

**SITUATING DECISIONS.  
THE PUZZLE OF THE BRITISH 'NO' TO SCHENGEN**

*by Antje Wiener*

Institute for Political Science  
University of Hannover  
Schneiderberg 50  
D-30167 Hannover  
GERMANY  
Tel +49 511 762-19026  
Fax +49 511 762-4199  
[a.wiener@mbox.ipw.uni-hannover.de](mailto:a.wiener@mbox.ipw.uni-hannover.de)

Hannover, 22 May 1999

Paper prepared for presentation at the Sixth Biannual European Community Studies Association Conference, 2-6 June 1999, Pittsburgh, USA.

*Strictly a draft. Please do not cite without permission by the author.  
Comments are very welcome.*

## Introduction<sup>1</sup>

This paper highlights a puzzle in the process of implementation and communitarisation of the Schengen Convention, or, the 'Schengen *Acquis*.' Different from the familiar habit of political scientists to take a puzzle as the starting point for an argument and then proceed with explanations, this paper makes an argument for a puzzle. It seeks to demonstrate that the ongoing British hesitation to sign, and subsequently comply with the Schengen *acquis* is something that is not to be expected, but requires further explanation. Leading research in European Integration (EI) and international relations (IR) would most probably dispute this puzzle. EI scholars would point to a number of excellent research that sustains the finding of British "Euroscepticism."<sup>2</sup> Furthermore, taking a sociological constructivist approach, IR scholars have demonstrated that the lack of "Europeanised" identity-options for British governing elites has implications for British European politics.<sup>3</sup>

Two factors raise doubts about the explanatory power of both approaches, however, and suggest the need to push further beyond structural approaches with a view to explaining "British exceptionalism" (Marcussen et al. 1999). They include the impact of two types of supranational norms. The first type of norm entails shared objectives as part of the *acquis communautaire*, i.e. the shared properties of EU rules and legislation. For example, British and continental European governments do share an interest in the issue area of border politics. Thus, the free movement of workers has been a shared objective in the EU's First 'Community Pillar' for decades, and the establishment of "an area of freedom, security and justice" has been introduced as a new objective with the Amsterdam Treaty. The second type of norm which has a structural impact on member state behaviour in the area of border politics are

---

<sup>1</sup> This paper has been presented at the Institute for Political Science, Free University of Berlin, 4 February 1999, the Colloquium on European Integration, Institute for Political Science, University of Hannover, 9 February 1999, the Institute for Advanced Research on the Nationalisation of the Nation State, ARENA, University of Oslo, 2 March 1999, as well as the European Consortium for Political Research meetings in Mannheim, 24-28 March 1999. For comments I thank the participants of these events, and in particular Tanja Börzel, Jeff Checkel, Thomas Risse and Michael Zürn. The usual disclaimer applies. The paper is part of a larger ongoing research project titled *Governance Under Changing Conditions of Democracy. Border Politics in the European Union* that is currently conducted by the author, and which will be published with Manchester University Press

<sup>2</sup> Taggart 1996, *West European Politics* (check proper reference)

<sup>3</sup> For this argument, see: (Marcussen 1999)

supranational norms such as, for example, the "securitisation" of border politics.<sup>4</sup> In other words, a strong interest in securing borders, and keeping third-country nationals out.

While the point about British exceptionalism is well taken, this paper argues that the "situatedness" of actors within a particular historical context (Kratochwil 1994, p. 495) has a significant impact on the decision about whether or not to join the Schengen Agreement on the Abolition of Border Controls (hereafter: the Schengen Convention). This situatedness is defined by shared understandings about the constitutional culture. As a constitutive norm, the constitutional culture defines the context of decision-making, and is, at the same time subject to change. However, constitutive norms change slowly. And, as this paper will proceed to argue, their resistance to change is a significant factor in the process of decision-making about whether or not to comply with supranational rules. By taking steps towards situating the British actors in the context of decision-making over Schengen, this paper identifies the puzzle and demonstrates why the UK does not wish to join the Schengen club, despite a shared interest in a given issue area, and strong supranational conditions which would favour such a step.<sup>5</sup>

The paper proceeds in four steps. The first section briefly introduces basic information about the Schengen Convention and defines the current conditions with a view to compliance with Schengen rules. The second section identifies the puzzle of British exceptionalism from a sociological constructivist perspective. The third section argues that while supranational norms do condition the behaviour of domestic actors, the role of constitutive norms within domestic frameworks must not be underestimated. By distinguishing between sociological and Wittgensteinian constructivist approaches, the fourth section develops an explanation for based on the situatedness of decision-making. It suggests that constitutional culture has a significant impact on decisions about core policy areas, such as, for example border politics.<sup>6</sup> The paper offers an insight into a larger ongoing research project on compliance with 'European' rules under supranational conditions and national norms. The major goal is not to produce an explanation for a puzzle, but to identify the puzzle by way of situating the case properly in various layers of constructed contexts.

---

<sup>4</sup> (Chalmers 1998b; Huysmans 1998)

<sup>5</sup> The larger project involves a comparison with the German case. This paper is however, limited to identifying the British puzzle.

<sup>6</sup> (explain later on: difference between "situated" and "framed" decision-making, first interactive, latter static)

## 1. The Schengen *Acquis* After Amsterdam: Implementation and Ventilation

In 1985, the governments of five European Community (EC) member states signed an agreement toward the "gradual abolition of checks at their common borders" (hereafter: the Schengen Agreement) in Schengen, a small town in Luxembourg. The agreement sought to abolish controls on the internal borders between Belgium, the Netherlands, Luxembourg, France and Germany. The shared interest in moving ahead towards creating a common market without internal frontiers within the EC made the governments of these EC member states act on an intergovernmental basis. The goal was "facilitating the transport and movement of goods" (Meijers 1991, p. 155, Appendix 2). Since the harmonisation of border politics appeared unlikely to be achievable within the EC, at the time, the Schengen signatories decided to pursue their shared goal unhampered by EC rules on the bases of coordinated action outside the Community (Den Boer 1997; Gehring 1998; Wiener 1998b). It is, however important to note that this policy was explicitly linked with the EC's common market policy which was eventually to create an internal market without internal frontiers.<sup>7</sup>

In other words, former Commission President Jacques Delors' popular slogan of "Europe '92" was now pursued in two arenas, inside, as well as outside Community structures, if with actors who often participated in committees of both organisations. Commission and other Euro-enthusiasts backed the plan, hoping that Schengen would turn into a "laboratory", or even better, an "engine" which would push the complex issue of border politics, *i.e.* the realisation of the four freedoms of movement of goods, services, capital and persons according to the Treaty of Rome (Wiener 1998, Ch. 9, 10). Realisation of the four freedoms became a particularly important goal for the realisation of a "People's Europe."<sup>8</sup> It was the basic condition for creating a feeling of belonging, or a stronger bond between the Community and its citizens. In practice, the idea was that crossing borders without being stopped for controls was a major issue on the agenda of creating a European identity.<sup>9</sup> Once

---

<sup>7</sup> *citation of relevant passage in Schengen Agreement (in here)*

<sup>8</sup> *(reference to Adonnino Report, in here)*

<sup>9</sup> Faced with EC member states who were not interested in joining Schengen, Martin Bangemann, Commissioner in DG III, at the time, suggested to "wave" a closed passport at external Schengen frontiers. Thus, European citizens could be identified by UK migration officers without being decriminated on the basis of time. The action was dubbed the "Bangemann wave" and has remained practice to this date. For a more detailed description,

the Schengen states had successfully implemented the Schengen rules (hereafter: Schengen *acquis*), however, no later than 31 December 1992, border politics was to return into Community policy.

While in 1990, the Schengen states signed the "Convention Applying the Schengen Agreement," the deadline for creating the internal market passed without much progress in implementing the Schengen *acquis*. The Commission's Euro-enthusiasts now considered Schengen a possible "graveyard of Community politics"<sup>10</sup> fearing that when in March 1995, a number of governments decided to go ahead and put the Schengen Agreement into force, instead of creating a stronger bond of belonging based on open borders, European citizens found themselves checked at internal Community borders among Schengen and non-Schengen states. Finally, at the Amsterdam intergovernmental conference (IGC), the European Union's member states decided to incorporate the Schengen *acquis* into the Community legal order by means of a protocol annexed to the Treaty. Once identified, the Schengen *acquis* will be transferred into the First – Community – and Third – Justice and Home Affairs – Pillars with movement matters belonging to the First Pillar and police matters to the Third Pillar, respectively (Petite 1998, Part I, p. 4 of 5).

Three major aspects of the Schengen *acquis* have implications for compliance in the area of national border politics for all member states. The first issue is the abolition of controls at "internal borders", *i.e.* borders among Schengen Member States; the second is the implementation of "flanking measures," *i.e.* setting up measures to the effect of substituting the abolition of border controls at internal borders by introducing "spot-checks" in the wider border areas on the one hand, and by enforcing external borders of the Schengen territory, on the other.<sup>11</sup> Third, the ratification of the Amsterdam Treaty—expected in early June 1999—will trigger a "ventilation exercise". The ventilation is Eurospeak for the process of transferring part of the Schengen *acquis* into the First Pillar, hence subjecting them to

---

see: Wiener 1998a, p. 243; for the current application of the policy, see: House of Lords 1999, Question 121, p. 3/11, answer by Kees Goenendijk.

<sup>10</sup> Bangemann comment, for source see: Wiener 1998a

<sup>11</sup> For details on the Schengen Agreement, the Schengen Convention, and the conditions for implementing and communitarising the *acquis* in the 1990s, see the excellent report by the British House of Lords, European Communities Committee, at <http://www.parliamentary.the-stationary-of...199798/Idselect/ldeucom/139/8072801.htm> [Lords, 1998 #15].

Community law, and leaving part of it in the Third Pillar of Justice and Home Affairs that is managed on an intergovernmental basis.<sup>12</sup>

The result is an extremely complex approach to compliance with Schengen rules, in particular for those Member States that have chosen to opt-out of the Schengen process.<sup>13</sup> So far, thirteen of the fifteen member states of the EU have agreed to implement the Schengen *acquis*.<sup>14</sup> While the majority of EU member states, as well as Iceland and Norway as associated members, have been relatively keen to sign the Schengen Agreement on the Abolition of Border Controls since its inception 1985, the United Kingdom and Ireland<sup>15</sup> have, so far, maintained a disinterest in signing and, subsequently, compliance with the Schengen *acquis*. They either oppose becoming a member, like the United Kingdom (UK) and Ireland. Or, they object to the communitarisation of the Schengen *acquis* as in the case of Denmark.

Why do some states decide to adopt and implement the Schengen *acquis* whereas others opposed the project in 1985 when the Schengen Agreement was first signed, and subsequently preferred to opt out of the project of communitarising Schengen at the Amsterdam IGC? Why this denial or reluctance to join a club that appears to be gaining popularity lately, if mainly in police circles? The following two sections contradict the simple answer to this question, i.e. to stress the importance of the "Euro-sceptic" approach to anything European which has been pursued by the UK and, to a certain extent by Denmark, too. This perspective would not sustain the notion of a puzzle, to be sure. As the paper proceeds to argue, other indicators such as the partially institutionalised norms in a particular policy sector are likely to have a significant impact on the respective member states' process of decision-making.

---

<sup>12</sup> The concept of ventilation is explained by Mr Adrian Fortescue of the Secretariat-General, European Commission [Lords, 1999 #11], Question 218, p. 2/3 <http://www.parliament.the-stationary-of...a/ld199899/ldselect/lducom/37/3701.htm>

<sup>13</sup> This process is further complicated by the addition of a new Title IV on migration and asylum into the Amsterdam Treaty (specify: contents and numbering).

<sup>14</sup> At this stage, nine states have fully implemented the Schengen *acquis*.

<sup>15</sup> And, to a limited extent Denmark. It should be noted that Ireland has decided to withhold from signing Schengen because of its common travel area with the United Kingdom. Denmark has signed Schengen, however objects to the communitarisation of Schengen, that is, it will opt-out of the transfer of parts of the Schengen *acquis* into the First Pillar. It is further important to note that all candidate countries for EU enlargement (current top candidates are: Poland, Hungary, Slovenia, Estonia, the Czech Republic and Cyprus) must comply with the Schengen *acquis* before joining the EU.

## 2. Supranational Conditions

### **From Cooperation to Integration: An Emergent European Norm**

In itself, the refusal to join an international cooperation agreement is not puzzling. After all, states do have different interests and therefore pursue different political agendas. For realists, the puzzle would not occur at all. Under conditions of anarchy, states would only cooperate in case of threat (Waltz 1979). Liberals and neorealists would allow for cooperation if as a means to achieve gains for everybody involved. (Keohane 1984; Keohane 1989 2nd ed.) A constructivist position would argue the contrary, stating that states are part of a structured relationship (Wendt 1992). The relationship's structure is constituted by states and increasingly with globalisation other actors. Cooperation within this structure is not unlikely but rather to be expected. It is even more likely in situations of institutional arrangements that have been purposefully constructed with a view to increase cooperation among states such as, for example, with NATO, WTO, NAFTA, the UN, the EU, and now the 1985 Schengen Agreement on the Abolition of Border Controls (Meijers 1991, see Appendix 2).

Among these institutional arrangements, the EU is an exceptional case. It is an arrangement which facilitates cooperation to an extent that always involves the assumption that the interest in participating in the cooperative process is expected to override national interests. This expectation manifests itself in the EU's first pillar of community legislation which stipulates that most decisions are to be taken by qualified majority voting (Craig 1998) (Falkner and Nentwich 1999 forthcoming). This type of decision taking is part of the EU's *acquis communautaire*, that is, the shared body of legislation, the rules, procedures, directives and regulations of the EU.<sup>16</sup>

Building on this observation, and agreeing with Andrew Moravcsik that the EC can indeed "be analysed as a successful intergovernmental regime designed to manage economic interdependence through negotiated policy co-ordination (Moravcsik 1993, p. 474; c.f. Caporaso 1998, p. 342), I add that, in the process, this regime has developed institutional features beyond original design and certainly beyond the purpose of managing economic interdependence. As it stands in the late 1990s, the regime is not exclusively based on the

---

<sup>16</sup> On the *acquis communautaire*, see: (Gialdino 1995; Joergensen 1998; Michalski 1992; Wiener 1998a).

original set of political and legal organs, but has come to include shared norms, commonly accepted rules and decision-making procedures, it is structured by the shared legal and institutional property of the EC/EU, *i.e.* the *acquis communautaire*. The EU is then even more than a regime, it is an extraordinarily 'saturated regime' that is structured by its core institution, the "embedded *acquis communautaire*" (Wiener 1998a). As such, it is both result and part of an ongoing process of construction, as well as the process of governance beyond the nation state (Haas 1964; Jachtenfuchs 1995).

The potential of overriding national interest is hence shared by the participating actors in EU politics. In accepting this norm cooperation has acquired the meaning of 'cooperating towards European integration.' From a constructivist perspective then, it is possible to argue that in the case of the EU, cooperation is larger than the sum of its parts. The ongoing process of representatives of states and governments—and increasingly other actors—that have been created in the process, for example, European organs such as the European Commission, the Council of Ministers, the European Council, the European Court of Justice, the European Parliament—has thus produced an institutional arrangement that is more than a regime. It is a polity, albeit a non-state polity.<sup>17</sup>

Two points support the notion of a puzzle regarding the refusal to join the Schengen group in the 1980s, and in turn, the decision to "opt out" of Schengen in the 1990s. First, a growing number of work in different subfields of EI studies have stressed the constructive power of day-to-day politics in the EU and emphasised their structuring effect on (member and candidate) state behaviour.<sup>18</sup> This work underlines the structuring impact of the *acquis communautaire* on the process of EU governance not simply in its meaning as the accumulated body of EU legislation. In doing so, these studies highlight the aspect of creating the *acquis* based on interaction among the participating actors akin to the concept of structuration (Giddens 1979). Subsequently, the *acquis* is not a free-standing body of rules and legislation, but it is "embedded" in a particular context (Wiener 1998a). As such it entails shared norms that are unlikely to change fast and that will have a structuring impact on EU politics and policy making for some time to come.

---

<sup>17</sup> See Moravscik for the argument that sustains that the EU is a regime (1993), for the polity argument, see among others (Abromeit 1998; Marks 1996; Wallace 1996a).

<sup>18</sup> See: (Meehan 1993), (Christiansen 1999b). See also (Christiansen 1999a; Diez 1999; Fierke 1999)



If the sociological constructivist assumption were right, and the structural force of shared norms, such as 'cooperating to further integrate' did actually impact on actors' identity, interest and behaviour, then one would expect European member states to act in a similar way. That is, they would be expected to support the implementation of Schengen. After all, the Schengen Agreement was perceived as a process of coordinated extra-community action that would enforce the abolition of internal EU borders (Gehring 1998). By increasing the realisation of the four freedoms of movement of capital, goods, services and persons, Schengen would therefore ultimately contribute to the process of European integration. If European integration is perceived as 'a good thing', it would follow that, as an "engine" or a "laboratory" towards European integration (Wiener 1998b) Schengen would be welcomed. In other words, signing the Schengen Convention and complying with the Schengen *acquis* can be expected to raise substantial support from all EU member states. That is however, not the case. Not now, and it was not true either about 15 years ago, when the Schengen Agreement was first signed.<sup>19</sup>

The structural explanations offered by EI and IR approaches thus contribute to identifying British opting-out as a puzzle. Unless, that is, it would be argued that the sociological constructivists are wrong, there is no shared norm of European integration, intergovernmentalism is back, hence the strong national interest of keeping control over national borders. And, indeed, some have argued that Maastricht and Amsterdam are the markers of a return to the perils of intergovernmentalism in the EU.<sup>20</sup> Taking what a constructivist perspective, in the next section I argue that, despite the possibility of a newly strengthened impact of domestic interests, there are certain international conditions that are here to stay for some time to come and hence have an albeit often invisible impact on EU decision making processes. I hence sustain the central claim of this paper that, if there is anything to explain about Schengen, then it is the puzzle that despite these structuring conditions, the UK and others continue to oppose the Schengen rules.

---

<sup>19</sup> See: (Den Boer 1997; Lords 1998; Meijers 1991; Petite 1998)

<sup>20</sup> See, for example, (Curtin 1993), and (Pollack 1999)

## **The Securitisation of Border Politics and an Increasing Democracy Deficit**

Beyond shared European norms, two further conditions suggest a shared interest in participating rather than opting out of Schengen among European states. One condition is the now familiar phenomenon of 'democracy deficit' in the EU and elsewhere. The other is the phenomenon of 'securitisation', that is, a growing perception of threat among the population. While the democracy deficit has long been discussed as a particularly 'European' problem, i.e. one that results from the EU's institutional arrangements "beyond the nation-state" (Haas 1964; Jachtenfuchs 1995), and are not sufficiently legitimated on the basis of voting, the notion of democratic deficit has been fed by a decrease in power of nationally grounded identity, and in efficient national policy performance as well (Wiener 1997b; Zürn 1998). Without providing much more detail at this point, in a nutshell it can be stated that the democratic deficit is a globally occurring condition that structures governance in one way or another. Supporting 'human rights', creating 'democratic conditions' throughout the globe, supporting 'sustainable development', participating in 'peace-making', and much less spectacular—since less successful—creating jobs and/or job security have been actions structured by the condition of democracy deficit.

This assessment of the democracy deficit as a condition with structural impact on actors is based on Fritz Scharpf's observation that legitimate governance depends on three necessary conditions. The first is input-oriented legitimacy, i.e., representation based on voting procedures which are specific to the respective democratic order. The second condition is output-oriented legitimacy, i.e. efficient policy performance of the government. The third condition is the normative requirement of a shared collective identity which makes input-based decision-making acceptable to the minority, on the one hand, and that evaluates efficiency, on the other. As Scharpf stresses, without this shared collective identity, a society is unable to provide the solidarity which is the necessary condition for minorities to accept and tolerate majority decisions (Scharpf 1995, pp. 2-3). As long as these three conditions remain at an equilibrium, the expectation is that legitimate governance is relatively stable. The balance between these three conditions has, however, lost stability. If the stability of this legitimacy balance has been the core of post-war western democracies, then a shift in this balance is likely change the conditions.

Even though more recent with a view to Schengen politics, the phenomenon of securitisation of migration policy, or, as I call the securitisation of 'border politics,'—*i.e.* the politics which are related to border crossing in the widest meaning of the sense of the term 'border'—is of particular importance. This condition has been identified on the basis of speech-acts which contribute to the politicisation of particular contexts. As Buzan, Waever and de Wilde argue, "(T)he process of securitisation is what in language theory is called a speech act. It is not interesting as a sign referring to something more real; it is the utterance itself that is the act. By saying the words, something is done (like betting, giving a promise, naming a ship)." (Buzan 1998, p. 26).<sup>21</sup>

According to a number of scholars who have studied the process of migration and migration policy-making in the EU and elsewhere, migration has been increasingly presented as a security threat (Bigo 1994, (Buzan 1998; Chalmers 1998a; Huysmans 1996). In the process, terrorism, drug-dealing, trade with human beings—especially women—, Mafia and other criminal elements have been linked to border politics. Action that follows the condition of securitisation of border politics includes anything from increasing internal security measures, enforcing border patrols, installing new security systems on a general level, and, more specifically, in Europe, it includes enforcing external Schengen border control as well as setting up new security institutions such as, for example Europol, the European police agency ("Die Woche", January 1999).

The so-called flanking measures that are part of the Schengen *acquis* entail a number of measures designed to increase security. Indeed, as some have observed, Schengen appears to be more of a security convention than a convention towards the abolition of borders.<sup>22</sup> As such, becoming a Schengen member includes the opportunity to demonstrate the achievement of badly needed efficiency with a view to increasing legitimacy at home simply on the basis of supporting the creation of Europol. After all, as recent numbers have shown, European citizens expect their member states to do exactly that "in Brussels": 79% of EU citizens think

---

<sup>21</sup> In this vein, Wittgensteinian constructivists maintain that changing contexts and their structuring power can be shown and understood by rule-following, *i.e.* identifying speech-acts and pointing out their perlocutionary force, *i.e.* perceptions of and reaction to utterances made within a particular context (Buzan 1998; Fierke 1998; Kratochwil 1989).

<sup>22</sup> (*find quote, possibly: House of Lords 31st report 1999*)

that the EU should serve to combat drug dealing, while 25% see a role for the EU in improving education.<sup>23</sup>

In other words, if it were true, that

- (a) EU member state action is linked to the existence of the shared norm of European integration, as 'a good thing' (sociological constructivist perspective),<sup>24</sup>
- (b) that state action on a global scale is increasingly structured by conditions of an increasing crisis of majoritarian rule (Held 1992) and that, furthermore, an increasing securitisation of border politics favours an increase in security measures by national governments, and,
- (c) Schengen provides a number of policies that are so-called flanking measures which are intended to set up new security controls within Schengenland,

then, it is interesting to find the UK opposing Schengen membership. What remains to be explained is the puzzle of why does a government (a) prefer to evoke the image of opposing the shared norm which, surely, will create a disadvantage in the ongoing history of cooperation/integration, and (b) let the chance to increase government legitimacy pass.

The literature on EI offers two answers to these questions, one refers to the UK's geographical location as a condition which, specifically in the 1980s when the creation of a single market without internal frontiers was first discussed, led to override the shared norm of European integration. The long prevailing British argument is, that, as an island, the UK has a comparative advantage in the field of border politics. In other words, the government feels maintains that based on its geographic location the UK's immigration control is reduced to certain main ports of entry such as airport, seaports, and, now, the Channel tunnel. Joining Schengen would mean significant changes in UK border politics. For example, in a White Paper titled "Fairer, Faster and Firmer - A Modern Approach to Immigration and Asylum" the United Kingdom government's policy on frontier controls is characterised in the following way:

- "frontier controls are 'an effective means of controlling immigration and of combating terrorism and other crime'
- these controls 'match both the geography and traditions of the country and have ensured a high degree of personal freedom within the UK'

---

<sup>23</sup> (APUZ, 1998, check ref / A-dam class WS 98/99)

<sup>24</sup> (see also: questions in Eurobarometer)

- this approach is different from that in mainland Europe, 'where because of the difficulty of policing long land frontiers, there is much greater dependence on internal controls such as identity checks'.<sup>25</sup>

It could, however, easily be stated that Italy, for one, could feel equally threatened by Schengen, or, that in the age of the aeroplane, and with the Eurotunnel in service, the geographic location is not really as strong a factor of distinguishing UK security interests from other countries as it once might have been. The reasons for opting out of the European norm therefore appear to lose persuasive strength. The following citation from a witness hearing on the costs and benefits of joining Schengen in the British House of Lords demonstrates the limited weight of the argument of geographic location for taking a decision on Schengen. Being asked by the Chairman of the Committee:

"... Do you accept that Britain's geographical position is different and therefore I do have a justification to opt out, or do you take the more sceptical view and believe that border control, as such, is not the key question?" (Question 130, p. 7/11, asked by Lord Wallace of Saltaire)

Professor Groenendijk answers a few questions down the line in the same hearing:

"... I will not deny that Britain has a special geographic position. However, I think the way the border control tradition in Britain has been established, is not specifically related to its geographic position. There are other European countries like, for instance, Germany and the Netherlands who have long relied on strict control at the external borders and few controls inside while, for instance, Belgium and France have a long tradition of not so strict controls at the external borders but more controls inside the country. As to that aspect, **Britain is not so typical in its reliance on strong external border controls, that is not a typical British tradition only.**" (Question 132, p. 9/11) (emphasis added, AW)

In other words, on a cost-benefit scale, and comparing the British situation with experience in other Schengen member states, a British decision to join Schengen would not necessarily imply a set-back compared to the current system of border controls.

---

<sup>25</sup> See: Committee on European Communities of the British House of Lords, Seventh Report, 1999,, Part 2, p. 2/4

The second position has been identified by sociological constructivist research that finds that the UK's national interest has created a context for identity-options which does not allow the government to opt in favour of European norms. Due to the slowly changing norm of 'national interest' that prevails as a main factor in the formation of public opinion, the new Blair government cannot simply move in and go ahead with changing the UK's EU policies. This situation significantly restricts the identity-options available to the UK as a member state (Marcussen et al. 1999, forthcoming). While identity-options are certainly crucial for the British government's discourse on Europe in general, this paper maintains that the notion of identity-options leaves questions about the readiness to link special policy sectors with supranational projects unanswered.

### 3. Explaining the Puzzle – Supranational Conditions versus Domestic Norms

Section 2 and section 3 have facilitated an insight into the complexity of conditions that form the context in which British decision-taking is situated. In this section I highlight a third crucial aspect in this complex structure of conditionality for compliance, namely the aspect of the construction of the "border of order" in the discourse of citizenship (Kratochwil 1994). The notion of border of order is part of an analytical approach which we have called "legal, or, 'Wittgensteinian' constructivism" elsewhere<sup>26</sup> and which works on the basis of analysing speech-acts within specific contexts. This section first distinguishes between different positions among constructivists, and then builds on Wittgensteinian constructivism in order to show that domestic perceptions of the border of order are a crucial third factor to explain the puzzle of the British opting out from Schengen.

I distinguish among sociological constructivism, and 'legal' or, for that matter, Wittgensteinian constructivism. Both appear particularly helpful for studying the social construction of European integration.<sup>27</sup> Three moves in international relations theorising have contributed to what has come to be dubbed "the constructivist turn" (Checkel 1998) in the discipline. It is important to note that these moves were by no means situated on a time axis. Instead, they occurred largely parallel to and, at times, overlapping with one another. The first move was theoretical. It highlighted the role of intersubjectivity in regime analysis (Kratochwil and Ruggie 1986). The

---

<sup>26</sup> (Christiansen 1999a)

<sup>27</sup> The following couple of paragraphs draw on (Christiansen 1999a)

problem arose on the basis of a lacking match between the concept of 'regime' as entailing converging views on norms, principles, rules and decisions in a specific issue area, on the one hand, and an epistemological framework that assumed actors' interests as given, on the other.

As Kratochwil and Ruggie pointed out, the perception of shared norms was conditional on an analytical framework that allowed for an understanding of intersubjectivity. It followed that a conceptual framework that was not fit to conceptualise intersubjectivity could not properly understand how regimes work. They found, for example, that "(I)n many ... puzzling instances, actor *behaviour* has failed adequately to convey intersubjective *meaning*. And intersubjective meaning, in turn, seems to have had considerable influence on actor behaviour. It is precisely this factor that limits the practical utility of the otherwise fascinating insights into the collaborative potential of rational egoists which are derived from laboratory or game-theoretic situations. To put the problem in its simplest terms: in the simulated world, actors cannot communicate and engage in behaviour; they are condemned to communicate through behaviour. In the real world, the situation of course differs fundamentally." (Kratochwil and Ruggie, 1986, 764-65) (emphases in text)

Kratochwil and Ruggie saw three possible options for approaching a solution of the problem. The first imaginable reaction to the problem was to deny it altogether. The second possibility was to adopt an intersubjective ontology that would be compatible with a positivist epistemology, and the third option was to create an opening in positivist epistemology towards more interpretative strains (Kratochwil 1986, p. 765 ff.). At the time, the last option appeared most valid, specifically with a view to work in the social sciences that had already facilitated avenues for bringing interpretative work to the fore such as, for example, Ernest Haas's "evolutionary epistemology", Robert Cox's "historical materialist epistemology", Jürgen Habermas's "universal pragmatics", and Michel Foucault's "interpretative analysis." (Kratochwil and Ruggie 1986, 766) In the following I show how the constructivist turn and the ensuing debate among IR theorists in the 1990s demonstrate that the other options were not entirely misplaced either. The strong tendency to combine a positivist position with an intersubjective ontology, that is common among sociological constructivists in particular proves the point (Jepperson 1996; Wendt 1992; Wendt 1994) (Checkel 1999 forthcoming).

The second move was analytical. It suggested that while structure was important for –state– actors in global politics, it was not established by the principle of anarchy (Waltz 1979), but

resulted from social interaction among states (Wendt 1992). Subsequently it stressed the impact of the social interaction of states on the structure of international relations. This approach has most prominently been promoted by Alexander Wendt's suggestion to refer to Anthony Giddens' structuration theory as a second order or meta-theoretical approach to IR theorising (Wendt 1987). As Wendt points out: "The objective of this theorising is also to increase our understanding of world politics, but it does so indirectly by focusing on the ontological and epistemological issues of what constitute important or legitimate questions and answers for IR scholarship, rather than on the structure and dynamics of the international system *per se*" (Wendt 1991, 383).

More recently, others have contributed to refine sociological constructivism by elaborating on the institutionalist aspect in particular. In doing so, they defined the third move that set out to design a research programme based on the importance of shared norms in international politics. While some constructivists have shown the impact of national norms on international politics (Finnemore 1996; Katzenstein 1996b; Klotz 1995), others stress the impact of international, as well as European norms on changes in domestic politics (Menschenrechte 1998) (Caporaso, Cowles, Risse 1999 forthcoming). The three moves contributed differently to the debate over norms and communication in IR. Indeed, IR theorists developed different ways of approaching the impact of norms on international relations, and it is possible to roughly divide constructivists into two camps.

The first group of scholars wove insights from the macro-sociological institutionalism of the Stanford School around John Meyer into Giddens' structuration theory. The coupling of these two sociological approaches founded the *sociological constructivist* perspective in IR, which has promoted constructivism as a research programme (Katzenstein 1998, ISA contribution; Risse 1998). The major goal of this research programme is to study the impact of norms on actors' identities, interests and behaviour. While symbolic interaction constructs meaning, it is assumed that social reality does exist beyond the theorists' view. Following this logic, sociological constructivism stresses the importance of empirical work in order to approach the world out there. The constructive power of language plays a role in the context of processes of 'arguing' or 'persuasion'.<sup>28</sup>

---

<sup>28</sup> See: (Risse 1999) and (Checkel 1999), respectively



The second group of scholars employ constructivism in a more radical way. It does not assume an objective world out there, but seeks to understand the ways in which the world is constructed. Following Wittgenstein's concept of language games, it is assumed that construction involves more than symbolic action of speechless actors. Instead, *Wittgensteinian constructivists* propose to include language as action.<sup>29</sup> The assumption is that beyond mere utterances, language constitutes meaning within specific contexts. If successfully performed, speech acts cause a particular meaning that, in turn, leads to rule-following. This version of constructivism seeks to explore the constructive power of language interrelated with rules that are inherent to a specific social context.<sup>30</sup>

Different from the core of the sociological constructivist rationale which shows that supranational norms do have an impact on domestic politics and policy making processes,<sup>31</sup> I suggest to focus on the inverse mechanism. Arguing that the context for decision-making processes is not only set by supranational norms. In other words, I highlight the impact of national norms on compliance with supranationally generated rules such as those entailed in the Schengen *acquis*. The paper thus juxtaposes the impact of supranational conditions, on the one hand, with nationally constructed norms, on the other. Two sets of socially constructed norms are identified. Both are constituting the context in which the decision of compliance, or, non-compliance is made. The supranational conditions include a growing need for "output-oriented" legitimacy (Scharpf 1995) which could be achieved, for example, by successful policing on the basis of the new Schengen Information System (SIS), on the one hand, and an increasing acceptance of European integration as a 'good thing', on the other. The domestic norms focus the shared perception of the meaning of citizenship as the 'border of order'.

#### 4. Domestic Norms: Constitutional Culture, or, "The Border of Order"

The observation that the discourse of citizenship defines the borders of political order in specific settings (Kratochwil 1994) begins with the assumption that citizenship is always more than the sum of its parts. At the centre of this argument lies the assumption that intersubjective practices such as social and communicative action contribute to the meaning

---

<sup>29</sup> For an overview, see (Diez 1999; Fierke 1996; Fierke 1998; Kratochwil 1988; Kratochwil 1989; Onuf 1989; Zehfuss 1998).

<sup>30</sup> See: (Hollis 1990)

<sup>31</sup> See: (Finnemore 1996; Katzenstein 1996a; Klotz 1995)

of the border of order at specific times and places. If this intersubjective perspective is accepted as one crucial dimension in defining borders, then perceptions of borders and how to deal with them differ according to discursively constructed communities. Clearly, the limits of such communities are always subject to change and hence potentially shifting. They may, however, crystallise over long periods of time once citizenship practice within a particular context remains stable such as the post-war period (Marshall 1950)(Soysal 1997). At such periods, the limits of the discursive community, and therefore, the limits of shared norms remain stable as well. A change in the perception of borders will however have an impact on how to deal with them, i.e. whether or not to accept rules that aim at changing border politics. If this observation is correct, then it would follow that compliance with Schengen rules is, in no small part, dependent on changing perceptions of borders.

By way of a brief review of approaches to borders in different political science subdisciplines, I will point to the importance of the process of Europeanisation of national conditions as one crucial factor in the disposition towards compliance with Schengen rules. In IR theory several theoretical options point to the perception of an international system of states such as, for example the classical realists' world (Waltz 1979), the neoliberal institutionalists' world (Keohane 1988), and similarly the intergovernmentalists' world (Moravcsik) or, the English School's international society (Dunne 1998). In historical and comparative studies of modern state systems, this perception of internationally interacting state actors is supported by studies of modern national states (Tilly 1975a; Tilly 1984; Tilly 1990). Political theorists point to the distinctive practice of defining citizenship rights as membership in one political community and not another (Brubaker 1992). All these perspectives on borders share an empirical focus on state-formation in the modern world. They primarily analyse the emergence and routinisation of hegemonic state-citizen-relations, that is, "citizenship practice" in modern times.<sup>32</sup> These approaches understand the citizenship practice and state-formation as invariably linked and, constitutive for the formation of modern-nation states.

Towards the end of the 20th century the relation between citizenship practice and polity-formation is however changing. Currently, citizenship is becoming increasingly fragmented. Borders are subject to frequent crossing, globalisation and migration flows impact on a changing perception of the borders of order. Polities are found to be more medieval than

modern in shape, i.e. they are at times overlapping, come in different sizes, entail multiple ways of political organisation (Ferguson 1996).<sup>33</sup> The question is, whether and if so, how, these processes implicate changes on perceptions of the border of order in the EU member states. If change occurs—which is the working assumption here—then, are these changes similar in EU member states, or do they differ?

If it is true that, "The universality of law, its 'justness,' does not consist in its abstractness; rather, it is constituted by its respect for the rights and duties that we, as fully situated persons, have" (Kratowil 1994, pp. 495-96) then, being situated in a domestic context implies an understanding of justice and fairness, for example, and has an impact on the disposition towards the type of changes in border politics implied by the act of compliance with Schengen rules. The British discourse in the process of taking a decision about Schengen exemplifies the situation. During the hearing with witnesses in the House of Lords, the issue of fairness and the threat of racial discrimination as a consequence to the abolition of border controls and the establishment of the flanking measure of spot-checking. The investigating committee raised concerns about racial discrimination, asking:

"How do you interpret the strictness of a control with the promotion of good race relations in the country? Do you think that genuine visitors are being put through the same machinery as illegal immigrants before their entry over here and that it has an adverse effect on good relations in this country?" (Question 93, p. 5/8 asked by the Chairman, Lord Lester of Herne Hill)

The response shows that while a harm in race relations is not intended, the checking of identity cards appears necessary nonetheless. In a country with a civil liberties tradition of no compulsory identity card carrying, the perspective of the adequate flanking measures, does not appear an easy change however:

"We certainly have no reason to believe that the control is acting in a way that is inimical or harmful to good race relations. ... Clearly, it is a more thorough control in respect of Third

---

<sup>32</sup> See: (Bendix 1964; Marshall 1950; Turner 1990); for the concept of "routinising relations" see: (Tilly 1975a); for the concept of "citizenship practice" see: (Wiener 1997a; Wiener 1998a) ch. 2.

<sup>33</sup> Some have indeed described polities such as the Euro-polity as "postmodern" (Caporaso 1996; Ruggie 1993)

country nationals arriving in this country but many of those who arrive here of course arrive from elsewhere in the world. Therefore, were they arriving in Schengen, they would be undergoing a similar kind of control. Against that, I would put the point, which the government I know attaches great importance to, **that the alternative to that kind of border control will be the kind of internal control that involves a much higher degree of discretion and intervention, seeking production of identity documents, which the government views as likely to be more harmful.** In that context, I think they would be mindful, among other things, of the current debate associated with the Stephen Lawrence inquiry on police relations with ethnic minority communities." (Question 93, p. 5/8, Mr Boys Smith, Home Office)

A preliminary conclusion of this brief insight into the decision-taking process regarding opting in to certain aspects of Schengen, may therefore be that it is a specific practice of civil rights, or, a particular citizenship practice for that matter, contributes to an particular understanding of justness. Subsequently, it can be argued that in the British case of compliance with Schengen a change of border politics poses the threat of changing the British understanding of justice because opening the borders threatens to lead to a change in this particular situatedness of British citizens. The case study will have to engage more precisely in two central questions, namely, 1) how is 'situatedness' defined theoretically, and 2) how is it constructed in the British Schengen case?

The case study will demonstrate that the complex interrelations between the supranational conditions of (1) securitisation and democracy deficit, (2) the European norm of integration, and the (3) domestic norm of border of order provide three crucial contextual factors for an understanding of EU member state disposition to compliance with Schengen rules. I argue that citizenship practice, *i.e.* the politics and policy that contributes to the construction of a shared understanding of citizenship within a specific context contributes to EU member states' disposition to comply with the Schengen rules.

## Conclusion

The working hypothesis underlying this paper was that the changes in border perceptions differ in European countries. This assumption is based on the finding that Europeanisation occurs according to two factors, namely (1) which identity options are available to state actors

(Marcussen et al. forthcoming 1999), and (2) historically constructed institutional structures of government such as, for example, statist, corporatist or other arrangements influence the Europeanisation of international norms (Checkel 1999a; Checkel 1999b). It follows that being situated in a context of domestic norms, will equally impact on the disposition towards compliance with international norms.

The paper concludes with the observation that in a context where supranational conditions are the same—albeit with a different impact—for all participating actors, national norms still differ in decisive ways. Indeed, the British puzzle suggests that this difference matters. In other words, the variation of Europeanisation of domestic norms in different policy areas is important. A distinctive lack in Europeanisation in the field of 'borders of order' is therefore crucial for understanding the UK's opting-out in the 1990s in particular.<sup>34</sup> It follows that, as long as the understanding of the border of order varies among member states in the EU, the disposition towards compliance with Schengen rules will be equally different. To explain compliance, or, as in the British case, non-compliance with European rules, it is therefore necessary to conduct a discursive analysis of the process of decision-taking, thereby taking into account the various contextual layers of supranational, European, and domestic norms.

---

<sup>34</sup> Different from Marcussen et al. forthcoming 1999, and Risse et al. 1998, I focus on one particular policy area and the related discursive context. While one policy area might be "Europeanised" to a high degree another might be closed to the process of Europeanisation. This differentiated approach to Europeanisation in various policy areas might have an impact on the perception of identity-options available to the respective member state. At this stage, this observation remains, however, speculative. It needs to be shown by further empirical research.

References (tbc)

- Abromeit, Heidrun. 1998. *Democracy in Europe*. New York and Oxford: Berghahn Books.
- Bendix, Reinhard. 1964. *Nation building and citizenship*. New York: John Wiley.
- Brubaker, William Rogers. 1992. *Citizenship and Nationhood in France and Germany*. Cambridge MA: Harvard University Press.
- Buzan, Barry, Ole Waever and Jaap de Wilde. 1998. *Security: A New Framework of Analysis*. Boulder, Col.: Lynne Rienner Publishers.
- Caporaso, James. 1996. "The European Union and Forms of the State: Westphalian, Regulatory or Post-Modern?" *Journal of Common Market Studies* 34:29 - 52.
- Chalmers, Damian. 1998a. "Bureaucratic Europe: From Regulating Communities to Securitising Unions." in *Council of European Studies*. Baltimore.
- Chalmers, Damian and Szyszczch. 1998b. "Free Movement of Persons and Securitisation." Pp. 101-149 in *European Union: Towards a European Polity?*, edited by Damian et al. Chalmers. Ashgate: Aldershot.
- Checkel, Jeffrey T. 1999. "Sanctions, Social Learning and Institutions: Explaining State Compliance with the Norms of the European Rights Regime." in *Workshop "Why do social actors comply? Comparing European and international norms"* directed by Michael Zürn and Christian Joerges, ECPR 27th Joint Sessions of Workshops. Mannheim, Germany.
- Christiansen, Thomas, Knud Erik Joergensen and Antje Wiener. 1999. "The Social Construction of European Integration." *Journal of European Public Policy* 6, Special Issue, (in press).
- Christiansen, Thomas and Knud Erik Joergensen. 1999. "The Amsterdam Process: A Structurationist Perspective on EU Treaty Reform." *European Integration online Papers* 3:23 pp.
- Craig, Paul and Grainne de Burca. 1998. *EU Law - Text, Cases, and Materials (2nd ed.)*. Oxford: Oxford University Press.
- Curtin, Deirdre. 1993. "The Constitutional Structure of the Union: A Europe of Bits and Pieces." *Common Market Law Review* 27:709 - 739.
- Den Boer, Monica (Ed.). 1997. *The Implementation of Schengen: First the Widening, Now the Deepening*. Maastricht: European Institute of Public Administration.
- Diez, Thomas. 1999. "Speaking 'Europe': The Politics of Integration Discourse." *Journal of European Public Policy* 6, Special Issue (in press).
- Dunne, Timothy. 1998. *Inventing International Society: A History of the English School*. London: Macmillan.
- Ferguson, Yale and Richard Mansbach. 1996. *Politics. Authority, Identities, and Change.*: University of South Carolina Press.
- Fierke, Karin. 1996. "Multiple Identities, Interfacing Games. The Social Construction of Western Action in Bosnia." *European Journal of International Relations* 2:467-497.
- Fierke, Karin. 1998. *Changing Games, Changing Strategies*. Manchester: Manchester University Press.
- Fierke, Karin and Antje Wiener. 1999. "Constructing Institutional Interests." *Journal of European Public Policy*, 6, 5:xx (in press).
- Finnemore, Martha. 1996. "Norms, Culture and World Politics: Insights from Sociology's Institutionalism." *International Organization* 50:325-347.
- Gehring, Thomas. 1998. "Die Politik des koordinierten Alleingangs." *Zeitschrift fuer Internationale Beziehungen* 5:43-78.
- Gialdino, Carlo Curti. 1995. "Some Reflections on the *Acquis Communautaire*." *Common Market Law Review* 32:1089 - 1121.
- Giddens, Anthony. 1979. *Central Problems in Social Theory*. Berkeley and Los Angeles: University of California Press.

- Haas, Ernst B. 1964. *Beyond the Nation-State. Functionalism and International Organization*. Stanford, CA: Stanford University Press.
- Held, David. 1992. "Democracy: From City-states to a Cosmopolitan Order?" *Political Studies* XL:10-39.
- Hollis, Martin and Steve Smith. 1990. *Explaining and Understanding International Relations*. Oxford: Clarendon Press.
- Huysmans, Jef. 1996. "Securitisating Europe, Europeanising Security. The Construction of Migration in the EU." in *Defining and Projecting Europe's Identity: Issues and Trade Offs*. Graduate Institute of International Affairs, Geneva, 21-22 March 1996.
- Huysmans, Jef. 1998. "The Question of the Limit: Desecuritisation and the Aesthetics of Horror in Political Realism." *Millennium* 27:569-589.
- Jachtenfuchs, Markus. 1995. "Theoretical Perspectives on European Governance." *European Law Journal* 1:115 - 133.
- Jepperson, Ronald L., Alexander Wendt and Peter J. Katzenstein. 1996. "Norms, Identity, and Culture in National Security." Pp. 33-75 in *The Culture of National Security. Norms and Identity in World Politics*, edited by Peter J. Katzenstein. New York: Columbia University Press.
- Joergensen, Knud Erik. 1998. "The Social Construction of the *Acquis Communautaire*. A Cornerstone of the European Edifice." in *International Studies Association*. Minneapolis, Minnesota, 17-21 March.
- Katzenstein, Peter (Ed.). 1996a. *The Culture of National Security*. New York: Columbia University Press.
- Katzenstein, Peter J. 1996b. *Cultural Norms & National Security*. Ithaca and London: Cornell University Press.
- Keohane, Robert O. 1984. *After Hegemony. Cooperation and Discord in the World Political Economy*. Princeton NJ: Princeton University Press.
- Keohane, Robert O. 1988. "International Institutions: Two Approaches." *International Studies Quarterly* 32:379-396.
- Keohane, Robert O. and Kenneth S. Nye. 1989 2nd ed. *Power and Interdependence*: HarperCollins Publishers.
- Klotz, Audie. 1995. *Norms in International Relations. The Struggle Against Apartheid*. Ithaca and London: Cornell University Press.
- Kratochwil, Friedrich. 1988. "Regimes, Interpretation and the 'Science' of Politics." *Millennium* 17:263 - 284.
- Kratochwil, Friedrich. 1994. "Citizenship: The Border of Order." *Alternatives* 19.
- Kratochwil, Friedrich and John G. Ruggie. 1986. "International Organization: A State of the Art on an Art of the State." *International Organization* 40:753-775.
- Kratochwil, Friedrich V. 1989. *Rules, Norms, and Decisions. On the conditions of practical and legal reasoning in international relations and domestic affairs*. Cambridge: Cambridge University Press.
- Lords, House of. 1998. "European Communities 31st Report." . London: House of Lords, European Communities Committee.
- Marcussen, Martin, Thomas Risse, Daniela Engelmann-Martin, Hans-Jochen Knopf and Klaus Roscher. 1999. "Constructing Europe? The Evolution of French, British and German Nation-State Identities." *Journal of European Public Policy* 6, Special Issue, (in press).
- Marks, Gary, Fritz W. Scharpf, Philippe C. Schmitter and Wolfgang Streeck (Ed.). 1996. *Governance in the European Union*. London: SAGE.
- Marshall, T.H. 1950. *Citizenship and Social Class*. Cambridge: Cambridge University Press.
- Meehan, Elizabeth. 1993. *Citizenship and the European Community*. London: SAGE.



- Meijers, H. et al. 1991. *Schengen. Internationalisation of central chapters of the law on aliens, refugees, privacy, security and the police*. Utrecht: Luwer Law and Taxation Publishers.
- Menschenrechte, Forschungsgruppe. 1998. "Internationale Menschenrechtsnormen, transnationale Netzwerke und politischer Wandel in den Ländern des Südens." *Zeitschrift für Internationale Beziehungen* 5:5-42.
- Michalski, Anna and Helen Wallace. 1992. *The European Community: The Challenge of Enlargement*. London: Royal Institute of International Affairs.
- Onuf, Nicholas Greenwood. 1989. *World of Our Making: Rules and Rule in Social Theory and International Relations*. Columbia: University of South Carolina Press.
- Petite, Michel. 1998. "The Treaty of Amsterdam (check correct title!)." *Jean Monnet Papers, Harvard Law School*, [http://www.law.harvard.edu/Programs/Jean Monnet/papers/98/98-2-03.htm#Heading8](http://www.law.harvard.edu/Programs/Jean_Monnet/papers/98/98-2-03.htm#Heading8) 2.
- Pollack, Mark A. 1999. "A Blairite Treaty: Neo-liberalism and regulated capitalism in the Treaty of Amsterdam." in *European Integration After Amsterdam: Institutional Dynamics and Prospects for Democracy*, edited by Karlheinz and Antje Wiener Neunreither. Oxford: Oxford University Press (in press).
- Risse, Thomas. 1999. "'Let's Argue!' Persuasion and Deliberation in International Relations." European University Institute, Florence: Ms.
- Ruggie, John G. 1993. "Territoriality and Beyond: Problematizing Modernity in International Relations." *International Organization* 47:139 - 174.
- Scharpf, Fritz W. 1995. "Demokratische Politik in Europa." *Europäisches Zentrum für Staatswissenschaften und Staatspraxis, Discussion Paper* Nr. 4.
- Tilly, Charles. 1975a. "Reflections on the History of European State-Making." in *The Formation of National States in Western Europe*, edited by Charles Tilly. Princeton: Princeton University Press.
- Tilly, Charles. 1984. *Big Structures, Large Processes, Huge Comparisons*. New York: Russel Sage.
- Tilly, Charles. 1990. *Coercion, Capital, and European States, AD 990-1990*. Cambridge: Blackwell Publishers.
- Turner, Bryan. 1990. "Outline of a Theory of Citizenship." *Sociology* 24:189 - 217.
- Wallace, Helen. 1996a. "[Introductory Chapter]." Pp. xx in *Policy-Making in the European Union*, edited by Helen Wallace and William Wallace. Oxford: Oxford University Press.
- Waltz, Kenneth N. 1979. *Theory of International Politics*. New York et al.: McGraw-Hill.
- Wendt, Alexander, Bridging the theory/meta-theory gap in interantional relations. In *Review of International Studies* (1991) 17, 383-392. 1991. "Bridging the theory/meta-theory gap in interantional relations." *Review of International Studies* 17:383-392.
- Wendt, Alexander. 1992. "Anarchy Is What States Make of It: The Social Construction of Power Politics." *International Organization* 46:391-426.
- Wendt, Alexander. 1994. "Collective Identity Formation and the International State." *American Political Science REview* 88:84-96.
- Wiener, Antje: 1997a. "Making Sense of the New Geography of Citizenship - Fragmented Citizenship in the European Union." *Theory and Society* :529-560.
- Wiener, Antje. 1998a. *'European' Citizenship Practice - Building Institutions of a Non-State*. Boulder, CO: Westview Press.
- Wiener, Antje. 1998b. "The Embedded Acquis Communautaire. Transmission Belt and Prism of New Governance." *European Law Journal* 4:294-315.
- Wiener, Antje and Vincent Della Sala. 1997b. "Constitution-Making and Citizenship Practice - Bridging the Democracy Gap in the EU?" *Journal of Common Market Studies* 35:595-614.

- Zehfuss, Maja. 1998. "Sprachlosigkeit schränkt ein. Zur Bedeutung von Sprache in konstruktivistischen Theorien." *Zeitschrift für internationale Beziehungen* 5:109-137.
- Zürn, Michael. 1998. *Regieren jenseits des Nationalstaates*. Frankfurt/M.: Suhrkamp.