

European Union Values and Member States: Crises, Solidarity, and the Role of the Rotating Council Presidency

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INTRODUCTION

In order to fight major problems facing the European Union, including the constant accusations of the democratic deficit of the entire integration project, it is necessary to understand the importance of adopting, respecting, and implementing fundamental European values in member states. Besides that, it is even more important to reconsider the role that the member states play in shaping those values and bringing them to life, as well as to understand what are the tools they can use in order to do it successfully. The dominant focus of our interest, hence, should be values linked to the safeguarding of the social order and the stability of the political system, especially where it relates to the recognition of the importance of national, economic, cultural, religious, linguistic, and other diversities, which are the cornerstone of the European integration. These include issues like equality before the law, tolerance towards minority groups, multiculturalism, and the protection of individual rights and freedoms. Taking that into consideration, it seems that no value is more important in maintaining a stable and functioning social order than the value of solidarity. Hence, a more in-depth look at the relationship between member states' powers and their interest in solidarity will be provided.

The objective of this paper is to encourage dialogue about the understanding of European values in the societies of Europe and to explore the influence of these values on specific segments of public life. The immediate goal of the paper is to increase the level of understanding and awareness of the impact of membership in the EU on the preservation and promotion of fundamental European values, as well as the contributions of member states (and especially Central and Eastern European member states) to the changing tapestry of the values that the European Union espouses, with the final goal of removing the democratic deficit as a valid criticism against the European project of ever closer union. This will be done by reassessing their presidency programmes in order to see their own interest in impacting the value-building narrative of the European integration process through concrete policy-setting these countries are proposing. Therefore, a focus on three recent rotating Council Presidency holders from Central and Eastern Europe – Croatia (1. 1. 2020 – 30. 6. 2020), Slovenia (1. 7. 2021 – 31. 12. 2021), and the Czech Republic (1. 7. 2022 – 31. 12. 2022) – will be scrutinized. The final conclusion of this paper is that member states are not only passive receivers of European values from top-down, but have plenty of opportunities to influence their development and (re)definition bottom-up. However, they do not use it often, for reasons not well known that would need to be analysed more deeply at a later stage. The question worth further exploration is why they don't and how that influences the overall state of democracy both in the European Union and in nation states.

VALUELESS EUROPE: THE DEMOCRATIC DEFICIT(S) OF THE EU

The process of European integration struggled against a myriad of criticisms since the outset of the project. One of the most profound and long-lasting ones was linked to the democratic nature of the process and was dubbed the democratic deficit of the European Union. The first to use this concept was David Marquand in the late 1970's, who linked it to the dominance of the executive (both supranational and national), over the legislatures on all levels of governance within the European Union (Magnette 2007). The concept became even more entwined with the notion of further European integration after the fall of the Berlin Wall and the accelerated enlargement both in the number of member states as well as in the scope of policy areas that came under exclusive or shared supranational authority. According to Hix (2005), the reasons behind this rise of the democratic deficit narrative are multifold. Some of them encompass the transfer of power from legislatures to executives on national level, weaker – although strengthening – position of the European Parliament, compared to other EU institutions, and general lack of interest among European citizens in European elections and referendums that weakened the overall legitimacy of the integration project. Although the 2019 elections saw a marginal rise in the turnout levels both on the EU level in general and in some EU member states in particular, these do not break from the overall premise that those elections are second-order ones with electorate more interested voting according to their national policy and political narratives instead of the supranational ones (Čepo 2014).

Critics (Zhou 2022; Psygkas 2017; Goodhart 2007) of the concept have always insisted that the democratic deficit debate was overblown and when compared to nation states, the European Union is not lagging behind – a far more prescient argument when we take into consideration the democratic struggles (Kelemen 2017) some EU member states (like Hungary, Poland, Malta, Romania) are going through at the time of writing. Because democracy is a procedure, and procedurally, European Union has all the necessary prerequisites for a democratic polity – elected representative body representing both citizens and member states, regular, free, and fair elections, checks and balances between institutions and between different levels of governance, strong judicial branch focused on safeguarding rights and freedoms of both individuals and countries, and a system of active and interconnected independent watchdog-type institutions. All of these elements are built on the foundation of basic treaties whose main purpose was to build a new polity on a set of common fundamental values. These critics were helpful in showing, probably for the first time, that democracy is not necessarily jeopardized by a stronger supranational

political system and that democracy on national level is no better than democracy on the supranational level. What they failed to deduce from that is that the overall health of democracy in the EU depends on the particular health of democracies in member states (see more in Kelemen 2017).

However, what critics of the concept failed to notice is that the values that the EU espoused and spread, once they were transferred to national levels, gained differing meanings, were interpreted in culturally-specific ways, and were then used by national governments (sometimes against the EU itself) in order to further their national interests. This is especially true for those member states that suffered significant institutional capture by ruling parties (Müller & Gazsi 2023; Davies 2018), whose governments started working on radically ideological policies, sometimes through undemocratic means. As Kelemen (2017: 211), succinctly pointed out, supporters of the democratic deficit of the EU narrative “have long argued that the EU suffers from a democratic deficit and that growing EU power undermines national democracy. But recent backsliding on democracy and the rule of law in Hungary and Poland reminds us that grave democratic deficits can also exist at the national level in member states and that the EU may have a role in addressing them”.

Hence, it seems logical to conclude that the democratic deficit is not only the problem affecting the European Union, nor does it solely stem from the institutional structure of the EU. It is a complex problem linked to the idea of how people are represented on all levels of governance, at the time of weaker democratic control-mechanisms, unfriendly global political trends, and unscrupulous domestic political actors. The role of supranational institutions, like the European Union, can then be to use narratives and tools common to all member states and through them safeguard democratic nature of European polities. Fundamental (European) values are one such common tool and narrative device.

ON (EUROPEAN) VALUES

Values, in general, are abstract ideas about what is desirable, appropriate, and good. They are usually not directly observable but are instead visible in attitudes and actions of individuals within a society, a societal group, a political system or an institution. Values, in that sense, shape choices, behaviours, and priorities of political actors within a political system (Schwartz 2014). They are, therefore, multifaceted constructs that can be found within individuals, small groups, and large political and social entities, like states. Hence, we need to distinguish between micro, meso, and macro viewpoints of values.

Looking at values from the point of view of an individual, they are ideals that help us, as individuals, to navigate through life according to sets of ideas that we find desirable and good. For example, an individual can be honest, hardworking or nourishing. Zooming out

from there to a meso level, values are basic elements that social and political groups use to build rules, norms, regulations, laws, and taboos, which in turn help us build a functioning society in which individuals can work together. For example, we talk about equality, justice or solidarity, as values upon which a society should be built. In the end, on a macro level, these idealized values are used to construct ideas without which no ideal political system can be built. Rule of law, democracy, and political participation are types of ideas that are directly linked to values a society espouses and individuals internalize.

Where can the values of a society be found? Where are they enumerated? How do we recognize them? Constitutions, declarations, bills of rights, basic laws, founding treaties, and similar foundational documents hold societal values in a written form, as an inter- (and intra-) generational social contract. They exist in order to give stability to the system, to define the vision of a political system a group of people living together want to build, and to translate often mythological historical narratives on who we are into more or less concrete ideas and principles that guide us as a society. In that sense, values deal with the most profound topics and allow us to both establish ourselves and distinguish us from them, the other groups in our surrounding. These profound topics deal with concepts important for the survival of a group and for the individual's place within a group.

Hence, when we talk about fundamental values of a society we talk about issues dealing with trust, equality, solidarity, freedom, obedience, tolerance, peacefulness, and many more, all of which are focused on curtailing selfish individual impulses and bringing to the front the natural affinity of humans to live together in harmony. Some of the most important values any society can espouse, no matter the level of its development and the complexities of its social and political forms of living, are values of freedom, solidarity, and equality. Hence, before understanding how the EU is dealing with these values, we need to understand what they actually mean.

Freedom is, arguably, the most important (or the most fundamental) of all values. As such, it is considered an ideal to strive towards. It is also a conflicting one because it is hard for individuals to understand, from a common sense point of view at least, that one needs to lose some individual freedom to secure overall freedom in their life. This is especially important if we take into account the definition of freedom from antiquity, where to be free meant to be involved in the everyday functioning of the community you were a part of. Freedom is an opportunity to act autonomously by choosing among several options offered by community, social groups, political institutions, etc. Hence, modern concept of freedom, where one is free if they are left on their own to enjoy their private life, unbothered by the larger group they are a part of, is deeply dangerous for the health and strength of democracy, because it allows political actors to define political narratives, capture political institutions, and reconstruct political system without any fear from the

citizens. Freedom as political activism, therefore, plays an ultimate role in helping citizens maintain their position as the ultimate sovereign. Also, freedom, to a greater or lesser extent, serves as a basic foundation other values are built upon, because it is hard to see how one could build an equal and just society based on solidarity among its members if some of those members are less free than others.

However, it is hard not to align oneself with the modern – isolationist – concept of freedom, instead of the concept of freedom that gives (and asks for) agency to individuals as citizens. In a society that is deeply unequal, and thus, unjust. Hence, equality is an important value to adhere to if one wants to build a functioning democratic political system in an undivided community. Nonetheless, this is probably one of the more controversial values, as it has as many defenders as critics. While defenders insist that a successful community can only be built among equals, the critics insist that focusing on equality robs those who strive for more, have inherent advantageous traits, and work hard, from gaining the maximum from their endeavours, thus in the end hurting the community as a whole. However, if we take into consideration the concept of political equality, countless theoretical and real world examples keep proving that more stable polities need more equal citizens. To live in a (liberal democratic) republic is to be a part of, and take care of the public affairs – *res publica* – which one can do only if their own affairs are in order and do not overburden the individual in question. Legal equality is as important as the political one, which can be epitomized in the broadly used, but rarely understood concept (or, indeed, a value) of the rule of law.

Solidarity, on the other hand, is both a product of a more equal society and of lingering inequality between individuals. As such, it is a value that is deeply interconnected with many other values, including justice and equality. It is focused on building a cohesive community, anchored in accepting mutual interconnectedness. It helps weave a narrative of shared common future for all members of a society, and allows us to work together on removing any obstacles stemming from an individual's luck (or lack thereof) of being born in a particular set of circumstances. This definition it seems, more than any other definition of other values mentioned here, fits the narrative of European integration the best. Hence, the main focus of this paper is going to be on the value of solidarity, both through the lens of the EU, but more importantly through the point of view of member states.

VALUES AND THE EUROPEAN UNION

If European values exist – and we start from a position that they do – we need to answer two basic questions. The first one is, where can these values be found, while the second is what kind of values are we talking about? Both of these questions are important for us to understand in order to gauge the interplay between society, values, and political systems

built upon those values with the intention to guide the respective society. Without knowing how the values have been transformed practically within a polity, one can lack understanding why one society attaches particular importance to one set of values, while other focus on values of a different sort.

Answer to the first question is rather straightforward. Similarly to national contexts, in the context of the political system of the European Union, the values can be found, implicitly or explicitly, in the founding treaties, the Charter of Fundamental Rights, the decisions of the Court of the European Union, the resolutions and declarations of the European Parliament, the conclusions of the European Council, and in many other official documents, including the working materials and programmes of the Council Presidency. The latter, together with the European Council conclusions, is especially important for member states, because it offers them a venue to influence the value-formation, and more importantly, (re)defining values set by the European Union and its institutions.

The answer to the second question is, however, a bit more complex, because we first need to decide whether to focus only on explicitly stated values or to take into account (and try to interpret) implicitly stated ones as well. For now, focus will remain on explicitly stated values listed in two of the most important documents of the European Union – the Lisbon Treaty and the Charter of Fundamental Rights. The reason for only focusing on explicitly mentioned values lies in the type of documents we focus on. Both the Treaty and the Charter are aspirational (as much as practical) documents, which focus on those ideas that are of utmost importance for a European society (or for multiple European societies of member states). It is, also, a narrative of sorts on what Europe is and what it wants to be, used both for contemporary purposes of educating current generation, as well as for future purposes, i.e. for signalling to generations to come what we think we want and how we want to be perceived. Explicitly stating what values Europe thinks are important, hence, helps us make that signal stronger. There is importance in understanding what is said implicitly, as well, however that is out of the scope of this paper.

The Lisbon Treaty mentions the following values, as those the EU considers fundamental to its existence: respect of human rights, freedom, equality, and the rule of law. As the Lisbon Treaty states, after enumerating these values, they are important in order to safeguard democracy in Europe. The Charter of Fundamental Rights, on the other hand, which has been built upon “common values” and “indivisible, universal values”, safeguards individual rights of European citizens that stem from the values of dignity, freedom, equality, and solidarity. Hence, both the Lisbon Treaty and the Charter of Fundamental Rights give us a framework for understanding how the European Union is supposed to function.

Further on, we need to understand how European values are built. Again, the answer is a bit more complex than first thought, as we have to take into account the direction of values, i.e. who is their primary target – the European Union itself or the member states. If the direction is inward-facing then the values are built through founding treaties and court decisions, as previously mentioned, but also through harmonization process, and European Parliament and Council of the European Union legislation. However, if the direction is outward-facing, then those values are built and strengthened through the process(es) of Europeanization, through exercising the normative power of Europe, and through conditionality principles (either openly in the case of candidate countries, or a bit more covert, in the case of member states).

If we take into account the value of solidarity, for example, the most vivid examples of that value in practice could be found in the cohesion policy of the European Union, in the solidarity clause (Article 222) of the Treaty on the Functioning of the European Union, in the European Union Solidarity Fund, and in the newly established European Solidarity Corps. All of these (and many other) policies, programmes, activities, and instruments are built on the concept of mutual benefit and the formation of a more cohesive community of EU member states and European peoples. The focus on solidarity as a paradigmatic example of a European value is, therefore, appropriate, as “solidarity was given a central place in the canon of values of the European Union (EU). It is now prominently featured in Article 2 of the Treaty of Lisbon and is mentioned in numerous political declarations as a guiding principle of the EU” (Grimmel, 2017: 161).

SOLIDARITY AND MEMBER STATES: A LOST OPPORTUNITY?

The overabundance of the value of solidarity in some of the European Union’s most important endeavours, coupled with practical political, economic, climate, and security challenges the second decade of the 21st century has put in front of nation states, would lead one to believe that governments would put a much heavier emphasis on solidarity whenever they can. This is especially the case with “new” member states, the ones that overwhelmingly benefit from “solidarity policies”, such as cohesion, resilience and recovery etc. Despite its rather recent introduction into basic treaties, “the European Union bases its dynamism very much on solidarity because it is woven from long term commitments by the Member States, either to note a common interest or to deepen it” (Vignon, 2011). However, as will be seen in this paper, by analysing several of the most important documents a member state has in trying to influence the trajectory of European integration – rotating Council Presidency Programmes – it seems this opportunity to define and shape the value of solidarity was not optimally utilized.

As the word cloud in Diagram 1 shows, after analysing all six Council Presidency Programmes, explicit mentions of either solidarity, or any other European value, are nowhere to be seen among the most used words in the programmes. There are some concepts that implicitly point to some of the European values (e.g. cooperation, protection), but these are too generic and vague to be attributed to any specific European value. However, although solidarity was not found in the most used words (represented by the word cloud), this does not mean that it is absent from Presidency programmes.

After analysing six programmes, Table 1 shows the number of explicit references to solidarity in each.

Table 1: Solidarity in Presidency Programmes

Name	▲ In Folder	References	Coverage
programme-croatia	Files	1	0,04%
programme-czech	Files	7	0,26%
programme-france	Files	10	0,42%
programme-germany	Files	10	0,46%
programme-portugal	Files	6	0,24%
programme-slovenia	Files	3	0,10%

Source: Author.

The analysis allows us to give two conclusions. The first conclusion is that overall, the frequency of solidarity being mentioned is quite low in all six cases. This might point to the lack of interests (or lack of capacity or even lack of understanding the issue at hand is linked to solidarity at all), when of rotating presidency holders in working on policies, activities, and programmes that have solidarity in its core. The second one is that it seems that overall “old” member states showed a much greater interest in solidarity, according to frequency of the use of concept, than “new” member states did, despite the Czech Republic’s outlier position in this case. Absolute numbers, of course, do not show the entire picture, but they allow us to, at least, gauge the interest toward solidarity.

But what does this focus on solidarity look like in practice? In order to answer this question, we will focus more thoroughly on the presidency programmes of the three Central and Eastern European member states that held the rotating presidency during the 2020–2022 time period. Although the concept has been rarely mentioned in their programmes, maybe we can understand the stance towards it by more deeply analysing the situations in which the concept was used. The Croatian Presidency programme was the showed the least

when it came to presenting the member state's interest in the value of solidarity. It had one mention of solidarity, linked to further development of a specific policy instrument - European Solidarity Corps ("The Presidency will continue to work on the timely adoption of the Regulation on the European Solidarity Corps"). The rest of the document might be implicit in its use of solidarity, but it is interesting to observe that a country that held presidency during the end of Brexit and the start of the pandemic, two events that could have deeply diminish the interest in the European project, chose not to rely too much on the idea of solidarity among the member states as a rhetoric device deployed in its presidency programme.

The Slovenian Presidency mentioned solidarity three times – in regards to EU Youth Strategy, Pact on Migration, and Fit for 55 legislation ("We will devote special attention to the implementation of the EU Youth Dialogue and volunteer mobility, as well as cross-border solidarity"; "We will work towards further harmonization of member states' asylum systems and actively engage in seeking a political consensus for the implementation of the concepts of responsibility and solidarity"; "Slovenia as the member state holding the Presidency of the Council of the EU will start negotiations on the 'Fit for 55' legislative package. We will conduct the negotiations in such a way that individual solutions are turned into legislation in accordance with the principles of solidarity, fairness and cost-effectiveness, and respecting member states' right to choose their energy mix and technologies, which also includes the possibility of exploiting the potential of safe nuclear energy").

In the end, the Czech Presidency mentioned solidarity the most – seven times. These mentions were linked with the war in Ukraine ("The Czech Presidency will build on the principles of solidarity, efficiency and flexibility in this area. In cooperation with the European Commission, it will work on flexible transfers of funds and the creation of the necessary structures to assist the most affected Member States, organisations and the civil sector"; "The Czech Presidency will pay attention to effective European cooperation and solidarity so that the long-term integration of refugees into the societies of the Member States is successful"; "Coping with the unprecedented refugee wave resulting from Russia's aggression against Ukraine requires European cooperation and solidarity"), the social rights ("In the Council of the EU, CZ PRES will support the policies and actions of the European Union and its Member States aimed at implementing the principles of the European Pillar of Social Rights, which are aimed at ensuring continued upward convergence, social justice, intergenerational solidarity and cohesion in the EU in the future"), and the policies toward youth ("In the area of youth, it will address the theme of intergenerational solidarity"; "In the field of youth, the priority topic is intergenerational solidarity and equity in youth policies and youth work, on which Council conclusions will be

discussed and agreed. The intention is also to improve intergenerational dialogue and solidarity in response to the pandemic, Russia’s aggression in Ukraine and other socio-economic challenges”).

Unlike the Croatian, and to some extent the Slovenian presidencies, the Czech Presidency, clearly linked the value of solidarity to pressing political issues, such as social justice and aggression against Ukraine. Thus, we can agree with Havelka’s (2023) concluding remarks that “the Czech performance can be considered as a standard, successful presidency. The legislative process worked well, and the presidency programme managed to bring other perspectives to EU political narratives.”

CONCLUSION: WHAT NEXT FOR EU VALUES?

What can we conclude about member states’ (lack of) focus on solidarity? Like other values, the mention of solidarity in presidency programmes is more of a symbolic, expressive, tool than a concretized (actionable) activity. It is latently implied to a much more extent than manifestly expressed. Maybe the reason for that is because solidarity, like many other values, is seen as inherently European (a concept that defines Europe and its nature), and not something that the EU needs to work on to build from scratch. However, due to all these elements, in the end solidarity looks, as currently presented, more as an empty vessel into which national governments pour their own understanding and interests or a placeholder for a concrete activity or a programme.

Our analysis clearly shows that. The Presidency Programmes depict solidarity in a perfunctory and sporadic manner, bounding it to general statements, and avoiding any substantive elaboration of how it would be transposed in European public policies that would reach the European *demos*. Repercussions of such conceptualization is that solidarity as a European fundamental value, although a cornerstone of European integration, remains dormant and subjected to different (and differing) interpretation by political actors in member states. That, in turn, has profound repercussions on the health of democracy in the EU as a whole, and in member states specifically.

This short analysis leads us to conclude that it is necessary to open up a dialogue between national and European actors on what European values represent, what their intrinsic value for the European society (or European societies) is, and how national, regional, and local actors – from the politicians, to media, civil society organizations, and the academic community – can act in safeguarding, promoting, and protecting them. This multifaceted approach to European values is important, not only for the protection of the European Union integration process itself, but (in the national context) for strengthening and normalizing the underlying fundamental values of liberal representative democracy, as

well as for helping citizens become active political and social actors who are able to take over the supervisory role within their political systems.

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