit, there are many signs of the growing distance of European citizens from the European project, as long as it is perceived to be an attack on the possibility of fair social policies. The refugees’ emergency and the inadequacy of shared political strategies in the EU are thus reinforcing patriotic parties that advocate a return to full national sovereignty as the only appropriate framework able to deal with these global issues (Balibar, 2016). The shortcomings of EU institutions are deeply linked to the features that characterize the traditional sovereignty of a modern nation-state: control of finance, welfare, and territory. These limits highlight an obvious, but nonetheless hard to confront, conflict between sovereignty—still representing the main form of legitimation of political collectivities—and the urgent issues that globalization imposes on our post-Westphalian order. The impossibility of grasping these difficulties seems to condemn Europeans political reactions to reproduce over and over again an idealized defense of existing institutions, basically failing to confront the systemic conditions that have provoked these crises.

The cosmopolitan enthusiasm of many contemporary sociologists, who have argued in recent years for a political EU that can work out a federalist constitution without thinking itself as a society, thus fuels the reactive patriotism of many European citizens and political parties, that criticize the very same European project in the name of a reaffirmation of the existing nation-state, conceived as the only proper social order of belonging. Without naively believing that such a deep political divide could be addressed just by providing a better theoretical strategy, we suggest that this political-ideological opposition cannot be overcome without facing once again the permanent tension between nationalism and cosmopolitanism that has concerned European thinkers since the 19th century. It is a precondition for any attempt to look for a way out in which Europe itself could appear as an alternative to a patriotic attachment to nation-state and yet represent a collective order to which it would not be absurd or shameful to see oneself as belonging.

This is where Emile Durkheim’s sociology finds an unexpected relevance, at least if one takes seriously its philosophical premises as well as its political consequences. Following new readings that have freed it from a misguided functionalist interpretation (Callegaro, 2015; Karsenti, 2006; Stedman Jones, 2001) and expanding the critique of its reductive methodological nationalism (Chernilo, 2007; Durkheim, 1915/2016; Fine, 2003; Inglis, 2014), we propose to go return to the lectures on *Professional Ethics and Civic Morals* (Durkheim, 1950/2003), in order to bring to light their underlying perspective on Europe and highlight their potential lessons for the present impasse of the EU (Callegaro & Marcucci, 2016). Through a historical-conceptual reading of these lectures we show how Durkheim managed, in the troubled times that preceded the First World War, to think of Europe as an emerging political society, which could and should be better organized according to a federalist principle going beyond the framework of state sovereignty, as it had to be guided by the ideal of cosmopolitan social justice overcoming the aggressive defense of national cultures. These are the animating ideas that are worth developing today, from a Durkheimian perspective, if we want to open a different future for both historical sociology and Europe.

### 2 | POLITICAL SOCIETY AND FEDERALISM

In the opening pages of the lectures devoted to the state in the *Professional Ethics*, Durkheim engages in a dialectical process leading him to question the fundamental concepts supporting the ideological representation of political...
modernity—those that still today prevent us from thinking of Europe as a distinguishable socio-political order. As we will see, the culmination of this critical work of redefining modern political categories naturally concerns the way in which we commonly think of the state. However, before fixing the sociologically acceptable meaning of the concept of the state, a preliminary step enabling him to determine its true social function in modernity, Durkheim first introduces the very general and somewhat enigmatic idea of “political society” (Durkheim, 1950/2003, p. 42). Lying at the very heart of his whole sociological enterprise, the critical introduction of this key concept allows us to understand what justified his move beyond immediate empirical experience, where only individuals and inter-individual interactions appear without, however, reducing this encompassing totality to the nation-state itself, but using it to think anew both the state and its social conditions of existence.

As Durkheim observes at the beginning of the fourth lecture, there can be a political society only where there is first a government and, consequently, a division of political labor between rulers and ruled. This inaugural position is far from being self-evident, if we remember how modern political philosophy, and more generally the political thinking implicitly contained in modern constitutions, sought to neutralize this original division, a source of tumultuous and recurrent conflicts, by justifying, in the name of a pacified public order, the unanimous contractual consent of all the individuals, reduced to the status of obeying subjects, to one and the same central representative power: the sovereign state. The reasons for introducing the apparently obsolete notion of government, in contrast with the still dominant conception of politics as state power, become clearer when the French sociologist specifies the main characteristic of a properly political government.

Indeed, in order to determine the distinctive criteria for political government, Durkheim first dismisses two hypotheses in which we can recognize two central beliefs of the modern political imaginary, linked to the ideological primacy of the sovereign state in the apprehension of the collective order: the territory and the population (Durkheim, 1950/2003, p. 43–44) (see also Foucault, 2009; Weber, 2004). A central power exercised over a large population within the limits of a definite territory, if not the definition of “sovereignty”, at least represents the visible projection of the state (Beaud, 1994; Kalmo & Skinner, 2010). Now, Durkheim refuses to use these two indicators as working criteria for identifying a political government within a recognizable political society. Such a definition seems to him both limited and arbitrary, too socio-centric to serve as a solid basis for sociological inquiries that have a comparative and universal ambition.

On the one hand, the reference to a defined territory is not sufficiently welcoming to include complex but nomadic, unified but dispersed, societies, being too closely dependent on an identification with the geographical limits of European nation-states that sociology aims to correct. Territory, in the sense fixed by modern positive law in defining nation-states, is a recent invention, as Durkheim reminds us (Durkheim, 1950/2003, p. 43). Modern European states thought of themselves, in and through public law, as internally linked to territories, yet this very self-understanding overshadowed what Durkheim considered as their originally social constitution as well as their truly political nature and function. On the other hand, the demarcation of political government within an identifiable political society by the mere presence of a large population is by definition indifferent to the significant variations of the units of reference, a French department containing many more people, as Durkheim notes, than a classical Greek city, without being a political society nor a fortiori a state (Durkheim, 1950/2003, p. 44).

Distancing himself from the core of modern political imaginary, ideologically constituted by a consistent part of modern political-juridical philosophy and encouraged by state institutions themselves, Durkheim then formulates his own sociological criteria. To grasp the roots of a political government, at a level that is general enough to include all forms of human association, one must refer to the empirically visible existence of a plurality, not of given individuals, as in the state of nature imagined by Hobbes, but of already constituted groups, such as families and professional groups, but also, as Durkheim pointed out elsewhere, religious denominations, political and literary school, and so on (Durkheim, 1895/1982, p. 52; 1950/2003, p. 44). Classical as it is, this close link between political government and a social plurality, which is to be found in all philosophical traditions ranging from Aristotle to Montesquieu, needs to be explained and justified, as we are here faced less with a backward way of thinking about the collective order than with a new sociological perspective implying at the end a reformulation of what political modernity really is and should be.
In fact, this connection between plurality and government is understandable only if we put groups in active relation with one another. The groups must indeed maintain constant relations, both cooperative and antagonistic, in order for political government to reveal and impose itself on them with its proper authority, irreducible to the kind of power already exercised between individuals. By entering into cooperative and antagonist relations, given groups come to open the horizon of the larger totality to which they may belong, if it finally emerges in and through common action. Conversely, according to Durkheim's main argument, when the interrelation between groups is only intermittent, due to the pronounced autonomy of each of them, as is the case with clans in certain tribal societies, then the authority of a properly political governmental power, if not entirely absent, tends to fade away as the overall political society itself (Durkheim, 1950/2003, p. 46).

We see here how the very idea of society, when grasped from the dynamic perspective of group relations, comes to acquire an intrinsic political dimension, due to the pivotal role played in it by government. Indeed, while the plurality of groups in relation requires, in their cooperative and antagonistic relations, the intervention of a properly political government for them to produce a common action, this very involvement of government as a mediating instance in turn reveals, when it is effective, the already given inscription of the plurality of groups within the totality of belonging irreducible to each of them. The action of government thus emerges as the underpinning element intellectually authorizing, for an external observer, the operation of totalization, since it shows the nature and content of the relations engaged in between the groups. In short, if there is politics, it is because given groups reciprocally recognize themselves, in and through action, as parts of a “total society”, to pick up Durkheim’s telling expression: it is the degree of autonomy they are ready to give themselves that decides whether or not they belong to a higher totality that is likely to display a common political action (Durkheim, 2003, p. 97, trans. modified).

Durkheim recognizes in other texts that groups and even already global societies can manifest a certain unity without yet constituting a higher political unity. This is the case, for instance, when a “community of civilization” replaces a “political bond” (Durkheim, 1905/1975). A common civilization participates in the constitution of a higher political society only if a government comes to express and consolidate the reciprocal involvement of the given groups, partial or total, in the context of their relations. Conversely, when the groups do not directly invest in relationships, and when each one refers only to a common cultural ideal without engaging in a specific mode of interaction, the political form remains unaccomplished, at least at the higher level. The civilizational identification between several particular societies thus produces a form of belonging that, unlike a constituted political society, does not produce a common action capable of actively working to reorganize the relations between them.

Thus, the logic of history conceived by Durkheim is that of a transformative dynamic, prompted by the division of labor and characterized by the slow aggregation of societies, whose thresholds are marked by the qualitative changes in the nature and function of government. In his sociology, a central place is therefore attributed to those “transitional moments” in which political societies, after having been constituted, find themselves engaged in a process of metamorphosis that makes their condition fundamentally “ambiguous” (Durkheim, 1950/2003, p. 47, trans. modified). In these situations of transition, critical in that they oscillate between a dying past and an emerging future, political societies are at the same time total by their origin and potentially partial in terms of their destination due to a progressive aggregation that can make them converge towards higher political units. Developing Durkheim’s distinction, we may say that they therefore hesitate between the mere sharing of a common civilizational horizon and the constitution of a new and more complex organized political society. Here, the gradual aggregation of total societies, represents, according to Durkheim, an observable fact that must be taken into account if one wishes to follow the transformations of both politics and the state.

Now, Durkheim clarifies the meaning and scope of his opening, pathbreaking thesis on total and political society by taking the telling example of “federative States” (Durkheim, 1950/2003, p. 47, trans. modified). The federation is thus placed, as a particular form, within the general framework of an aggregative phenomenon that concerns all human societies, inasmuch as none of them escapes the division of labor, although each one participates in it in its own way. Yet, if any complex political society can be considered as a federated reality, as long as it always supposes the association between partial totalities within a larger whole, the federation has a specific nature that sets it apart. As a particular form, a federation depends on a prior pact, introducing a political break in the course of history. The foedus is here
supposed to generate what the slow aggregation of societies has not been sufficient to produce. The federation thus marks the passage of an aggregation of political societies by the adherence to a single civilization to a properly political aggregation in a society of higher order. It is here that we begin to measure the consequences of the transition to a sociological analysis in terms of the government of social plurality and not of the sovereignty of the state over a large population of individuals. Indeed, if Durkheim does not distinguish, as Kant and many others did, between the federal state and the confederation of states, the federative dynamics opened up by his idea of political society grounded on government allow us to get out of the impasse into where those who reason in the philosophical-juridical terms of state and sovereignty are locked.6

The theoretical and political difficulties of the federal principle for most modern political thinking have been repeatedly emphasized (Beaud, 2007; Duso & Scalone, 2010). Sovereignty consists, since Hobbes, in a power of command that is not only absolute, but also exclusive, since it is possessed by a state that has no common measure. To be established in its own right, the sovereign power does not need to be compared with other powers, nor can it subsist if it is distributed to others. In this sense, the state, as defined by early modern philosophers and jurists as sovereign, carries a power that has no hierarchical degree: it is not more or less sovereign, it is either sovereign or not. The indivisible character of the sovereign power as such, admitted even by early liberal thinkers, is therefore only the logical consequence of its superlative nature.5 In this context, the very idea of a state made up of states represents a contradiction in terms, which results in inevitable institutional instability, in the cases in which the principle of federation has been partially applied. The ideology of the state’s sovereignty therefore has a direct impact on the politics of the association between states. Failing to recognize internal plurality due to a reduction of constituted groups to the mere multitude of individuals subject to legitimate power, one cannot recognize external plurality: the contract as an authorizing device produces a command center that cannot be divided inside nor shared outside.

The recalling of these well-known principles and facts is indispensable to understand to what extent Durkheim, by reasoning in terms of the political society, and not the of state, government, or sovereignty, helps us to break the deadlock that has surrounded the federalist principle since the dawn of modernity, with some main exceptions, such as Montesquieu, who he follows in his refounding of modern political thought. Since the government conceived by the French sociologist has conceptual properties opposed to those of the juridical-philosophical sovereignty, it makes possible for us to think of the plural unity not only of a political society but also of the federation of political societies. The federation can now be conceived as a government of governments within a society of societies. While government cannot be in any way absolute, being always relative to the demands and aspirations of the groups it coordinates, it is not exclusive either, since it can and must be distributed according to the different hierarchical levels of relationships that it orders. Far from belonging to a state defined once and for all by law, government is only an active part of the very collective reality of relations from which it is made, these relations being either internal to a political society or external, thus connecting political societies themselves within a federation.

In short, government is a comparative concept that presupposes that it always refers not only to the different groups that take part in it within a given political society, but also to the larger political society, referring in this case to a higher order government. Seen through the lens of government, the same society can thus appear, as Durkheim points out, total in some respects and only a partial in others. This is what happens, in particular in federative states. The making of a federation, once understood using the concept of government, can then be seen as the overall composition of the total parts with a distribution of the degrees of autonomy that each one enjoys in the political process, in its relation to others. In this context, as Durkheim points out, the hierarchical subordination of the federated units to the “central power of the confederation” (Durkheim, 1950/2003, p. 47, trans. modified) does not exclude the participation of all in political government, since it requires their involvement into the formation of joint decision-making, at least as long as the power in question is indeed a form of government provided with a social authority springing from the underlying plurality. What is of relevance in this case is not so much the distribution of tasks but taking into account the unescapably singular perspective of each partial and total political society in understanding and solving the problem that each faces in common with others, as long as they effectively understand each other as total yet partial perspectives. Thus, the federation gives place to a cooperation of all levels to the resolution of a shared problem, investing each political society from the inside, insofar as each has to express collective demands and
aspirations that are likely to be transmitted to a higher level to join in a common decision on an equivalence level of translation.

This is the federalist perspective that Durkheim suggests at the end of his lectures on *Professional Ethics* devoted to the state, as a possible solution to the "grave moral conflicts" that troubled Europe in his day. He was especially concerned with the deep antagonism whose threatening consequences would be revealed only a few years later and which are still in the background of contemporary political discussions in Europe: the apparently insurmountable divide between patriotism and cosmopolitanism, understood as choice between the old attachment to one's own society, expressed in a "cult of the state" implying an aggressive, militarist orientation towards others, and the new universalist aspiration towards humanity, reduced to a "cult of the individual," making us believe in the pacific virtues of commerce with one another. Reformulating his principle objection to the perspective of a universal society of all human beings, without yet yielding to the requirement from which it springs—unlike those who, following Rousseau, opposed the concrete republic to the Christian cosmopolitan utopia—Durkheim looked for a solution in the direction of an emerging and fragile patriotic cosmopolitanism, characterized by a specific kind of cooperative and antagonistic relations, likely to shift "social self-love" from the love of oneself to the love of justice (Durkheim, 1950/2003, p. 75).

Thus, the sociological critique of the still imaginary expectation of a future characterized by "humanity itself organized in society" is but a moment of Durkheim's positive reflection on the more proximate possibility of a confederation of European states. What he declares to be vain is, therefore, the very fact of extending to Europe the federalist principle which he tried to show lies at heart of the historical dynamic of social self-transformation (Durkheim, 1950/2003, p. 74). As he argues in 1907, since history presents to us a process in which small political societies tend to merge into bigger ones, there was no reason to consider that what Durkheim referred to as "our actual homelands," namely given nations (Durkheim, 1908/1973, p. 101) was unobtainable. It is rather the utopian expectation that Durkheim criticized that Europe would be seen as a halfway point on a path inevitably leading to a humanity that was finally emancipated from its particular social stigmata, because it was reunited in one universal society (Karsenti, 2014). He answered this expectation by pointing out that if Europe, as a "larger confederation," were to be realized, it would not be humanity, but a new political society, a "particular State" (Durkheim, 1950/2003, p. 74, transl. mod).

The ever more threatening perspective of war only strengthened Durkheim's conviction on this matter, to the point of making him contemplate the possibility a political break likely to accelerate the organization of Europe: peace could cease to be a mere "moral aspiration" and become a firm "juridical reality" only if the new, larger and encompassing political society was enough "solidly organized" to have a state (Durkheim, 1908/1973, p. 102). It is clear that Durkheim could encourage the application of the federalist principle to a Europe seen as political society at that crucial historical moment that preceded the First World War, only because he was reasoning from a sociological perspective that aimed at changing the ordinary way of conceiving the state itself. Thinking of Europe as a supranational political order requires, yesterday as today, redefining the nature and role of the state in modern times, since sovereignty makes the very idea of a confederation contradictory. It is the limiting of the authority of states that has to be explained in order to understand the internal conditions that make Europe thinkable as a new political society that must realize cosmopolitan justice.

3 | STATE AND COSMOPOLITISM

By introducing the idea of total and complex societies as inherently political orders, Durkheim was led to make a profound transformation of our ordinary understanding of the state, derived from its philosophical-juridical conception that was developed in early modernity. Indeed, from his sociological perspective, the mere obligation of any individual to submit to the empire of the law accepted by all does not define by itself a political society. It is rather the dynamic union of the secondary groups in which each subject is inscribed that constitutes it, as long as they refer to one and the same authority, effectively operating well before the state enters the scene. Obligation shifts here from being considered the vertical relation of the submission of the individual to the sovereign state towards the horizontal regulation of relations between groups within the shared political society. Thus, it is not in the tension between the individual
rights and the absolutism of the sovereign power, but in the reciprocity of duties between groups within the network of norms engaged in their cooperative and antagonistic relations, that the idea of obligation is reformulated in a political sense. The advantage of the theoretical displacement introduced by the notion of political society then consists in not reducing the state to the monopoly of power—seen as the transfer and concentration of the original power of conflicting individuals—and in opening our understanding out to the social sources of its authority.

According to Durkheim’s perspective, the state appears as this “governmental organ” composed of officers who are responsible for representing the authority of political society. The state should not be confused with other secondary organs, as it is commonly done even today, such as the army or the executive. The definition of the state requires tasks of the governmental organ to be specified (Durkheim, 1950/2003, p. 48). Acting as a representative, the state’s officers exercise an intellectual function directly linked to the fabric of the normative representations constituting a political society in its unified diversity. If all societies produce representations, the state is, according to Durkheim, the reflexive organ in which specific forms of representation are developed, characterized by a higher degree of clarity and distinction than those that circulate in the whole society within practices and exchanges, individuals and groups. Now, since social facts are to be considered, in Durkheim’s view, as the normative constraints capable of both controlling and expressing the desires of the subjects, the state’s specific task as a governmental organ appears to be oriented toward their explicit articulation. More specifically, the state’s government has to work out more clearly those ideals that, as objects of desire, sustain and justify the moral norms that the law has to codify. Working below the law, within that general morality which constitutes internally ordinary social relations, it moves also beyond it, as long as it struggles to make a common ideal explicit.

The political representatives—and Durkheim is here implicitly introducing a highly original conception of “representation” that is worth developing—thus have a professional duty: they have to “think and act in place of society” (Durkheim, 1950/2003, p. 48, trans. modified). The state is thus responsible, through its officers, for the mental life of the political society as a whole, by producing representations that act on its partial groups, allowing them to have a reflexive and deliberate hold on their shared representations as well as on their common history. Durkheim emphasizes that the mental life of a political society—by which we mean the normative representations engaged in the interaction of individuals and groups—does not correspond to that of the state, since political society is much larger and more encompassing than this special professional group. Far from identifying the state with political society, Durkheim assigns to the former the function of making partially conscious, in and through deliberative institutions, the diffuse and unconscious normative representations that constitute its very fabric. It is to this reflexive dynamic that the famous definition of the state as an “organ of social thought” refers (Durkheim, 1950/2003, p. 51; Müller, 2013).

Having asserted that the state government produces, through its officers, a new kind of collective thought capable of acting in return on political society by making its diffuse representations more explicit, Durkheim then seeks to understand what is the proper object of the government when it comes to the modern state. It is here that we start measuring the consequences of the sociological distance he has travelled from modern ideology by taking the perspective of a plural and antagonistic political society. The function of the modern state contemplated by Durkheim is distinctly different from that attributed to it by theorists of natural law, as well as the founders of classical political economy, who both contributed to fix its first conceptual bases and institutional profile. According to Durkheim, both forms of knowledge have placed individuals at the basis of the collective order, whether conceived as an artificial construction or the spontaneous outcome of converging interests. Clearly, sociology, at the moment of its foundation, could not but retrospectively consider this intellectual justification of the nature and function of the modern state as an inherently ideological move, since it was incompatible with the very principle lying at the heart of its own conception of reality. Thus, by engaging with the concept of political society, Durkheim already prepared the decisive step: to critique the ideological understanding of the modern state.

While the tradition of natural law made the individual a moral person, economists saw her as a self-interested subject. In both cases, the role of the modern state vis-à-vis the individual was reduced, according to Durkheim, solely to the administration of a “wholly negative justice” (Durkheim, 1950/2003, p. 52). Not having to institute the freedom of individual subjects, since it was already given in their intrinsic human nature, the modern state would have as its proper object and function only the prevention of each one from invading the personal sphere of action of the
other, as it is implied in the classical negative definition of freedom put forward by Hobbes. In Hobbes’s framework, its intellectual action should be confined to the elaboration of civil and criminal law, ensuring the peaceful coexistence of individual negative freedoms. By reducing the role of the state to the pure exercise of a more or less extended power, this perspective separates modern morality from any relation to the historical social order, the human individual being thought as the natural bearer of universal rights, starting with the property that Durkheim critically discusses in the final part of his lectures. In this perspective, the emphasis originally placed on the all-powerful state and its subsequent liberal critique appears as two sides of the same coin, since the abstract universalism of rights, considered as the cornerstone of liberalism, encouraged the adoption of a mercantilist cosmopolitan point of view that Durkheim does not hesitate to consider, in its ideological formulation, as a narrow “egoistic individualism” (Durkheim, 1950/2003, p. 74, trans. modified).  

Undoubtedly, philosophers like Hegel had reacted against the reduction of the collective and the state to the simple guarantee of individual rights and tried to restore the moral superiority of political society over the individuals, seen more as concrete citizens than as abstract human beings. Yet according to Durkheim, Hegel questioned the autonomy of the subjects expressed in the sphere of civil society and its commercial relations, only to subordinate it to an overarching political society reduced to the state itself, in the framework of a “mystical solution” restoring morality in and through a commitment to war, where the devotion of each to the “glory of the society” could be demonstrated (Durkheim, 1950/2003, p. 54). It is not difficult to recognize the requirement of sacrificing one’s life in the name of the state is the basis of the modern reactivation of the old patriotic ethos, which characterized the republican conception of positive freedom and runs through the constituting process of modern ideology. Expressing the political commitment inherent to his sociological perspective, Durkheim thus stresses the risk of regression contained in this return of militaristic passions, everywhere sensitive at that time in Europe.

If pre-modern states oriented towards external expansion, being characterized by their reciprocal aggressiveness in a condition of permanent war, properly modern states differed, according to Durkheim, in their ability to concentrate, within their authority, a moral force capable of transforming political society in the name of modern ideals. For this reason, the modern state should not be considered, from a sociological perspective, as merely a force capable of limiting the freedom of each individual, as it was in the original framework of modern natural law, but rather as an authority capable of liberating the individual from the oppression of the family and other secondary groups, at the point of even constituting her supposedly given negative freedom. The state does not oppose the individual, if by that we mean the modern normative conception of a person as a free subject, since, on the contrary, it liberates the already given social individual by constituting the normative conditions of her becoming a more autonomous person. The “activity of the state”, according Durkheim, aims at “freeing the individual” and modern government tends to ensure our “most complete individuation” (Durkheim, 1950/2003, p. 57 and p. 69, trans. modified).

It is at this level that the aspirations of a modern political society are related to a much more ambitious conception of justice than the one that is guaranteed exclusively by subjective rights. In liberal thought justice has been reduced to the abstract idealism of human rights. By making the human individual not a logical presupposition but a socio-historical product, that required for its explicit articulation the intervention of the modern state—as it is showed at least in the trajectories of France and England—Durkheim makes individual rights the true vector of constantly changing social aspirations. In principle, the field open to the “moral activity” of the state thus appears to him as “infinite”, its “task” as “unlimited” (Durkheim, 1950/2003, p. 68, trans. modified). Once the socio-historical conditions enabling us to think to the individual as a human person are taken into account, the task of modern government cannot be limited to achieving a definite ideal, supposedly given in a set of natural rights. Instead, this task should be to express and consolidate the ever-changing feelings of justice that permeate our societies, at least as long as they still go through their conflictual process of self-transformation.

There is no fixed limit to our imagination insofar as we strive to create new rights derived from our evolving conception of the person and its freedom. Thus, if the internal and structural opposition between “man” and “citizen” cannot be overcome through the creation of a society of human beings—as was the utopian aspiration of some socialists—human individuality, as long as it is reflected by the state, expressing more clearly emerging conceptions immanent in social exchange and antagonism, can indeed become a new form of citizenship, and the way in which modern societies come.
to express our common humanity, provided that this humanity is not hypostatized in an abstract ideal but is grasped in its multiple and living expression within each modern political society. Here lies the critical role of sociology itself, constantly bringing the state back to its roots in the historical development of the political society and its plural, divergent groups. In his time, Durkheim believed in the centrality of the conflict in the division of labor that was leading to a more positive conception of freedom and was likely to transform contractual relations and bring to light new social rights guaranteeing a “just contract” by obliging “the employer to ensure the worker against sickness, old age and accident” (Durkheim, 1950/2003, p. 211–212, trans. modified).

By its social conception of the individual as a person, sociology thus makes it possible to re-articulate universalism and politics, offering an alternative solution to the dilemmas that entangle our relationship with the collective. Indeed, the modern collective order, as Durkheim emphasizes, was already taking a disastrous alternative—in which we recognize the tragic destiny of Europe in the 20th century as our contemporary dilemma. The inability to see the internal transformation of the state (Durkheim, 1898/1973), led modern European societies and even socialists themselves to consider individualism as the origin of a pathological decomposition of the collective, which had to be corrected at its source by the regenerating experience of war. In the light of this misleading perspective, modernity seemed to require a collective and spiritual aura capable of forestalling the risk of decomposition. According to Durkheim, nationalist and militarist patriotism was trying to respond to this widespread and yet imaginary need. Because of its inability to acknowledge individualism as the very form of the modern collective rather than its denial, nationalist patriotism was producing a regressive effect that aimed at satisfying the otherwise legitimate demand for the attachment of individuals to societies by a return to that cult of the state which, according to Durkheim, characterized premodern states in fact. While this position has often been attributed to him, it is clear that he rejected it, as he saw it as a mystical way out, leading to a dead end.

A subjective relationship with the nation engendered an aggressive attitude in contrast with the universal aspiration that modern societies bring within themselves. As evident at the time of Durkheim as it is today, nationalism originates in the crisis of the universal vocation of modern societies, dangerously exposing them to an exclusive relation to their identities inwardly and to war between them outwardly. From such a perspective, cosmopolitanism is not in itself capable of being translated into a viable political form. By the end of the 19th century and before the Great War, the tensions between European societies undermined liberal confidence in a natural and peaceful convergence of states using the capacity of trade to soften international relations by transforming the political form of the ideologically constituted sovereign state. Europe today, as an area of free trade deprived of all consistent political forms, dramatically testifies to this impasse, even more so than in the time of Durkheim. In this sense, if cosmopolitanism undoubtedly expresses a deep modern aspiration, it becomes unreal if it is thought as pointing to a humanity organized in society, to pick up Durkheim’s formulation again. Therefore, to break through the predicament of Europe that, following Saint Simon, Durkheim believed that the constitution in the next future of the “confederation of European States” mentioned above, was the only realistic alternative to the utopian dreams of a universal association of all.

We can now understand the theoretical and political condition of such a perspective, as long as it looks for a solution in the direction of a “cosmopolitan patriotism” departing from both militaristic nationalism and individualistic cosmopolitanism. According to Durkheim, if modern political societies had to change the object of their love in the direction of a more positive social justice, states had to refrain from seeing the growth of their power as their essential task and instead use their socially constituted authority to translate emerging aspirations towards justice by transforming them in the lever of a political project. Yet, and this is an essential point to emphasize, this overcoming of the modern antinomy between patriotism and cosmopolitanism would not be understandable without a prior critique, both theoretical and practical, of all those conceptions of the state that were and are based on its sovereignty. For Durkheim, believing in the absolute will of a central power—as was still the case for the predominant conception of representative democracy—was not a mere “logical mistake” likely to be corrected by mere sociological “preaching”. Comparing it with an inherent inability to see colors, Durkheim noted that this “false representation” of the State and of its role in its relation to individuals is rooted in the “organic constitution” of modern societies, by which we must understand the material organization of the relations between groups and with the state (Durkheim, 1950/2003, p. 94–95, trans.
modified). It is, therefore, this constitution that should have been and still should be modified, in order for a patriotic cosmopolitanism to be fully translated into social reality.

If the characteristic of the modern state is still conceived as the force unifying a collective, otherwise dispersed in a multitude of individuals, by the monopoly of the violence of all in the absolute power of the sovereign, there is no possibility of achieving the wished for convergence between the two cities, so to speak, that of citizens and that of men. This is why, as a preliminary step supposing an underlying transformation of modern societies themselves, Durkheim insisted in not conceiving of the state's prerogative as its monopoly of violence, but of it as a specific production of new collective representations of humans as people, specifying in its reflexive function what a modern citizen had to accomplish in order to fulfill this specifically modern ideal. It is because of this reflexive and moral nature of the state that cosmopolitan patriotism appears less as a merely dialectical solution to a purely intellectual antinomy than as a consistent political vision of modern politics, grounded in the critical transformation of the state itself and encouraged by a sociology that highlights what serious conflicts correspond to intellectual disputes. The aim of this form of knowledge was to allow European citizens to think of their belonging to a modern political society as a way to belong to a common yet kaleidoscopically differentiated humanity—provided that deep institutional transformations accompanied the revised sociological vision of both the nature and task of the State.

Durkheim’s commitments can be formulated as the abandonment of the idea of sovereignty, replacing it with that of government; the reworking of our most deeply rooted certainties about the state, through the notion of political society; the intellectual task of the state as distinguished from its executive and administrative function; the historical role of the modern state as an agent of individualization; and finally, the ambitious project of internal and cooperative government between modern societies, rather than external and aggressive expansion, distinguished from both militaristic nationalism and mercantilist cosmopolitanism. We believe that our chance to conceive those universal aspirations that can contribute to a better understanding of Europe today still lies in Durkheim's commitments. In past Durkheim’s sociological commitments still lie, we believe, our chance to conceive politically those universal aspirations that can contribute to understanding Europe better today. At present our societies are far from being able to express this potentiality. If sociology wants to fulfill its critical task, it cannot ignore this aspect, so relevant for the current political backwardness of Europe, nowadays self-evident. This implies describing the tensions and conflicts that prevent or support the transition from a civilizational identification to a strictly political totalization. While the experience of war has sharply demonstrated the gap between the existence of a common civilization and the birth of a new political society, the hope that Europe may realize federalist principles presupposes the capacity of reviving the cosmopolitan ideal of justice.

4 | CONCLUSION: THE SOCIAL FUTURE OF EUROPE WE HAVE LEFT BEHIND

In order to overcome the gap between civilization and political society, institutional means must be developed that may allow the emergence of aspirations to justice that inhere in European societies. By extending to Europe the model of a communicational circuit between government and groups that Durkheim first applied to the national framework, we can think of a deepening of democracy that allows each political society to participate in the formulation of a European social welfare. In this context, the political action of each member would demonstrate and bring about the emergence of common measures, capable of enhancing the fact of shared action and leading to a production of rules of such egalitarian sharing. Among the many elements that are often invoked to support the constitution of a political Europe, the Durkheimian path is distinguished in that it emphasizes neither money nor the market, nor the army and security, but the displacement of democracy at the level of a future federal state's government that only the effective requirement of social justice makes it possible to contemplate. Just as the realization of modern universalism in the welfare states of each European society required clarifying the conditions of violence of contractual relations, as Durkheim explained, so the urgent task of a European federal and democratic government would be to tackle the new forms of exploitation and domination that are created today by the very dismantling of each national welfare. In this sense, the constitution
of a European welfare state appears as the condition of possibility for a positive international solidarity, correcting relations of domination and promoting peaceful relations between states.\(^7\)

In this Durkheian perspective, the cosmopolitan ideal does not emerge, as in Kant, at the level of a purely moral idealism, related to a philosophy of history trying to connect the permanent state of war that characterizes the relationship between states with the perpetual peace promised by its overcoming in the direction of a federation of republics. Neither is the law limiting the power of the state and realizing the Republic confined to preserving the mere autonomy of individuals. It extends to engage the groups and societies in the political process of constitution of the very meaning of individuality itself, shifting self-love in the direction of the love of justice and consequently encouraging the realization of positive solidarity between individuals, groups, and societies. The transformation of our way of conceiving the individual, that is not presupposed but is produced by the work that each society does on itself through the state, opens up another horizon in the external relations between states. The cosmopolitan ideal demands that social justice becomes the starting point of an effective adjustment of international life. If the foedus represents the passage from a civilizational aggregation of societies to a properly political one, social justice represents the fundamental requirement to consolidate it. It is important to underline how no automatism could produce the conditions for a federation, except for the effective creation of the possibility of social justice. Departing from other formalistic conceptions, Durkheim’s understanding of federalism suggests that social justice is the main requirement to realize such a federation.

We thus return to the question of the progressive aggregations of societies and the fact that this aggregation, in the case of the constitution of a federation, needs a political break, firstly supported by the creation of a European welfare state, capable of engendering and supporting the slow civilizational aggregation of European societies. The actual dilemma of Europe lies in a new alternative between the need to advance towards a federal form and the risk of a return to the state form. If Durkheim’s sociology departs from the expectations its functionalist rereading raises, it is because it highlights what the constitutional process of Europe implies beyond any long-term evolutionary trend. The functionalist vision of integration that has influenced federalist thinking since the 1950s is incapable today of providing solutions to the impasses that Europe is currently experiencing (Trenz, 2011). On the contrary, it is in the historically contingent move to a defined political federation, as the most appropriate expression of a rule capable of articulating through justice the relations between political societies, that the future of Europe becomes evident.

Without doubt, sociology cannot determine alone the content of new aspirations for social justice, which can emerge only through the collective effervescence of our societies, as well as by policies capable of translating their ambitions. In this way, sociology’s capacity for anticipating the directions of the future depends on a political context that sociology cannot dominate. Nevertheless, sociology can fulfill its essential political task, namely, that of pointing to solidarity as the main political aspiration of a just and fair modern political society. At least, this is what is required if it correctly interprets its commitment, according to the wish Durkheim expressed, by understanding its function both as the intellectual transformation of modern political concepts and its political capacity to rediscover the aspirations for justice immanent to the life of present and future institutions.

NOTES

1 The question of methodological nationalism has been addressed by Altbrow (1990); Beck (2000b); Beck and Sznaider (2006); Chernilo (2006), Giddens (1973); Harrington (2016); Pendenza (2015); Smelser (1997); Touraine (2013) and Turner (2006).

2 For a post-colonial view of the sociological canon see Bhambra (2007) and Guiterrez Rodriguez, Boatca, and Costa (2010). For a contextualization and critique of this approach, see Marcucci (2017).

3 It is exactly this aspect that was valorized by Durkheim in his early work on Montesquieu (Durkheim, 1892/1960). In this respect, Durkheim and Arendt seem to reach similar conclusions, seeing in Montesquieu’s conception of authority an alternative conception to modern sovereignty (Arendt, 1990, pp. 150–153).

4 For a discussion of contemporary post-sovereign conception of federalism see Cohen (2012), pp. 136–149.

5 In this respect Durkheim’s sociology opposes the Weberian conception because of its attempt to overcome sovereignty exceptionalism via a sociological theory of state authority. On Weber exceptionism see Kalyvas (2008).
Durkheim’s conception of the sacredness of the individual questions Foucault’s understanding of modern penal law and the transformation of modern discipline. There is no room here to confront these two visions, but it should be pointed out that this confrontation started in Michel Foucault’s account of discipline in his lectures preceding the publishing of Discipline and Punish. In this seminar, Foucault does not limit himself to present a critique of Durkheim’s functionalism, as he does in his book (Foucault, 1995, p. 23) but he underlines how Durkheim himself is to have first understood power in social terms, by seeing society as a system of disciplines. Yet, as he notices few words afterwards: “This system must be analyzed within strategies specific to a system of power” (Foucault, 2015, p. 240). It is from the perspective of the properly historical and political contents of Durkheim’s sociology, his understanding of authority and of political society, that this judgment might be reversed. Consequently, we may see the opposition between Durkheim’s historical sociology of modern authority and Foucault’s genealogy of modern power in a different light. For a confrontation between Foucault’s concept of the subject and Durkheim’s conception of the person, see Joas (2013), pp. 37–68. For a meticulous analysis of Foucault’s treatment of sociology in his course of the punitive society, see Salmon (2016).

Honneth has recently insisted on the importance of Durkheim’s political theory, with a special emphasis on Professional Ethics and Civic Morals. Honneth rightly underlines the absolute originality of Durkheim’s conception of statehood as well as his conception of public space. In relation to the first he affirms: “It would not be an exaggeration to view Durkheim’s answer to this question as a first proposal of the idea of constitutional patriotism” (Honneth, 2014, p. 266). While he points out the reflexive character of the state in Durkheim, this Habermasian reading risks underestimating the enormous consequences of a sociological perspective that emphasizes the moral dimension of normative concepts beyond their narrow juridical expression and, therefore, the need to realize social justice in order for a cosmopolitan patriotism to be a consistent perspective for internal and external solidarity. Honneth otherwise gives ample space to the socialistic reflection of Durkheim in his last book on socialism (Durkheim, 1928/1958; Honneth, 2017).

REFERENCES


**AUTHORS’ BIOGRAPHIES**

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The equation between the concept of society and the nation-state in modernity is known as methodological nationalism in scholarly debates. Émile Durkheim, French social scientist who developed a vigorous methodology combining empirical research with sociological theory. He is widely regarded as the founder of the French school of sociology. Learn more about Durkheim’s life, work, and legacy. Émile Durkheim studied at the Lycée Louis le Grand and the Collège d’Épinal. In the latter institution he received baccalaureats in letters and sciences in 1874 and 1875, respectively. He won entrance (by examination) to the École Normale Supérieure in 1879 and passed his agrégation (qualifying him to teach at the secondary level) in 1882. Where did Émile Durkheim work? A European Republic of Sovereign States: Sovereignty, republicanism and the European Union. European Journal of Political Theory, Vol. 16, Issue. 2, p. 188. Callegaro, Francesco and Marcucci, Nicola 2018. Europe as a political society: Émile Durkheim, the federalist principle and the ideal of a cosmopolitan justice. Constellations, Vol. 25, Issue. 4, p. 542. According to Durkheim, there are two types of societies—the primitive and the modern society, both having their roots in the division of labor. Division of labor, according to Matthewman, West-Newman and Curtis (2007, p.430), is the process of breaking up a particular task (whether making something or administering something) into a larger number of smaller units, with each more modest task performed by specialized workers. However, among the three classical thinkers, Émile Durkheim’s general assumptions considerably manifest the present condition of the modern society. Certainly, all around the world, modern societies are defined by the increasing specialization of labor. Durkheim was also right in claiming that the increasing division of labor breeds profound individuality.