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Liberalism, nationalism, and post-Brexit Europe

The recent decision of the British electorate to leave the European Union (EU) – the so-called Brexit decision – poses problems not merely for the EU, but also for globalization and transnational political institutions. The Leave Campaign was fought under the banner of "Take Back Control," which suggested that only as national citizens of a fully sovereign state could people control their lives. The alternative was to remain the plaything of impersonal global forces – international trade patterns, borderless migratory flows, the movement of global capital etc. – and high-handed international bureaucracies like the International Monetary Fund (IMF), the European Central Bank (ECB), and the European Commission. For many Europeans, not merely in Britain, the EU has proven spectacularly unsuccessful in showing that it acts on their behalf and in their interests. The failure to resolve the interminable Eurozone Crisis has done little to add luster to the EU's reputation.

In Britain, the political ideology behind the campaign to Leave the EU is a particular form of nationalism that might be termed – after the leader of the United Kingdom Independent Party (UKIP), Nigel Farage – "Faragism." Simply stated, this political ideology makes three claims: (i) that control requires full national sovereignty; (ii) that the most important form of control is control over immigration; and (iii) – a consequence of (i) and (ii) – that the EU must be abolished in favor of a Europe of sovereign nation-states. Given the June 23rd Brexit referendum decision, Faragism appears to have emerged triumphant (d'Antona 2016). But it's important to recognize that this political ideology still has some important battles to fight. For one thing, the British government is yet to decide between so-called "Hard Brexit" (i.e. leaving the Single Market and closing its borders to European workers) and "Soft Brexit" (i.e. remaining in the Single Market but

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keeping its borders open to European workers). Domestic political struggles over this issue will likely last for years. (Not surprisingly, Faragists seek "Hard Brexit," even if they fear that the Government will betray them and choose "Soft Brexit.") For another thing, Faragism has international ambitions. This is a political ideology that now exists in similar forms in most European countries (Aisch 2016). Faragist political parties – whether the *Front National* in France, the *Lega Nord* in Italy, the *Partij voor de Vrijheid* in the Netherlands – hope to march their countries out through the same exit door as UKIP.[1]

For some pessimistic observers, Faragism represents a more general global antipathy to the ideas of liberal-democracy (Mounck 2016a). Taking Brexit and Trump as their data points, some scholars now believe that nationalism – of which Faragism is a species – is gaining the upper hand over liberal democratic values. As Stephen Walt puts it: "many people in many places care more about national identities, historic enmities, territorial symbols, and traditional cultural values than they care about 'freedom' as liberals define it (Walt 2016)." At the very least, so this line of thought goes, we must abandon the idea that the liberal democratic era represents "the end of history." This was the thesis of Francis Fukuyama, who in the early 1990s argued that liberal democracy had vanquished all rival ideologies (including communism) and was destined to form the basis of the global order (Fukuyama 2006). For Fukuyama, the only question that now remained was *when* not if a country was to become liberal-democratic. Many scholars now fear that liberal democracy has failed to deliver the material well-being and equality of respect that Fukuyama had earlier envisaged (Stanley and Lee 2014). In the wake of this failure, nationalist political ideologies like Faragism are taking over.

While this paper will argue that Faragism poses much less of a threat to liberal-democracy than many critics suggest, it is certainly true to say that Faragism poses a threat to the project of European Integration. The nature of the difficulty here was amply on display during the Brexit campaign: proponents of European integration lack a political ideology that has the appeal of Faragism. Political theorists haven't been of much help here, because the normative literature on European integration tends to focus more or less exclusively on the EU's alleged democratic deficiencies rather than engage with the fundamental questions of political membership raised by Faragism. The liberal political tradition certainly

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[1] Thus in the wake of the Brexit decision, Marine Le Pen announced: "A new Europe will emerge […]. For all patriots, for anyone who loves liberty, today is a day of joy. It is not that Europe is dead but that the European Union is teetering, and the nations are being reborn." "Marine Le Pen Prepares for a Frexit", *New Yorker*, June 29, 2016.

doesn't have much to contribute here. For while its assumptions tend towards a moral universalism (all individuals are free and equals, the natural equality of mankind etc.); in practice it has accepted – often without much reflection – a world divided into a plurality of particular nation-states each with relatively closed boundaries (Song 2012). Some liberal theorists – including both John Stuart Mill and John Rawls – have argued that liberal-democracy presupposes a nation-state; and neither the multi-national state nor the world state are desirable (Mill 1861; Rawls 2005; Rawls and Van Parijs 2003; Morgan 2008). Anyone seeking to draw argumentative inspiration against Faragism from the Millian and Rawlsian corpora will come away with very slim pickings. `

To acknowledge that the liberal political tradition does not have much to say in defense of the project of European integration does not mean that liberals must remain mute in the face of Faragist plans for a Europe of sovereign nation-states. This paper aims to show that even if Faragism is broadly consistent with the essentials of a liberal-democratic regime, its proposals are deeply problematic given the current situation in Britain and Europe today. The argument of the paper proceeds in four sections. Section One offers an account of Faragism, which suggests that this political ideology is less irrational than many of its critics suggest. Section Two takes issue with the Faragist claim that a sovereign Britain would have more *control* over its affairs than Britain now has as a member of the EU. Section Three argues that the form of Brexit that Faragists advocate – so-called "Hard Brexit," which would entail leaving the Single Market and excluding European migrants – is not only undesirable but unjust, not least because it would deprive many people currently living in Britain of fair and equal treatment. And Section Four considers a number of options that the EU might pursue to minimize the chance that Brexit will lead to a more general European disintegration.

1. The rationality and reasonableness of Faragism

Political ideologies typically contain two elements: (i) a set of values or principles used to evaluate political action, policies and institutions; and two, a causal theory about the way the world works. Viewed in this light, Faragism constitutes a political ideology – in much the same way as liberalism and socialism constitute political ideologies. For Faragism, the primary political value is national sovereignty, which they wish to restore by taking it back from Brussels. Some supporters justify this aim as an end in itself – a nation worthy of the name must be sovereign, a familiar claim of nationalists from Mazzini onwards; while others justify

it in terms of how badly run Brussels is (Hannan 2016). Faragists' secondary political value is the nation understood in terms of its historical members, which is to say a nation unsullied by new immigrants with different customs and values. This defense of the nation can take an ethnic or even racist dimension.[2] But it would be overlook the appeal of a nation merely understood as a people with, what the Labour MP Frank Field calls "a common set of memories and shared experiences (Field 2016)." Field fears that the Labour Party has lost out to UKIP among the white working class, because UKIP were willing to fight elections based on the threat that large-scale immigration posed to these common memories and experiences (Morgan 2016).

In addition to these animating political values, Faragism – much like any political ideology – has a causal theory about the way the world works. Typically, this theory isn't very detailed or sophisticated. For Faragists, their theory boils down to the claim that national sovereignty is necessary for control over the issues that matter; and that a nation with sovereignty will have more control than a nation that lacks sovereignty. I want to leave aside (until Section Two) the plausibility of this causal theory. For the moment, I want to consider two common criticisms of Faragism – one, that it is irrational; and two, that it is unreasonable, which is to say that it lies outside the bounds of liberal-democratic norms.

So far as the alleged irrationality of Faragism, the recent essay by Zach Beauchamp (2016) can serve as a fairly typical example. Beauchamp's charge of irrationality focuses as much on the alleged motivations of UKIP supporters as the ideology itself. He sees evidence of irrationality in the fact that many voters blamed immigrants for their troubles, even while the empirical evidence suggests that immigrants tend to cluster in areas where there is low unemployment and a relatively low level of support for Brexit. These observations lead Beauchamp to dismiss economic explanations for Brexit in favour of the claim that Brexit voters were motivated by irrational xenophobia. "Data shows," as he puts it, "that Britain wasn't suffering from harmful economic effects from too many new immigrants. What Britain *was* suffering from too much of, however, was xenophobia – fear and hatred of immigrants. Bigotry on the basis of national origin (Beauchamp 2016)." Given the claim that xenophobia is irrational; then Brexit voters and Faragism in general are also irrational.

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[2] UKIP, in contrast to the *Front National* and *Lega Nord*, is generally careful to avoid any accusations that they understand the nation is ethnic or racist terms. This is partly done to make the party more respectable than the even more right-wing and racist British National Party and English Defense League.

One obvious difficulty with this line of argument is that it fails to distinguish between the rationality of voters and the rationality of a political ideology; and even in the case of the former, it is not obvious that there was anything irrational in the votes of the pro-Brexit majority. As Weber noted, individuals have both material interests and ideal interests; and rational action can apply to both. It is no less rational to act (or vote) in support of one's ideal interests – which might include anything from the triumph of one's national culture to seeing a particular conception of fairness prevail in the world – than it is to act (or vote) in support of one's material or economic interests. Thus when Beauchamp argues that Brexit voters were irrational merely because they were not acting out of their economic interest – a common argument made by economists who express puzzlement why voters don't always support free trade policies – he is ignoring the role of ideal interests, which can take a more or less benign form. Yet even when he does recognize that people can have ideal interests, Beauchamp seems to draw the line at the ideal interests that (he contends) motivated Brexit voters. In his interpretation, Brexit voters "made an unjustifiable and irrational decision, grounded in fear of people who spoke different languages or whose skin was darker than theirs." The answer to such people is "to figure out how better to make the case for the fundamental human right to migrate," which (although he doesn't put it this way) is to substitute, what he assumes is, a rational ideal interest (a fundamental human right to migrate) for, what he assumes is, an irrational ideal interest (xenophobia).

Even if we were to accept Beauchamp's invidious characterization of the Brexit voters' ideal interests as xenophobia, it is difficult to accept his conclusion that xenophobia is irrational. Some people dislike foreigners and if they act (or vote) on the basis of that dislike, then they are acting rationally, even if not wisely, humanely, or justly. His own concluding remarks make it clear that he considers xenophobia to be unjustified and wrong, while a human right to migrate isn't. Brexit voters – and Faragism as a political ideology – stand accused of not recognizing this alleged human right. A difficulty here, of course, is that the idea of a human right to migrate is deeply controversial and no major political party in Western Europe supports such a right. It's implausible to claim that anyone who rejects this right is *ipso facto* irrational.

Rather than seeking to skewer Faragism on the point of its alleged irrationality, a more important consideration is whether Faragism is "reasonable." By reasonable I have in mind something like Rawls's use of the term (Rawls 2005), which is to say a political ideology that "does not reject the essentials of a democratic regime." For Rawls, ideologies that reject these laws and values can be termed unreasonable; these ideologies lie beyond the bounds of liberal toleration and must be contained

"so that they do not undermine the unity and justice of society" (Rawls 2005, xvii). Does Faragism violate this *requirement of reasonableness*? In order to assess this question, we need to return to the three component elements of Faragism: (i) national self-determination; (ii) anti-immigration; and (iii) EU disintegration. On the face of it, none of these ideas are obviously unreasonable in the sense of being fundamentally incompatible with "the essentials of a democratic regime." National self-determination has an impeccable liberal heritage (Mill 1867); and there is no necessary reason why a liberal-democratic state has to relinquish or share its sovereignty with a transnational political authority. The same point holds true for restrictions on migration. The topic of immigration has itself rarely figured prominently in the classic texts of liberal political theory, which have always been – and still largely remain – state-centric (Miller 2016, 14-15). That is thankfully no longer the case. There is now a rich literature debating the topic. But for our purposes, the important point to recognize is that this is a debate that takes place *within* the liberal-democratic tradition. This is no less true of EU disintegration. Some liberal theorists have argued that liberal values support European integration; while others – including Rawls himself – think the opposite (Rawls and Van Parijs 2003).

Given the apparent compatibility of Faragism with liberal-democratic norms, it is all the more surprising that some commentators have seen in the Brexit vote a signal that "the core institutions of liberal democracy can no longer be taken for granted" (Mounck 2016b). There are certainly similarities between the concerns that animated Brexit voters and those that animate Donald Trump's supporters. The two most important issues for Brexit voters, according to exit polls were, national sovereignty (49 per cent of Leave Voters) and immigration (33 per cent of Leave voters) (Ashcroft 2016). But this does not mean, as Yascha Mounck has argued, that the Brexit vote should be seen as a part of a broader turn against liberal democracy and towards authoritarian populism. Faragism cannot be equated with the unreasonable illiberal democracy of Erdogan and Putin. Faragism even lacks the authoritarian, law and order strains so prevalent in Trumpism. In short, there is much to criticize about Faragism, but there is nothing to support the sweeping claim that Faragism is unreasonable and lies outside the boundaries of liberal toleration.

2. SOVEREIGNTY, CONTROL AND BREXIT

The preceding section noted that political ideologies contain both a set of values and a causal theory. For Faragists, the central claim of their causal theory is that national sovereignty is necessary to "Take Back Control." Or put another

way, the national sovereignty gained by exiting the EU will lead to some significant gain in control over at least some desirable political goods. This claim remains very much a live issue even after the Brexit vote, because the British government has yet to decide whether they will pursue Hard or Soft Brexit. Faragists are pushing for the former, on the grounds that only outside the Single Market can Britain control immigration, which they assume to be the most desirable political good. Indeed, Farage himself has said that it would be worth it to be poorer if it meant Britain could limit immigration (Farage 2014).

In order to make sense of these Faragist claims, we need to make some preliminary distinctions between a cluster of related concepts – sovereignty, control, autonomy, and the successful attainment of desired goals. Sovereignty is best thought of as a form of ultimate political authority. As Noel Malcolm (1991) puts it: a state is sovereign "when it possesses plenary and exclusive competence, a matter of enjoying full authority internally and not being subordinated to the authority of another state." A sovereign state needs to be recognized as such by its own members and others in the international state system (Krasner 1999). Subordination takes place when other states refuse to recognize the sovereignty of another. A sovereign state can still retain recognitional sovereignty, even in the face of military defeats and loss of territorial integrity. Generally speaking, however, recognitional sovereignty requires a coercive apparatus of sufficient power to subjugate domestic malcontents and to ward off foreign aggressors (Jackson 1986).

Autonomy is best thought of as the capacity to choose between a variety of desirable options. A state is more or less autonomous depending on the extent to which (i) it can exercise this capacity itself – i.e. without the permission or cooperation of other states – and (ii) the range of desirable options it has available. Typically, a state is more autonomous, when it has more relative power than other states.

While the terms sovereignty and autonomy can be defined quite easily, the term control is much more ambiguous. Think here, for example, of the statement – "Person P is in control of the ship." On one understanding of this term, "Person P is the person in ultimate authority, the Captain." In this context, control is more or less a synonym for ultimate authority (or sovereignty). Let's call this *sovereignty-control*. On another understanding of the term control, "Person P is able to steer the ship safely to its desired destination." This is to say that control is more than a matter of authority; it is a matter of being capable of using that authority to achieve a desired goal or outcome. Let's call this *capability-control*. Now it may be the case that the Captain of a ship can ignore the crew, the coastguard, and prior written instructions. Let's call this *autonomy-control*. But more probably the Captain will need the cooperation of others (the crew, the coastguard etc.)

and will have to follow prior written instructions, including the Law of the Sea. Let's call this *cooperative-control*. Qua passengers on the ship, it is important to know whether *capability-control* is better achieved by way of *autonomy-control* or by way of *cooperative control*. In other words, if I want to arrive at my destination safely, is it better to allow the Captain full autonomy? Or is it better for the Captain to have to consult with the crew and to follow prior written instructions?

These four different forms of control – *sovereignty-control*, *autonomy-control*, *cooperative-control*, and *capability-control* – complicate the Faragist claim that British national sovereignty – i.e. Brexit--is necessary if Britain is to "Take Back Control." This claim is only uncontroversial, if we have in mind *sovereignty-control*, which means nothing more than qua sovereign state Britain has ultimate authority and as such is in legal control of its own affairs Evans-Prichard 2016, Tuck 2016). Faragists complain that qua member of the European Union, Britain lacks *sovereignty-control*. Those who fixate on sovereignty-control often seem to find it an insult that Britain has to defer in some areas and share competence in others to a supranational political body. But if it were merely formal legal authority that bothered them, they could exit the EU to achieve sovereignty control, while immediately applying to rejoin the European Economic Association – along with Norway, Switzerland, and Liechtenstein. The problem with EEA membership is that it seems to require much the same form of actual subordination – the acceptance of EU market regulations, for example – as membership in the EU itself. For this reason, many Faragists insist not on mere sovereignty-control, but on autonomy-control. They want to see Britain free of any formal legal subordination and free to enact more or less whatever policies its parliament chooses. If a majority wants to nationalize all its industries, including its banks and insurance companies, it should be free to do so (Tuck 2016). This is to seek not merely *sovereignty-control* but *autonomy-control*, not mere formal legal authority to x, but the actual capacity to x.

In order to achieve autonomy-control, it is necessary to free also free Britain from EU arrangements where Britain cooperates with other European powers to achieve a common goal. Since the Single European Act (1986), Britain has tolerated majority votes among European member states to facilitate the single market. Many Faragists finds this form of, what can be described as, cooperative-control too constraining. When Faragists speak of full independence, they are seeking to replace *cooperative control* with *autonomy-control*. Like the Captain in our earlier example, Faragists believe that the ship of state can best be sailed without being locked into prior cooperative arrangements with other Europeans. *Autonomy-control*, as they see it, is the best way of attaining *capability-control* i.e. successfully securing desired goals or outcomes.

One difficulty with the Faragist effort to abandon *cooperative-control* in favor of *autonomy-control* is that it focuses exclusively on the constraints on autonomy that arise from antecedent political arrangements, such as Treaties. But it is not obvious that Britain would gain much in autonomy once freed from these constraints. Think back here to our earlier definition of autonomy – the capacity to choose between a variety of desirable options. In order to judge whether *autonomy control* is better than *cooperative control*, we need to know both how the range of desirable options will change once Britain can no longer call on the cooperation of other member states that is built into EU Treaties; and how successful Britain will be in exercising capacity-control. For many Faragists, an autonomous Britain can recreate these cooperative relationships on an *ad hoc* basis and doesn't need to rely upon prior Treaty arrangements. Some contend that Britain does not have to choose between Hard and Soft Brexit: it can join the EEA and (like Liechtenstein) both remain in the Single Market and regulate immigration (North 2016). But of course this ability to succeed in this aim – to achieve, what we called, *capability-control* – is only possible if other member states agree to allow it; and it is unlikely that they will.

A further difficulty with the Faragist celebration of autonomy control is that this form of control is merely instrumental to *capability-control* – the successful attainment of a desired goal. To mention our Sea Captain again: it is one thing to sail the ship autonomously – without any cooperation from the crew – it is another thing to sail the ship safely. This concern will be especially important for the passengers, who in all probability care about safety above all else. In this respect, states are not that different from ships: they may seek many different destinations, but unless they have successfully attained certain prerequisites – including in the case of states, a significant measure of security and wealth – those destinations will be out of reach. This point allows us to clarify the meaning of the Faragist slogan "Take back Control." By retaining our national sovereignty – so the Faragist wants to say – we can exercise autonomy-control and in doing so achieve capability control. In short, we will have more options and we will be more successful in pursuing those options.

While these Faragist claims are now clearer, it is easier to spot problems in the chain of reasoning. National sovereignty will not necessarily give Britain more options. Indeed, the options available to Britain – concerning the Single Market/Immigration trade off, for example – will depend on the willingness of other European states to strike a bargain. Likewise, Britain's success in pursuing these options will also depend on other European states. On the face of it, the Faragist claim that national sovereignty will obviate the need for *cooperative-control* is simply wrong.

Britain has replaced one form of cooperation – that built-into antecedent Treaties, laws and institutions – with another form of cooperation that is uncertain and yet to be created. Faragists can only prefer the latter situation, because they exaggerate the constraints imposed by antecedent Treaties and underestimate the constraints likely to arise in the future as Britain pursues its own path to *capability-control*. The causal theory that leads Faragists to think that antecedent Treaties, such as those that define the EU, are obviously more constraining than those yet to be created is simply wrong. More damaging to the Faragist causal theory, there is good reason to think that *cooperative-control* – which is what Britain has as an EU member – is a better route to *capability-control* than the *autonomy-control* that Faragists hope to achieve through Brexit. I return to this topic in the final section of the paper. But first, I want to reexamine compatibility of Faragism with liberal-democratic norms.

3. The harm of Brexit

In Section One above, I argued that Faragism as a political ideology satisfies *the requirement of reasonableness,* which is to say that it is not incompatible with the essentials of a liberal-democratic society. The core elements of the ideology – national sovereignty, anti-immigration, and a Europe of nation-states – can be and have been defended by many liberal political theorists. Yet while Faragism is generally compatible with liberal-democratic norms, this is not to say that it is actually compatible given the specific make-up of British society today. The problem here can be traced to the conception of nationality that informs Faragism. While there is nothing necessarily illiberal about national self-determination, this holds true only when nationality is *imagined* (to use Benedict Anderson's evocative term) in terms that are at odds with a significant minority of the population. The Faragist conception of nationality, even if it satisfies the requirement of reasonableness, fails, what might be termed, *the requirement of inclusivity.*

The roots of this problem can be traced to a curious feature of nationality. The concept of nationality is defined by a sense of intersubjective commonality, a sense of we-feeling. There is nothing controversial or illiberal about this feature of nationality. The difficulty arises when we inquire more closely into the content or symbols that provide the imagined substance of this we-feeling. The imagined substance of a nation can provide a we-feeling for some citizens, even a majority, but it can also serve as the basis for identifying and excluding a "they." When the "they" are also citizens, a conception of nationality can turn some people into second class citizens.

To illustrate the exclusionary direction that nationality can take, it would be helpful to consider Mill's classic defense of national self-determination in the Considerations of Representative Government (Mill, 1867). The interesting part of the argument concerns Mill's definition of nationality:

A portion of mankind may be said to constitute a nationality if they are united among themselves by common sympathies which do not exist between them and any others. This feeling of nationality may have been generated by various causes. Sometimes it is the effect of identity of race and descent. Community of language and community of religion greatly contribute to it. Geographical limits are one of its causes. But the strongest of all is identity of political antecedents; the possession of a national history, and consequent community of recollections; collective pride and humiliation, pleasure and regret, connected with the same incidents in the past (Mill, 1867, Ch. 16, § 1).

Although Mill is talking here about the various different *causes* of the feeling of nationality, he might just as well have been talking about the various different way that nations have been imagined. Doubtless, some nations (the Japanese come to mind) think of themselves in terms of race and descent; while other nations (the United States and France, for example) think of themselves in terms a republican ideal of citizenship (which may or may not entail some commonality of language and customs). It makes a big difference how a nation is defined – or imagined – because the terms if the imagining will have the effect of including some citizens and excluding others. Ideally, a liberal-democratic nation-state will imagine nationality in ways that are both compatible with liberal-democracy and inclusive of all members of society. Nations fall short of this ideal, when they allow their nation to be imagined as, say, white and Christian, when many people in the society are neither.

In light of these remarks, I now want to consider how Faragism affects the idea of British nationality and citizenship. The Leave vote, as we have seen was animated by a concern for national sovereignty and by an opposition to immigration. Faragists sought a return to National Citizenship, while putting an end, at least within Britain, to any form of European Citizenship. On the face of it, this aim is broadly consistent with a requirement of inclusivity, because it makes no reference to ethnic or cultural qualifications for citizenship; it does not seek to make citizenship contingent on any comprehensive doctrine or way of life. But on closer inspection, there is a problem.

On the eve of the Brexit vote, Britain had roughly 3 million EU citizens residing there. Under EU law, every citizen of a European member state also has European citizenship, which includes the right to live and work anywhere in the EU

(Shaw 2007). Everyone, in short has a dual status citizenship: both national citizenship and – through their national citizenship – European citizenship. Under this arrangement, no European citizen can be discriminated against, even when living and working in a member state where he or she lacks national citizenship. Furthermore, after 5 years of documented residency, one can acquire the status of "permanent resident." No one can be told "You don't belong here; go back to your own country", because in a sense European citizenship allows the response "This is Europe; this is my country. Qua European citizen, I have the same rights to live and work in Britain as you do in my national member state." In this way, European citizenship disarms bigots. It establishes a basic civic equality.

After Brexit, all this changes. In post-Brexit Britain, the 3 million Europeans face the prospect of losing part of their dual status. For many Leave voters, the purpose of Brexit was to do away with European citizenship and replace it with National Citizenship. This move places the 3 million Europeans in Britain in a difficult position, for now in Britain – a place where many will have become deeply entrenched in their local communities and in their workplace – they lack both National Citizenship and European Citizenship (which to be abolished). The 3 million Europeans in Britain have experienced an injury to their status – a status-harm, as it were. In the new post-Brexit environment, they have no response to the bigot who tells them to go back to their own country. Not surprisingly, the Brexit vote has been followed by numerous reported cases of anti-immigrant hate crimes.[3]

If Faragism passes the general requirement of reasonableness, it cannot pass the requirement of inclusivity. The Faragist conception of nationality is too narrowly drawn and in abolishing European citizenship, it leaves too many people with deep roots in Britain without a status compatible with their desire to live and work in Britain as equal members of that society. The triumph of Faragism with the Brexit Leave vote has produced a situation where 3 million people, many long-term residents, will no longer be afforded the protections they once had as European citizens; they have been reduced in status to guest workers who can remain in Brit-

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[3] For documented evidence of the rise of hate crimes in post-Brexit Europe, see "Brexit: Surge in Anti-Immigrant Hate Crime" August 1 2016 (http://www.independent.co.uk/news/uk/crime/brexit-hate-crime-racism-immigration-eu-referendum-result-what-it-means-eurospectic-areas-a7165056.html). And for a very interesting and perceptive argument that Leave voters are culpable as "racists" for discounting the likelihood that Brexit would yield these sorts of crimes and other harms to Britain's ethnic and racial non-nationals, see Bertram (2016).

ain not as a right but on the sufferance of others. The injury of the Brexit vote is not limited to these 3 million Europeans. The Brexit vote will likely deprive British citizens of European citizenship. People in Britian who thought of themselves as British and European have been deprived of half their political identity.

Now faced with these arguments, a Faragist might make a number of objections. First, they might argue that since Brexit was a democratic decision arrived at via a fair national referendum, the decision is *ipso facto* fair and must be accepted. Any adverse impact of Europeans resident in Britain, while unfortunate, cannot outweigh the result of the democratic process. This objection has, I think, no merit whatsoever. It confuses the legitimacy of a democratic process with the justice or fairness of an outcome. Merely because the democratic process was legitimate does not affect our judgements of the justice of the outcome. To think otherwise would mean that a democratic decision to torture, enslave or embark on genocidal conflict would also have to be counted as just.

Second, a Faragist might object that whatever the costs to Europeans resident in Britain, these costs are more than outweighed by the benefits to the British of taking back control of their national sovereignty. In a sense this objection suffers from the same problem as the preceding one. The costs to the Europeans resident in Europe are not of the same order as the alleged benefits to the British. The former involve fundamental claims of justice; the latter do not. Indeed, if the argument of the preceding section has any merit, the whole enterprise of taking back control is fundamentally misconceived.

A third objection that a Faragist might make challenges the standing of Europeans resident in Britain even make claims of justice. On this view, our political world is divided by political boundaries into two discrete realms: our co-nationals--to whom we owe special obligations – and foreigners – to whom we owe next to nothing. Europeans resident in Britain are foreigners – even if the EU has tried to persuade us otherwise – and we have no special obligations towards them. They have no stronger claims on us than Nigerians or South Sea Islanders; and while we might owe such people charity, we do not have to apologize for putting our interests above theirs. Furthermore, their decision to enter Britain to live and work was a choice, which they made voluntarily in an effort to better their economic conditions. If they find Britain post-Brexit inhospitable, then they are quite free to return home. This third objection is altogether more powerful and cuts to the heart of *the requirement of inclusivity* mentioned earlier. For the Faragist, national sovereignty entails the right not only to draw the boundaries of inclusivity around co-nationals, but to define who are those co-nationals. The Brexit vote has made it clear that co-nationals do not include Europeans resident in Europe.

There are, I think two different ways of responding to this argument, which essentially boils down to the Schmittian claim that politics is fundamentally defined by the friend and enemy distinction (Schmitt, 1996). Sovereignty allows a people to draw this distinction as they wish. One response is to simply deny the validity of political boundaries. This is the response of President Juncker, who, in the face of the refugee crisis, proclaimed that "Borders are the worst invention ever made by politicians (Juncker 2016)." The difficulty with this response, however, is that completely open borders would render impossible many of the core features of the modern democratic welfare state. A more plausible response is to challenge the claim that inclusivity can be defined merely as a majority would like. In the British case, Europeans resident in Britain have a very strong claim that even if they are not citizens, they are not foreigners either. It has to be remembered that Britain chose to enter the EU (or EEC, as it then was) in 1975. Since that date, Britain has been at the very forefront of the countries shaping the EU. The Single European Act of 1986, which expanded the scope of majority voting, was push forward by Margaret Thatcher; and the expansion of the EU in 2004 to include the Central and Eastern European countries was undertaken very much at the urging of Blair's Labour Government. Furthermore, Britain was allowed the option in 2004 of delaying labor mobility from the new accession countries. It declined to take this option. Britain has obligations to Europeans resident in Britain, because Britain not only welcomed those Europeans but co-created the laws that made their residency possible. These residents, many of whom have been in Britain for twenty years or more, have now established longstanding ties to their new home and workplace. A sudden transformation in their status represents a profound setback to their interests and, for the reasons outlined here, is unjust.

4. Citizenship in post-Brexit Europe

If the argument of the preceding section is correct, then the Faragist plans for "Hard Brexit" – exit from the Single Market as a condition of controlling immigration even from within Europe – are unjust in their treatment of Europeans resident in Britain, who will lose the status of European citizens (which will no longer exist in post-Brexit Britain) without acquiring British national citizenship. The question remains – what should the EU do in response to this situation? Clearly from a liberal perspective, the danger to avoid is that of contagion from Britain to the rest of Europe and the ensuing disintegration of the EU. Faragists speak blithely about a return to a Europe of Nation-States, but they assume

that such a return can be achieved in peaceful, orderly steps. It is just as likely that these peaceful, orderly steps will be violent and chaotic (Gillingham, 2015). More worrying still, the last time a Europe of Nation-States existed was in the interwar period 1919-1939, a period of economic and military catastrophe. Finally, there remains the challenge posed to a Europe of Nation-States of foreign pressure – whether from Russia, China, the United States or other great powers – and foreign disorder – whether from Turkey, the Balkans, or North Africa. Proponents of a Europe of Nation-States believe that these challenges can all be handled better by independent sovereign nation-states coming together on the basis of hastily put together and easily-exited coalitions.

If the EU wants to avoid the dangers of a Brexit-provoked disintegration, it has three options, which are not mutually exclusive. First, it can adopt an uncompromising position in the negotiations with the British government over access to the Single Market. Many Faragists want to enjoy all the benefits of access to the Single Market without accepting any immigration from Europe and without paying into the EU budget. It would be very unwise to allow the British Government to achieve this goal, because it would encourage other EU-sceptic countries to pursue a similar goal. More sensible Faragists recognize that the EU will not allow access to the Single Market without conditions and are willing to give up on access to the Single Market in the hope that Britain can still enjoy a relatively favorable trade position. The British are particularly eager to retain so-called passporting rights for their financial services, which make up such a significant proportion of the British economy. The EU should refuse to extend Britain any favours here. Banks should be required to move Head Offices to the Continent, before they have equal access to the various European financial markets. Along the same lines, the EU should exclude British universities and researchers from European research grants. The British have been hoping to buy access and remain as part of European consortiums as if Brexit had not happened. Furthermore, the EU should require the many important regulatory agencies based in Britain—including the European Medicines Agency and the European Banking Authority—to relocate to a EU country. In short, Britain needs to be made to pay an economic price for Brexit *pour decourager les autres.*

A second option – not inconsistent with the first – is to encourage British isolation and make no efforts to reintegrate Britain into European affairs. Britain has always been something of a reluctant member of the EU. It was late to the party and once there always vetoing new projects and dampening enthusiasm for more integration. Absent Britain, the more enthusiastic integrationist member states – including the three big powers now, France, Germany, and Italy – can move together

in a more federal direction without having to worry about the British. The danger of pursuing this option, however, is that a Britain outside Europe could still pose a threat to the integrationist project. Britain could become a very low tax and lightly regulated competitor, better able to attract large-scale foreign direct investment. If this isolationist option is to be pursued, it would need to be done in conjunction with option one. Britain cannot be allowed to undercut the EU.

A third option – which is inconsistent with the previous one and represents an alternative path – is for the EU to pursue a long-term project of re-integrating Britain. It must be remembered that 63 per cent of British adults did not vote for Brexit; the vote was split very closely 52-48 per cent. There remain a large number of voters who want a second referendum; that number will grow if Leave is seen to fail (hence option one). It is unlikely, however, that the EU could improve its popularity without employing both carrot and stick. The EU needs to reward those British voters who remain loyal to the EU.

One step in the right direction would be for the EU to move towards a European citizenship unmediated by a prior national citizenship. At the moment, people in Europe are offered only the status of being only hyphenated Europeans (French-European; German-European, Italian-European etc.) rather than Europeans as such. Brexit provides an opportunity here. 16 million Brits voted to remain in the EU. These people will now lose even their meagre hyphenated status and become, for the most part, reluctant national citizens of a country in the grip of Faragist nationalism. The EU can rescue their fallen state by offering them European citizenship – European passports unmediated by national citizenship, which will provide them with the right to live and work anywhere in Europe. Many British citizens will jump at the opportunity. Now one immediate problem with this proposal is that it offers the British an advantage not currently extended to other Europeans, including, most worryingly, those now living in Britain who are threatened with losing their right to live and work there. To address this problem, the offer of European citizenship could be made conditional on Britain offering current EU citizens full national citizenship in Britain. This will further encourage the pro-European British citizens to fight for the rights of current EU citizens. Any future British government that might wish to play fast and loose with current EU citizens resident in Britain will face the ire of the pro-European British eager to acquire EU citizenship.

More generally, it might be objected that this citizenship proposal rewards secessionists like Britain by offering them a desirable form of unmediated citizenship that is not extended to others. This objection can be met, however, by offering any current EU citizen unmediated European citizenship free of charge, but

charging the British, say €10,000, to acquire European Citizenship. This policy will not only provide the funds to finance the Citizenship Office, which will have to be created *de novo*, but will discourage countries from thinking that they can secede from Europe while enjoying the full benefits of membership. If €10,000 is too much for some people, they could be offered European citizenship for free in return for working on pro-EU projects, which could be arranged and overseen by the new Citizenship Office.

These three options are clearly not the only ones available. Faragist-inspired Brexit represents a mortal threat to the project of European integration. Liberals who have grown accustomed to a relatively stable broadly democratic European continent cannot afford complacency, if they want to avoid complete European disintegration. The EU has done a very poor job in managing recent crises, whether those involving the EMU or North African immigration. If it is to recover its popularity, it needs to rethink some basic assumptions concerning the processes of integration, which, in the past have relied heavily on functional spillovers and intergovernmental bargains. European citizenship has always been secondary to economic and legal integration. Brexit provides an occasion for re-thinking European citizenship, such that a citizen of Europe has tangible benefits guaranteed by the EU and unmediated by membership in a nation-state. If the EU plays its cards right, the British can be the guinea pigs to test this new form of citizenship.

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