ALAN S. MILWARD

Review Article:

The European Union as a Superstate


The title chosen by Elizabeth Bomberg and Alexander Stubb for their textbook in Oxford’s ‘New European Union Series’, The European Union: How Does It Work?, is a pointer to what has now become the present trend of scholarship in analysing the historical significance of the European Community/European Union (EC/EU). Bookshops stock shelves of similarly titled introductory textbooks and manuals. That there is more to their title than meets the eye can quickly be perceived from the briefest inspection of the book. Many of their crisply incisive chapters, each offering an answer in respect of different subject areas to the question, also come equipped with a box outlined in heavy black and headed ‘How It Really Works’.

Why this intense desire to explain how the European Community/European Union really works? It is because political science, with history joining in step, has
been increasingly persuaded that the key to explaining supranational governance in Europe and also to understanding its future destination lies in the close analysis of its institutions. Political science has always felt the need to typologize forms of governance. But into past typologies the EC/EU does not easily fit. To many of its analysts, historians, and political scientists, it appears as the first representation of a more modern, a postmodernist, in Darwinian terms a more ‘evolved’; form of governance, whose essential characteristic is to go beyond the state. It is their Galapagos, by close observation of which the destiny of governance can be forecast. Historians, however, remain divided about whether this research procedure is soundly based on the evolution of the state or merely fatidic. Historical research played its part in the 1980s in curbing the force of neo-functionalist explanations of the early evolution of the European supranational institutions when it related their development closely to the diplomatic and economic realities of the 1950s. Now that those institutions appear to have grown in size, strength, and influence, in spite of the sweeping changes made to those realities by the end of the cold war and the travails of Russia and the Soviet bloc after its end, it is understandable that functionalist theories of Europe’s ‘integration’ should return as research hypotheses, albeit under different names.

The name now in high favour is ‘new institutionalism’. It stands for a general view that institutions do indeed have a functional purpose and are path-dependent. Mark A. Pollack’s book looks only at the internal workings of the EC/EU in order to explain its expanding reach. The essays collected by Kevin Featherstone and Claudio M. Radaelli explore the possibilities of conducting an alternative research procedure to test whether an ill-defined process, which they call ‘Europeanization’, would result in better or alternative explanations of the same trend. Even though it is about the growth of the common foreign and security policies of the EU, Michael E. Smith’s book is almost entirely a study of the EU’s internal bureaucratic history. If the alleged tendency of state functionaries in supranational institutions to agree on practical lowest-common-denominator solutions to problems of international relations at the level of low politics, which, as neo-functionalist theory argued, would then lead to functional solutions at the high political level, was somewhat shaken by historical research, institutional perseverance is re-instating itself as the road through which the supranation will advance.

In this spirit, Pollack’s work uses delegation theory to portray the EC/EU as an organization to which European states delegate particular regulatory tasks. He does this in order to inquire whether the administrative conformation and procedures of the Brussels institutions do in fact extend the reach and power of the supranation over the nation state by simply applying, and extending where they have the opportunity to do so, the terms of the ‘contract’ handed on to them by the member states of the EU. The institution has its own agenda. Smith argues that exogenous events ‘typically provide only an opportunity or excuse for debate over
institutional change, but they do not dictate the specific outcome' (p. 243). The endogenous history of the institution is more important in explaining its recent expansionary evolution from its constricted origins in the 1970s as 'European Political Co-operation'.

Institutional history, or old institutional history as perhaps we should call it, has an established place in the canon of historiography and notably so in explaining different forms of governance. Early historians of the English parliament long sought to explain its role as the guardian of liberties by tracking its origins back before the Norman conquest to earlier 'democratic' assemblies. Tacitus did much the same for the history of German popular assemblies. German liberal historians after 1870 argued that the historical continuity in Germany of popular democratic decision-making must eventually make the Reichstag similarly democratic. Old institutional history shares the conviction of the new version that institutions are path-dependent; set up an institution for European Political Co-operation and it will become an institution for Common Foreign and Security Policy, as surely as parliaments in northern Europe revealed their path-dependency from the Witan-gemot or the ting. It has taken almost forty years in Western Europe to return to such confident assertions. To cling to them requires much forgetfulness.

The invasion by institutional history of the study of European integration does, nevertheless, open the possibility of restoring a research dialogue between history and political science. This is best seen in Pollack's study of what he calls 'the engines' of European integration. The engines are the institutions of the EC/EU. What makes them work, he implies, is the framework of regulation within which policy administration is delegated to them from the member nations. To sustain his argument, Pollack has to construct his work on a foundation of both political theory and historical inquiry. The work is often good on both counts.

The theory of policy delegation by government has been mainly explored with relationship to the United States, particularly in respect of the delegation of policy enforcement, and sometimes policy-making, to congressional committees, although examples of delegation to private agencies have not been ignored. The theory that Pollack uses as his framework has been set out by Giandomenico Majone.¹ To apply it, Pollack works from the assumption that the EC/EU is a similarly conceived set of institutions to which national governments delegate policy administration and enforcement. Three research issues are primarily at stake: to identify the types of policy that member states (principals) have chosen to delegate and the characteristics of institutions (agents) to which they are delegated; the extent to which the agents have been and remain able to pursue their own agenda; and the extent to which agents can influence decision-making by principals. The agencies that Pollack selects are the European Commission, the European Court of Justice (ECJ), and the European Parliament. Other agents, in-

¹ G. Majone, Regulating Europe (New York, 1996).
The European Union as a Superstate

including the European Central Bank (ECB), are discussed in the light of the conclusions arising from the three main investigations.

The research programme is thus also structured to provide an overall view of the relationship between national and supranational government, although if a wider view and more examples of delegation had been examined, the variety of these arrangements might have appeared more varied. The conclusions are that member states normally delegate to the European Commission the tasks of monitoring compliance with the policy that has been delegated, themselves having previously determined the legislative agenda. It falls, therefore, to the Commission to shape credible regulations based on expertise. The Commission is closely monitored by the member states in various ways, varying in relation to the policy that has been delegated and the degree to which that policy is politically sensitive.

To the ECJ, however, have been delegated much wider powers, especially that of interpreting the treaties on which the EU depends for its legitimacy. Member states do have specific powers relative to the ECJ: the power to appoint to the court; the threat to refuse unilaterally to comply with its decisions; and the threat to revise them. The latter two are not very promising options and recognition of that reality seems recently to have made member states more reluctant to allow the ECJ to expand its own agenda. As for the European Parliament, its powers do not include the right to initiate legislation. The consequence is that, in areas where the European Commission enjoys the widest range of liberties, the Parliament has the least. This is the case, for example, in that area in which the EU exercises the most international power, foreign trade. There is, therefore, no great incentive to delegate to the Parliament and one powerful disincentive, the desire to preserve and perhaps to enlarge, the half-truth that the European Parliament embodies a European tradition of democratic independence from the executive, whereas compared to the Congress of the United States, it is more dependent on it.

Delegation theorists are concerned with the issue of 'fit', how well adapted the institution is to the policy that it has to enforce. How well could the European Parliament adapt to the task of delegation? It is not an agent, and nothing is directly delegated to it. It may well be the case, however, that parliaments are also path-dependent, their particular path being to increase their powers over the executive. The European Parliament has already turned out one executive, the Santer Commission, and enforced important changes of personnel on another, the Baroso Commission. Although those deeds did not alter the range of what was delegated to the EU, they not only emphasize the more vigorous pursuit of its own agenda by the Parliament, but make clear that the research models of the new institutionalism have an hermetic nature that calls into question their value as indicators of the future. Happy to delegate to an executive, member states are unhappy with delegating to a parliament. The model that fits the United States does not have 'goodness of fit' with the EU.

The European Commission and the ECJ are shown in Pollack's work to have
had room enough to expand their own agenda, in spite of the administration and enforcement of policies delegated by the member states. Historical research has tended to confirm that view. Specifically, they have, Pollack argues, pursued with success their own agenda on market liberalization and the common regulation of markets. The implication is that, with more delegations from principals, the more room the Commission would have to expand its own agenda. It is, though, early days yet, too early for historians to be able to sift the evidence about why some elements of trade liberalization included in the Single European Act were adopted so rapidly, others only after long struggles with limiting clauses, and yet others shelved. This would be a tale requiring ingenuity on the part of historians and waiting for records to become available. Until that story has been told, there does not seem any reason to contradict Pollack’s view that the Single European Act was an important part of the Commission’s own agenda.

Pollack’s conclusions are no surprise, including the evidence that the agencies to which policies were delegated did at times have a policy agenda sometimes differing from that of the principal. The ECJ has been the most striking instance of this, extending the interpretation of European law beyond boundaries that some member states would have preferred to maintain, a course of action that also furthered the Commission’s agenda of extending its reach and influence. But if readers are not surprised, they acquire a better understanding of why they are not surprised. The underlying problem of Pollack’s work is not lack of scholarly quality; rather, it is in its avoidance of dealing with the widely expressed opinion that delegation diminishes democracy, because it shifts policy enforcement, and in some cases policy formulation, away from parliaments, national and supranational, institutions where the public might prefer to leave them, to institutions against which the public feels it can exercise no leverage and over which it has few, if any, rights. There are those who see the process of delegation as a competitive race towards lower standards, of social policy, for example, of public health policy, of working conditions, of conservation policies in fisheries, of environmental policies in agriculture. Beyond those differences of opinion, there is a further question: does delegation, even if it promotes European integration, weaken democracy?

Pollack did not set out to write a book that answered such a question. Nevertheless, it is so important an issue for critics of supranational governance that it needs at the least to be kept in mind. One problem is the jargon that delegation theorists insist on using. The theory of delegation seems to have jumped from Washington, DC to the EU without changing its vocabulary, and that leap has brought with it an inappropriate desire for political simplification. The vocabulary constricts the political perspectives to the point where serious political issues are pushed aside. The words ‘principal’, ‘agent’, and ‘contract’ are legalisms, closer in spirit to the ancient written constitution of that hoary nation state, the United States. The EC/EU as yet has no constitution and, within the periphery of the European Court of Justice, lie many differing national legal concepts and pro-
visions. There are certainly rules that attend the process of delegation in the EC/EU, but those rules are determined by the bargains between particular groups or even pairs of member states pushing for any particular delegation. The 'contracts' are bargains in high politics between still powerful nation states whose nature the European Commission must accept.

For thirty years, a trade policy for sub-Saharan Africa was delegated to the EC, together with a programme of aid from the European Development Fund. The whole was known as the Lomé Conventions. It was in reality an agreement between France and the United Kingdom to co-operate on shaping trade and development, and in certain respects governance, with their former African territories as those became independent countries. It was implicit in the agreement that their policies on aid would vary and, for that reason, bilateral aid occupied as big a part in their programme as Community-supervised and administered aid passed through the European Development Fund. France was relatively generous to African 'partners'; the United Kingdom was more interested in providing aid to rapidly developing Asian countries with which trade would grow more rapidly. The Commission, also, was powerless to alter the restrictive trade rules, especially the 'rules of origin' that handicapped the transition of African economies from agricultural to manufactured exports. It was equally helpless - because of the Common Agricultural Policy, probably the most significant single delegation to the supranational agencies - to make more room for agricultural exports from Africa. These were the bases of a 'contract', which the agent could not vary, for outside that contract remained not only the power of France and Britain, but also the power of other institutional rule-makers for international trade and aid, GATT, the IMF, and the World Bank.

* * * * *

The Lomé Conventions illustrate the pitfalls of constriction by theory, that, although it may be a logical and appropriate guide to understanding the political rules of agreement, it can lead away from deeper political realities that are historically important. There was only one possible agent for the Anglo-French agreement, the European Commission. The Commission was unlikely to change the nature of an agreement between the EU’s two most influential member states, especially an agreement that was one of the bases of the community’s first expansion and one that presented the Commission with the opportunity to fly the flag of European unity over large tracts of the one continent where US commercial and political influence was much less than that of Europe. France and Britain were inviting the Commission to pursue its own agenda of commercial expansion, provided that the trade and aid rules were ultimately what the French and British foreign ministries wanted. The ‘contract’ was essentially a lowest-common-denominator agreement between two large member states to support each other in Africa.
Constriction lies in the first step of delegation theory. The question, why any government should choose to delegate policy formulation or administration, is always answered from economic theory; it is done to reduce transaction costs and thus to increase efficiency. However, delegation can have the effect, which might at times also be its political objective, of shifting the responsibility further away from pursuable, critical inquiry. This may, of course, reduce transaction costs, but it is not the obvious way to increase efficiency. In the case of delegation to the EU, there is little that a national parliament can do to recall policy to an arena of national inquiry and, as things stand, the European Parliament has for most of the time not been an effective substitute.

The common ground between the constrictions of delegation theory and its vocabulary lies in its affinities to functionalism. Theory and language avert their gaze from high politics, from the exercise of high power and the threat to use it. The theory clings to the functionalist belief that low-level agreements about the siting of, for example, power-stations could eventually lead to international federations. From its creation, however, the European Community was a building block of the high politics of the West and remains so. That reality is important in determining why particular policies were delegated to it. We should not lose sight of the reality of those high political origins when considering the question of why particular policies are delegated to the supranation.

Nevertheless, a dose of Pollack's tight constriction would have helped most of the contributors to the debate on 'Europeanization' that Featherstone and Radaelli want to open up. What does the word mean? It does not mean convergence, Radaelli tells us, because convergence is a consequence of Europeanization and there must be a difference between a process and its consequence. Nor does it mean 'harmonization', because within the EU not even agricultural policy is fully harmonized. Both editors agree that the meaning of 'Europeanization' therefore is not necessarily tied to changes wrought by the supranational institutions. Tanja A. Börzel and Thomas Risse, on the other hand, in their contribution to the volume, are quite ready to accept that it is something that has already occurred and is closely linked to the EU, in the sense that 'goodness of fit' between the policy of any state and that of the EU will mean that the state in question will be less extensively 'Europeanized'. On balance, over a thick book with many contributions, the majority opinion seems to be that what the word signifies is the spread of institutional similarity. We are brought back to an institutional history in which the conformity of institutions is a function of 'adaptational pressure' and where 'institutional misfit' becomes a necessary condition of institutional change, a world in which functionalism will find fertile ground for its success.

What is there in these essays for historians, other than their tendency to dissuade them from undertaking research programmes that are set up to confirm, rather than to test, their initial hypotheses? They could stick to the facts, as does Hussein Kassim in his demonstration that the national institutional arrangements
that member states have devised for dealing with the European Community at the policy-formulation level show much variety, and present no evidence of convergence around a single model. They could take a more theoretically cautious stance like Markus Haverland, who accepts that ‘goodness of fit’ is very important in the convergence of environmental policy, the environment being large and the member states being small, but that if policy hierarchies were taken into account, the prime emphasis would nevertheless have to be on big national policy decisions, rather than ‘fit’ or Europeanization. They could roll up their sleeves, as Daniel Wincott asks them to do and produce, say, a good history of the conflict between Jacques Delors and Margaret Thatcher, giving an accurate account of its ideological and political outcomes. They could indeed write histories of many other policy and institutional conflicts and changes in the EU. Most lacking is a history of trade and trade policies in the EU and its conflicts with the international trade organizations and with the United States. This would open a window onto the wider, exogenous, world, with which, an issue left undisturbed in Featherstone and Radaelli, it is the biggest trader. Without a history of what ‘trade liberalization’ was about at each stage, ‘Europeanization’, ‘Americanization’, and ‘globalization’ remain slogans only, badges of allegiance, and the most vital aspect of EU policy left unilluminated, even though it is central to any debate about the supranation.

* * * * *

How the absence of such a study weakens the history of our times is shown by John Gillingham’s attempt to write the first full history of the whole time-span of the European integration project from 1950 to the present. He hopes that ‘it trumps like an elephant’, no small effort over 588 pages, and asserts its interdisciplinarity, into which he is, in any case, forced both by his procedural method and his evangelical fervour. His method is to divide the long period he covers into an early dark age of the mixed-economy welfare state and a later, longer, and more enlightened period of the triumph of what he calls the market principle. The founding fathers of the second period were, he argues, Friedrich von Hayek, Jean Monnet, and Ludwig Erhard. They, of course, were active in the first period. The second, highly successful, period seems, however, to be endowed with a founding mother, Margaret Thatcher. The first part of Gillingham’s book is no more than a brief prologue before the real story, which he aims to tell for the first time, of the ultimate triumph of von Hayek’s insistence ‘on a basically private enterprise and the impersonal rule of law on which free economic transactions depend’ (p. 8). It is, therefore, for Gillingham, an idea, rather than institutions, that accounts for the EC/EU’s success, an idea to which its constituent member states all came to subscribe.

There is, though, no gainsaying that the institutional base of the European
Community was built in the first two post-war decades by interventionist governments that linked the new institutional architecture to the careful management of markets and monetary policy. Gillingham’s earlier work, Coal, Steel, and the Rebirth of Europe, 1945-55: The Germans and French from Economic Conflict to Economic Community (New York, 1991; rev. ante, xiv [1992], 837) contributed to showing why and how this was so. It seems that time, prosperity, and the prolonged European peace, all of which gave to European governments increasing confidence in liberalizing trade, capital flows, and monetary policy, have also generated a reborn Gillingham. To make his gospel tell, he has to concentrate attention on the major turning-points in the 1970s and then on the triumph of the Single European Act in the 1980s, followed at the end by the Monetary Union. As available historical sources for that period are sparse, he has drawn material for those years ‘from a warehouse-bursting profusion of official and semi-official publications, financial and business newsletters, and printed material falling under the general rubric “trade press”; scholarly and semi-scholarly books, articles, and papers; the writings of journalists, commentators, and other experts; and numerous autobiographies and other first-hand accounts’ (p. xviii).

If we take chapter 5, however, whose conclusion is that the Single European Act was ‘a work of Margaret Thatcher’s statecraft’ (p. 100), there is no reference to anything from the bursting warehouse. The references are to printed books or journals. The reference to Thatcher’s statecraft carries a reference to The Economist. Almost all references in the chapter are to journals, scholarly or otherwise, or, more frequently, to printed sources of dubious historical value, or to newspapers. Of the forty-one footnotes to chapter 8, which eulogizes Thatcher, fifteen are to The View from No. 11, the memoirs of Nigel Lawson, her chancellor of the exchequer.

That same chapter passes a glowing verdict on the United Kingdom’s privatization of public-sector-controlled industries. The ‘success’ of the still ongoing and still politically divisive process of introducing markets into the public-sector National Health Service in Britain is backed by a reference to Lawson, a strong protagonist of that policy, and, bizarrely, also to a paper about pension reform presented to a conference, perhaps of publicists, but untraceable because of an insufficient reference. The Thatcher government’s pension reforms, we are told, were even more successful than the reforms of the health service, although at the moment it seems to be generally lamented by all parties that they have proved much less than successful. Gillingham’s breezy conclusion that liabilities will be met without an increase in tax rates, which are likely to fall in the future, evidently refers to an earlier date than the present. In fact, it can be found in the memoirs of the chief architect of pension reform, the same indispensable Lawson, and so dates from 1992, when his memoirs were published. Since then, tax rates have risen and liabilities in many cases may well not be met.

The account of the negotiations for European Monetary Union does not go
beyond newspaper comment. In particular, as in the case of the Single European Act, there is little or no comment on the role of France or Germany, to say nothing of the smaller countries. Italy has an even smaller role in the text. Historical analysis tends to be substituted by a boisterous writing style, sometimes merely by bluster. Sadly, the book falls well short of its ambitions, even, indeed, of its title.

Gillingham's book also falls well short of its accidental competitor, *A Certain Idea of Europe*. Craig Parsons's intention is also to demonstrate that the EU is built upon an idea, the vision of European unity. Thus, for Parsons, Gillingham's bipartite chronology has no point. Parsons reverts to the idea of the 1950s, that supranational Europe has been the creation of political visionaries, no matter how realistic their diplomatic procedures, and that the historian's task is to trace the idea in practice through the intricacies of national foreign-policy positions. Insofar as theory matters, it is the theory of how ideas become incorporated into political positions. Parsons proposes that sociological explanations of ideational motivation are probably the thread to follow through the complications of the diplomatic history that he sifts and reproduces. Neither political nor economic theory make much of an appearance. Customs union theory, which does provide some kind of a rationale for the persistent growth of the EU, is presumably tarred by Parsons's view that historians who explain the evolution of the EU by economic choices or developments are economic determinists. Some ideas therefore are excluded. This seems another example of unnecessary constriction. The strength of the book, however, lies in its full and intricate history of French diplomacy on the question of European Community building. It stands in its own right as a new and scholarly contribution to French post-war history and politics up to the end of the 1970s, albeit getting thinner as archival research has to be substituted by interviews.

In following the history of the idea so attentively, Parsons traces its passage through the minds of French politicians and high-ranking bureaucrats. In doing that, he tackles uncompromisingly the reality, which so many accounts of European integration evade, that, of all the member states of the EC/EU, France has been the one whose population has in opinion polls and in referendums revealed that half of its number was hostile, sceptical, bored, or indifferent to the idea that Parsons is tracking. There has never been more than a dangerously slender majority support for a central objective of the foreign policy of most of France's governments since 1945.

When British politicians have decided on whether to apply to join the EC/EU, and on one occasion held a referendum on whether to stay in it, they have always commanded a safe, although on one occasion not very large, parliamentary majority in favour of membership. French governments have only scraped through to success in referendums, to ratify the treaty of Maastricht, for example. This could imply that, from 1947 onwards, *raison d'état* dictated that the commitment to
controlling Germany by the multifaceted alliance that the EC/EU could provide, left little room for manoeuvre in France’s European policy, such that a plebiscitary public backing, however slender, was necessary to convince all other members that France would stay the course of preserving western Europe’s longest peace by commitment to the supranational architecture of the post-war peace settlement. At the other extreme, raison d’état could similarly account for the combined cultural efforts made by France and Germany, more teaching of German in French schools, a joint television channel, and so on. Parsons tackles these issues by seeing such efforts as the political project of an elite, testimony to the force of the idea.

* * * * *

Can the force of the idea truly account for this knife-edge adventure by an elite? It is in the face of that question that the reader is likely to ask whether any idea would justify policies at which the barrel of a smoking referendum has so frequently to be pointed. Perhaps Parsons could strengthen his case by reference to Michael E. Smith’s explanations of the development of a common foreign and security policy by the EU. While the commitment of the member states to the European peace settlement remained firm, this did not mean that their foreign policies in Europe were not in a permanent state of flux. Yet, as Smith tells us, EU member states could have kept EPC (European Political Co-operation) as a passive forum to share information, as it was designed; ‘instead they rapidly attempted to both strengthen and make greater use of the mechanism. Taboos over what had been considered issues inappropriate for EPC (such as security) were generally broken, and changes in the mechanism itself were built onto previous innovations, so that member-states did not feel threatened by a radical expansion of their cooperation in this sensitive area’ (pp. 3–4).

So much for path-dependency! If this could happen in the policy area that, from the outset of the supranational idea, was regarded as the most unpropitious area for institutional co-operation, it could surely happen in other institutions. The common foreign policy of Europe does not add up to much in a world where Europe has only limited possibilities of enforcing it, but, as Smith rightly asserts, the astonishing thing is that all those independent countries with their different problems and traditions have established a common foreign and security policy covering a wide range of international issues. Even where these policies only amount to declarations, they remind us that it would be very difficult to find anything comparable in Europe’s long history.

Should we insert something of Parsons’s insistence on ideational motivation to explain such a development, instead of leaving it to be explained by endogenous institutional history? The difficulty is that Parsons, at many points in his book, does not seem to be saying anything different about ideational motivation from what neo-functionalists said, while at the same time using it as a deus ex machina
to explain why finely balanced issues in French diplomacy were decided in favour of the EU. Was the idea firmly, purposively, and continuously translated by French diplomats into these bold new institutions? Or was it just floating in the air around the elite true believers, a bottle from which in deadlock they could take a swig of Eurosprit? Parsons falls between the two possibilities, so that it is hard to know how far he is saying anything different from the simplistic explanations of early federalists or functionalists.

* * * *

Referendums and plebiscites are the ultimate democratic risks. They can hardly be used to register regular national democratic support for the supranation. France narrowly escapes the criticism that its foreign policy has not had national democratic support and, in doing so, raises the questions, first, whether the EU itself has democratic legitimacy and second, whether, when so many policies are delegated to it, that very process also evades national democratic supervision and therefore weakens national democracy. These questions are the more important when the EU insists on democratic government as a criterion of membership, and even stipulates certain policy requirements as tests of an applicant's suitability for membership of the union. No doubt, the indifference of delegation theorists to the quality of democracy stems in part from their concentration on haruspications into the mechanical entrails of the union.

Two works that apply themselves directly to the big issue are not written by historians or by political scientists. The sociologist Juan Díez Medrano, in studying the conflicts between ethnicity and European unity, combines the use of cognitive frames with interviews. Interviews are often unreliable sources for historians, but they can be shaped by cognitive frames to give them more point and to exclude irrelevancies. The two methods are used in tandem because Medrano starts from the rational assumption that the variations in national support for European integration derive from the way people in the different member states construct their own cognitive frames. The countries with which he is primarily concerned are Germany, Spain, and the United Kingdom. The inquiry treats Germany for the purpose of assessing opinion as two countries, equated with the two formerly separated territories of the Federal Republic and the Democratic Republic. There are four appendices explaining and justifying the author's methods, including his use of prize-winning literature, school history textbooks, newspapers, and the selection of respondents.

The combination of these methods confirms the evidence from polls that Spaniards are in general strong approvers of supranational Europe as it presently exists. But the interest of Medrano's method lies in its possibilities of unearthing why that is so. Spanish respondents argued that any loss of national or regional decision-making power was recompensed by the contribution the EU makes to the 'modernization' of Spain. Membership is also thought of as enhancing national
prestige. Spaniards are in favour of the EU being a strong bloc, but complain that Spain itself does not have a strong enough voice within the new Europe. Status and modernization are linked as a common theme; a longing to reach the same power, importance, and wealth as the leading EU states. The widespread nature of these sentiments leads to the conclusion that history has had a great influence on them. The Francisco Franco regime is perceived as a time of isolation from neighbour states and from the international community; Spain’s pleasure in a return to an open world outweighs persistent complaints about the inequities of the Common Agricultural Policy, which, Medrano’s methods indicate, is not at all the case with the United Kingdom. Furthermore, re-entry into an open world coincided for Spain with a return to democratic government.

Citizens of the United Kingdom, however, are inclined towards almost opposite views to those of the Spaniards. They see their country as having been taken prisoner by a smaller world, in spite of the huge value and volume of Britain’s trade, visible and invisible, outside the EU and in spite of its total immersion in worldwide capital flows. Eighteen of Medrano’s British respondents mentioned national sovereignty given away and national identity becoming lost as a critique of membership of the EU. In Spain, as in Germany, only one or two respondents mentioned those issues. History, wilfully interpreted and suffused with nostalgia, makes an influentially large section in British society see membership of the EU either as a sorrowful burden that cannot be avoided, or as something from which it should escape. These sentiments were expressed most frequently in the context of not joining the European Monetary Union: the United Kingdom has retained its own currency, and government seems divided on the issue of converting to the Euro. Opinion also seems to be against any further steps towards unification. Analysis of his results, Medrano suggests, shows that the fear of losing the nation’s identity and culture is the primary concern leading to these attitudes. Yet, like opinion polls, his frames indicate that a majority of citizens do not wish to leave the European Union. The contribution of the EU to keeping the peace was cited by interviewees as well as in school textbooks as an advantage of the union almost as frequently in Britain as in Germany. Spaniards scarcely mentioned that idea.

The singularity of British opinion, although it might not prove so singular in other comparisons, derives from many fears. British respondents expressed contempt for other member states of the EU more frequently than did Spaniards or Germans, and their dislike was expressed more frequently against the French than others. In all three countries, however, about half of all respondents expressed their dislike of the opacity of supranational governance, its unaccountability, its distance, its corruption, and its obsession with regulating minor aspects of peoples’ lives. At the end of his inquiry, Medrano was less sure than he had been a decade earlier about the prospects for a lasting European political unification. Will there be a demos to support a supranational democracy?

Opinion, of course, is a suspect area in which to carry out historical research.
The European Union as a Superstate

No matter how neutrally the sociological researcher distances him- or herself from respondents, no matter how carefully the selection is made from written materials, the historian will suspect subjectivity. Nevertheless, Medrano's work is of more authority on the subject of élite opinion and its links to popular attitudes than a history that represents both from citations from the comments of high-ranking diplomats.

What the 'people' or peoples of Europe stand for and what role they could play in the present circumstances has been more the subject of interested individuals than of any particular discipline. Étienne Balibar is a good example of this; he is a philosopher. 'We, the People of Europe', its title presumably echoing the citizens of Leipzig’s marching chant, 'Wir sind das Volk', applies itself to the serious question about democracy. Sovereignty, he observes, is an ambiguous word in Europe. In France, it refers back to the proclaimed sovereignty of the French people in the great revolution, to the idea that the sovereign nation is borne by them. In Britain, the loss of sovereignty lamented by politicians as well as by Medrano’s respondents was the loss of an institution, parliament, the highest court in the land, so high as to have signed and carried out the death sentence of a king who believed his own sovereignty derived from God. Even in countries like Denmark, the German Federal Republic, and Italy, whose post-war constitutions embodied a provision for surrendering sovereignty to some form of supranational governance, Jacques Derrida’s view that the concept of some form of highest sovereignty remained lodged in the people in spectral form is justified. 'People' means *ethnos*, a common identity or a common historically framed cultural character, but also *demos*, 'an egalitarian constituent power' (Balibar, p. 158). The loss or enfeeblement of sovereignty thus implies the disappearance of the 'people', and implies the loss of the ancient meaning of citizenship. It is therefore themselves that British, Danish, Swedish, or other dissidents want to reclaim.

One way, perhaps the only way, in which this can be done is that the supranation’s machinery of governance evolve in such a way that popular sovereignty could at least seem to have sufficient elements of existence to satisfy the pressures of spectral sovereignty, even though there is no identifiable European *demos* and even though the clash between *demos* and *ethnos* remains a potent promoter of European disunity. This solution depends on the willingness of those member states that do not wish to go any further with transfers of sovereignty to the supranation to accept the logic that preserving the existing structures would be made easier by allowing them to have something a little more than a semblance of popular sovereignty. That probably demands unity in the belief that the EU preserves the peace.

* * * * *

The trend of the literature here reviewed is that the workings of the self-proclaimedly democratic European supranation are tested, examined, approved or
disapproved, at least where the authors are interested in this particular question, by the same criteria as for national democracy, the only model that is to hand, except that the question whether the EU is actually democratic is set to one side. Most works focus on the political machinery more than on the quality of the democracy that it claims to represent.

Some of the essays collected in M. T. Bitsch, W. Loth, and R. Poidevin, *Institutions Européennes et Identités Européennes* (Brussels, 1998) link their institutional history with the problems of national and European identity. They include some elements for a history of the European Parliament in an essay by Bruno Riondel, but otherwise, there is no published overall history of the Parliament, a telling omission. The same collection contains what seems to be an early fragment of a history of the Commission by N. Piers Ludlow. It looks as though a history of the executive branch will appear before a history of the legislative branch, another telling fact.

One EU institution has a history more methodically interrogated: the European Court of Justice. Legal history has shown lucidly how the ECJ in pursuing its own agenda quickly went beyond the treaty of Rome in its interpretation of the extent of its powers. In doing so, it both strengthened the EU and increased the criticism of the lack of democracy. Where these developments of the law had a confusing, but broad and inescapable, impact on questions of social rights that had been traditionally linked to democracy through the advocacy of national political parties is an area that has also been explored by lawyers.

As far as the ECJ is concerned, there is thus an institutional history that looks outwards to fundamental issues of political consent. More of the kind is needed in histories of every aspect of the EU. In any medium-term view of Europe’s history, consent lies at the core. A history whose basic approach is to examine the workings of institutions can neither interpret the supranational state nor forecast the direction in which it will evolve, because it remains hermetic and self-referential.

If we accept that the nation is an imagined community, the national community has two definitional characteristics that seem always present; exclusiveness and its capacity for the systematic administration of the legitimation and control of the social order. The law can change as the social order changes, but its legitimation and administration may not weaken. The supranation is criticized for the same reasons as the nation, witness the complaints that its rather small bureaucracy is too large, its ‘ministers’ of too low a quality and sometimes venal, its executive too prone to intervene in matters that are not solely legitimation, notably agriculture,

---


The European Union as a Superstate

its Parliament too remote from its electors, too privileged financially, and too close to the executive.

The one achievement of the supranation that is admired throughout its territory is its removal of irksome border controls. However, the counterpart of this may be the strong popular opposition in some member states to a frontier that would include Turkey. The question of where the external frontier should be set is answered by the old national demand for exclusiveness. If we accept that the imagined community of the nation must also have a supportive myth, we could reflect whether Parsons is in the business of restating an early myth for the supranation after the damage done to it by historians. If the supranation depends on the same exclusiveness and mythology that the nations themselves require, institutional history may prove a dead end, except as a myth generator.

Complaints about the quality of the supranational democracy resemble closely complaints about national democracy. Advocacy of a greater degree of popular democratic representation mirrors similar national advocacy. It is, as Balibar observes, difficult to conceive of a democracy without a demos, but made even more so ‘on account of the necessity for democratic procedures and forms of behaviour, not only as guarantees proposed or imposed by the state upon the individuals and groups who make up civil society but more fundamentally, as the rules that these groups and individuals propose and impose upon themselves and one another within the framework of “a community of citizens” and which are the object of self-determination’ (p. 184).

Can the European Union, which will not consider the entry into its entity of any state regarded as undemocratic, create a democracy that meets these specifications? Or will democracy as so defined slide slowly away through the interstices between the nation states and the supranation? And should not the prime concern of historians and political scientists be with this question, rather than with the way institutional machinery leads into further integration and expansion? The EU is a political society with its own specific political economy. If this is not taken into account, the analysis of how its institutions really work is only description, partial and mechanistic, and therefore a basis for partial and mechanistic theory. The EU has complicated roots in economic and political changes and aspirations in twentieth-century Europe. Difficult though it is, the connections between its changing political economy and the new forms of governance have to be expressed and understood. We should write the history of the European Union as a complex political society with a large stake in economic policy, whose political economy exercises continuous pressures for change on its institutions, making the assertion that the institutions are inescapably path-dependent a dubious one. The European Union is not a giant administrative Lego.

Historical Openness and Records Unit, UK Cabinet Office