

Why the EU cannot succeed

The doomed community model of European Integration

Hans Geser

Institute of Sociology, University of Zürich

July 2000

"The metaphor of the 'House of Europe' awakens fear of sinister homeliness: the French on the first floor, the Dutch without curtains at the windows, and a German caretaker who urges Italians to sort the rubbish properly and flush the toilet ecologically".¹

"There is no single civil right which the European Union could guarantee. Europe is a soap-box speech, a kind of fair-weather ideology."
(Ralph Dahrendorf)²

1. Introduction

Compared with smaller social systems, large macrostructures are often characterized by a lower level of evolutionary complexity. Thus political democracy became common in small city republics at a time when patrimonial and feudal systems of sovereignty dominated the large states. Likewise, the international state system today still shows similarities with extremely primitive human societies in which the assertiveness of the strong is only limited by very fragile norms and rules which are not guaranteed by any central power (cf. for example Holsti: 199).

One reason for this may be that processes of socio-cultural evolution are obstructed at macro levels because learning processes being extremely time-consuming and costly. Typically, erroneous developments are only recognized after considerably delay, and usually no structures of large-scale collective action are available to remedy them. Put the other way, efficient trial-and-error processes are best realized in decentralized structures, where numerous subunits are sufficiently autonomous to pursue different paths of development independently of each other and to make all kinds of errors that are relatively easy to correct due to their low cost, range and impact.

Below I argue that the supranational structures of the European Union show signs of evolutionary backwardness compared with the structures of the nation states constituting them, and that such discrepancies are more likely to be reinforced than removed in the course of the integration process.

¹ Cf. "Ab ins Hochbett". DER SPIEGEL No. 22, 31. 5.99, p.102.

² Quoted in: Bayer 1997: 25.

Evidently, the West European state system has overcome its archaic norm-less condition, which twice in the first half of the 20th century led it to the brink of disaster. However, it still represents as a "community" today a type of pre-modern macrostructure which stands in a problematic contrasting relationship to the more advanced level of its member states, particularly in the political sphere.

2. The EU as a "Community"

With the term "European Community" (which was the valid term until the Maastricht Treaty of 1993) the founding generations of the EU took up a notion used to express ideas of *social integration and harmony* since the 19th century (mostly as a retrospective historical view) (cf. Bates/Bacon 1972; Nisbet 1966, 47ff.).

Ideally and typically, the concept "community" – regardless of all other definitional divergences – describes a social collective whose members feel committed to each other for an indefinite period of time through common values and normative standards as well as through various ties of solidarity and cooperation. They have become accustomed to meeting each other under the most different circumstances and to undertaking the greatest variety of things together (cf. Toennies 1979). In addition, members of communities tend to draw more closely together in the event of an external threat (cf. Coser 1956: 87ff.), and when recruiting new members, they very much restrict themselves to those candidates who unreservedly accept the consensual values and behavioural standards of the group.

This idea of "community" stands in opposition to the concept of "society" – likewise developed in the 19th century in the sense common today – which conversely stresses the *differentiating, even disorganizing* forces of modern social life.

The most consistent formulation of this concept is found in

- 1) The classical model of modern society a *"functionally differentiated system* (expounded by Spencer, Parsons and Luhmann), which is composed of a plurality of autonomous, incommensurable institutional orders (economy, science, politics, state welfare, armed forces, education, etc.) (cf. Luhmann 1975: passim; Luhmann 1986: 202ff.);
- 2)
- 2) the concept of the *democratic constitutional state*, which bases its legitimacy not on communalistic consensus, but on the *separation of political powers*, on *controversial discourse in the public sphere* and on the *institutionalized permanent conflict between government and opposition*.

In contrast to the strong, irreversible and substantially diffuse forces of adhesion found in the "community", it is the loose ties between autonomous actors that dominate in "society". These actors will only enter into temporary and specific contractual agreements with each other, linking up in open networks, as and when required, with constantly changing partners.

There is no doubt that the EU imposes on its member states a relatively rigid social order, which is primarily geared towards integration instead of differentiation, and in many respects displays genuine "communal" traits:

1. Admission to memberships occurs on the basis of ascribed and immutable criteria; it is limited to countries which are genuinely "European" because of their objective geopolitical position on the one hand, and their embedding in a common culture and history on the other.
2. Accession is deemed irreversible and permanent, as if the member states were to seal their affiliation to a long-envisaged, definitive common "home". Accordingly, there are no formal conditions and processes stipulated in the various treaties for the case of a state wanting to renegotiate its membership status or even withdraw from the Community altogether.
3. It is required of all member states that they declare their belief in the non-specific general aim of "European unification" and are prepared on the basis of this vaguely broad motivation not only to recognize the existing "*acquis communautaire*", but also to bear in solidarity with others any future commitments and activities the "Community" might chose to pursue.

"Trust, shared identities, and familiarity encourage further contact, further integration, an expansion of the number of topics viewed as appropriate for discussion, and the development of common definitions of problems and appropriate actions" (March & Olsen 1998: 27).

As in traditional communities, transnational consultation and cooperation of this kind increasingly takes on the character of habituation in the course of time, occurring almost "instinctively", i.e. without explicit justification and preparation (Rifkind 1996).

With its diffuse (and ever widening) spectrum of competences and interventions, the EU differs drastically from federal nations (e.g. USA, Germany or Switzerland), where the subnational units are enjoying constitutionally anchored domains of autonomous iurisdiction (cf. Areilza 1995).

In general, the allocation of competences between the supranational and the national level is kept systematically indeterminate, with the result that new members are expected to bring along a highly generalized commitment, without being granted in return any precisely defined or guaranteed spheres of sovereignty (Eriksen/Fossum 1999).

"...the current stage of European integration points towards the formation of a synchronous corpus consociatum -- a 'community of communities' as opposed to a 'community of individuals' -- in which each member state, like Gulliver in the land of the Lilliputians, to use Taylor's visual metaphor, is tied with a myriad of interactive ties to other states as well as non-state actors -- the result being the creation of a complex 'cobweb' of favourable conditions for joint action." (Chrysochoou 1994).

4. It is expected of each state that, regardless of its particular self-interests, it bears joint responsibility for the rules and programmes incumbent on the whole of the Community and helps to maintain the high level of consensus fundamental to the smooth-functioning of the Community's institutions and decision-making processes. Action in the national self-interest and are morally disqualified as "cream skimming". And whenever cooperations are limited to only one part of the membership (as with the Schengen Accord and EMU), this is not seen as the logical concomitant of open network interaction, but rather as a regrettable lack of integration that has to be rectified as quickly as possible, because they collide with the self-perception of the EC as being (and wanting to remain) a homogeneous community consisting of fully participating members.
5. The EU shares with other typical communities the feature that it does not pursue any precise formulated objectives which could give rise to instrumental membership motivation (Hoffmann 1994). Rather, the goal of European unification is pursued as an end in itself, which of course can be justified in terms of various utilitarian reasons (e.g. the general advantages of deregulated markets or transnational freedom of movement), but in principle exists independently of such specific considerations.

This idealistic character of the Union has intensified since the time of the European Coal and Steel Community and the Treaty of Rome, finding concise expression in the Maastricht Treaty: "*Brussels, for all the flaws of the institutional setup, is one of the last refuges of idealism on the continent.*" (Hoffmann 1994). Hence it is truer to say of Helmut Kohl than of Konrad Adenauer that he pursued idealistic (instead of materialistic-utilitarian) goals: perceiving economic integration measures (e. g. the monetary union) only as viable means to speed up these more encompassing and idealistic aspects of supranational political unification (Ash 1998).

The more the governmental elites are pushing for integration focus on idealistic motives, the more they risk to isolate themselves from their national populations, who lack such emotional identification. (Niedermayer/Sinnott 1995; Niblett 1997).

With his famous rhetorical question: "*Who can fall in love with a common market?*" Jacques Delors addressed the critical problem of breathing idealism and emotion into a work of unification that is originally based on prosaic functional relationships. In doing so, he sought to win the support of both the intellectuals and the general population (Waever 1995).

3. The collision of the community model with four factors of societal differentiation and development

3.1 Lack of compatibility with functional differentiation

In the theoretical tradition founded by Spencer and continued by Parsons, Smelser and Luhmann, modern society appears as *the* most extensive social order in which the principle of functional differentiation increasingly has priority over principles of segmentary and stratified organization. This means that societal system cohesion at the highest level is no longer constituted *concentrically* by the integrating power of consensual values and cognitions and by the state as representing the societal whole. Rather, it is constituted *acentrically* by the complementary relations obtaining between autonomous institutional orders (politics, economy, armed forces, religion, education, science, etc.), each of which develops its own media of communication, values, types of structure and procedures, and cultivates its own external relations according to its specific environmental perspectives and sensibilities.

In Western and Central Europe, this interinstitutional aspect of societal differentiation is more advanced than in most other areas of the world, due to historical conditions which have favoured re a marked segregation of political and religious centres of sovereignty and a high differentiation between politico-military cultural and economic elites (since the Middle Ages).

This is reflected in the fact that neither the unfolding of global capitalist relations nor the worldwide diffusion processes of European culture have been correlated with processes of large-scale political-military unifications.

Functional differentiation ensues the advantage that in each area of social activity, optimally adapted organizational forms and methods of operating can be developed, and risks can better be tolerated because they don't impinge on the whole societal system, . Hence, the prices for goods, stocks and shares or currencies can be easier regulated by unpredictable market factors when it is certain that price fluctuations do not automatically turn into political crises. Conversely, political power positions can be left without fear to the contingencies of plebiscitary election processes if economic activities are allowed to progress regardless of the election results.

On the other hand, this has the effect that macro-societal integration processes are only possible in sector-specific ways and accordingly display in different institutional spheres a highly varied character in terms of intensity, range and duration. There is no longer any guarantee that growing economic integration between states favours their integration at the cultural level or in the area of security policy – or that greater international solidarity develops on the back of a military alliance.

Since the middle of the 19th century, an extraordinarily differentiated system of international organizations and international regimes has arisen on this basis. From the start, they have limited their integration claims in a functionally specific manner; yet, precisely by doing so, have found themselves in a position to exhaust the

opportunities for integration given within their field of activity in an optimal way (cf. Keohane 1984: 91).

It is in this sense that, for example, EFTA can be seen as an international association in harmony with the premise of advanced functional differentiation, because it treats the economy realistically as an autonomous subsector of society with its own integration requirements and commits its members only to reversible and specific and reversible contractual obligations.

In contrast, the European Community (in the view of Ralph Dahrendorf (1991)) is based on a "functionalistic error" in a two-fold sense in that it

- a) assumes in its implicit socio-theoretical premises a high degree of linkage between all the functional spheres and subsystems;
- b) focusses its explicit integration efforts more on increasing than reducing such diffuse linkages in the future.

From the beginning, the EC members have declared their intent to extend their integrationist relations in the course of time from purely economic transaction and infrastructural coordination (in transport, telecommunications, etc.) to a potentially unlimited variety of other specific fields (e.g. education, science, politics, military security, etc.) (Preamble to the ECC Treaty of Rome).

Right up until today, the central idea behind this has been the so-called "spill-over hypothesis" popular in the post-war period. According to this hypothesis, each step towards integration has unintentional integrative consequences in other functional sectors, the result being that a self-maintaining (or even accelerating) integration process gets underway that can no longer be stopped ("Integration by stealth" – cf. Haas, 1958; 1968; Dahrendorf 1991; Olivi 1993; Cavazza 1994; Bach 1999).

Thus, the monetary union has been enacted with the aim to accelerate the political unification process by a variety of spill-over effects: including the bold "dialectical" idea that "asymmetrical shocks" cause a breakdown of former market inhibitions and that the common fear of an imminent collapse of the euro (similar to the fear in the past of nuclear threat from the USSR) might prove unifying in a highly diffuse, generalized sense (Ash 1998).

The *first* fundamental error of this functionalist integration paradigm consists in the fact that it proceeds from the notion of a communally constituted macrostructure, in which everything is connected to everything else, and not from the premise of a functionally differentiated society, in which different institutional orders are relatively segregated from each other and hence follow their own paths of integration.

It implies for example that an integration process is possible based solely on horizontal interactions and exchange relations, making those unifying effects based on military use of force and/or hegemonic exercise of power completely dispensable.

It has been through leaning to this view that the EC has failed to pursue an integrated security-policy concept parallel to its efforts at economic integration. The optimistic hope has prevailed that closer economic trade relations would bring

simultaneous integration effects on foreign and security policy in their wake – thereby automatically creating an adequate basis for permanent internal peace (cf. Haas 1976; Zellentin 1992). A socio-romantic faith in the pacifying and ordering power of interactional relations that do not rely on authority and force still tends to dominate today, which collides astonishingly with the gruesome lessons of history (Willis 1996: 159f.) as well as with embarrassing current events (e. g. in Wex-Yugoslavia or on the Caucasian Russian borders).

In addition, there is the even more unrealistic notion that an EC operating with purely economic sanctions might be in a position to take on the role of an order-creating and peace-keeping (hegemonic) power – a hope which, in view of the paucity of foreign and security policy successes of the EU since 1989 (especially in the Balkan conflicts), has lost its credibility altogether (Gordon 1997).

Secondly, ignoring functional differentiation has had the consequence that the extremely varied integration opportunities and requirements of various sectors have not been taken into account.

With very few exceptions, the assumption is that cooperation and regulation in all sectors (business, politics, environment, asylum policy, research, social policy, etc.) are best worked when all community members are equally involved, instead of adapting the extent of transnational cooperation to the specific functional needs.

Thus, the EU does not see the urgency of developing fast-track mechanisms of integration with pan-European reach in some crucial sectors (e. g. security and environmental policy), without demanding from the member states the fulfilment of any sophisticated "convergence criteria" and the acceptance of the overall *acquis communautaire*. On the other hand, it also ignores that transatlantic agreements could well be needed in the scientific sphere to give European students and researchers free access to American universities, or that the close coordination with the Ukraine in the area of atomic safety should not be dependent on whether this country meets any other "membership criteria" at all.

With its drive to expand into constantly new subject fields and areas of jurisdiction, the EU is also incapable of fitting into the existing network of functionally specific transnational regimes and organizations that has developed in Europe over the last hundred years. Increasingly, highly differentiated traditions of governance and relationships of cooperation are being dragged into the slipstream of diffuse "communalization". Hence, with the Treaty of Amsterdam, the EU has usurped new competences in the area of human and civil rights, which greatly overlap with the competences of the Council of Europe, a body engaged in this area for decades.³

³ "Die Angst des Europarates vor Kompetenzverlust. Neue Aufgaben für die EU durch den Vertrag von Amsterdam" in Neue Zürcher Zeitung 22 April 1998: 2

3.2 The lacking respect for segmentary-territorial and ethnic-cultural differentiation

The unique historical dynamics and innovativeness of Europe would be incomprehensible without taking into account a second aspect of its socio-cultural complexity; its fine segmentary differentiation into historic regions, linguistic and ethnic groupings and territorial-political units).

Since the 16th century, this territorial segmentation has found expression in the secularized nation state, which pursues the aim of maintaining its own sovereignty and power in a completely self-contained manner and, accordingly, finds itself in an "anomic", often confrontational, relationship with other nations (Story 1993b: 5).

Similar to ancient Greece, this political polycentrism has allowed the individual states to follow their own path of development, without impeding each other, in the course of modernization, and to explore various models in solving the problems facing them (e.g. conflicts between social classes). Hence each European country has developed its own ways of relating the changes accompanying industrialization at the technological, organizational, economic and political level to the reality of its cultural traditions and institutions, to its geographical peculiarities, and to the conditions of its geopolitical environment.

Successful political integration processes in Europe's recent history have mainly taken place, as they did in the early Middle Ages, at the level of culturally and, above all, linguistically homogeneous populations. Thus the European nations are typically founded on ancient ethnic groupings (reaching back at least as far as the early Middle Ages) which are able to exploit their cultural homogeneity for reaching above-average capacities for collective action (Delanty 1998).

Transethnic integration attempts have only succeeded historically to the extent that political elites have isolated themselves from the vertical ties to their own populations, thus freeing themselves for transterritorial horizontal cooperation. This happened in the Middle Ages and was brought about by a feudal elite which, because of its position of power, did not need to show consideration for the particular culture of the autochthonous population. It has also occurred in more recent times, specifically under Napoleon, who instrumentalized the universalistic values of the French Revolution in order to temporarily neutralize the centrifugal forces of particularistic national cultures.

In general, the opportunities for broad integration have decreased to the extent that the elites have been increasingly forced in the course of political democratization to become responsive to their autochthonous populations and to secure their political legitimacy as protectors (or even as aggressive disseminators) of their particular national culture. This accounts for the proliferation of nation states since the time of the Renaissance and the Reformation, as well as for the emergence of territorially defined churches and religious confessions.

The ever-growing articulation potentials and organizational capacities of all ethnic groups (even small minorities) has meant that multiethnic political integration is

succeeding less and less today. There is compelling empirical evidence for this in the regularity with which multinationally constituted empires and federations (e.g. Yugoslavia und the USSR) have all disbanded, and in the fact that on all continents, far more secession movements than unification projects can be currently observed.

Even the multiethnically constituted nations of Europe, which owe their origins to the power politics operating since the 17th century, nowadays see themselves as increasingly confronted by the forces of disintegration. Hence it is more likely that in 2020, we will see an independent Flanders, Scotland, Catalonia or Corsica than a central multiethnic European nation that is successful in combining the loyalties of former French, German and English citizens.

The European Community has defined itself from the start as an association created to weaken (or even ultimately eradicate) the autonomous member states because sovereign nations are exclusively seen under negative aspects as factors threatening the peace in Europe as well as an obstacle to extensive economic liberalization and other forms of transnational integration.

Both the consistently growing competencies of the supranational organs and the "teleological" interpretation of law on the part of the European Court of Justice (aiming to strengthen supranational integration) show that nation-state prerogatives are primarily regarded as obstacles to the process of integration (cf. Thüerer 1991, Schindler 1992, and others).

Given this diffuse expansion of supranational jurisdiction, the member states do not enjoy any secure "national domains" that are positively excluded from supranational jurisdiction (cf. Thüerer 1991: 128; Schindler 1992: 205) – not even the sensitive areas of education and cultural policy, which federal structures often leave to the individual states, but which the Maastricht Treaty has defined as areas of future "Community policy". In short, the member states are being increasingly prevented from adopting their own, autonomous approaches to new types of problems, such as operating an economic policy optimally attuned to specific internal and environmental conditions.

This integrationism still thrives on the idea dominant in the 1950s and 60s that the socio-economic modernization processes would intrinsically ensure a constantly progressing convergence of all states, with the result that ethnic-national peculiarities are seen as mere historical relics (cf. Kerr 1960). Nowadays, however, the view tends to be that economic and technical developments (to say nothing of political and socio-cultural transformation processes) are very much co-determined by particular historical-cultural conditions, indeed that modernization processes offer national cultures new opportunities to amplify their particularistic social and cultural traits.⁴ Certainly, it cannot be claimed that, say, the trade union and industrial relations - systems of Europe's nations have moved closer in the course of time (Lepsius 1991: 29), and the economic and social policies of Thatcherism (subsequently continued by Major and Blair) have again highlighted the fundamental divergences between the British model of society and the continental welfare states.

⁴ Thus, for example, the revival of small-scale enterprise structures in the economic production process has meant that the regional cultural influences on enterprise structures, management styles and forms of inter-company cooperation have once again been accentuated (cf. Piore/Sabel 1984).

The various internal national structures reveal themselves to be vital "intervening variables" that crucially co-determine whether and to what extent political-administrative actions at the EU-level achieves the intended results. Thus it will depend on the various organizational structures of the trade unions, for instance, how far the EU succeeds in harmonizing wage policy in the member states through fiscal means (Scharpf 1985). Unlike the USA, therefore, where the states had barely consolidated their own institutions at the time of unification, the integration of Europe is likely to meet its limits in the obstinacy of highly elaborated and deeply anchored intranational traditions (Lepsius 1991: 27).

The optimistic prognosis made at the end of the 1980s, that the single-market area of the Community would induce a congruent "area of communication", has proved particularly ill-founded. So too has the view that satellite TV and other modern technologies would create adequate conditions for diffusing a unifying "European Community culture" transcending all the linguistic groups, ethnic groups and nations.⁵ These forecasts have overlooked the fact that, on the one hand, even in the Europe of the television age, *linguistically defined cultural areas* continue to dominate and that, on the other, a *global cultural sphere* (constituted by TV stations such as CNN and MTV) has arisen. (cf. Kleinsteuber/Rossmann 1992).

Behind the unbridled homogenization attempts of the EU lies the unspoken premise that in the future there will be no more issues to address that make a decentralized mode of problem-solving useful or even necessary. Rather, all that is required is to extend to the entire territory of the Union solutions that are already sufficiently elaborated and proven.

An anti-innovative attitude of this kind seems particularly inadequate for the post-socialist states of Eastern Europe, which are currently in need of an economic and societal transformation for which no tried-and-tested success formula or "ideal route" exists. Here, the fragmentation into small states operating relatively independently of each other proves practical because this increases the chance of at least *one* country arriving at a favourable solution (which is subsequently transferable to other states).

Paradoxically, the most pervasive historical effect of the EU may be to catalyse the split of Europe into a larger number of regional states. In fact, the EU provides a favourable environment for autonomist movements of all types, in that it

- a) gives such subnational actors the opportunity to obtain subsidies without recourse to the nation-state and to exercise an influence on European political processes;
- b) allows them easy secession from their native country because they are subsequently still embedded in a supporting environment of Europe-wide relations (Marks 1996).

⁵ (Ed.) Cf. "Die audiovisuellen Medien im grossräumigen Europäischen Markt" published by the Office for Official Publications of the European Community, Luxembourg 1988: 56.

3.3 Growing adaptation deficits and demarcation problems in the complex European and global environment

While so many *endogenous* developments are giving momentum to the centripetal forces at work in Europe, *exogenous* factors that have their roots in the greatly increased complexity and volatility of the regional and global environment (especially since 1989) also need to be considered (Gordon 1997). Like most communities, the EU emerged within a rather simple and stable external environment, which offered very favourable conditions for the development of consensual values, objectives and collective action programmes among the "core members" constituting it. This was the situation in Europe in the first decades after the Second World War that was characterized by an extremely transparent, simplified constellation – on the geopolitical and economical as well as on the ideological and cultural level. (cf. Story 1993b):

- 1) The USSR has constituted a situation of common external threat and thereby acted as a "negative integrator" (Ash 1998; Gordon 1997).
- 2) The USA thus maintained an undisputed leading role in security policy within the transatlantic alliance. This allowed it to take on the function of a "positive integrator" (Ash 1998) while neutralizing the imbalance of power between the European states (Niblett 1997).
- 3) As a result of the "Iron Curtain", the West European area pertinent to the question of integration obtained very sharply defined, exogenously given boundaries, so that inside the Community there were never any border disputes (Ash 1998; Niblett 1997).
- 4) The exclusion of the eastern states left a western region which – by effectively coinciding with the empire of Charlemagne – was characterized by a high level of historical and cultural communality and a rather high level of affluence and steady economic growth (Statz 1989:13; Gordon 1997; Ash 1998).
- 5) With security-cum-military integration aspects consolidating in NATO, the European Community has been given the opportunity to exclude dissentious foreign-policy questions and to focus the integration process on relatively "straightforward" and consensual (chiefly economic) concerns (Brenner 1993; Waever 1995; Hoffmann 1994). This illustrates the historic regularity that states situated on the periphery of an hegemonic order are in a very much better position to make purely economic objectives a priority than the central power providing the military shield (cf. Keohane 1984).

Following the disintegration of the hegemonic post-war structures – which reached their logical conclusion in the dissolution of the Soviet Union – a much more complex, confused and unpredictable geopolitical situation arose. In its endeavour to assume the leading role in the formation of the new Europe, the EU responded quickly with the creation of the Union Treaty agreed in Maastricht in December 1991. This laid the foundation for a common foreign and security policy and legally anchored the idea of a European defence policy. Likewise, a new concept for external relations was drawn up with the aim of attracting the states of Eastern Europe and the former Soviet Union through association agreements.

Unfortunately, these new schemes have not done enough to change the introverted course of the EU, still fixed as it always was on consolidating economic integration. Above all, there has been a failure to understand how much the new era would be accompanied by the re-emergence of local territorial conflicts and the threat of war, so characteristic of Europe's history (Gordon 1997; Katzenstein 1996). Consequently, the EU has neglected to make integration at the basic level of security policy enough of a priority, preferring to carry on the socio-romantic assumption that economic factors alone are enough to secure region-wide democracy and peace.

"To put it plainly: our leaders set the wrong priority after 1989. We were like people who for 40 years had lived in a large, ramshackle house divided down the middle by a concrete wall. In the western half we had rebuilt, mended the roof, knocked several rooms together, redecorated, and installed new plumbing and electric wiring--while the eastern half fell into a state of dangerous decay. Then the wall came down. What did we do? We decided that what the whole house needed most urgently was a superb new computer-controlled system of air conditioning in the western half. While we prepared to install it, the eastern half of the house began to fall apart and catch fire. We fiddled in Maastricht while Sarajevo burned." (Ash 1998).

The obstinate refusal on the part of the EU to let the upheavals in Eastern Europe detract it in the slightest way from its own plans for "consolidation" has meant that, within Europe, new and profound gaps are opening up (Lemke 1998) and that there is no pan-European peace arrangement developing which, although based on a looser and more functionally limited security organization, might nevertheless extend to all countries of the continent (Kupchan 1996).

The new wars in the Balkans have shown that the EU is helpless in the face of inner-European conflicts. Europe is just as incapable today as it was during the Second World War of preventing internal wars by its own means or of authoritatively ending manifest conflicts. Instead, it retains a paternalistic dependency on the USA, albeit this has seemed increasingly precarious since the end of the Cold War (Sjursen 1998). (An American mediator (ex-senator Mitchell) has even been called on to assist in the Northern Ireland conflict!)

The lack of any significant capacity for collective action has meant that the EU has limited itself in its foreign-policy campaigns to small-scale engagements (such as taking over the administration of the town of Mostar or overseeing the Bosnian elections) (Gordon 1997).

However useful it might be for the purpose of preventing future wars to integrate the large states of Europe (especially Germany) in a supranational community of concordance, the effectiveness of Europe at the level of foreign and security policy is weakened because there is no hegemonic power capable of making autonomous decisions and assuming a leading role inside Europe.

Seen from the opposite angle: if there had been no EU in 1989, then Germany would probably have assumed a leading role in the subsequent Balkans conflicts and brought about an action community inside Western Europe, based on bilateral

hegemonic relations (and not all-embracing and free from conflict, therefore), which could not arise in the multilateral interaction field of EU members. This would have made it possible to substitute the PAX AMERICANA for a PAX GERMANICA – an alternative abhorred by most European states (including Germany itself) (Brenner 1993). Thus the EU's often propagated conviction that European stability and security is currently based on intracommunal accordance (instead of transcontinental hegemonic power) must be rejected as a socio-romantic self-deception.

In view of the new variety and variability of international issues and the fact that there is little prospect of new hegemonic orders emerging (cf. Geser 1993), the "primacy of foreign policy" can increasingly be expected to hold sway in future. This will mean that the individual nations will again appear as autonomous actors in the international arena, each cultivating its foreign policy and pursuing its particular strategic objectives.

In particular, Germany will be confronted with an extraordinarily broad spectrum of different foreign-policy action options. This is because its central geopolitical location places it in an especially complex situation equally open to East and West, while its size and economic strength allow it numerous opportunities for seizing initiatives and exercising leadership (Cavazza 1994).

In the course of the planned eastward expansion, this complexity will again increase dramatically because states like Poland, Bulgaria or Lithuania will articulate their own foreign and security-policy interests due to their own geopolitical location and these will differ considerably from those of West European countries.

"Indeed, the European Union of the year 2020 will probably stretch from Portugal in the west to Estonia in the northeast, and from Sweden and Finland in the north to Bulgaria and Greece in the south. It will include a far greater diversity not only of material (economic and security) interests, but also of foreign policy traditions, relationships, cultures, and attitudes toward the use of force and intervention." (Gordon 1997).

Hence it will become increasingly difficult to develop at the Community level that high degree of common identity, defined goals and role orientation which, according to Hill & Wallace (1996) and Aggestam (1999), forms the indispensable condition for a consistent foreign policy:

"What could not be achieved when they were all together in the 'Western' cauldron of the Cold War--because their dispositions toward their own pasts, toward the United States, and toward the Soviet Union diverged--is even harder to accomplish now that the lid is off, and the cauldron abandoned." (Hoffmann 1994).

The loss of the *exogenous* integration forces so important for the genesis of the EU means, above all, that the existence of the EC is now almost exclusively reliant on *endogenous* motives of cohesion. More than ever before, the belief in the desirability of a "united Europe" depends on the member states recognizing convincing advantages, say, in the realization of the single market, which in themselves justify the irreversible abandonment of national sovereignty rights.

Ultimately, the disappearance of the Iron Curtain means that from now on it is left to the EU as a responsible decision-maker in its own right how it defines its external borders (and the entry conditions for new post-socialist members). This will subject both the internal mechanisms of consensual decision-making and the external legitimacy problems of the EU to a new, arduous test.

For the countries of Eastern and Southern Europe, the existence of the EU means that entry into European cooperative relations is condensed into one fate-deciding all-or-nothing choice because it is not possible to participate specifically and gradually in certain interaction fields according to national requirements and possibilities.

Quite possibly, future chroniclers of the close of the 20th century will call it a tragic circumstance that at the end of the Cold War in 1989 there was no opportunity in Europe to design on a "tabula rasa" completely new international standards and institutions optimally adapted to the current situation. They will perhaps find that the EU, with its unwieldy, ever growing *acquis communautaire* and its high-threshold entry conditions has done much to marginalize the new democracies of Eastern Europe in the long term and that it has failed, through its introverted fixation on agricultural prices, VAT rates and truck controls, to ensure the realization of minimum standards of peace-keeping, democracy and economic stability in the precarious Eastern parts of the continent.

In addition to the difficulty of defining its borders, Europe faces the problem of how to profile itself within the Western hemisphere: as a region with "specifically European" values and cultural traditions.

Insofar as the EU articulates itself as a "cultural community" or a "community of values", it appeals on principles that are not specific to the European continent, because they have spread – as a consequence of expansive European activities – throughout the entire Western hemisphere, indeed throughout the world.

This applies just as much to "modernity" as to Christendom, to the intellectual achievements of the Enlightenment as to the 19th century constructs of the nation, the democratic constitutional state and the liberalized economy (Wintle 1996; Waever 1995).

A community of states based on value consensus might therefore be achieved, at best, in the more comprehensive framework of an "Atlantic Union" (Kupchan 1996), which would be qualified to articulate the interests of the Western hemisphere with respect to any imminent "clash of civilizations" (Huntington).

Wherever the attempt is made to formulate characteristically "European" ethical standards and legal principles (as, for example, in the "Paris Charter"), these involve standards of universal application with which Europe integrates itself more strongly in the "world civilization" it has crucially helped to fashion, instead of *differentiating* itself from this civilization by cultivating a particular "community".

For example, there is no justification on the basis of European-Christian values for granting EU countries special privileges where humanitarian aid or immigration

policy is concerned. What is more, according to the norms of universal science, which originated in Europe, it is absurd to cultivate research communication that is focused solely on Europe. Similar effects of self-dissolution are associated with liberalistic economic ideology, because the arguments used to justify the single European market inevitably require that the same principles are applied to more extensive, (even global) areas of economic exchange (e.g. inside the WTO).

At all levels today, there is common cultural ground between Europeans of different nations. These are not due primarily to horizontal exchange, but rather to the fact that they adopt common extra-European cultural patterns, such as using English as a lingua franca, running American standard software, obtaining their daily information from CNN or uniting with other Western countries to defend Western values.

Thus the war in Kosovo (1999) was very well-suited to securing the transatlantic consensus in the context of NATO (and beyond) and, in particular, to giving new expression to the close ties of Britain with the USA.

Additionally, any internal European integration will still be limited today by the fact that each country has a national identity characterized by its specific extra-European involvement and, because of these historical conditions, will still cultivate its own transcontinental networks of relationships and solidarity commitments (Story 1993a: 7). At the cultural level, for example, the English are integrated into global Anglo-Saxon culture on account of their native language, while the French depend on the equally global francophone area and the Spanish on Latin America. Such transcontinental cultural integration has the effect, on the one hand, that Europe remains open to cultural influences from all regions of the world and, on the other, that the individual countries of Europe are less obliged and motivated to foster closer relations with each other.

For example, the *national immigration policies* make it very clear to what extent new sources of tension can surface again today from the peculiarities of past international relations. Thus, for example, the Germans are prepared to regard all "people of German extraction" from Eastern Europe as potential citizens, while Italy accepts all descendants of former emigrants, and France and Britain have granted the inhabitants of former colonial territories privileged entry rights.

The integration perspective of the European Community is ahistorical in the sense that it presupposes that all states define themselves, regardless of their earlier extra-European role, primarily as *European* states (England being a case in point) and allow inner-European relations to take precedence. In a similar disregard for the facts of history, Germany is assumed to orientate itself exclusively towards Western Europe, disregarding its vital interests in Eastern Europe which were so pervasive in its whole history.

In a kind of "fin d'histoire" atmosphere, it is believed that the EU will now take on the role of finally imposing a definitive institutional shape on the mercurial and fissured continent and integrating its member states in an ever denser network of consensual norms. In an extremely non-dialectical vision, the entire future development of Europe is reduced to a continuous extension of already existing integration structures, in the course of which all those disruptive events and

unforeseen developments that have to date driven the history of this strange continent forward can only be perceived as risks, disruptions and setbacks that are to be avoided as far as possible.⁶

3.4 The levelling of political-administrative system and deficits of public political participation

1. The high need for consensus as the cause of informalization and as an obstacle to democracy

Most processes of transnational policy is takes place in an oligarchic mode because the harmonization of national interests only succeeds if the national representatives are not tied to imperative mandates, but instead enjoy considerable scope for autonomous negotiation (cf. Kaiser 1971; Scharpf 1996). Accordingly, any extension of transnational interaction and regulation is associated with a cutback in intranational democracy because more and more issues and decision-making processes are removed from public discussion and parliamentary procedures.

In the case of the EU, these erosion effects are particularly serious because it acts as a "community of states" constantly aiming at *unanimous decisions borne by all the participants on an ever expanding spectrum of issues and policy domains*.

Like any community, the EU endeavours to base its integration on consensus wherever possible and to experience dissentious opinions as threats undermining its cohesion. Accordingly, it finds it difficult to base decisions of any kind on majority voting since such procedures have the effect of producing highly visible dissenting minorities (cf. Gordon 1997; Scharpf 1996).

Thus there exists a tight causal relationship between the *high consensus requirement of the decision-making processes* and the much-lamented *internal democratic deficit*. This is because unanimous decisions can only be achieved if decision-making occurs in the close context of negotiating committees (e.g. Conference of Ministers). What is more, these committees need to be screened from the public as far as possible so that internal dissent is not apparent and specific decisions cannot be attributed to specific individual participants (=countries) (Christiansen 1996; Areilza 1995). Meetings behind closed doors also help the representatives of the member states to retain their room for manoeuvre, which can be useful in solving conflicts. Indeed, these representatives can selectively act against the interests of their own state because they do not need to fear being held accountable in parliament and before the public within their own country.

Thus the communal character of the EU manifests itself not least in the fact that decision-making processes are largely controlled by highly informal, implicit and always modifiable "club rules", not by formal, transparent standards of procedure (Areilza 1995). They are also controlled by those even more secret "*copinages*

⁶ Not surprisingly, the - historically extremely justified - question "What follows the EU?" is accustomed to causing uncomprehending head-shaking among the supporters of European Integration.

technocratiques" that have a habit of developing in the regular contact between Brussels officials and the representatives of national administrations.

In other words, the EU refuses to make a formally fixed, precisely defined distinction between the level of the Union and the level of member states. A differentiation of this kind would require limiting the range of decisions in real need of consensus to a few core areas and to letting the majority principle apply to all the others (cf. Einem 1998.⁷)

This extreme informality of decision-making procedures acts as a veil protecting the Community from uneasy or even painful problems of legitimation and justifications. Most of all, it means that questions concerning the division of competence between the national and supranational level never acquire the sharpness they invariably would acquire given written explicitness and authoritative formalization.

"There is no general framework for bargaining, no legal structuring of consultations in a neo-corporatist fashion, with the significant exception of the delegation of important regulatory functions to national and European institutes of technical standardization. Instead of a coherent and hierarchical system of interest intermediation at the EC level, social inputs come to a large extent from direct representation and specialized representation, in a competitive lobbying environment." (Areilza 1995)

Likewise the power differentials between large and small member states are much more blurred than they are, for example, in the European Parliament, where they become sharply visible in the number of national seats. Thus, even the smallest countries can nurture the hope of occasionally exerting, in the dense tangle of committees and consultations, an influence that far exceeds the size of their population.

Ultimately, it is unclear to what extent political considerations (i.e. based on the interests of the member states) or purely technical-functional considerations (based on expert opinion) take precedence in decisions. This undefined juxtaposition of both dimensions crystallizes very clearly in the role of the Commissioners, who act both as directors of a certain area of competence and, simultaneously, as representatives of their home country. This bivalency also proves to be a source of flexibility in that it paves the way to appeal to political power relations for deciding highly-disputed technical issues and, conversely, to recruit expert opinion or appeal to "technical constraints" for ending hot political disputes (cf. Areilza 1995; Egeberg/Trondal 1997; Hooghe 1998)

Protected by such vague informalities, the EU has so far succeeded in avoiding dangerous crises of legitimacy by giving opposition (or merely reformist) groups insufficient cause for expressing dissatisfaction and for demanding appropriate change.

⁷ This "strategy of mystification" is vividly illustrated by the enigmatic concept of "subsidiarity", which has entered the Brussels rhetoric since the Maastricht Treaty without ever acquiring any clear contours and binding legal force (Peterson 1994).

As a "deliberative" democracy (where decisions are negotiated in permanent discussion), the EU would be very much dependent on a pan-European political public, which would be in a position to set these discussion processes on a broader basis of legitimacy. It is precisely this transnational public sphere, however, that does not exist (Gerhards 1993). This is a major reason why the internal processes of the EU take place in an "arcane sphere" reminiscent of absolutist regimes (Erikson/Fossum 1999) – and why all moves toward further integration always need to be imposed from above by elites, instead of originating with the European people (Hoffmann 1994).

Any move towards extending and opening up decision-making participation (e.g. by upgrading the European Parliament) would require to lower the need for consensus to levels found in modern political democracies on the national level. The EU would then have to live with the fact that various factions with extremely different conceptual views on the European integration strategy coexist (and compete) within it. Such loss of consensus tends to be negatively connoted as a threat to cohesion (Chrysochoou 1994), not positively as a chance to deliberate about the future of Europe in a free public discussion.

Hence there is a desperate attempt to propagate the factually followed course of European unification as a necessary process to which no alternatives exist: similarly to the Marxist Leninist regimes which used to defend their policies as "objective historical necessity" (cf. Malcolm 1995).

This alleged lack of any alternative is expressed in the use of metaphoric language based on allusions to railway transportation systems:

"During the 1991-93 debate over the Maastricht treaty, for example, there was an almost hypnotic emphasis on clichés about transport. We were warned that we must not miss the boat or the bus, that we would be left standing on the platform when the European train went out, or that insufficient enthusiasm would cause us to suffer a bumpy ride in the rear wagon. All these images assumed a fixed itinerary and a preordained destination. Either you were for that destination, or you were against 'Europe'. The possibility that people might argue in favor of rival positive goals for Europe was thus eliminated from the consciousness of European politicians." (Malcolm 1995).

As with the case of company mergers, "globalization" is used to justify the position taken. Here it is claimed in a most ideological way that globalization necessitates supranational cooperation in nearly all areas, while self-reliant problem solving by individual nations are portrayed as increasingly inconceivable (or morally false).

"European unification is presented not just as a product of visionary leaders from Jean Monnet and Robert Schuman to François Mitterrand and Helmut Kohl but also as a necessary, even an inevitable response to the contemporary forces of globalization. Nation-states are no longer able to protect and realize their economic and political interests on their own. They are no match for transnational actors like global currency speculators, multinational companies, or international criminal gangs." (Ash 1998).

2. *The EU as an oligarchic "cartel of national executives"*

The EU can be regarded as a "consociational confederation of governments" (Chryssochoou 1994) in which it is necessary that the executive elites cultivate intense *horizontal relations of interaction and influence* in the interest of harmonious cooperative relations. This gives them the features of an independent oligarchy whose members are unable to be responsive any longer in their *vertical relationships* (to citizens, parliaments, national associations, etc.) and therefore no longer primarily articulate the political values and demands of their respective national population (cf. Taylor 1990; Stavridis 1993).

Above all, this "negotiating democracy" is highly incompatible with voting procedures, which are at the heart of traditional political democracy (and of the individual political and civil rights) but, however, are only perceived in a transnational association of states as risks to be avoided if the aims of negotiation are to be achieved (Eriksen/Fossum 1999).

Because of their horizontal association, the national executives succeed in becoming more independent vis-à-vis the other legally constituted authorities in their own nation state. This is because they are always able to oppose the demands of domestic actors with the decision-making and action constraints of the supranational community (claiming the precedence of supraplural law over internal state law). On the free playing field of transnational interactions, the executives – together with the ECJ judges – will usurp unopposed the entire legislative power. The result is that the EU lags far behind the democratic state of law in the strict constitutional sense, which has been characterized since its genesis in the 18th century by a strict separation of the three powers.

One might therefore describe, at least theoretically, the genesis and development of the EU as a power game of political elites, who use the process of international association as a lever for increasing their internal position of power, which causes the democratic "checks and balances" in the national constitutional state to shift in favour of the governmental executives (and their administrative apparatus) (cf. Areilza 1995; Moravcsik 1994):

"The executive officials of the state control access to the international arena and have a strong incentive to 'cut slack' in relation to the domestic actors, i.e. to remove domestic constraints on their actions. European integration facilitates this because the executive officials who negotiate agreements have unique agenda setting powers and privileged access to information and policy making fora."
(Eriksen/Fossum 1999).

This is especially clear in the case of the Maastricht criteria for accession to EMU, which have curtailed probably the most fundamental competence of the national parliaments: the right to legislate independently on the state budget (and, with that, on the size of the public debt).

The extensive literature on "Konkordanzdemokratie" and "consociational democracy" has led to the conclusion that such systems of governance based on a

high degree of horizontal integration of elites is only viable in relatively simple political systems.

Above all, it is necessary

- 1) that the federated system has completely stable segmentations (e.g. based on territorial criteria exclusively): because only then is it possible to constitute the consocial committees according to invariant rules of representation;
- 2) that the member states have a rather low internal light degree of politicization: because their representatives need to foster very intensive vertical relations (to civil groups, political parties, parliamentary fractions, associations etc.) (cf. Geser 1991).

Accordingly, the consociational structures of the EU are placed under strain when

- 1) new-political "cleavages" gain significance which give rise to additional representation claims result that cannot be absorbed by the existing committee systems;
- 2) new political movements or party polarizations gain ground within the member states, leading to increased demands for intranational democratic participation.

Furthermore, the democratic deficit is reinforced to the extent that increasing external crises demand a very rapid response from the EU. This has the effect of leaving too little time available for vertical consultations and legitimation procedures (e.g. through the inclusion of national parliaments or salient infranational actors).

3. Loss of transparency and controllability as a correlate of expanding supranational activities

The continued expansion of the Union's activities into new areas of jurisdiction, along with the growing volume of funds administered, has meant that ever more pressing problems of legitimacy are arising. Since there is no routinized procedure available for acquiring legitimacy (such as parliamentary voting or referenda), there is only the option of including an increasing number of different actors and groupings – in one form or another – in the consultation and decision-making processes. Thus there is a clear empirical connection between the growing legitimacy crises experienced by the EU since the early 1990s and the attempts to provide an ever greater number of infranational and transnational actors (e.g. regions, interest groups, etc.) with a say in decisions (Streeck/Schmitter 1991; Christiansen 1996).

It is precisely this approach, however, that seems to create more new problems than it solves. On the one hand, the collective action capacities of the EU are reduced because the decision-making processes become more ponderous, time-consuming and inefficient as a result of the broader participation. On the other hand, the democratic deficit tends to be reinforced insofar as the central processes for the exercise of power become more informal, opaque and irregular, with the result that they increasingly escape both public observation and planned democratic control (Christiansen 1996; Boyce 1993; Sand 1997).

In other words: because the Brussels power centre is more than just slightly embedded in a formal system of democratic institutions (especially of a legislative kind), it is relatively exposed to any exogenous attempts to apply informal pressure.

Instead of the official who adheres strictly to the rules and instructions laid down in the democratic decision-making field, it is the "bureaucratic entrepreneur" who dominates, similar to the situation in the "prismatic societies of underdeveloped countries" (Riggs 1964), seeking to push through his (at times political) viewpoint in informal, externally opaque interaction contexts:

"Instead of a regulated official communication carried out according to the traditional principles of formal competence and hierarchy, as the ideal type of rational bureaucracy expects, it is first and foremost processes which are decentralized, informal, personal and thus largely removed from democratic control that find application in the joint decision process at European level. The internal structures of the EC administration demand and reward policy initiatives on the development of regulation projects and political programmes more strongly than bureaucratic routines of the old style." (Bach 1999: 31/32).

Hence, the bureaucratization of political processes corresponds to a diffuse infiltration of the political in the sphere of bureaucracy, in that the opaque fabric of influential relations does not only dominate at the decision-making stage, but also during the later stages of operative implementation (Areilza 1995; Bach 1999:32; Sand 1997).

Thus the "vertical policy integration" accompanying the supranational integration process leads to *"a diffusion of political responsibility which is beneficial for the governments and administrations involved"* (Scharpf 1985) and which fundamentally restricts the potential scope for democratic control (cf. also Delbrück 1987, 386-403; Wessels 1992: 52).

As a result of such vertical integration, the formal distribution of power between the member states is informally modified in many ways. This occurs through a variety of intermediate actors who develop a very different capacity for action depending on their national character (Sand 1997). Thus, for example, the actual importance of Germany in the EU is no doubt growing as a result of the individual federal states being represented much more effectively at European level than, say, the regions of Greece or Spain (or even the prefectures of France) (cf. Christiansen 1996; Marks 1996). Because regions (and trade unions, economic associations, political parties and other intermediate actors) have completely different positions and potential for organizational action in the various member states, it will never be possible to represent them equally in the formal framework of the EU (say, in the form of a "regional parliament" as a second legislative chamber).

From the point of view of the member states, the European Community constitutes an environment that is permeating domestic policies more and more with its informal and non-transparent structures – and thereby undermining the highly differentiated structures of the democratic constitutional state, which are based on the principles of strict separation of powers, explicit formality, clear hierarchical responsibility and public control.

Thus there arises between the supranational and infranational levels a dense network of vertical policy integration, within which the most diverse subnational actors (e.g. associations) are placed in a position to exercise a direct influence on supranational issues without recourse to their national government (Areilza 1995). The nations experience an induced fragmentation as a result of this, which contradicts the classical doctrines of "indivisible sovereignty" (Weiler 1991, 190; Areilza 1995). At the same time, the democratic deficit of the EU is also induced: the heads of these intermediate national actors are "co-opted" from Brussels, with the result that they see less reason in behaving responsively toward their national population).

Intranationally too, the allocation of responsibility (and hence the democratic control of the political agencies) is becoming increasingly difficult because domestic policy is also more and more permeated by an intransparent mixture of national and supranational influences (Kittel 1997: 50f.). In the longer term, this could contribute to a declining interest in national parties and elections – which in turn would help to undermine the basis of legitimacy of the entire multilayered institutional structure (Niblett 1997).

4. The overstraining of non-political (i.e. legal and technocratic) legitimation

The difficulty of producing decisions which are legitimated by democratic processes means that an inevitable strain is placed on alternative sources of legitimacy, which characteristically tend to be managed by experts rather than populations.

On the one hand, *legality* is taken as the basis of justification, which finds expression not least in the extraordinarily high authority status of the ECJ (Sand 1997); on the other hand, *objective technocratic rationality* provides the justification, in the provision of which the most diverse "high-quality" commissions of experts are involved each time.

In this respect, too, the EU is a typical child of the 1950s and 60s, when the idea was still prevalent that the political sphere could be expected to progressively shrink in the course of modernization (in favour of technocratic issues that could be solved by professional knowledge) (cf. Schelsky 1965, Graf Kielmannsegg 1976, and others).

From today's point of view, such depoliticization claims seem precarious for a variety of reasons: because "new social movements" have contributed since the 1970s to a resurgence of politically controversial areas of decision-making; because the ideologically divided economic sciences offer less and less of a solid foundation for consensual economic policies; and because Europe in the wake of various waves of immigration is developing a multicultural character which should progressively curb the implementation of a unified policy based on the premise of a homogeneous "European culture.

Accordingly the view has developed among contemporary democracy scholars and social theorists that decision-making legitimisation based on expertise is more likely to have a declining significance in modern societies. This is because the consensus of values that provides the basis for its recognition is no longer available. Hence

Fritz Scharpf (following Majones 1994) arrives at the conclusion that distribution questions and conflicts of values, which dominate contemporary politics, should be left to the national level because only there is it possible to generate the political legitimacy required for this (founded on majority voting) (Scharpf 1996).

5. The nation state as an evolutionarily advanced political system

If there is any yardstick that allows the "quality" of political systems to be measured and compared, then it is the extent to which the systems succeed in combining two extremely conflicting goals:

- 1) the ability to promptly make collective decisions in diverse specialized areas and to carry out collective actions in an effective and legal manner;
- 2) the ability to base such decisions and actions on as broad a participation of citizens and social groups as possible: so that they enjoy widespread legitimacy because they take into account the needs and demands of very different individuals and social groups.

The immense evolutionary significance of the nation state consists in the fact that it has succeeded better than all previous political communities in combining these two capacities on a high level. Only in the context of the nation state has it so far been possible to develop that higher level of complex political organization which we describe with the terms "democratic constitutional state" and "social welfare state": political orders apt to realize a constantly expanding spectrum of human rights.

With the dismantling of nation state sovereignty, Europe has placed itself at a paradoxical distance to its own self-engineered evolutionary achievements, which have been so successful that their global dissemination is still under way. (Holsti 1988, 48ff.) What is more, it threatens to dismantle the only political institution that has so far offered modern citizens an effective chance to realize their civil liberties (cf. Bayer 1997: 23f.).

If the nation state is condemned as the cause of all evils of the 20th century, this merely indicates that its immense capacity for effective collective action inevitably goes hand in hand with its increased ability to abuse this potential – say, to pursue military objectives or to commit genocide. And if attention is drawn to the destructive effect of populist movements (such as the fascism of the 1930s) or the irrational impact of unstable government coalitions and opportunistic parliamentary resolutions, then we are just seeing the dark side of those extensive democratic participation opportunities which are widely acknowledged as basic human rights.

Compared to the nation state, the European Union represents a political system that ranks lower in terms of the two abilities cited, because it combines a low capacity for collective decision-making and action with all too familiar deficits in democratic participation.

In a cynical way, we might say that remedying the democratic deficit is not given high priority by the inhabitants of the EU because it is not attractive to participate in

an entity which has so little capacities for producing an implementing collective decisions and to act as an effective “global player (e. g. vis-à-vis the USA).

Hence the European unification process must be seen as a negative-sum game because, if integration curbs down the abilities of the participating states to act on their own (for example, in economic and monetary policy), it does very little to balance this loss by action capacities at the supranational level (Areilza 1995).

4. Conclusions

The scientific analysis of European Integration is hampered by the fact that the EU represents an historical, singular structure indeterminately hovering between transnationality, internationality and supranationality. Such a structure escapes neat classification in any already established typologies or conceptual schemes (Eriksen/Fossum 1999).

Pessimists may point out that since the Fall of the Roman Empire all political integration attempts in Europe have failed, or that confederations of states (such as the Delian League of Ancient Greece) have done little to promote a lasting peace. However, they cannot ignore the objection that these lessons from history have no bearing on the new type of character of the EU.

Undoubtedly, the numerous idealistic objectives, which have so far given the integration project of the EU its impetus and legitimacy, should be (positively) acknowledged as a historical innovation hardly won in the course of destructive global wars. Apart from its principal aim of bringing Europe's 1500 year history of wars to a definite end, there are also the more prosaic attempts to solve cross-border issues in a cooperative way, to speak with one voice in international organizations, to extend the action space of citizens and legal persons, and to make use of the efficiency benefits a large free trade and free movement area brings.

Regardless of this, there is no escaping the question of

- a) how far these stated goals are attainable, and
- b) what risks and side effects are to be expected

given the fact that the convergence of European states does not occur on the basis of the constitutional state, nor by means of conventional international treaties, but rather through the medium of generalized, irreversible "communalization“.

Considering all the numerous and very different arguments explicated above, one arrives at a rather clear-cut conclusion: that the European Community tries to jam European society in a tightly fitting integration corset, which in no way conforms to the extraordinary socio-cultural differentiation and historical dynamism (or the current development trends and future perspectives) of this unique continent.

Strangely enough, Europe, which since the end of the 15th century has been truly active on the world stage, is retiring in this very age of (so-called) "globalization" to devote itself to a regionalistic "niche strategy" (largely focussed on economic domains). This is only possible within the framework of a transatlantic alliance system, where it falls to the USA to safeguard the more fundamental conditions of security and peace. It is difficult to see in this introverted regionalism anything other than a defensive strategy to avoid certain consequences of the same world civilization Europe itself has historically brought under way – both intentionally and unintentionally.

As if suffering a shock reaction to the devastations of two world wars, a Europe frightened by itself has turned to a regressively reduced self-identity as a "community of states", totally obsessed with the aim of keeping a tight rein on the seemingly destructive potential of the nation state and of binding the greatest risk factor on mainland Europe (Germany) irrevocably into dense supranational regimes.

It is very doubtful whether this retrospective reaction of self-restraint is still well-received by the younger age groups, who do not remember the world wars and find themselves integrated in a global society where regional European concerns take an anachronistic flavour.

They may take it for granted that sovereign European nations not constrained by forced communalization could easily live together in peace and be able to cooperate in a non-romantic, pragmatic fashion whenever needs for specific collective problem solving arise.

Even if it were correct that problems of a cross-border or even transcontinental character have increased compared with the past (which perhaps does not apply in general), it is not clear why these cannot be overcome by conventional specific international treaties and organizations, rather than within the framework of constantly deepening and widening communitarian group culture and all-pervasive supranational institutions (Malcolm 1995).

After all the attempts at multinational political integration have been assigned to the annals of history (from the Holy Roman Empire of Charles V via Napoleonic rule, the Austro-Hungarian Empire and the Ottoman Empire to Yugoslavia and the USSR) the EU constitutes the only supranational unification project on earth that is not considered closed (Malcolm 1995). At a time characterized by the proliferation of new small states and by a variety of subnational secession movements on all continents (including Europe itself), its future prospects must be judged to be highly uncertain, even if one concedes that, compared to the time-bound hegemonies and washed-out colonial empires of the past, it is founded on a somewhat healthier basis of consensus and voluntary cooperation.

To seek the future of transnational integration in intergovernmental cooperation is to ignore the evident reality that over the past decades the state has lost substantial control capacities and is likely to assume a more modest role in relation to the economy (as well as to other institutional orders) in the new millennium. All efforts on the part of the states to transfer their anachronistic features of territorial exclusiveness and monocratic rule to the supranational level seem particularly futile in this respect.

More compatible with future needs might be reticulated transnational systems of cooperation, which remain informal and polycentric and continually reconstitute themselves according to changing needs and environmental conditions. Perhaps Europe could for once learn something from the Asiatic peoples (especially the Chinese), who for a long time have been operating a "subinstitutional" regionalism of this kind with great success (cf. Katzenstein 1996).

As in the world of computers, a kind of "client-server architecture" may prove to be more adequate to fulfil such needs. Such flexible network structures would allow all actors to associate in selective and reversible ways for solving specific problems, while remaining basically autonomous and free to engage in any kind of extra-European interactions,

The institutions of the EU themselves will hardly survive in this resulting framework as supranational systems of governance, but at best as – truly "subsidiary" – service agencies, which provide support for the member states (and their constituent regions) according to their varying needs.

Literature

- "Stellungnahme deutscher Hochschullehrer der Rechts- und Wirtschaftswissenschaften (zum Maastrichter Vertrag)" (Neue Zürcher Zeitung, 8.7.1992).
- "Streit um Europakompetenzen in Bonn. Forderung nach extensivem Mitspracherecht der Bundesländer (Neue Zürcher Zeitung, 17.6.1992: 2).
- "Ungelöstes Dilemma im Integrationsprozess Europas" (Neue Zürcher Zeitung, 22.6.1992: 11.
- Aggestam, L., 1999: "Role Conceptions and the Politics of Identity in Foreign Policy." ARENA Working Papers: http://www.sv.uio.no/arena/publications/wp99_8.htm.
- Areilza, Jose de, D., 1995: *Sovereignty or Management? The Dual Character of the EC's Supranationalism -- Revisited.* Jean Monnet Working papers. Cambridge, Mass., Harvard Law School.
- Ash, Timothy Garton, 1998: "Europe's endangered liberal order." *Foreign Affairs* 77(2): 51-66.
- Bach, Maurizio, 1999: *Die Bürokratisierung Europas. Verwaltungseliten, Experten und politische Legitimation in Europa.* Frankfurt, Campus Verlag.
- Bates, F. L. and L. Bacon (1972). "The Community as a Social System." *Social Forces*: 371-379.
- Bayer, Jozsef, 1997: "Europäische Identität und Nationalismus." *Wege zu einem andern Europa.* Edited by Beirat für gesellschafts- wirtschaft- und umweltpolitische Alternativen. Köln, PapyRossa Verlag: 20-33.
- Boxhoorn, Bram, 1996: "European identity and the process of European Unification: Compatible Notions?" *Culture and Identity in Europe.* M. Wintle. Aldershot, Avebury: 133-145.

- Boyce, Brigitte, 1993: "The democratic deficit in the European Community." *Parliamentary Affairs* 46(4): 458-478.
- Brenner, Michael J., 1993: "EC: Confidence lost." *Foreign Policy* 91: 24-44.
- Cavazza, Fabio Luca, 1994: "Maastricht: before, during, after." *Daedalus* 123: 53-81.
- Christiansen, Thomas, 1996: "Second thoughts on Europe's 'third level': the European Union's Committee of the Regions." *Publius* 26: 93-117.
- Chrysochoou, Dimitris N., 1994: "Democracy and Symbiosis in the European Union: towards a confederal consociation?" *West European Politics* 17: 1-14.
- Coser, Lewis A., 1956: *The Functions of Social Conflict*. Routledge & Kegan, London.
- Dahrendorf, Ralph, 1991: "Von der Europhorie zur Euro-Depression" (Conversation with R.D., *TAGES ANZEIGER*, 2.4.1991:2).
- Delanty, G., 1998: "Social Theory and European Transformation: Is there a European Society?" *Sociological Research Online* 3: <http://www.socresonline.org.uk/socresonline/3/1/1.html>.
- Delbrück, Jost, 1987: *Internationale und nationale Verwaltung. Inhaltliche und institutionelle Aspekte*. In: Jeserich Kurt G.A. Pohl Hans/Unruh, Georg-Christoph (ed.). *Deutsche Verwaltungsgeschichte Vol. V*, Stuttgart, 386-403).
- Egeberg, Morten and Jarle Trondal, 1997: *An Organization Theory Perspective on Multilevel Governance in the EU: The Case of the EEA as a Form of Affiliation*. ARENA Working Papers, The Research Council of Norway: http://www.sv.uio.no/arena/publications/wp97_21.htm.
- Einem, Caspar, 1998: *Für eine bürgernahe EU-Verfassung. Freiwillige Gemeinsamkeit und emotionale Kohärenz*. *Neue Zürcher Zeitung*. Zürich: 81.
- Eriksen, Erik Oddvar and John Erik Fossum, 1999: *The European Union and Post-National Integration*. ARENA Working Papers, The Research Council of Norway: http://www.sv.uio.no/arena/publications/wp99_9.htm.
- Gerhards, Jürgen, 1993: "Westeuropäische Union und die Schwierigkeiten der Entstehung einer europäischen Öffentlichkeit." *Zeitschrift für Soziologie* 22: 96-110.
- Geser, Hans, 1991: *Kleine Sozialsysteme - ein soziologisches Erklärungsmodell der Konkordanzdemokratie? Politischer Wandel in konkordanzdemokratischen Systemen*. H. Michalsky. Vaduz, Verlag der Liechtensteinischen Akademischen Gesellschaft: 93-121.
- Geser, Hans, 1993: *Die "neue Weltordnung" im Spannungsfeld zwischen Kleinstaatlichkeit und internationalen Organisationen*. Zürich.
- Gordon, Philip H., 1997: "Europe's uncommon foreign policy." *International security* 22: 74-101.
- Haas, Ernst B., 1958: *The Uniting of Europe*. Stevens & Sons, London.
- Haas, Ernst B., 1968: "Regional Integration." In: *International Encyclopedia of the Social Sciences*. Chicago.
- Haas, Ernst B., 1976: *Turbulent Fields and the Theory of Regional Integration*. In: *International Organization*, 173-212.
- Häberle, Peter, 1997: *Europäische Rechtskultur. Versuch einer Annäherung in zwölf Schritten*. Baden-Baden, Nomos.
- Hill, C. and W. Wallace, 1996: *Introduction; actors and actions. The Actors in Europe's Foreign Policy*. C. Hill. Routledge, London.
- Hoffmann, S., 1994: "The European union: one body, many voices." *Current*: 34-45.

- Holsti, K. J., 1988: *International Politics. A Framework for Analysis*, Prentice-Hall, Englewood Cliffs, N.J. 1988 (5th. edition).
- Hooghe, Liesbeth, 1998: "Consociationalists or Weberians? Top Commission Officials on Nationality." *Arena Working Papers*, The Research Council of Norway: http://www.sv.uio.no/arena/publications/wp98_20.htm.
- Kaiser, Karl, 1971: *Transnational Relations as a Threat to the Democratic Process.* *Transnational Relations and World Politics*, R. O. Keohane and J. S. Nye. Cambridge MA, Harvard University Press: 356-370.
- Katzenstein, Peter J., 1996: *Regionalism in Comparative Perspective.* *ARENA Working Papers*, The Research Council of Norway: http://www.sv.uio.no/arena/publications/wp96_1.htm.
- Keohane, Robert O., 1984: *After Hegemony. Cooperation and Discord in the World Political Economy*, Princeton University Press, Princeton.
- Kerr, Clark, 1960: *Industrialism and Industrial Man*, Harvard University Press, Cambridge, Mass.
- Kielmannsegg, Graf, 1976: *Legitimationsprobleme politischer Systeme.* Opladen, Westdeutscher Verlag.
- Kittel, Bernhard, 1997: *Der Nationalstaat zwischen Sozial- und Systemintegration: Anmerkungen zur "Nationalisierung" der Europäischen Union.* In: *Wege zu einem anderen Europa.* Edited by Beirat für gesellschafts-, wirtschafts- und umweltpolitische Perspektiven. Köln, PapyRossa Verlag: 34-59.
- Kleinsteuber, Hans J. /Rossmann, Torsten, 1992: *Kommunikationsraum Europa? Die Medienpolitik der EG und die Europäische Integration.* In: Kreile Michael (ed.). *Die Integration Europas. Sonderheft 23 of "Politischen Vierteljahresschrift"*, Westdeutscher Verlag Opladen: 292-317.
- König, René, 1958: *Grundformen der Gesellschaft: die Gemeinde.* Hamburg, Rowohlt.
- Kupchan, Charles A., 1996: "Reviving the West." *Foreign Affairs* 75: 92-105.
- Laponce, J. A., 1981: *Left and Right. The Topography of Political Perceptions.* University of Toronto Press, Toronto.
- Lemke, Christiane, 1998: "Citizenship and European Integration." *World Affairs* 160: 212-218.
- Lepsius, M. Rainer, 1991: *Nationalstaat oder Nationalitätenstaat als Modell für die Weiterentwicklung der Europäischen Gemeinschaft.* In: Wildenmann Rudolf (Hrsg.) *Staatswerdung Europas? Optionen für eine Europäische Union*, Nomos, Baden-Baden: 19-40.
- Luhmann, Niklas, 1971: "Weltgesellschaft." *Archiv für Rechts- und Sozialphilosophie* 57: 1-35.
- Luhmann, Niklas, 1986: *Ökologische Kommunikation*, Westdeutscher Verlag Opladen: 202ff.
- Luhmann, Niklas, 1975: *Soziologische Aufklärung II*, Westdeutscher Verlag, Opladen: passim.
- Majone, Giandomenico, 1994: "The Rise of the Regulatory State in Europe." *West European Politics* 17: 77-101.
- Malcolm, Noel, 1995: "The Case against 'Europe'." *Foreign Affairs* 74(2): 52-69.
- March, J. and Olsen J., 1998: "The Institutional Dynamics of International Political Orders." *ARENA working paper no. 5: The Research Council of Norway.*
- Marks, Gary, 1996: "Social movements and the changing structure of political opportunity in the European Union." *West European Politics* 19: 249-279.

- Moravcsik, A., 1994: Why the European Community Strengthens the State: Domestic Politics and International Cooperation. Paper presented at the Annual Meeting of the American Political Science Association, New York.
- Nass, Matthias, 1999: Die Schocktherapie. DIE ZEIT. Hamburg.
- Niblett, Robin, 1997: "The European disunion: competing visions of integration." *The Washington Quarterly* 20: 91-109.
- Niedermayer, Oskar and Richard Sinnott, 1995: Democratic Legitimacy and the European Parliament. Public Opinion and Internationalized Governance. O. Niedermayer and R. Sinnott. Oxford University Press, Oxford: 277-308.
- Nisbet, Robert A., 1966: The Sociological Tradition, Basic Books Inc. Publishers, New York.
- Office for Official Publications of the European Community (ed.). Die audiovisuellen Medien im grossräumigen Europäischen Markt, Luxemburg 1988.
- Olivi, Bino, 1993: L'Europa difficile. Storia politica della Comunità Europea. Bologna, Il Mulino.
- Peterson, John, 1994: "Subsidiarity: a definition to suit any vision?" *Parliamentary Affairs* 47: 116-133.
- Piore, M. J./ C. F. Sabel, 1984: Das Ende der Massenproduktion. Berlin, Wagenbach.
- Regional Integration. *International Encyclopedia of the Social Sciences*. Chicago: 522-528.
- Rifkind, M., 1996: Common Foreign and Security Policy, Speech at the 'Institut Français des Relations Internationales,' Paris, 5th March.
- Riggs, Fred 1964: Administration in Developing Countries: The Theory of Prismatic Society. Houghton Mifflin, Boston.
- Sahlins, Marshall S.: Evolution, Specific and General (in: Manners, Robert A. /Kaplan D. /eds.) *Theory in Anthropology*. Routledge & Kegan, London 1968, 229-240).
- Sand, Inge Johanne, 1997: The Changing Preconditions of Law and Politics. Multilevel Governance and Mutually Interdependent, Reflexive and Competing Institutions in the EU and the EEA. ARENA Working Papers, The Research Council of Norway: http://www.sv.uio.no/arena/publications/wp97_29.htm.
- Scharpf, Fritz W., 1996: Demokratie in der transnationalen Politik. MPIfG Working Paper 96/3, November 1996, Max-Planck-Institut für Gesellschaftsforschung, Köln: http://www.mpi-fg-koeln.mpg.de/publikation/working_papers/wp96-3/index.html.
- Scharpf, Fritz, W., 1985: Die Politikverflechtungs-Fälle. Europäische Integration und deutscher Föderalismus im Vergleich, *Politische Vierteljahresschrift* 26/4, 1985, 323-356.
- Schelsky, Helmut, 1965: Auf der Suche nach der Wirklichkeit. Düsseldorf, Bertelsmann.
- Schindler, Dietrich, 1992: Schweizerischer und Europäischer Föderalismus. *Schweizerisches zentralblatt für Staats- und Verwaltungsrecht* 93, 1992, 193-223.
- Sjursen, Helene, 1998: "Enlargement and the Common Foreign and Security Policy: Transforming the EU's External Policy?" ARENA Working Papers, The Research Council of Norway: http://www.sv.uio.no/arena/publications/wp98_18.htm.
- Sked, Alan, 1990: "The Myths of European Unity." *The National Interest* (22): 67-73.

- Statz, Albert, 1989: Die Entwicklung der westeuropäischen Integration - ein Problemaufriss. In: Deppe Frank/Huffs Schmid Jörg/Weiner Klaus-Peter (eds.). 1992 - Projekt Europa. Pahl-Rugenstein, Köln: 13-38.
- Stavridis, Stelios, 1993: 'Democracy in Europe: West and East'. Peoples' Rights and European
- Story, Jonathan, 1993a: Europe in the Global State and Market System. In: Story Jonathan (ed.). The New Europe. Politics, Government and Economy since 1945, Blackwell, Oxford, 3-61).
- Story, Jonathan, 1993b: Europe between Nostalgia and Utopia. In: Story Jonathan (ed.). The New Europe. Politics, Government and Economy since 1945, Blackwell, Oxford 1993, 475-492).
- Streeck, Wolfgang and Philippe Schmitter, 1991: "From National Corporatism to Transnational Pluralism: Organized Interests in the Single European Market." Politics and Society 19: 133-164.
- Structures, Centre Unesco de Catalunya: Manresa, Sept. 1993.
- Taylor, Paul, 1990: Consociationalism and federalism as approaches to international integration. Frameworks for International Co-operation. P. Taylor and A. J. P. Groom. Pinter, London: 176ff.
- Thatcher, Margret, 1992: "An Architecture for Europe". Speech given in The Hague in May 1992. Die Weltwoche. Zürich, 5.
- Thürer, Daniel, 1991: Der Verfassungsstaat ist Glied der europäischen Gemeinschaft. In: Veröffentlichungen der Vereinigung der Deutschen Staatsrechtslehrer 50, De Gruyter Berlin / New York 1991, 99-136).
- Toennies, Alfred., 1979: Gemeinschaft und Gesellschaft (Reprint of the 8th edition of 1935, Wissenschaftliche Buchgesellschaft, Darmstadt).
- Waever, Ole, 1995: "Identity, integration and security: solving the sovereignty puzzle in E.U. studies." Journal of International Affairs 48(2): 389-431.
- Weiler, J., 1991: "Problems of Legitimacy in Post-1992 Europe." Aussenwirtschaft 46.
- Wessels, Wolfgang, 1992: Staat und (westeuropäische) Integration. Die Fusionsthese. In: Kreile Michael (Hrsg.). Die Integration Europas Sonderheft 23/1992 der "Politischen Vierteljahresschrift", Westdeutscher Verlag Opladen: 36-61.
- Willis, David, 1996: When East goes West: The political economy of European re-integration in the post-Cold War era. Culture and Identity in Europe. M. Wintle. Aldershot, Avesbury: 146-176.
- Wintle, Michael, 1996: Europe's image: Visual representations of Europe from the earliest times to the twentieth century. Culture and identity in Europe. M. Wintle. Aldershot, Avesbury: 52-95.
- Zellentin, Gerda, 1992: Der Funktionalismus - eine Strategie gesamteuropäischer Integration? In: Kreile Michael (ed.). Die Integration Europas. Sonderheft 23 of "Politischen Vierteljahresschrift", Westdeutscher Verlag Opladen: 62-80.