

2. The virtues of plurality and abstraction. On why it is easier to legitimize the European project by using values rather than an identity, civilization or way of life

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1 INTRODUCTION¹

Ever since they started impacting people's daily lives, European institutions have been looking for concepts that could help them legitimize their actions and policies. Today they most often use 'European values'. This, then, prompts the question why other terms such as a 'European identity', 'European civilization' or a 'social Europe' that were used in the past were gradually replaced by 'European values'. If we are able to understand why – and under what conditions – European values could become the hegemonic term that it is today, we may also be able to understand why recent attempts to launch a new term such as a 'European way of life' have thus far failed and paled in comparison. An examination of the slow rise of 'European values' as well as the gradual fall of rival concepts, will help clarify both European values' current success as a unifying concept and the European way of life's comparatively lukewarm reception.

¹ Part of the argument in this chapter I already developed in earlier and lengthier versions: Wim Weymans, 'A critical history of the use of "European values"' in Regina Polak and Patrick Rohs (eds.), *Values – Politics – Religion: The European Values Study. In-Depth Analysis – Interdisciplinary Perspectives – Future Prospects* (Springer 2023); and Wim Weymans, 'Young and ambivalent: a new look at the recent rise of European values, their history, precursors and critics' in Marie Goebel and Andreas Niederberger (eds.), *Cosmopolitan Norms and European Values. Ethical Perspectives on Europe's Refugee Policy* (Routledge 2024).

A brief look at the Cold War era will first show that those who used a term like ‘European values’ in the post-war years – conservative politicians and the Council of Europe – did so in a civilizational sense with a conservative Christian meaning, that differs from its current liberal uses. I will then examine how, from the 1970s onwards, the European Community tried to legitimize its project by invoking ‘thick’ concepts such as a European identity or the ideal of a social Europe (with passing references to the ‘European way of life’). Only after these notions proved less useful after the end of the Cold War and the subsequent enlargement of the EU did the notion of ‘European values’ gradually begin to replace them. As European institutions and politicians increasingly used the term ‘European values’ when legitimizing the European project, references to these values became mainstream, albeit with a different meaning – more abstract, less ‘thick’, less partisan, and less religious – as I will explain in a fourth section. As these values were increasingly seen as liberal, conservatives and right-wing populists tried to find a language of their own, not just by reclaiming European values but also by introducing a new term such as the ‘European way of life’. In the penultimate section, I will examine how both defenders of liberal European values and their populist critics have more in common than one would expect, since they both use values in a defensive sense to exclude people (migrants) or ideas (political debate). I will conclude this chapter by arguing that, as it stands, for all their shortcomings, European values still hold more promise than the European way of life, provided these values are subject to debate.

2 THE CONSERVATIVE AND CIVILIZATIONAL COLD WAR ORIGINS OF EUROPEAN VALUES

It is no exaggeration to say that when today’s European institutions wish to legitimize their project, they mostly refer to ‘European values’.² Yet, such references to values are by no means straightforward. Although politicians, when legitimizing their policies, arguably always – implicitly or explicitly – invoke certain values such as security, solidarity, or equality, they rarely explicitly refer to ‘values’ as such. While British politicians, for example, increasingly speak about ‘British values’, Irish politicians rarely refer to ‘Irish values’. So, this prompts the question: why and when at some point in their history, did European institutions begin with the explicit (and not so obvious) use of a term such as ‘European values’? Unlike what European institutions often suggest, this explicit and widespread use of European values is arguably relatively

² Like most policymakers (and unlike some philosophers) I use ‘values’ and ‘principles’ such as the rule of law, liberty, or human rights interchangeably.

recent. While that term did occasionally appear on earlier occasions, it did not have the same scope, salience, impact, and indeed content it has today. This becomes clear if we look at the origins of these institutions and the way they legitimized themselves in their early years.

If normative principles or values such as the rule of law or human rights were at all explicitly invoked in the post-war years, it was not so much by the European Community (the EU's predecessor), but by its less consequential sister institution, the Council of Europe (1949), and the European Convention on Human Rights it helped to create (in 1950) and defend through the European Court of Human Rights since 1959 in Strasbourg.³ They, alongside conservative politicians such as Winston Churchill and, later, Margaret Thatcher, explicitly used the language of values and human rights, albeit in a very specific way, serving a particular conservative ideological agenda, attacking the left in general and communism in particular.⁴ This conservative vision of values is characterized by the following features. First, echoing conservatism's founding father Edmund Burke, it sees values as being embedded in a common civilizational or 'spiritual' foundation that is Europe's Christian heritage. Second, in this conservative narrative, European values were mainly linked with centrist values such as liberty or the rule of law rather than with left-of-centre values such as, say, solidarity or equality between men and women. The supporters of the European Convention on Human Rights were, after all, mainly 'interested in using Europeanization as a way to combat domestic socialism, in an era when the popular and ideological appeal of social democratic ideals and communist ones were rising to new heights'.⁵ The creation of a European supreme court was indeed 'widely regarded as a mechanism for realizing what socialists described as a conservative agenda too unpopular to be enacted through democratic means'.⁶

Values were seen as European in that they *originated* in Europe, but at the same time, Europeans also saw it as their vocation to export these values to 'the Free World', especially the United States (US). By 'European' one did not mean that they were limited to Europe – other continents were welcome to adopt them too – but rather that Europe was seen as their *exclusive origin* (rather than their *exclusive destination*). European values in this Cold War narrative were therefore often interpreted as synonymous with American,

³ Marco Duranti, *The Conservative Human Rights Revolution: European Identity, Transnational Politics, and the Origins of the European Convention* (Oxford University Press 2017) 1–2.

⁴ Samuel Moyn, *Christian Human Rights* (University of Pennsylvania Press 2015) 94.

⁵ Ibid 159.

⁶ Duranti (n 3) 7.

Western, or transatlantic values. Another key feature of this discourse is that values were thus regarded as Europe's legacy to the world, in part through a process of colonization whereby Europe 'civilized' much of the world. And while post-war Europe appeared as a peaceful endeavour that broke with a long tradition of European wars, it is worth noting that when the first European institutions emerged after the war, European nations still often brutally dominated large parts of the world through their colonies. It was in that same sense that 'spiritual' values, associated with talk about Europe's humanism and civilization, were denounced by anticolonial thinkers such as Frantz Fanon.⁷

While the Council of Europe explicitly invoked values, the European Community in its early years rarely referred to concepts such as values or identity, let alone a European way of life. Contrary to what is often suggested by European institutions today, until the 1990s, these institutions hardly invoked values and instead kept their technocratic focus on the single market they were meant to create.⁸ If values were mentioned at all back then, they were mostly peace (think, for example, of Schuman's famous declaration of 9 May 1950) or reconciliation rather than values invoked nowadays such as democracy or human rights, which were conspicuously absent in those early days.

Yet even when conservative values were not explicitly invoked in the technocratic project of a European Community, it is often suggested that this community too was nevertheless *implicitly* influenced by Christian values, ideas, and actors. After all, the argument goes, 'the founders of the European Community – Alcide De Gasperi, Konrad Adenauer, Robert Schuman – were all Christian Democrats'.⁹ Although they did not explicitly invoke 'European values', it is undeniable that post-war Christian politicians were involved in a European transnational peace project that sought to limit state power and defend democracy and rights. Yet it is important to contextualise this involvement, see it for what it was, and not confuse it with later evolutions.

After experiencing first-hand the evils a totalitarian state could inflict, Christian politicians became keen on limiting state power both at a national level (think of Germany's new federal structure) and internationally (hence their advocacy for a European Community that was in part meant to limit the power of nation-states). So, if Christian politicians discovered the value of democracy in those post-war years – they were called Christian *democrats* after all – theirs was still a specific conservative idea of democracy that was suspicious of popular sovereignty and saw true democracy (and the European

⁷ Frantz Fanon, *The Wretched of the Earth* (Grove Press 2004) 237.

⁸ Duranti (n 3) 209.

⁹ Jan-Werner Müller, *Contesting Democracy: Political Ideas in Twentieth-Century Europe* (Yale University Press 2013) 141.

project) as a way to *limit* the unbridled expression of the people's will or the nation-state.¹⁰

Although European values are today meant to appeal to *everyone*, from left to right, initially these values were thus especially invoked by a *particular* tradition – conservative, anti-communist, Christian, and (mainly) Western European – meant to exclude others (especially communists) and protect one's own interests. This partisan appropriation of values by conservative forces probably explains in part why these values were rarely explicitly used by the European Community to define itself, at least as long as the Cold War lasted. It also explains why, until the end of the Cold War, the European Community had to look for different, less partisan, concepts to legitimize its project, especially when that need for legitimacy increased from the 1970s onwards.

3 A 'EUROPEAN IDENTITY' AND A 'SOCIAL EUROPE' AS NEW LEGITIMATIONS OF THE EUROPEAN PROJECT (EARLY 1970S TO LATE 1990S)

It is fair to say that until the 1970s neither the European Community nor the Council of Europe and its human rights instruments amounted to much. As Moyn points out: '[B]y the mid-1970s the European Court of Human Rights had decided only seventeen cases'.¹¹ Until then, the technocratic European Community in turn did not (yet) impact people's daily lives and therefore still by and large enjoyed the passive and indifferent 'support' of the wider public (which would later be called a 'permissive consensus'), and so it was not yet in need of much legitimization. Two shifts would slowly change that.

First, there was the enlargement of the European Community. It was no coincidence that one of the first official reflections about what Europe meant and stood for emerged in 1973 in the context of the first enlargement that welcomed Denmark, the United Kingdom, and Ireland. Back then, the foreign ministers drafted a now-famous declaration in which they mused about Europe's identity and its relationship with the wider world.¹² In order to position themselves in the world, they arguably first needed to know what they stood for. In 1973, the foreign ministers saw much potential in the concept of a 'European identity', although they did mention in passing their 'cherished values' or 'common values and principles' such as 'the principles of representative democracy, of the

¹⁰ Jan-Werner Müller, *What is Populism?* (Penguin Books 2017) 95, 142.

¹¹ Samuel Moyn, *The Last Utopia: Human Rights in History* (Harvard University Press 2010) 80.

¹² Council, 'Declaration on European identity' (1973) 12 *The Bulletin of the European Communities*, 118–122.

rule of law, of social justice (...) and of respect for human rights'.¹³ As we now know, this would later change.

The second shift was the increasing necessity to establish a connection with the wider public and the need to legitimize the European project in order to convince voters of its merits. This need slowly emerged as that public was gradually discovered and given a voice at a European level. As early as 1974, the first Eurobarometer was launched, and in 1979 the first direct elections for the European Parliament were organised.¹⁴ In order to enable participation in these elections, European political parties were created, such as the Christian Democratic European People's Party in 1976. As part of its ideology, that party created the myth of the aforementioned Christian democratic 'founding fathers', whose work on the European project needed to be continued.¹⁵ Newly elected members of the European Parliament had work to do because, after a long period of highly successful economic expansion, hitherto prosperous Western nation-states were hit by a deep economic crisis in the mid-1970s, which meant that citizens and politicians increasingly looked to Europe for help and a way out of the crisis.

Inspired by the necessity to define Europe vis-à-vis the world and its citizens, from the mid-1980s the newly installed European Commission – headed by its ambitious new president Jacques Delors – launched various initiatives to make Europe more visible by introducing symbols and to develop a sort of 'nation building' at a European level and to refer to concepts such as European identity, culture, or civilization.¹⁶ If values were mentioned in this context, they were part of these larger, more substantial, or 'thick' concepts.

Apart from reviving the original ideal of a 'single market' and the more cultural ideal of a European identity that had been emerging since the 1970s, the Delors Commission added a new term of its own, that of a 'social Europe', which became widely used from the mid-1980s onwards. The idea was that the economic benefits of the single market were meant to be redistributed amongst all Europeans.¹⁷ In 1988 Delors, for example called for 'a concrete and productive social dialogue at the European level' as one initiative that clearly shows

¹³ Ibid 119.

¹⁴ Claudia Schrag-Sternberg, *The Struggle for EU Legitimacy: Public Contestation, 1950–2005* (Palgrave Macmillan 2013) 83.

¹⁵ Philippe Chenaux, *De la chrétienté à l'Europe. Les catholiques et l'idée européenne au XXe siècle* (CLD 2007) 95.

¹⁶ E.g. Luuk van Middelaar, *The Passage to Europe: How a Continent became a Union* (Yale University Press 2013) 230–238.

¹⁷ Desmond Dinan, *Europe Recast: A History of European Union* (Palgrave Macmillan 2014) 215–216.

‘the social dimension of the European construction’.¹⁸ In this context, Delors did refer to ‘our way of life’ that was affected by ‘globalisation of markets and new technologies’ which meant that we had to ‘preserve our European identity’ through strong social policies at a European level. Interestingly, Delors also emphasised that all this should be done while maintaining ‘our individual way of life, and our valued traditions’, referring to Europe’s diverse nations and regions.¹⁹ Here ‘our way of life’ means something all Europeans share (akin to a ‘European identity’) whereas ‘our individual way of life’ refers to a variety of different ways of life and ‘traditions’. Yet both appear to imply a concrete essence, a thick concept. Yet as the European project progressed, such essentialist concepts became harder to use.

At first, and probably in part as a result of these policies, things looked promising for the newly relaunched European project headed by Delors. Indeed, popular support for the European Community was arguably never higher than between the mid-1980s and 1992, in large part due to the 1992 target for launching the single market.²⁰ Until the 1990s, both the enlargement and ideas to increase public support were seen as compatible with the ideals of constructing a strong, substantive European identity and the dream of a social Europe. But in the 1990s, this slowly changed.

When it came to the enlargement after the fall of the Berlin Wall and the end of the Cold War, the European club was about to widen substantially eastward. The bigger the club became, the harder it would become to find a substantial common denominator. The concept of a substantive cultural or civilizational European identity that had still been considered useful until then now appeared less appropriate. It was arguably harder to talk about a shared substantive identity when it involved preparing for an increasingly diverse European club of soon more than 20 Member States (from the 1990s onwards) instead of just 9 (as in 1973). Yet the relationship between the European Union (as it was now called) and the wider public also changed. A brief period of ‘euro-enthusiasm’ and a ‘permissive consensus’ was followed by a more (euro)sceptical attitude among the public and a so-called ‘constraining dissensus’ that lives on today, whereby the European peoples no longer automatically shared their leaders’ enthusiasm for more ambitious European projects and the references to a European identity that accompanied them.

¹⁸ Jacques Delors, ‘The Social Dimension’. Address by President Delors at the *Trades Union Congress* (Bournemouth, 8 September 1988) https://ec.europa.eu/commission/presscorner/api/files/document/print/en/speech_88_66/SPEECH_88_66_EN.pdf accessed November 2019, 5; Delors (n 18) 5, 9.

¹⁹ *Ibid* 4–5, 10.

²⁰ Schrag-Sternberg (n 14) 83–84; Dinan (n 17) 207.

One can speculate as to why ‘the people’s own nation’ remained ‘overwhelmingly the strongest point of identity’ and why, ‘by contrast, emotional association with a European identity was extremely weak’ despite repeated efforts to create such an identity.²¹ In part, this is because of the fact that Europe – unlike nation states (or the US), which constructed their identities more or less from scratch – had to deal with strong pre-existing national identities.²² But also because a ‘European identity’ was seen as referring to a *single* identity that can be seen as hard to reconcile with Europe’s motto ‘united in diversity’. Just as EU institutions try to avoid speaking about ‘the European people’ in the singular, the use of a single European identity is likewise seen as too risky.²³

All this may explain why in the early 1990s ‘the Twelve dispensed with the identity prose’, thus undermining ‘the rhetoric about a shared past or a common civilization’.²⁴ It is true that attempts to construct a more substantial European identity did, in part, continue beyond the 1990s in the form of, for example, the constitutional treaty in 2004 that intended to make the EU more like a state, including its own symbols, laws, and constitution.²⁵ Yet the rejection of this same constitutional treaty in 2005 by French and Dutch voters, which was at least in part attributed to these renewed efforts at European nation-building, probably represents the provisional endpoint of serious attempts to build a cultural or substantive European identity, at least within the European institutions.

Given that, for various reasons, the idea of a cultural or substantial European identity was no longer seen as a suitable prospect for keeping Europe together, politicians had to turn to alternatives, such as the aforementioned ideal held by Delors of a social Europe. In the wake of his social agenda of the 1980s, the idea(l) of a ‘social Europe’ – and from the 1990s onwards, that of a ‘European social model’ – lived on and existed in part alongside the ideal of a cultural ‘European identity’, especially in the first decade after the turn of the century, when such notions were still widely invoked.

But the notion of a ‘European social model’ proved likewise problematic, if only because a welfare state at a European level was lacking and because, in reality, there are multiple social models in Europe, not just one.²⁶ Moreover, in the 1990s, European countries reformed their welfare states, often as a result

²¹ Ian Kershaw, *Roller-Coaster: Europe, 1950–2017* (Allen Lane 2018) 482.

²² Van Middelaar (n 16) 228.

²³ Ibid 289.

²⁴ Ibid 249.

²⁵ Ibid 289–290.

²⁶ Timothy Garton Ash, *Facts are Subversive: Political Writings from a Decade without a Name* (Atlantic Books 2009) 79.

of the constraints imposed by the creation of a monetary union. Furthermore, Europe's social model in the post-Cold War years also came under pressure as a result of the rise of (transatlantic) post-Cold War neoliberal policies associated with globalisation and 'third way' or 'new labour' welfare state reforms. In Europe, even newly elected social democratic leaders appeared to further promote these liberal policies, albeit not to the same extent as in the US. As a result, references to a social Europe now increasingly risked being perceived by many voters as hollow slogans that social democratic leaders used to embellish the de facto predominance of neoliberal policies instead of credible promises (as they still did in the second part of the 1980s). In addition, the newly arrived 'Central and Eastern Europeans (...) after long years under communism, were dead opposed to excessive market regulation'.²⁷ Probably as a result of these and other factors (such as the fallout of the financial crisis of 2008), notions such as a 'social Europe' and a 'European social model' were used less and less after 2010, and a new term was thus called for. This is where 'European values' came in.

4 THE RISE OF EUROPEAN VALUES (FROM THE LATE 1990S TO THE PRESENT)

If Europeans cannot agree on a substantive European identity (let alone a common history or social model), at the very least they can all try to share an allegiance to some *minimal abstract principles* such as 'European values'. Apart from being minimalist and abstract, values also have the advantage that, unlike a European identity, a 'European social model' and indeed a 'European way of life' that were used in the singular, values are seen as *many*, as a list of values, where everyone could choose the value they liked the most. While Americans use terms in the singular to talk about their nation – such as the American way of life, identity or civilization – without difficulty, Europe's preexisting cultural, historical, and linguistic diversity means that in Europe the use of terms in the singular is more problematic, which in part explains why Europe ended up embracing a term in the plural such as European values. Before they could become a useful tool to represent the European Union *as a whole* rather than just one of its more conservative ideological currents, the language of 'European values' first had to be extracted from its prior 'embodied' or concrete civilizational and religious conservative Cold War use and had to be recycled in a less particular and ideological sense. After all, in an increasingly secularised Europe, 'a self-definition of Europe as actively embodying

²⁷ Geert Mak, *In Europe: Travels through the Twentieth Century* (trans. S Garrett, Vintage 2008) 821.

the values of western Christendom is (...) now untenable'.²⁸ As the discourse of values thus became more universal and inclusive – and the left now also started adopting it – it became more abstract and less associated with a conservative Christian ideology. It was their *pluralist*, *minimalistic*, and *abstract* characteristics – what remained once one stripped them of their conservative ideological civilizational legacy – that made these values so appealing.

The idea of a substantial single and common history, civilization, culture, identity or a social Europe was thus gradually replaced by a rather vague list of democratic 'values' (which proved hard to enforce). Their pluralist and abstract characteristics made these values flexible and non-demanding, and thus suitable to accompany, legitimize and distract from neoliberal policies that proved in themselves insufficient to justify the European project (probably because they lacked the will and capability of delivering prosperity to everyone or simply did not live up to its promises, such as the failed 'Lisbon agenda' that was launched in 2000). Once one looks at abstract 'European values' mainly as a more suitable minimalist substitute for a 'European identity' or 'a social Europe' as tools to create common ground, they then appear in a different light: less as a timeless bedrock of European civilization and more as a 'second best option', a 'consolation prize' after the prior failure of the more ambitious and demanding idea of a substantive European identity or of a social Europe.

The slow rise of European values happened at a point when 'rival' notions such as a 'European identity' or a 'social Europe' were still actively used. Just as the ideal of a European identity began to appear in official documents ten years before it was deployed on a larger scale, so European values first appeared in the treaties before their use widened and they gradually replaced other notions. Starting with the 1992 Maastricht Treaty, when the European Community renamed itself the European Union, values and principles gradually became the new minimalistic way to legitimize that new European Union and to provide it with a new juridical sense of commonality. Values were, for example, invoked in 1993 when defining the criteria new Member States had to meet before they could join the European club. In the so-called Copenhagen criteria, values such as 'democracy, the rule of law, human rights and respect for and protection of minorities' now replaced the ideal of 'European identity' that was still prevalent twenty years earlier when talking about the first enlargement (also in Copenhagen).²⁹ Values were explicitly mentioned in the 1997 Treaty of Amsterdam, which 'clearly stated what those values were' and 'included a provision to sanction Member States that deviated from the EU's

²⁸ Garton Ash (n 26) 76.

²⁹ European Council, 'Relations with the countries of Central and Eastern Europe' (1993) 6, 13.

core values'.³⁰ They also appeared in the preamble of the 2000 Charter of Fundamental Rights of the European Union, which would later be incorporated into the Treaty of Lisbon in 2007, a treaty that would finally enshrine European values in the famous Article 2 that starts as follows: 'The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights. (...)'.³¹ Apart from appearing in legal documents, since the 1990s European values have also been invoked by intellectuals, such as Havel or Habermas. The latter pleaded for a 'constitutional patriotism' and later even went on to invoke a 'distinctive set of "European values"' as a 'definition of the moral foundations of Europe which puts social justice at the centre of a certain set of values, and defines Europe as the Not-America', foundations that were also associated with a 'European way of life'.³²

Since the late 1990s, the term 'European values', which had until then mostly been used by a small group of legal scholars, Europhiles, or intellectuals, was increasingly used in public debate about Europe. As a result, 'European values (...) have been the master narrative since the end of the 1990s', appearing 'as a flexible, polysemic and market friendly repertoire'.³³ Values in a minimal and secular sense now appear to have become the leading legitimization of the European project and of initiatives to further that project. For example, when the European Union was awarded the Nobel Peace Prize in 2012, it described itself as 'a community of values'.³⁴ And in his project for a European renaissance, the French President Emmanuel Macron emphasized that 'a market is useful, but it should not detract from the need for borders that protect and values that unite'.³⁵ Although this abstractness and plurality of values allowed Europe to unite itself in new ways, it also created new divisions.

³⁰ Dinan (n 17) 298.

³¹ Schrag-Sternberg (n 14) 149; European Union, *Consolidated Treaties. Charter of Fundamental Rights* (Publications Office of the European Union 2016) 17.

³² Garton Ash (n 26) 79.

³³ François Foret and Noemi Trino, 'The "European way of life" a new narrative for the EU? Institutions' vs citizens' view' (2022) 24(3) *European Politics and Society*, 3.

³⁴ José Manuel Barroso, 'Nobel Lecture by the European Union (EU)' (Oslo, 10 December 2012) www.nobelprize.org/prizes/peace/2012/ceremony-speech accessed June 2025.

³⁵ Emmanuel Macron, 'For European Renewal' (4 March 2019) <https://www.elysee.fr/en/emmanuel-macron/2019/03/04/for-european-renewal> accessed June 2025.

5 CONSERVATIVE ATTEMPTS TO RECLAIM EUROPEAN VALUES AND APPROPRIATE THE EUROPEAN WAY OF LIFE (2014–PRESENT)

As European values became more abstract and more universal and were no longer mainly associated with the right but instead also embraced by part of the left, conservative forces had to look for new ways to define and express their political identity. For the Hungarian prime minister Viktor Orbán (who was a member of the conservative European People's Party until 2021), conservatives should simply reclaim and reframe the language of values in a conservative sense while also reappropriating a rarely used term such as 'the European way of life'. Concretely speaking, from 2014 onwards, Orbán portrayed himself as the true defender of European values, a European civilization and a European way of life – all in a conservative Christian sense – arguing that Brussels had forgotten and betrayed these by diluting them when it embraced liberal values instead. Especially since the 2015 migration 'crisis' Angela Merkel was accused of 'the admission of migrants without limit in the name of "European values"',³⁶ which was perceived by Orbán as a betrayal of what he saw as Europe's true Christian values and roots. As he stated: 'what is at stake today is Europe and the European way of life, the survival or extinction of European values and nations – or, to be more precise, their transformation beyond all recognition'.³⁷ Ever since, he has been 'attacking Brussels for enabling what he called an "invasion" of refugees that threatened to "cast aside" the bloc's Christian culture'.³⁸

Yet, Orbán's attempts to reclaim European values or a European way of life in a conservative populist sense – and his corresponding actions such as attempts to actively undermine the rule of law in Hungary – not only antagonized more moderate Christian democrats but they also, ironically, contradicted the very post-war conservative Christian discourse on values. Christian democrats had indeed historically defended the very rights and the rule of law that Orbán violates, just as they defended Europe as a way to *limit* the popular will, unlike Orbán's populism, which instead attacks Europe by invoking an

³⁶ Jacques Rupnik, 'The crisis of liberalism' (2018) 29 *Journal of Democracy*, 33.

³⁷ Viktor Orbán, 'Prime Minister Viktor Orbán's Presentation at the 26th Bálványos Summer Open University and Student Camp' (Băile Tușnad, 25 July 2015) <https://2015-2019.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/prime-minister-viktor-orban-s-presentation-at-the-26th-balvanyos-summer-open-university-and-student-camp> accessed June 2025.

³⁸ Peter Foster, 'Hungarian envoys told to dig dirt on migrants' *The Daily Telegraph* (7 April 2018), 13.

unbridled popular national will. And while values in the post-war years were embedded in a culture in which faith still mattered, today's 'populist movements and the conservative right (...) champion Europe's "Christian identity" mainly in order to counter Islam. Such groups view this identity as a matter of culture rather than faith; few populists attend mass, and (...) the large majority of today's right are religiously indifferent', perhaps with the exception of Poland. For these populists, 'Christianity is bound up with Europe's identity, just as long as it does not interfere with their daily life, lecture them on loving their neighbour or preach to them about ethics and values'.³⁹ It is worth underlining that the Catholic Church itself 'does not, at least in principle, reject immigration; on the contrary, we know how much Pope Francis insists on welcoming immigrants'.⁴⁰

Attempts by conservatives to reclaim a language of their own thus backfired and even divided the conservative Christian Democratic European People's Party, when it was pressed to take a stance against Orbán's illiberal policies, which eventually lead to Orbán resigning from the party in March 2021. Christian democrats indeed found themselves ideologically caught between the far right and the centre left. Their 'third way' beyond the far right and the left by returning to a distinctive ideological language of their own, as European values used to be understood and a European way of life could potentially be understood, proved not viable. Instead, Christian conservatives faced a tough choice: either have a clear ideological profile yet be associated with the far right, or else distance themselves from the far right by defending European values the way the left also defends them, thus diluting their identity. Indeed, as it turns out, in practice, Christian democrats could only criticise the far right by invoking 'European values' the way they were now also understood by the left.

The controversy surrounding 'The European way of life' in 2019 can be seen as an illustration of this conservative dilemma.⁴¹ When the Christian Democrats Von der Leyen and Schinas tried to mainstream the language of the European way of life (that their party had already been trying to introduce a few years prior), the appropriations of that term by populist (far-right) figures such as Orbán were such that Von der Leyen and Schinas were forced to distance themselves from these populist appropriations. They found that they could only salvage 'their' language of the European way of life by completely equating it with (and reducing it to) European values. Yet this also meant that their language had lost its potentially distinctive features and thus its political

³⁹ Olivier Roy, *Is Europe Christian?* (Hurst Publishers 2019) 4, 125.

⁴⁰ Ibid 105–106.

⁴¹ For a reconstruction of that controversy, see Foret and Trino (n 33).

use, for if a way of life and values are just synonyms, what, then, does the term 'way of life' still add? And research shows that its subsequent (mainstream) political use was indeed rather limited, especially compared to European values, which again underlined the latter's predominance.⁴²

Although all this shows that Orbán's appropriation of the term 'European way of life' proved quite successful (to this day the term is mainly associated with the far right), the same was not true for his attempts to reclaim European values (which are still mostly interpreted in a liberal sense), probably in part because the liberal interpretation was already well-established, but also because Orbán's liberal opponents can rightly argue that it is indeed Orbán, not migrants, who is a true threat to some of Europe's core values, such as the rule of law or freedom of the press.

6 EUROPE'S EXCLUSIVIST VALUES UNDER SIEGE: LIBERALS AND THE DANGER OF HYPOCRISY

All this is not to say that liberals did not have challenges of their own. In today's increasingly illiberal world, the self-confident, outward-looking perspective that characterised both the conservative Cold War language of values and its optimistic liberal successor at the end of the Cold War has recently come under pressure. As 'liberal' enlightenment values that were once seen as conquering the world are now in retreat around the globe, in an era of authoritarian leaders such as Xi, Trump, Putin, Bolsonaro, or Erdoğan, these values at times indeed appear to find a safe harbour only in the Europe from which they came. As mentioned before, in the post-war years, values were seen as *European* mainly because they had *originated* in Europe and would go on to conquer the world rather than in the sense that they were applicable only to Europe. If these values are now seen as *European*, it is not so much in reference to the Europe from which they came in the past (their origins) but because of the Europe in which they may still have a future (their preservation).⁴³ Since the increased use of European values corresponds to a diminished importance for Western or transatlantic values, it may thus signal an overall decline of the appeal of liberal values.

Just as Orbán and other populist leaders on the right, who now claim to be the true defenders of European values in their conservative illiberal sense, are governed by the fear of losing their traditional way of life (associated by some with conservative Christian values) and just want to preserve what is left, European liberal elites are likewise fearful of losing their values in an

⁴² Ibid 6–8, 13.

⁴³ Charlemagne, 'Huntington's disease' *The Economist* (4 January 2020), 24.

increasingly illiberal world with the rise of populism (especially since the Trump (re-)election).⁴⁴ This in part explains why, even when liberals, unlike populists, rejected the idea of *protecting* the European way of life, these same liberals had no issue with the idea of protecting 'European values'.⁴⁵ This also suggests that it was the concept of a way of life that was seen as problematic, not its protection.⁴⁶

This lays bare an uncanny resemblance between the European liberal discourse of values and its illiberal populist critique.⁴⁷ Although the new abstract definition of European values was supposed to be more inclusive and universal than both its conservative predecessor and its illiberal detractors, in all cases values ultimately still served the same goal, namely to define, limit, and thus exclude. In the Copenhagen criteria of 1993 and the Laeken Declaration of 2001, these were still *liberal* limitations since European leaders stated that 'the European Union's one boundary is democracy and human rights. The Union is open to countries which uphold basic values such as free elections, respect for minorities, and respect for the rule of law'.⁴⁸ Yet values could also become *conservative* exclusivist ammunition, for example against the accession of Turkey to the EU. During the campaign in France against the failed constitution in 2005, 'Chirac (...) distanced himself from Turkish accession' and 'stated that Turkish traditions were "incompatible with Europe's values"'.⁴⁹ All this highlights that values, just as human rights, 'have been not so much about the inclusion of the other as about policing the borders and boundaries on which threatening enemies loom'.⁵⁰ In that exclusivist tradition, European values are currently often used to differentiate the EU from other parts of the world such as China or Russia and even the US.

Moreover, the migration crisis that has haunted Europe since 2015 showed that European values, despite their alleged universalism, often did not apply to the treatment of refugees who appeared at Europe's increasingly fortified

⁴⁴ Ivan Krastev, *After Europe* (University of Pennsylvania Press 2017) 27, 33–39.

⁴⁵ E.g. Philippe Van Parijs, 'Five questions to philosopher Philippe Van Parijs on the "protection of our European way of life"' *The Brussels Times* (10 November 2019), 41.

⁴⁶ And although Von der Leyen ended up replacing the term 'protecting' with 'promoting', many observers agree that in reality the idea of a European way of life in need of protection was kept on board (e.g., Foret and Trino (n 33) 6).

⁴⁷ Charlemagne, 'Baldrick's Europe' *The Economist* (7 November 2020), 26.

⁴⁸ European Council, 'Laeken Declaration on the future of the European Union' (2001) 12 *The Bulletin of the European Communities*, 20.

⁴⁹ Schrag-Sternberg (n 14) 165.

⁵⁰ Moyn (n 4) 24.

external borders. Although Macron declared in 2019 that he believes in ‘a Europe that *protects* both its values and its borders’, in reality, borders often trump liberal values.⁵¹ The debate in 2019 about the protection or promotion of the European way of life showed that values can easily be interpreted in a more substantial sense that is partly akin to both its original conservative meaning in the post-war years and the current illiberal populist critique of liberal European values. The ‘refugee crisis’ thus makes painfully clear that despite the differences between the EU’s universalist liberal defence of values and its populist illiberal conservative critics, in reality, both often use values in an exclusivist sense.

All this points to the wider problem of using moral language in politics. The more institutions identify themselves with moral values, the easier it becomes to accuse these institutions of hypocrisy. One could indeed contend that abstract European values are meant to distract from the de facto predominance of a neoliberal agenda that fails to distribute wealth or protect the less well-off. Was it a coincidence that ‘solidarity’ and ‘social justice’ were not listed as official values in Article 2 of the Treaty of Lisbon? Perhaps European values, despite their ‘secularisation’, in fact still served conservative interests similar to those present during the Cold War.

In that context, it is interesting to look at which policies and values are *really* enforced, as one could argue that it is these values that ultimately matter most. It is striking that ‘the well-developed system of enforcement, which conventionally undergirds policymaking in the EU, does not extend to the fundamental values’.⁵² Critics who see values as a mere ideological embellishment (or concealment) of neoliberal policies could contend that this is perhaps no coincidence. Indeed, if governments in Poland or Hungary violated the rule of law, at least up until 2022, hardly any effective sanctions were taken, yet when the Greek government challenged austerity policies in 2015, Europe did have both the means and the resolve to act decisively and punish those who dared to step out of line.⁵³

Moreover, in the case of the use of values in politics, the European Union is accused of ‘double standards’: preaching in the name of values (typically abroad, such as ‘the EU’s defense of human dignity worldwide’) while violating these same values (typically at home, for example through ‘neoliberal and austerity policies that violate the human dignity of low-income workers or the

⁵¹ Macron (n 35) (my emphasis).

⁵² Martijn Mos, ‘Ambiguity and interpretive politics in the crisis of European values: Evidence from Hungary’ (2020) 36 *East-European Politics*, 7.

⁵³ Luuk van Middelaar, *Alarums and Excursions: Improvising Politics on the European Stage* (Agenda 2019) 233–234.

unemployed’).⁵⁴ When it comes to democratic values, Europe in many respects still has a long way to go in order to start practicing what it preaches (a fact that Brexiteers handily exploited). Likewise, the way Europe chooses to deal with the migration crisis (e.g., through its coastguard agency Frontex accused of illegal pushbacks that violate human rights) obviously presents a huge challenge for an institution that claims to defend human dignity. And while one can still denounce such violations of values in the name of these very same values, the way ‘the protection of a European way of life’ was framed (as part of the portfolio of the Commissioner responsible for migration) suggested that migrants were a threat to the European way of life, which potentially allowed for the legitimization of oppressive policies but not their contestation.

7 DEMOCRACY AND THE NEED FOR POLITICAL CONTESTATION

To many, the abstractness of European values implies an increased risk of confusion, as these values could now mean different things to different actors. Mos, for example argues that the fact that ‘the EU does not offer any definitions of its core principles’ is a problem that is cunningly exploited by the religious conservative right.⁵⁵ Indeed, for many, European values are problematic because they are too vague and lack a clear definition (even though it is arguably this vagueness that explains in part their popularity). Given this tension between more abstract European liberal secular values and more substantial concepts such as the European way of life, what, then, does this imply for the use of ‘European values’ today? Should these values maintain a certain degree of abstraction or instead become more civilizational and concrete, like the concept of the European way of life?

Yet, I believe that the vagueness of European values need not in itself be a problem. For starters, both the European way of life and their civilizational precursors have shown that when a term becomes too substantial, it increasingly divides and excludes. Moreover, in nation-states too, principles, norms, and values are used as abstract points of reference that are (therefore) subject to debate and open to contestation. In democracies, all politicians invoke the ‘common good’, ‘the nation’, or values such as ‘liberty’, ‘equality’, ‘solidarity’ or ‘security’, yet the majority and opposition each interpret them differently. Indeed, when used in the domain of politics, perhaps values or principles need to be considered not as things that can be measured and defined, but as abstract

⁵⁴ ‘Interview with François Foret’ in Heleen Touquet (ed.), *What Values, Whose Values: (Talking About) European Values & Belonging* (ASP 2020) 29.

⁵⁵ Martijn Mos, ‘The fight of the religious right in Europe: Old whines in new bottles’ (2018) 1 *European Journal of Gender and Politics*, 326.

formal principles that we can all invoke precisely because no one can ever fully grasp and define them (just as in democracies, no one can ever pretend to know what ‘the people’ truly and ultimately want). About political values, ideals, principles, and goals, one can say that ‘by their nature, these goals cannot fully be attained (there is no perfect peace or freedom, on earth at least), but a shared striving towards them can itself bind together a political community’.⁵⁶ Following a thinker such as Claude Lefort, one could say that it is precisely this indeterminacy of these goals or values that enables democracies to be ‘united in diversity’ while acknowledging conflict, debate, and opposition as fundamental and legitimate as their indeterminacy and transcendence ensure an ongoing debate in the name of these goals or values.⁵⁷

Seen from this perspective, the problem in today’s Europe may not be that values are subject to too much debate (which would illustrate the lack of consensus on them), but rather that they are still too shielded from a proper political debate at a European level. Indeed, values are often used as moralizing language that appears to prevent political debate rather than fostering it. If one sees values as principles that resist any final determination and appropriation, it becomes easy to see why both European technocrats and their populist opponents misinterpret them, as both limit the options for political debate by appropriating values. For Müller, ‘for neither technocrats nor populists is there any need for democratic debate. In a sense, both are curiously apolitical. (...) [E]ach holds that there is only one correct policy solution and only one authentic popular will respectively’.⁵⁸ Too often, *both* European institutions and their populist detractors claim to be the only true defenders of these values, making a democratic political debate even harder. If one instead sees values as indeterminate and thus subject to lively political debate, one can criticize both groups. Self-righteous and at times moralizing liberals or eurofederalists can be criticized when they are limiting debate, pretending to be the only ones who know what these values stand for. Populists (from Orbán to Wilders) can likewise be criticized when they, in turn, claim to be the only true embodiment of these values, thus depriving others of the right to invoke them, and thereby betraying them by making an independent judiciary, press, civil society, and free debate impossible. Likewise, those defending or promoting a ‘European way of life’ risk excluding others by claiming to know what Europe truly stands for. When applied to the concept of the ‘European way of life’, all this means that the ‘European way of life’ could, at least in theory, also be a suitable candidate

⁵⁶ Garton Ash (n 26) 127.

⁵⁷ Wim Weymans, ‘Defending democracy’s symbolic dimension: A Lefortian critique of Arendt’s Marxist assumptions’ (2012) 19 *Constellations: An International Journal of Critical and Democratic Theory*, 66–68.

⁵⁸ Müller (n 10) 97.

for political debate, provided it is used in plural – ways of life –, it is subject to political debate and, following the example of European values, emancipates itself from one particular group (in this case the (far) right). As a result of becoming more ‘abstract’ and ‘inclusive’ it could then be invoked by a large majority of political groups, as is currently already the case with European values. Yet, as it stands, the European way of life is not only still used in the *singular* but it is also mostly associated with a *particular* political family – the far right and, to a lesser extent, the centre-right European People’s Party.

All this also implies that a proper stage and culture for political debate should be created at a European level.⁵⁹ Indeed, in order to function properly, a democracy at a European level arguably needs a stage where the peoples of Europe can represent and debate their values, norms, and principles, although it is arguably still unclear what the most suitable European forum for debate could be – the European Parliament or the European Council.⁶⁰ Initiatives to stimulate political debate at a European level may also be an antidote to a *moralizing* use of these values, whereby ‘believers’ in the European project tend to cast aside their opponents as ‘eurosceptics’ who fail to respect European values in a proper pro-European or federalist sense.⁶¹ A *political* use of these values or ways of life may instead see these values or ways of life as ideals that one invokes and strives for but which no one can ever hope to fully grasp, thus guaranteeing a healthy political debate.

⁵⁹ Van Middelaar (n 53) 266–267.

⁶⁰ Mak (n 27) 829, 834; Van Middelaar (n 53) 250–254.

⁶¹ Van Middelaar (n 53) 228–229.