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From the Chair

GARY MARKS

Ten Years in the Making

THE EUROPEAN COMMUNITY STUDIES ASSOCIATION of the United States is ten years old. In that short time, it has become a rather impressive organization, currently with about 1,000 members (one-third of whom live outside the United States). ECSA's biennial conference is the most important intellectual meeting on European integration, and the organization supports a wide variety of endeavors, including course development grants, the US-EU Relations Project, and a number of publications—in its effort to deepen and broaden the study of the European Union. Applause for ECSA's founders! Desmond Dinan, Roy Ginsberg, Leon Hurwitz, Pierre-Henri Laurent, Donald Puchala, and Glenda Rosenthal, first ECSA Chair.

In recognition of this ten-year anniversary, ECSA's 1997-99 Executive Committee has established a Tenth Anniversary Committee to coordinate our commemoration of the occasion. (Please note Glenda Rosenthal's open letter about the Tenth Anniversary elsewhere in this issue.) The next *ECSA Review* will include an organizational history of ECSA based on interviews with its founding scholars.

The current Executive Committee is acutely aware that ECSA needs to find ways of sustaining and stabilizing its finances over the long haul. Our goal is to be a self-supporting organization. We have begun a fundraising campaign to build an endowment for ECSA and to support our own graduate student scholarship fund. We are a non-profit organization that depends, absolutely, on our own energies and effort. That is why the 1997-99 Executive Committee is seizing the moment to reevaluate which services ECSA should provide its membership commensurate with low membership fees. To this end, the next *ECSA Review* will include a member survey form for your response. We are currently exploring ways to generate income for ECSA by, for example, selling advertisement space in the *Review* to publishing houses or allowing them access to our membership to offer reduced rates on scholarly journals. We will be seeking your opinions on these and other activities in the upcoming member survey.

There is news of some other innovations. To provide a way of recognizing diverse contributions to EU studies, the Executive Committee has recently established two new prizes to be given biennially (and presented at ECSA's biennial international conferences). The prizes will honor the best doctoral dissertation (at a United States institution) in the field of EU studies and the best ECSA conference paper. Please watch the next issue of the *ECSA Review* for an announcement of the procedures for nominating dissertations and conference papers. In addition, we have created a lifetime award (also to be given biennially at the ECSA Conference) for an outstanding scholar who has made a significant intellectual contribution to the study of European integration.

I would like to draw your attention to the just-released Volume 4 in our *State of the European Union* series. Edited by Pierre-Henri Laurent and Marc Maresceau, *Deepening and Widening* has been published under the ECSA imprimatur by Lynne Rienner Publishers. This book examines Common Foreign and Security Policy, monetary union, enlargement, and structural reform, to shed light on the prospects for a more integrated versus a looser Union. Readers will find content details and ordering information elsewhere in this issue. Pierre-Henri Laurent, by the way, was elected to the new position of ECSA Vice-Chair by his colleagues on the Executive Committee. David Cameron has decided to stand down from the Executive Committee under pressure of numerous other commitments. On behalf of ECSA, I would like to thank David warmly for his outstanding—and genial—service to ECSA in that and in other capacities. We are delighted to have Paulette Kurzer, as the next-ranking candidate in our March 1997 election, join the 1997-99 Executive Committee (she also began serving last year as Book Reviews editor for the *ECSA Review*).

I hope you find this issue of the *Review* informative. We very much welcome your comments and any suggestions that you might have for improving ECSA.

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Celebrating Ten Years of EU Scholarship Across the Disciplines

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Legitimate Options: National Courts and the Power of the European Court of Justice¹

Paul Fabian Mullen

THE TRADITIONAL VIEW of legitimacy is that national courts of member states have used the judgments of the European Court of Justice (ECJ) to buttress their legitimacy with their own national political institutions (Stone, 1996; Golub, 1994). However, this view does not capture the entire phenomenon. Legitimacy flows to the national courts from the ECJ, but also back to the ECJ from the national courts. I will argue that the ECJ owes much of its legitimacy to the policy sequence in which strong national courts had arisen and had been largely at the national level. National governments would not have accepted the ECJ's invalidation of their laws and policies had they not first accepted the right of courts *in general* to do so. Simply put, the development of the ECJ's power is a path-dependent phenomena. The legitimacy of the ECJ may perhaps best be understood as a continuation of the expansion of judicial powers in post-World War II Europe. With such changes on the national level, the groundwork had been laid for public and institutional acceptance of a supranational judicial activism.

In addition, the national courts have added to the legitimacy of the ECJ by implementing their decisions in a manner that was similar to the methods in which they established the superiority of their own national constitutions. When European law was "constitutionalized" by the ECJ and national courts, this process was done in manner familiar to the citizens and politicians of the member states. Thus, European law was implemented in Italy, France and Germany in much the same way as courts conducted judicial review of their own statutes. Only the source of the "higher law" changed. Thus, the ECJ's decisions appear not so much the actions of an institution *sui generis*, but as a continuation in the policy sequence that was preceded by similar exercises of power at the national level.

As Douglass North (1990) has pointed out, history matters because the present and future are connected to the past by the continuity of a society's institutions. The past, as North states, can only be made intelligible as a story institutional evolution. In the case of the ECJ, the development of its supranational judicial power can best be made intelligible—and indeed was dependent upon—the development and extension of judicial power in Europe.

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I will argue that the power and legitimacy of the ECJ results from what Margaret Weir (1992) terms the "policy of bounded innovation." This approach is fundamentally historical and looks for connections among policies over time. It holds that individual innovations are part of a "policy sequence" in which the institutional development renders some interpretations of policy more persuasive than others. Underlying this concept is a notion of path dependence, or simply put, what comes before shapes what comes after. To understand a policy sequence, one must not only examine direct antecedents, but policies formally classified in other arenas. Thus, the perspective of the ECJ as an institution *sui generis* is only partially correct. While there may indeed be no direct antecedent to the Court, the development of *national* court power created an opportunity for a supranational body to exploit similar types of power. Counter-factually, had Europe not had experience with constitutional courts at a national level, a supranational court may well not have been available as a legitimate policy option for the European Union. Both elites and the public in the largest democracies of Western Europe, save the United Kingdom, had, for the most part, accepted the idea of a more active judiciary in a policy-making capacity on the national level prior to the emergence of the ECJ as a powerful policy-making institution on the supranational level.

The "policy sequence" I suggest flows as follows: 1) Democracy as the best guarantor of human rights was deemed a failure by the members of the European political community as a result of the experiences in pre-War Germany and Italy and with Vichy France; 2) The presence of the American models of judicial review were available as a policy option and were in fact adopted and adapted to the national legal systems of the member states; 3) The national courts, by performing in the expected manner—and not in ways perceived as illegitimate by the political community—gained institutional legitimacy. Thus courts with a strong policy-making function were, for the first time in history, seen as a legitimate institution throughout much of Europe; and finally, 4) The idea of a strong policy-making role for courts was an available and legitimate institutional form and was therefore more acceptable at supranational level. Had strong courts not been available as a policy option at the national level, they would not have been seen as a legitimate institutional structure at the supranational level, where questions of democratic deficits and loss of sovereignty abound for all institutions. While all Courts must face questions of democratic accountability, the problem of a "democratic deficit" is more inherent and therefore doubly problematic at the supranational level.

The Expansion of Judicial Review in Europe

Since the end of World War II, judicial review has rapidly expanded. More than a dozen polities in Western Europe have adopted or reestablished courts with the power to review administrative rules or legislative enactments. The development of this power in Europe was essential to the development of the power and prestige enjoyed by the ECJ. Without an examination of the policy sequence that flowed

from the expansion of this general judicial power, an understanding of the power and prestige of the ECJ is incomplete.

The experience in Italy and Germany before World War II had shaken European faith in democracy as the best guarantor of liberty. Thus, nations formerly opposed to the concept of judicial review as threat to democracy could now see the benefits of concepts of higher law in protecting democracy (Shapiro and Stone, 1994). Thus, in many nations of Europe, constitutional courts and judicial review became legitimate policy options. Notably, it did not become a legitimate option in the United Kingdom, where the nation's governmental institutions survived the war intact.

Italy: Deference and Caution

The Italian *Corte Costituzionale* is an example of a Court which has accepted the judgments of the ECJ, but has attempted to preserve its legitimacy by avoiding direct conflict with its legislature whenever possible. This approach to the ECJ is consistent with and inexorably linked to the approach taken by the Court in exercising its power of judicial review in general. The *Corte's* approach to judicial review has been characterized as a "policy of rigorous self-restraint and almost subservient deference to parliament ..." In addition, the Court has acted as a vigorous guardian of fundamental individual rights (Volcansek, 1994, p. 507). Thus, while a constitutional court became a viable option, the fractured Italian polity did not allow the possibility of a truly independent court with the ability to challenge and conflict with the other institutions of government. The necessity of the Italian *Corte* to remain deferential to the legislature would have implications for the prestige and influence of the ECJ as it later entered the post-War Italian policy sequence.

The *Corte Costituzionale* established its power shortly after it came into being by invalidating many of the Fascist-era laws that remained valid after the adoption of the Constitution of 1948² (Volcansek, 1994). However, in matters not related to fundamental rights, the *Corte* appears to be a much less effective guardian. Except in a few isolated cases, the *Corte* has deferred to the government, even when the government directly contravenes constitutional provisions. For instance, Article 64 of the Constitution of 1948 states that the decisions of the chambers of the Italian Parliament are not valid unless a majority of the members of the chamber are present and voting. However, the *Corte* upheld the use of abstentions to count toward the majority needed for the vote. It ignored the relatively clear language of the Constitution in deference to the internal procedures of the Parliament (Volcansek, 1994).³

In conflicts between two branches of the government, the Court had been particularly reticent. Because of the difficulty in retaining a majority government in Italy, the Italian executive has increasingly relied on "emergency" decrees to enact policy. According to Article 77 of the Constitution of 1948, these decrees expire after 60 days unless converted into laws by Parliament. During the 1980's only about half these decrees were later promulgated as laws. If not converted, these decrees were generally re-issued by the Council of Ministers,

evading the spirit, if not the letter of the Constitution. The *Corte* noted that the re-issuance of decrees raised grave doubts relative to institutional stability because the effect of re-issued decrees makes them practically irreversible.⁴ Yet the *Corte's* decision was so vague that most observers now consider the re-issued decrees to be of questionable constitutionality, rather than explicitly unconstitutional. The expectation is that the *Corte* will set aside the actions of another branch of government only in the face of a grave and irreparable danger to the constitutional order (Volcansek, 1994, pp. 500-501).

In dealing with the prerogatives of its own government, the *Corte Costituzionale* has proceeded with deference and attempted to maintain power while also acting with caution to preserve its legitimacy with the other branches of Italian Government. A similar balancing occurs with the *Corte's* enforcement of ECJ judgments. In essence, the Italian Court will only allow the ECJ judgments to have the same force as its own judgments. The *Corte* will seldom act in a manner that causes direct conflict with its government. As a result, Italy has been frequently seen as failing to comply with treaty obligations. The *Corte* was at first unwilling to challenge its government's prerogatives, stating that the Treaty of Rome was only of equal standing to ordinary Italian law. As such, European law was subject to the rule of succession, meaning in a conflict between statutes, the most recently enacted law prevails.⁵ Thus, any Community law, including treaties, was subject to preemption by any later promulgated Italian law. Only slowly did the *Corte* attempt to bring Italy into compliance with EC laws. In 1973, it allowed an exception to the rule of succession for EC actions.⁶ Finally in 1975, it accepted the doctrine of direct effect.⁷

Thus, as the Italian Court has been reluctant to directly challenge its own government on the basis of Italian constitutional law, so has it been reluctant to challenge its government on the basis of European law. Yet, Italy's grudging and often tardy acceptance of its European obligations has been aided by the *Corte Costituzionale*. Its caution in implementing European requirements mirrors its reluctance to impede the legislature and executive in purely Italian affairs. The scope of the Italian *Corte's* involvement with the ECJ is rooted in its relationship with its own government, where it does not often directly challenge legislative prerogatives. Only when these limits are considered can the *Corte's* performance with regard to European law be accurately assessed. Italy is a reluctant partner not only from the European perspective, but also from constitutional perspective.

France: National Changes and ECJ Power

French history both delayed and shaped the ability of French courts to implement decisions of the ECJ and EU. The French courts did not immediately embrace the ECU's rulings concerning direct effect and superiority of EU law. This was due to the failure of the various French courts to adopt a system of judicial review in the immediate post-war period. Only after the basic concept of judicial review was accepted did the French courts begin to treat European level court

decisions and law as binding on the French government. Distrust of judicial power dates to the time of the French Revolution. Only with the acceptance of a larger role for courts in general could the French court accept this role respecting the ECJ.

Courts in France had traditionally supported prerogatives of the *ancien regime*. In pre-revolutionary France, courts would strike down even modest reforms proposed by the crown. In the Revolution's aftermath, courts suffered a great loss of prestige and power. Thus, courts in France were subordinated to the legislature and have remained so for two centuries (Provine, 1995; Stone 1992). Given this historical background, courts were reluctant to enter the political process in their own national affairs. Thus, early attempts to apply European law in France met with failure. This failure was due in large part to the existing deference of courts of all types in France to the legislature and this existing doctrine of *lex posterior derogat lex priori* or simply, the latest law rules. If the treaty was simply ordinary law, it would be subject to amendment or repeal by ordinary French legislation. Until such time as strong national courts were seen as legitimate policy options, it was impossible for a supranational court to be viewed as legitimate. The late entry of strong courts into the French policy sequence largely explains the relative tardiness of French acceptance of ECJ decisions.

The first of the French Courts to adopt a form of judicial review was the *Conseil d'Etat*. One of the main purposes of the *Conseil d'Etat* was to limit the law-making power of the parliament and keep it from encroaching on the autonomous law-making power of the executive. Until 1959, the prevailing theory was the the *Conseil d'Etat* had no power to review the actions of the executive. In their decision in the *Syndicat Général des Ingenieurs*, the *Conseil d'Etat* established that executive actions are subject to judicial review. This review was not based on parliamentary or executive authority, because each of these institutions is pre-eminent in its own domain. Rather, the *Conseil* based its decision on general principals located in the 1789 Declaration of the Rights of Man, the preambles of the 1946 and the 1958 Constitutions, as well as the republican tradition.

The *Conseil Constitutionnel* was as conceived as having a very limited role in French politics. In its first fourteen years of existence, only nine cases were referred for review. However, two occurrences conjoined to make the *Conseil Constitutionnel* a much more important force. First, in 1971, the *Conseil* elevated certain texts to a level of higher law.⁸ The *Conseil* held that the 1789 Declaration of the Rights of Man, the "Fundamental Principles Recognized by the Laws of the Republic" mentioned in the preamble of the 1946 Constitution, and the "political, economic and social

The European Court of Justice (ECJ) Policy Sequence: National Models

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Nation	Policy Trigger	Policy Option	National Experience	ECJ Policy Outcome
France	Vichy France and the destruction of pre-War institutions	Strong court initially resisted because of norms against judicial policy-making	Late and somewhat grudging acceptance of strong courts	Late acceptance of major ECJ doctrines
Italy	Destruction of democratic institutions with rise of Fascism	Strong institutional court structures available	Court deferential to legislature for political/cultural reasons	Strong implementation except in cases of conflict with legislature
Germany	Destruction of democratic institutions with rise of Naziism	Strong institutional court structures available	Strong support for role of Court, especially as guardian of human rights	Strong implementation of EU/ECJ Law, except in conflict with human rights guarantees
United Kingdom	Democratic institutions survive War intact, no policy trigger	Strong courts not an available policy option	No judicial review of acts of Parliament	Resistance to ECJ rulings when in conflict with Parliamentary Superiority

principles particularly necessary to our times” formed a “higher law” to which ordinary laws were subordinate. Thus, by requiring French laws to conform to these fundamental principles, the *Conseil* greatly expanded its jurisdiction (Stone, 1992, pp. 34-35).

Second, in addition to this internal arrogation of power, the Constitution was amended to allow referral to the *Conseil* by sixty deputies of the National Assembly or Senators.⁹ This made the *Conseil* a method of last resort by which disgruntled losing parties in Parliament could challenge the government's position. Since the 1974 Amendment, referrals to the *Conseil* have come almost exclusively from the legislative opposition. Compared to nine referrals in its first 14 years of existence, the *Conseil* received 149 referrals in the 16-year period between 1974 and 1990 (Stone, 1992, p. 35). Thus, the *Conseil's* jurisprudence provided its own basis for exercising judicial review and the Amendment of 1974 provided the opportunity to exercise this power on a regular basis.

Despite the fact that both the *Conseil d'Etat* and *Conseil Constitutionnel* had established forms of judicial review by 1974, the French could still claim that judges were not involved in the political process because judges in regular courts did not overturn legislation (Cappelletti, 1988, p. 157). Although these specialized courts could overturn acts of the legislature and the executive, the *Cour de Cassation* did not exercise any form of judicial review. When subsequent French laws contradicted European law based on the Treaties, the traditional view of courts in France would have demanded that the *Cour de Cassation* rule consistently with the later French law.

However, this is not what occurred. By the time the *Cour de Cassation* was forced to rule on the validity on European law, the vast expansion of the role of the *Conseil Constitutionnel* was well under way. The revolution in French law caused by the *Conseil* decision of July 16, 1971 was very visible to the French, both in and out of politics. The case involved an attempt by the national assembly, overriding the Senate's veto, to pass legislation that would make it substantially easier to ban certain political associations. Simone de Beauvoir and Jean-Paul Sartre headed the group at the center of the controversy and were vocal opponents of the legislature. Law professors published detailed “briefs” against the bill in *Le Monde*. Disparate political groups, ranging from centrist Senators to small fringe parties, voiced their opposition. The political climate was such that the result of the *Conseil's* decision was so widely praised that its audacity in reversing French legal traditions went forward without great objection (Stone, 1992). Thus, when the *Cour de Cassation* completed the acceptance of the doctrine of judicial review by French courts, much of the resistance to its actions had been blunted by the previous and often popular use of this doctrine by other French courts.

In 1975, the *Cour de Cassation* sat in its largest and most formal composition, the *Chambre Mixte*, to decide the case of *Administration des Douanes v. Société Cafes Jacques Vabre*. This case addressed the crucial question of whether an

ordinary French law, subsequent to, but conflicting with, the law of the European Economic Community should be refused application by the French judges. The *Cour* held in favor of the European law, but demurred from claiming it was exercising judicial review. Rather, the *Cour* stated that it was merely engaged in interpretation, a typical and normal function of judges. It found that the European law was a higher law and that it was natural to assign precedence to the higher law (Cappelletti, 1989, p. 158). Thus, as Cappelletti (1989, p. 161) states, judicial review, banished for so long from the main door of the national constitution, entered the policy sequence through window of transnational law. My argument is that this window might well have been closed if the *Conseil d'Etat* and *Conseil Constitutionnel* had not already opened it regarding French law.

Germany: Protecting the *Rechtsstaat*

Under the German Basic Law, a great emphasis is placed on protecting governmental stability and basic human rights in an attempt to prevent the perversion of the democratic process that resulted in the fall of the Weimar Republic and the rise of the Third Reich. The first items contained in the Basic Law are provisions guaranteeing certain fundamental human rights and a strong statement of the role of the German Federal Constitutional Court (FCC) as the guardian of these rights (Kommers, 1994; Landfried, 1992). Unlike Italy and France, the German Court has a stronger constitutional basis for exercising judicial review and it has been called the most powerful and active court in Europe (Kommers, 1994, p. 470). Given the German experience of World War II, perhaps no European nation had as “open” a policy sequence. Because of the abject failure of the Weimar Republic's political institutions to prevent the rise of the Third Reich, any policy option that would help prevent a reoccurrence of this phenomena would quite probably be viewed as legitimate. Yet given the vast human rights violations of the Third Reich, any policy option seen as a threat to the Basic Law's protection of human rights would be the one instance in which the post-War policy sequence would be closed. Thus, the main question raised with respect to the legitimacy of European law has been the status of a European law that appears too contrary to fundamental rights as they are understood in Germany.

In the case of *Internationale Handelsgesellschaft v. EVGF*,¹⁰ the FCC addressed this question. In *EVGF*, an administrative decision was based on Community regulations. The plaintiff argued that the regulations were contrary to the German Basic Law's guarantees of fundamental human rights. A German administrative court referred the matter to the ECJ for a preliminary ruling. The ECJ ruled that European law was applicable and that the provisions did not violate the Community concept of civil rights. After this, the administrative court referred the matter to the FCC as to whether the rulings were contrary to the fundamental human rights provisions of the German Constitution (Hartley, 1988).

The FCC was faced with two questions. First, what was the nature of the relationship between Community law and Germany's Basic Law? The FCC took the view that the two

legal systems were independent of one another with Community law flowing from an autonomous legal source. The FCC noted that the Community lacked a directly elected parliament¹¹ and lacked a codified catalogue of human rights. Since this was the case, the FCC held that until the Community protection of fundamental rights measured up to the German standard, European law would be subject to the human rights provisions of German Basic Law creating potential for conflict between German and European law. However, this conflict was muted because in answering the second question it faced, the FCC ruled that the regulations in question were not contrary to the Basic Law. The potential conflict remained until 1986 when the FCC ruled that Community guarantees of basic human rights had reached German standards and it would no longer entertain questions of whether Community measures violated German Basic Law¹² (Hartley, 1988).

The United Kingdom: Parliamentary Superiority and Pseudo-Judicial Review

A fundamental principle of the British Constitution is the sovereignty of parliament. Under this doctrine, Parliament has no limit on its legislative power except that it cannot limit its own powers for the future. Thus, before the various treaties of the EC/EU could be given effect, they had to be passed into law in the form of the European Communities Act (ECA). As Lord Denning said in *McWhirter v. Attorney-General*, a case decided after the Treaty of Rome was signed, but before Parliament enacted the ECA, "Even though the Treaty of Rome has been signed, it has no effect, so far as these Courts are concerned until it is made an Act of Parliament" (quoted in Hartley, 1988, p. 236). Since the ECA was enacted, there was no question regarding its precedence over prior laws. However, the real question was what would happen if a subsequent law appeared to conflict with the ECA. Would the later law be given precedence by the Court?

Section 2(4) of the ECA seems to answer this question in the negative, stating that future laws would be subject to the provisions of the ECA. However, this runs contrary to the only constitutional limit on Parliament's power: that they cannot limit the future exercise of their power. This provision of the statute would be unconstitutional and British Courts would be faced with the prospect of invalidating a later Act of Parliament on the basis on a previously enacted statute of dubious constitutionality. However, a rule of interpretation contained in Section 2(4) of the ECA offers a partial solution to this problem. It states that parliament is presumed not to intend any future statute to override European law. Thus, unless parliament states that it clearly intends to override the ECA—which would amount to a repudiation of the Treaties—then the British Courts would have to enforce the ECA (Hartley, 1988, pp. 239-243).

The ECA and its strong rule of interpretation create a form of pseudo-judicial review. The Courts may interpret laws in conformity with the ECA—and therefore the treaties—without technically resorting to judicial review. The strong presumption in favor of the ECA allows the British courts to

overrule an act of Parliament under the authority of another act of Parliament. This leaves the doctrine of parliamentary superiority intact in theory, but allows the United Kingdom's Courts to enforce its treaty obligations on a practical level.

Another more recent sign of the of the United Kingdom's ambivalence to the power of the ECJ is its Memorandum on the European Court of Justice to the 1996 EU Intergovernmental Conference.¹³ In this Memorandum, the United Kingdom suggests an expedited form of review of ECJ decisions by the Council of Ministers. This proposal would allow the Council to bypass the Commission and rule directly on whether the ECJ had properly interpreted its intention. It suggests a sort of legislative review of ECJ action. The idea is obviously to bring the ECJ more under the influence of the Council and thereby give the national government an additional opportunity to reverse a unfavorable court decision. Essentially, this would put more political constraints on the ECJ and place it in a position more readily subordinate to the Council, similar to the position of courts in the United Kingdom relative to Parliament.

Thus, the question of judicial review with respect to the ECJ never really arose in the United Kingdom. The reason is that the doctrine itself never took hold in the British Isles the way it did in many of its former colonies, first and most notably the United States. Therefore, the United Kingdom has found itself in the precarious position of having to fulfill its treaty obligations without violating its own constitutional history. It has done so by placing ultimate authority in the hands of Parliament, but barely so. The relationship of the United Kingdom and its courts to the Union and the ECJ has been shaped and limited by the role of courts in British society. In essence, the policy sequence in the United Kingdom is missing an important component, the development of courts with a strong policy role. As a result, the legitimacy of the ECJ's decisions is, like those of Her Majesty's national courts, dependent on the continued acquiescence of Parliament.

Conclusion: The Path Dependence of the ECJ

The acceptance of supremacy of European law by virtue of the decisions of the ECJ is a path dependent process. Both the acceptance and the form this acceptance will take are largely a result of the internal legal culture of the various member states. Relying on the national courts for referrals and enforcement invariably links ECJ to the customs, rules, laws and history of the member states.

In France, this has resulted in a reluctant partnership between national courts and the ECJ. In Italy, the *Corte* will act in a deferential manner and attempt to avoid conflict with its government. In Germany, the FCC's commitment to the preservation of individual rights at first resulted in limited acceptance of the doctrine of supremacy. Finally, the United Kingdom has side-stepped judicial review on the basis of European law by retaining a tenuous grasp on the doctrine of parliamentary superiority. In all these nations, the role of the ECJ has been shaped by the history and place of the national courts in the policy sequence.

Notes

1. The author would like to thank Professor Alberta Sbragia of the Center for West European Studies at the University of Pittsburgh for her assistance, advice and encouragement in the completion of this project.
2. The *Corte Costituzionale* was established by the 1948 Constitution. However, because of conflicts over the staffing of judges, the Court did not sit until 1956. Thus, its earliest decisions did not occur until then, eight years after it was created. (See Volcansek, 1994, pp. 494-495.)
3. Judgment No. 9/1959.
4. Judgment No. 302/1988.
5. Judgment No. 4/1964.
6. Judgment No. 183/1973.
7. Judgment No. 232/1975.
8. Judgment of 16 July 1971, *Conseil Constitutionnel*
9. Prior to this amendment, only the President of the Republic, the Prime Minister or the presidents of the *Chambres* had the ability to refer bills to the *Conseil*.
10. 29 May 1974.
11. As was the case in 1974. Currently the European Parliament is directly elected.
12. Decision of 22 October 1986.
13. Memorandum By The United Kingdom On The European Court of Justice (June 1996). This memorandum was issued by the Major government. The Blair government has suggested reform—including the adoption of a bill of rights—which have the potential to change radically the relationship of Court and Parliament in the United Kingdom.

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The opinions expressed in essays in the ECSCA Review are solely those of their authors. We welcome submission of scholarly essays on EU-related issues that foster debate and discussion.

Teaching the EU

Editor's note: In response to member interest, this column is a regular feature of the ECSA Review. Forthcoming columns will address the teaching of European Union simulation courses and teaching the European Union at the College of Europe in Brugge, Belgium. Suggestions and submissions of essays by ECSA members for this column are welcomed.

Teaching the European Union: An Australian Experience

Heather Field

THE DEVELOPMENT OF teaching on the European Union (EU) has been a relatively slow process in Australia. One cause of this has been the adoption of a strong national focus on Asia and Asian Studies in the 1970s. The losses in trade and trade values in the more 'sensitive' agricultural products which Australia suffered due to UK membership of the EU, and to the Common Agricultural Policy's export subsidies on agricultural products, created something of a national aversion to the EU and Europe. At the same time there was a major growth in exports to Asia and investment from Asia in the 1960s through to the 1980s, creating a need for wider awareness of Asian economies, languages and culture. A further factor slowing the development of teaching of the EU has been that strong traditional European language and literature departments had been created during the expansion of the tertiary sector in Australia in the 1960s and 1970s, and in the face of government funding cuts the emphasis has been on saving what can be retained of these, rather than adopting a more modern approach or teaching and research on the EU.

As a consequence, the development of teaching and research on the EU in Australia has lagged behind trends in Europe and North America, leading to a situation where the major research project being undertaken on transformation in Central and Eastern Europe in Australia is located in the China Centre of the Australian National University. However, the national focus on Asian Studies has now begun to be questioned in the face of the economic crises of some Asian trading partners and the increasing importance of the EU as a trade partner and a source of investment for Australia. Another positive development has been a mushrooming in the number of students coming directly from Europe to study in Australia, many of whom are interested in doing European Studies and in learning about the EU.

In the meantime, funding cuts and the lack of a national focus on the EU or Europe have led to existing academic initiatives on the EU coming under threat. Being an EU specialist in Australia is an act of faith, not a positive career move. However, the enthusiasm, vitality, synergy, and dogged endurance in the face of adversity of the existing handful of EU experts here, and the up-and-coming generation of specialists in the area, does provide some compensation for the limited and restricting nature of opportunities. The main

interest group on the EU here is the Contemporary European Studies Association of Australia (CESAA), which runs a newsletter, soon to become a 'Review,' and I am the editor of the prospective 1997/98 inaugural issue of the *Australasian Journal of European Integration*, for which submissions are still invited.

The 'tyranny of distance' and the impact of Australia's isolation on our research have been partly overcome through the use of the Internet and, from a personal point of view, newspaper and magazine subscriptions; memberships in ECSA and its UK equivalent, the University Association for Contemporary European Studies (UACES), and special interest groups; as well as publications and other information supplied by the Delegation of the European Commission to Australia and New Zealand. The isolation is still felt when undertaking activities which require face-to-face contact. Attendance as an invited speaker at the annual conference of the American Agricultural Economics Association in Toronto this year required a 24-hour flight each way to travel on an economy basis, and economy fares to Europe can involve 33- to 36-hour flights. ECSA members visiting Brisbane or the Gold Coast are invited to touch base and make contact, helping to overcome the isolation.

Diversity of the Student Body

In Australia the student body undertaking European Studies is extremely diverse and perhaps the most diverse to be found anywhere, in terms of national and ethnic origins. As well as Australian students, many of whose parents are immigrants from Europe and some of whom are of Aboriginal background, at Griffith University in Brisbane we have had Austrian, American, British, Chinese, Croatian, Danish, Dutch, French, German, Finnish, Indian, Kenyan, Japanese, New Zealand Maori, Norwegian, Spanish, and Swedish students undertaking European Studies, in addition to the Australian students with parents of an even wider variety of national origins.

The different groups of students participating in the program mean that it has to meet a range of needs. A proportion of the students, including some of those with a European background, some of those who come on a short-term fee-paying basis from Europe, and many of those with parents from the EU and ability to claim EU citizenship, see the program as a means of preparing themselves for work or further study in Europe. The possibilities even for students with EU citizenship to enter the EU's institutions are very limited indeed, except where they are from recent member states that are still able to offer their nationals direct entry as part of the 'tranche' of positions given to new member states to fill. However, there are many jobs available with national governments and industry in Europe which require a good knowledge of the EU. Opportunities within Australia are more limited, but graduates have opportunities to go on to qualify as teachers, to enter the Commonwealth and state public services, and to take up administrative and other positions in commerce and industry.

Curriculum Requirements

The curriculum requirements of teaching the EU in Australia involve giving students a strong grounding in the EU's institutions, politics and policies, and the comparison of

these with local political institutions and those of the US and major European countries. An introduction to theories of economic and political integration as applied to the EU is needed, as is a discussion of the issues relating to the further enlargement of the EU and its possible development of a stronger security profile. An analysis of the design and operation of the EU's institutions in view of prospective developments such as increased interest group activity and influence, and an increase in the number of member states, is also required. The approach is of necessity interdisciplinary, covering political, economic, and international relations theories and concepts. Given the continued importance of agricultural and primary exports to Australia, instruction in EU trade policies and in the Common Agricultural Policy is a useful preparation for careers in these sectors, as well as introducing students to theories and concepts of policy making and of public policy appraisal. The post-Cold War era and the prospective enlargement of the EU mean that there is a need to cover the political and economic transformation of Central and Eastern Europe and the ex-USSR, bringing students up to date on the impact of national policies and of Foreign Direct Investment (FDI) in these areas. The prospective economic and geopolitical impact of the anticipated flow of oil supplies from the Caspian Sea region to western Europe, and the security risks involved, suggest that this is also an issue with which students should be acquainted.

Postgraduate research work on the EU in which I have been involved as supervisor, adviser or assessor has dealt with such topics as gender and politics in Ireland, Irish film, Finnish membership of the EU, eastwards enlargement of the EU, Australia-EU relations, and aspects of the European Parliament. Due to the bias towards traditional areas of European Studies such as history, literature and languages in most Australian universities where it is offered, there is still only a very limited amount of postgraduate work being undertaken on the EU in Australia.

The approach to teaching and assessment here is very much an Anglo-Saxon one based on written papers, oral presentations, and individual and group research projects, in which the student is asked to choose a question or questions and argue a case with respect to it, rather than the continental European approach of oral examinations for which the student has been required to learn specific information. Also on the Anglo-Saxon pattern, newspaper and other news reports are considered to be legitimate sources of research information, unlike in some continental European countries where only books, journal articles, and government and official reports, are considered to be acceptable sources of research information and evidence which may be referenced. However, while EU politics and institutions tend to be covered by politics programs in the UK (but by law courses in continental EU countries), in Australia there is a more even split between the two, and the main attachment is still to traditional language and history programs. Role playing exercises may be a worthwhile introduction to EU decision making for prospective lawyers, company representatives and diplomats, and hence a justifiable part of the teaching process in the US, but I would not favour their use here or in Europe because they lead to an over-conflictual view of EU decision making

and an emphasis on 'winning' or 'losing' rather than on the appraisal and optimal choice of EU public policies. In Europe and in Australia the role of the state in the economy is more substantial than it is in the US, and policy making is more a matter for government officials and representatives of corporatist groups than for lawyers and representatives of interest groups in competition with one another.

One of the main barriers to the further development of teaching and research on the EU in Australia is that it has tended to be established as part of a clearly defined European Studies regional studies program, or closely tied to linguistic and historical offerings. This can limit its ability to meet the substantial interdisciplinary demand that exists for some instruction on the EU from students undertaking such programs as Politics, International Business, International Relations and Asian Studies. While International Studies programs have been developed in North America as something of a rationalization of this situation, there seems a reluctance to do so in Australia. This is because of the continued impact of earlier views of Asian Studies as 'new' and 'expanding' area which needs special preservation measures, even if these lead to the demise of existing initiatives on the EU. One of the general problems associated with Australia is that there tends to be a time lag of up to a decade before initiatives and changes which have become common elsewhere in the developed world are taken up at official levels.

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EU Syllabi

The ECSA Administrative office keeps a file of syllabi for courses specifically about the European Union and courses which include the European Union among the covered topics. Such courses range from an undergraduate overview of the EU to graduate courses focusing on EU business or law; other topics and disciplines include EU history, geography, politics, economics or public policy. These syllabi are available to ECSA members for the cost of photocopying.

ECSA seeks to expand and update the syllabi file and post it on our Web site, and asks that members currently teaching courses such as those described above please mail one hard copy and one disk copy of their syllabus(-i) (or e-mail as an attachment), with permission both to photocopy for ECSA members upon individual request and post on the ECSA Web site. Instructors may add a copyright statement to their syllabi if so desired. Please send syllabi to the ECSA Administrative Office at 405 Bellefield Hall, University of Pittsburgh, Pittsburgh, PA 15260 USA; or e-mail to <ecsa+@pitt.edu>.

Book Reviews

Liesbet Hooghe (ed.) Cohesion Policy and European Integration: Building Multi-Level Governance. New York: Oxford University Press, 1996, 458 pp.

In 1988, the European Community's Structural Funds were substantially reformed. The sums devoted to the Funds were doubled in real terms, and the rules for the disbursement of the Funds were changed to increase the roles of both the supranational Commission and the subnational (regional and local) governments in each of the member states. The centerpiece of the 1988 reforms was the principle of "partnership," whereby the regional programming for each member state would be drawn up and implemented, not simply by the member governments, but by those governments in partnership with the Commission and subnational actors.

Liesbet Hooghe's edited volume is not the first work to study the 1988 Structural Fund reforms, but it is the most systematic comparative study of the impact of those reforms on regional politics in the various member states of the Community. The basic premise of the book, as spelled out in Hooghe's introduction, is that the 1988 reforms set up a "quasi-experiment" (p. 12), by introducing the common stimulus of the new partnership procedures into each of the EC member states simultaneously. Hooghe and her co-authors seek to profit from this natural experiment by examining comparatively the effects of the reforms during the 1988-1993 programming period in nine different member states. In theoretical terms, the authors refute the traditional state-centric model in which national governments act as gatekeepers between the EC and subnational governments, arguing instead that EC cohesion policy is in the process of creating a system of multi-level governance in which national governments are engaged in policy networks alongside supranational and subnational actors.

Readers interested in reviewing recent EU-related books for the *ECSA Review* are encouraged to contact the Book Review Editor:

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After Hooghe's introduction, the book is divided into three parts. The three chapters in part one examine the 1988 reforms from the perspective of the member states (Fiona Wishlade), the regions (Rafaella Nanetti), and the Commission (Hooghe). This section, led by a concise and detailed description of the 1988 and 1993 reforms by Wishlade, essentially sets the stage for the heart of the book in part two, which is composed of nine case-study chapters. These studies, by prominent country experts, examine a broad range of national cases, including the federal systems of Belgium (Stefaan De Rynck) and Germany (Jeff Anderson); the regionalized states of Spain (Francesc Morata and Xavier Muñoz), France (Richard Balme and Bernard Jouve) and Italy (Jürgen Grote); and the more centralized systems of the United Kingdom (Ian Bache, Stephen George, and R.A.W. Rhodes), Ireland (Brigid Laffan), and Greece (P.C. Iokimidis).

Several of the case study chapters adopt the language of both multi-level governance and of *policy networks*, defined by Bache *et alia* as "a set of relationships between organizations which are involved in policy-making and policy implementation, and which are mutually dependent on each other for the resources to achieve their goals" (p. 295). The central question posed by the authors is whether the 1988 Fund reforms have altered the patterns of resource dependencies within the various member states, presumably to the benefit of regional governments.

The short answer seems to be yes, but within limits and with considerable variation across countries. In no case do the authors find a drastic change in the relative standing of subnational, national, and supranational actors, yet most of the authors do find at least some subtle changes in domestic policy networks. In Germany, for example, Anderson finds that the 1988 reforms had relatively little impact on the well institutionalized policy networks between the central government and the western *Länder*, but that after 1991 the new eastern *Länder* took advantage of their new Objective 1 status to escape the constraints of central government policies. In France, Balme and Jouve find that the 1988 reforms did indeed strengthen the periphery vis-à-vis the center, but in the form of the departmental prefect, *not* the elected regional councils. And in the UK, Bache *et alia* conclude (in a lively and readable chapter) that the 1988 reforms have had only a minor effect on domestic policy networks, in which the central government retains a central, even constitutive role.

In part three of the book, two chapters attempt to make sense of this fine-grained national variation. The first chapter, by Bache, George and Rhodes, discusses the concept of policy networks, and reviews critically previous uses of the term by students of EC politics. The authors conclude that, despite some imprecise applications of the term by previous scholars, the careful use of network analysis allows students of cohesion policy to explain, and not simply describe, the effect of EC policies in diverse national contexts. The final chapter of the book, by Gary Marks, disaggregates cohesion policy both temporally across the policy process, and spatially across territory, mapping variation in both dimensions. He argues

persuasively that the influence of the Commission and subnational regions varies systematically across the four stages of the policy process, and even more considerably across member states depending primarily on the degree of “institutionalization” of their domestic policy networks.

In sum, Cohesion Policy and European Integration is an ambitious and successful book, combining a careful research design with exquisitely (or excruciatingly) detailed country studies and careful comparative analysis. In theoretical terms, the book also represents a step forward for Marks’ model of multi-level governance (MLG). As previously formulated by Marks and his colleagues, the MLG model was essentially a thick description of EC policymaking, which generated few if any conditional statements about *which* levels of government had an influence on policy, and under what conditions. By contrast, the authors in Hooghe’s volume supplement the bare theoretical skeleton of the MLG model with interesting insights about resource dependencies borrowed from the policy networks approach, and Marks’ conclusion takes these insights a step further by generating inductively derived hypotheses for future research.

Multi-level governance, in my view, has a way to go before it can constitute a genuine theory of, and research program for, the study of European integration. Cohesion Policy and European Integration takes it one step closer to that goal.

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Edward C. Page. People Who Run Europe Oxford: Oxford University Press, 1997, 178 pp.

Michelle Cini. The European Commission: Leadership, Organisation and Culture in the EU Administration Manchester: Manchester University Press, 1996, 244 pp.

European integration studies have evolved in two ways over the past decade. Firstly, the traditional debate between neofunctionalists and intergovernmentalists has been supplemented with contention about how multi-level decision making affects European politics. In the wake of that shift, scholars have rediscovered the European Commission as a political actor with—under certain conditions—autonomous impact on outcomes. Some examine the Commission’s or DGs’ roles in policy decisions; others approach the Commission as an organization and seek to understand regularity in interactions among officials and with the outside; a third group probes belief systems of position holders in the Commission. The books under review fit in the second category. Secondly, scholars have increasingly taken recourse to political science concepts to analyze European Union politics. For better or worse, the study of the Commission has become part of a wide-spread aspiration to lift EU research

from area studies into the mainstream. Both books are part of that trend.

“The EU throws into sharper relief that which is invariably true in the national governments of its member states, the general principle that unelected civil servants are powerful” (Page, p.2). What sets Commission officials apart is that they hold the power to initiate legislation. Page’s People Who Run Europe is a fine inquiry into the character of the Commission bureaucracy. Eschewing deductive reasoning (p.10), Page develops a light, heuristic framework that builds on what we know about national bureaucracies. He identifies four key features of bureaucracy, each having predictable implications for the ways in which civil services affect policy processes. An exploration of these features for the Commission should make it possible to describe *typical* interactions among officials and interactions with other actors. Focusing on cohesion, chapter two gives an overview of formal divisions among Commission services and chapter three deals with a major informal source of fragmentation: the need to accommodate national diversity. Chapter four asks whether top officials in the EU form a distinctive caste, and examines social characteristics and career patterns of officials, with special attention to parachutage. Permeability to interest groups is the theme of the next chapter, in which Page subjects corporatist and pluralist models of EU-group relations to scrutiny. Chapter six focuses on Commissioners, cabinets and comitology as forms of political supervision over Commission officials. The wealth of data collected by Page is unsurpassed.

Page concludes that the European Commission is best characterized as a traditional bureaucratic organization in an essentially non-bureaucratic setting. It is not less cohesive than most national bureaucracies; hierarchy, recruitment and career structures are similar to those of postwar western civil services; it is not particularly permeable to interest groups; and like top national civil servants, Commission officials combine the political (initiation) and the administrative (implementation). What strikes observers of the Commission, Page claims, is the tenuous duality of its environment. Commission officials do not operate solely, perhaps not even predominantly, in a bureaucratic arena, where relations are based on hierarchy and decisions taken according to technical standards. Multi-nationality nurtures a parallel intergovernmental-interinstitutional arena, where participants are roughly equal and decisions depend on support mustered throughout institutions and member states. If one combines the duality of the officials’ world with the distinction between policy initiation and implementation, Commission officials may be engaged not in two, but in four types of activities: bureaucratic entrepreneurship based on expertise, political leadership à la Hallstein or Delors, routine administration, and political adjudication. Each type of activity has particular strains shaped by the specific character of the European Union.

With this typology Page moves beyond Coombes’ pathbreaking 1970 study. He shows persuasively that Coombes’ study rested on an antiquated understanding of the politics/administration dichotomy, which “somewhat

misleadingly sees the Commission as a hierarchical bureaucracy acting as a drag on political innovation" (p.148). Instead, Page demonstrates (a) how the Commission fulfills diverse roles, and moreover, (b) how the strongest base for Commission leadership is not political, but its bureaucratic power. The privileged domain for Commission officials—from Commission president to lower-ranking official—is the bureaucratic arena of expertise, experience and hands-on power. Constraints on the Commission have therefore little to do with "bureaucratic inertia," but with the pervasive presence of political supervision capable of channeling issues into the intergovernmental-interinstitutional arena. The problem is, however, and this is Page's normative contribution, that this "intricate and busy world of statutory, advisory, and ad hoc forums" is populated primarily by unelected civil servants "of which EU civil servants are but a part" (p.162). This multi-level world erodes responsibility and accountability. Too many checks, not unchecked bureaucratic power, lie at the heart of the "democratic deficit" in the EU.

This book is set to replace Coombes' study. But it has also the potential to make a contribution to the comparative politics literature in a way Coombes' work never did. Indeed, one wonders whether Page has not sketched the activities and constraints on bureaucrats typical to systems of multi-level governance. Page himself is never clear on whether the EU is unique, or a more extreme case of a population—and which population? Ironically, to the extent that the *typology travels* beyond the EU, the *EU-specific explanation*, implicit in this study, loses validity. Indeed, Page finds that the four general features of bureaucracy appear of limited value in explaining the different roles the Commission plays. So he resorts to EU-specific factors, such as the centrality of multi-nationality in shaping a dual bureaucratic-intergovernmental world, or the importance of the Commission's monopoly on policy initiation in supporting the Commission's active role. To the extent that Page's *conceptualization* of bureaucratic activity not only replaces Coombes but also challenges Aberbach, Rockman and Putnam's 1980s work on politics and bureaucracy, his *explanation* becomes less persuasive.

Cini's *The European Commission* is conceptually less ambitious. The objective is to summarize facts, figures, issues and interpretations for those interested in grander, conceptual issues concerning the Commission's role in the EU arena. The book draws on second-hand academic and journalist sources. It is weak on basic statistics, for which the reader is referred to Ed Page's book. Cini demonstrates how the Commission has played different roles through time and how this flexibility has secured its longevity. Chapter one discusses the functions of the Commission. Chapter two provides an informative read on the history of the institution, which highlights how leadership on behalf of Commission presidents is capable of shaping the Commission's role. Chapter three illustrates this for the Delors period. Subsequent chapters focus on organization (four), a useful summary of the Commission's central role in the policy process (five), management under Delors (six), and reform and adaptation under Santer (seven). This book provides a

competent introduction for undergraduate courses on European integration or for people curious about the Brussels bureaucracy.

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José M. Fernandez Martín. *The European Commission Public Procurement Rules: A Critical Analysis* Oxford: Oxford University Press, 1996, 360 pp.

Harry Cowie. *Private Partnerships and Public Networks in Europe*. London, Sweet and Maxwell (Federal Trust Report), 1996.

Issues of public procurement are in any event extremely complex, and are made all the more so by the fact that it is often in the interests of those involved in this area to maintain a certain degree of opacity. In the EU the push towards the Single Market has thrust public procurement issues rather more to the fore, but still the difficulties in researching this Byzantine field have meant that there is relatively little material which addresses the area. Fernandez Martin aims to examine the state and functioning of the EC public procurement rules. More specifically he wishes to account for what he sees as their failure of the rules to be appropriate for the context and for the goals and the failure of the rules' enforcement mechanism to generate compliance.

In conducting his examination Fernandez Martin gives extensive and extremely detailed consideration to the legal issues involved in public contract, considered broadly as all those instances where a contract is signed with any legal or natural person. Particularly interesting in this respect is his account of the evolution of the EC's public procurement policy. Here he traces the development of the policy from the relative formal 'silence' (p.5) of the original treaty on procurement explicitly, to the Co-ordination Directives concerning public supplies and public works contracts of the early 1970s, to procurement policy as it developed into a top priority for the Commission under the Single Market Programme.

However, Fernandez Martin does not confine himself to purely technical legal considerations detailing the rules, but fully recognises the weight added to public procurement issues by their economic and political importance and particularly so in the context of the Single European Market. Indeed, two full chapters in the book are devoted to an examination of how public procurement is used to further political, economic and social objectives, such as regional development. He does not shy away from expanding his analysis to consider also some of the issues surrounding the economic role of the state which are inevitably raised by consideration of public procurement, presenting various ideologies which he believes account for procurement policies as applied at the national and supranational levels; he uses meticulous citation of appropriate cases to illustrate his schema. The conclusion from this 'objective-oriented'

analysis is that the Commission's procurement policies are based too much on economic efficiency neglecting other considerations which drive the policy to quite a large extent at the national level.

The discussions of the procurement rules, their evolution and the ideologies behind them allow Fernandez Martin to conclude his book with a consideration of the effectiveness of the procurement rules which spans four substantial chapters on implementation, application, enforcement via the Commission, and enforcement by the judicial protection of individuals' Community rights. Certain criticisms in particular run through these discussions. These include the failure of the Commission to face up to its limited resources and effectively to prioritize the pursuit of large scale infringements with real 'European' relevance as part of a more selective enforcement policy. Another prominent criticism is that Community policy has not taken into account the structural features of the procurement markets in the Member States, and in particular has not taken on board the fact that many markets are not suited to EU-wide competition and that small and medium sized enterprises are especially unlikely to compete for projects abroad. It is more sensible, he argues, for the Community level to target procurement policies in sectors of European interest where national markets have become insufficient on their own. Extensive consideration is given in the book to the potential of the 1991 Remedies Directive—allowing those injured by public procurement policies to claim redress—to improve the effectiveness of the EC rules in this area. The conclusion reached is that, as it currently stands, Member States domestic traditions too strongly influence its implementation and limit its impact on the national level.

To sum up, then, the Fernandez Martin book undoubtedly constitutes an excellent piece of research. It gives an exhaustive account of the rules governing public procurement and does not shy away from addressing some difficult questions regarding the economic, social and political dimensions of the field. The end product is a meticulously researched and surprisingly readable volume which deals with one of the most burning issues in the Single Market today. It is highly recommended to anyone with an interest in this area.

The Cowie book is the product of a high-level study group created by the Federal Trust to examine the role of public-private partnerships in infrastructure investment in the EU, particularly in connection to the development of Trans-European Networks (TENs), especially in the fields of transport, energy, and telecommunications. It must be made clear from the beginning that this book does not aim to produce extensive analysis of the merits of public-private partnerships in the EU, but rather addresses itself to the business of making policy recommendations to the EU—principally the Commission—which they believe will further encourage the use of such partnerships in infrastructure investment, specifically as part of the TENs programme.

The Federal Trust group sees a primary challenge for European infrastructure industries as the improvement of the quality and extent of their services, something which is quite

crucial for the competitiveness of the European industry which depends on them, and the EU's TENs programme is viewed from this perspective. Particular problems are seen as existing in the services to industry provided in the areas of water, energy supply and information technology (including telecoms) and are especially pronounced with respect to transport. The argument runs that since the public sector has not sufficient funds to undertake the necessary investment and the private sector cannot be trusted to run its investments in keeping with ideas of public service, then a marriage between the two is the logical way to inject the public sector with entrepreneurial skill generally and to pursue the specific goal of infrastructure improvement. It is a powerful argument and one that has been accepted by the Commission, principally through the 1993 Delors Report on Growth, Competitiveness and Unemployment.

In producing their policy recommendations, the group considers some of the ways in which public-private partnerships have been used in the EU thus far ... main types of obstacles they believe to stand in the way of the more widespread adoption of public-private partnerships: political, regulatory, financial, cultural and methodological. And based on a consideration of these factors, they suggest a series of actions that might be taken to improve the scope of those partnerships. In particular, they urge the Commission immediately to establish a Task Force, with the powers of a directorate general, which would be charged with the purpose of coordinating the actions of all European institutions that are connected or potentially connected to TENs and to foster the use of public-private partnerships. They go on to argue for the eventual creation of a European Infrastructure Agency which would promote best practice, establish a methodology to ensure account is taken of the European aspects of projects, encourage new sources of finance, provide technical assistance, develop transnational infrastructure operating companies, encourage information exchange, coordinate pooling of non-commercial risk, and give independent advice to EU institutions (p.3).

This is a short book—just 99 pages—and it concentrates its efforts very much on concise descriptions of the use of public-private partnerships, on brief analysis of the obstacles they face and on suggestions for getting around them. However, even taking the book in the spirit which is intended, the authors' lack of consideration of the foundations of their arguments and especially their unequivocal embracing of the merits of public-private partnerships is rather irritating. Their advocacy of the partnerships seems to be rooted in the rather equivocal belief that "... the provision of European infrastructure cannot simply be left to market forces ..." (p.6). Any reader with the slightest doubt about the use of public-private partnerships will be nagged throughout the volume by a sneaking suspicion that the recommendations it proposes, though they might increase the use of public-private partnerships, might not provide the greatest possible improvement in infrastructure in the EU. There are other examples of the use of insufficiently clarified concepts in this

book—the concept of “public utility” crops up several times—and just a little more effort spent in firming them up would have been much appreciated.

All in all, this is quite a useful volume for anyone who is looking for a short, readable starting point from which to enter the topic of public-private partnerships in infrastructure provision. Although at a price of £15.99 [British pounds] for 99 pages, including notes, it may not be worth buying.

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Peter Chalk. West European Terrorism and Counter-Terrorism: The Evolving Dynamic. New York, St. Martin's Press, 1996, 232 pp.

Talking about an evolving dynamic of terrorism and responses of West European states implies a threefold development that 1) “terrorism” increased and posed a growing threat, 2) this upsurge forced governments and security organizations in West Europe to improve their “counter-terrorist policies,” and 3) finally pushed them towards a common security policy in the EU. Chalk’s book is an effort to reconstruct such a dynamic between “terrorist threats” and state responses.

In the first half of the book and an Appendix, Chalk seeks to demonstrate that the upsurge of terrorism “has been especially marked in the West European context” (p.2). Discussing different forms of violent crimes by politically motivated groups—from the classic left-wing Red Army Fractions of the seventies to obscure splinter groups of the 1990s, from the IRA to the new right-wing extremists throwing firebombs, from the PLO to Hamas and Hizbollah—Chalk perceives new and increasing terrorist threats for the West European nation states (Chapter 4).

The second part of the book consists of a brief history of the “EC/EU anti-terrorist cooperation” between 1970 and 1994, in which Chalk summarizes West European police cooperation from its beginning in TREVI to the Maastricht treaty. In contrast to the complex informal policemen’s club dominating cooperation before 1992, he depicts Maastricht as an efficient and coherent policy framework, one which, however, raises crucial concerns. Referring to civil rights, rule of law and state authority as the key principles which should guide liberal states in their responses to terrorism, the author comes to the conclusion that “the Maastricht third pillar represents a positive operational development in the fight against terrorism.” At the same time, Maastricht expanded EU internal security policy “to the point where it now exists in the absence of any formal means of constitutional control” (p.167).

It is to the author’s credit that he is concerned about the lack of democratic accountability. Human rights groups and the British newsletter “Statewatch” had criticized the often secretive intergovernmental cooperation under the auspices of the Council of Ministers for a long time and with greater accuracy than this book shows. His remarks are only a faint

and abstract critique, since Chalk hardly manages to describe the evolving dynamic between terrorism and state response in an empirically and analytically sufficient way. Empirically he simply assumes that the multitude of violent actions of the IRA, Algerian fundamentalists or skinheads not only poses a common “terrorist threat” to the West European states, but that a concentration of terrorist violence in Western Europe took place in the last decades. The growing threat on the other hand gave rise to a progressive “collective anti-terrorist cooperation within the EU/EC” (p. 166).

What in fact is on the rise—violent “terrorist crimes” or only the agreement of policy makers on a common West European terrorist threat—is not clear. This critical empirical question can not be answered by extensive description of different terrorist groups and dubious statistics of “terrorist events” (Appendix). What is defined as a “terrorist act,” Chalk correctly notes, is to a large degree an “issue of perception” (p.117) or, more precisely, different normative and political assessments of concrete events. Two decades ago at least, the perception of violent political groups still differed considerably among the EC member states (France and Germany towards the German RAF or France and Spain towards the Basque ETA, for instance).

Whatever is on the rise empirically does not automatically explain the convergent perception of a “common terrorist threat” in West European states. The fact that in the 1990s West European states have a convergent assessment of “terrorist threats” and consequently agree on joint actions has presumably less to do with new challenges than Chalk says. It is, first of all, the consequence of the EU institutional framework for “cooperation on Justice and home affair matters.” The development from the informal TREVI cooperation towards Maastricht and Amsterdam can not be interpreted as a simple organizational response to West European terrorism. On the contrary, many police officers dealing with terrorism prefer policemen clubs which include the U.S. as a crucial player and grant intelligence experts a secret and informal setting.

Compared with these informal networks of cooperation, Maastricht and Amsterdam at least shed some light on the problem of democratic accountability. For this reason, Chalk’s critique of the “new ‘post-contractual’ governmentalism” does not go far enough (p.167). To be sure, the classic liberal assumptions of constitutional authority are at stake. However, the ideal-typical principles of democratic accountability in nation states, which Chalk uses as a point of reference, have already been eroded by the sovereign nation states in their efforts to expand and develop new forms of inter-governmental cooperation. This happened before any cooperation was formally institutionalized in the Maastricht and Amsterdam treaties. Chalk posed crucial questions in his book, but his framework of analysis does not allow him to discuss and analyze them in a convincing way.

Albrecht Funk
University of Pittsburgh

An Open Letter to the Members of ECSA USA . . .

As a "senior citizen" of European integration/European Union studies in North America, a founding member of ECSA, and its first chair, I'm writing to our membership to announce our year-long celebration of the completion of our first decade (1988-1997) as a scholarly association devoted to the field of European integration studies. Joining me on the Tenth Anniversary Committee are Pierre-Henri Laurent, another founding member of ECSA, chair in 1992-93 and newly appointed vice chair, and Valerie Staats, ECSA's administrative director.

Why should we celebrate? First, we've come a long way since 1988. As I started writing this letter, the Fall 1997 *ECSA Review* and the 1996-97 Annual Report outlining ECSA's many activities arrived in my mail. Reading them, I reflected on a November 1987 dinner at a hotel in Georgetown where the Council for European Studies (now our sister organization) was holding the Sixth Conference of Europeanists. During that dinner, inspired by Roy Ginsberg and attended by scholars including Pierre and myself, Donald Puchala, Desmond Dinan, and Leon Hurwitz, the ECSA endeavor we are now celebrating was set in motion. Some months later we established ourselves formally by drawing up a constitution (on Roy Ginsberg's balcony in Washington) and making ourselves legal. We wanted to organize some activities such as a newsletter and a conference, make ourselves known, and of course, raise some funds. The Ford Foundation, the German Marshall Fund of the United States, and the Delegation of the European Commission in Washington responded generously, and we got to work.

Where do we stand now? Paid membership stands at about 1,000. We have held five biennial international conferences, the latest of which in Seattle this year drew almost 500 people and lasted four tightly packed days. Our US-EU Relations Project, launched in 1992, has resulted in the publication of three important monographs (by Catherine McArdle Kelleher, Miles Kahler, and, most recently, David Vogel). Our interesting newsletter has evolved into the *ECSA Review* with substantive articles, book reviews by scholars in the field, and the usual kind of news about conferences, grants, fellowships, academic programs, and publications. The fourth volume (edited by Pierre-Henri Laurent and Marc Maresceau) in our State of the European Union series has just been released by Lynne Rienner Publishers (whose European list now contains the names of many of our ECSA members), following three other valuable volumes which, starting in 1991, have been collecting important scholarship on what is now the European Union. We have awarded graduate student fellowships for study at various institutions in Europe as well as curriculum development grants for courses covering the European Union taught at colleges and universities in the United States. Most importantly, since 1993 we have had permanent headquarters at the University of Pittsburgh (courtesy of their University Center for International Studies), a full-time administrative director, and since 1996, our own World Wide Web site and an electronic mail List Server.

We have accomplished much in a decade in building the organization. To celebrate our successes and to help the Executive Committee plan for the future, this year ECSA will be surveying the membership about the organization (via the *ECSA Review*). We will be publishing an organizational history, based on interviews with the founders, in the next issue of the *ECSA Review*. And now, as a fully established, non-profit organization, we will be turning to you, the members, and to other funders for support to build ECSA's new Lifetime Membership campaign and its new Scholarship Fund—so that ECSA can offer its own student fellowships and support student travel to our biennial conference, among other things. All advice and offers of help are most welcome. We look forward to hearing from you about ECSA and hope that you join with us this year as we acknowledge the success of our first decade and begin on the next.

**Glenda G. Rosenthal
Columbia University**

Publications

Journal of Common Market Studies

The *JCMS* wants to increase the number of American review contributors. Interested scholars please supply *JCMS* with the following information: 1) your name, position, institutional affiliation, and address; 2) the subjects that you wish to review books on; and 3) the languages that you are able to review the books in. The information should be sent to Brian Ardy and Jackie Gower, Review Editors, *JCMS*, c/o UACES Secretariat, King's College, Strand, London, WC2R 2LS, UK; or by e-mail to <Brian.Ardy@tvu.ac.uk>.

Government and Policy

This 15-year-old journal is expanding publication to six issues per year with a larger editorial board. ECSA member Andrew Jordan, Senior Research Associate at the Centre for Social and Economic Research on the Global Environment (CSERGE), is responsible for covering environmental policy and the emerging agenda of sustainable development. He seeks manuscripts which examine European central/local government relations in the context of supranational governance structures, explore the relationship between European integration and public policy development in EU activity, or make country comparisons. Contact Dr. Andrew Jordan, CSERGE, School of Environmental Sciences, University of East Anglia, Norwich, NR4 7TJ, UK; e-mail <a.jordan@uea.ac.uk> or visit <<http://www.pion.co.uk/ep>>.

The European Studies Journal

The European Studies Journal (ESJ) is a refereed publication, devoted to the research interests of scholars of all aspects of European social, political, and cultural life, past and present. The journal would like particularly to foster interdisciplinary work. Formal proposals for special issues on specific topics are welcome. *ESJ* does not publish unsolicited book reviews. All correspondence and manuscripts should be sent to the *ESJ*, Department of Political Science, University of Northern Iowa, Cedar Falls, IA 50614; fax 319 273 7108; e-mail editors Matthias Kaelberer at <kaelberer@uni.edu> or Michelle Mattson at <mmattson@istate.edu>.

Harvard Jean Monnet Working Papers

New papers available in this online series include Ari Afilalo's "How Far Francovich? Effective Judicial Protection ..." (No.1/98) and Michel Petite's "The Treaty of Amsterdam" (No.2/98). Most can be read online or downloaded. There is also a free subscription service for notification each time a new paper is posted. The Working Papers are available at <<http://www.law.harvard.edu/Programs/JeanMonnet/>>.

New Books and Monographs

- Begg, David K. *et alia* (eds.) 1998 [April]. EMU: Prospects and Challenges for the Euro. London: Centre for Economic Policy Research.
- Bénassy-Quéré, Agnès *et alia*. 1997. "The Euro and Exchange Rate Stability." Paris: CEPII. (Document de Travail No. 97-12, June).
- Bildt, Carl *et alia*. 1997. "What Global Role for the EU?" Brussels: The Philip Morris Institute for Public Policy Research. (PMI Discussion Paper, September).
- Bukowski, Jeanie J. (ed.) 1997. "Teaching the EU: Exchanging Ideas on Techniques and Methods." Peoria, IL: Bradley University Institute of International Studies.
- Egan, Michelle. 1997. "Bandwagon or Barriers? The Role of Standards in the European and American Marketplace." Pittsburgh: University of Pittsburgh Center for West European Studies. (Working Paper No. 1, November).
- Eyskens, Mark *et alia*. 1997. "How Can Europe Prevent Conflicts?" Brussels: The Philip Morris Institute for Public Policy Research. (PMI Discussion Paper, November).
- Fontagné, Lionel *et alia*. 1997. "Trade Patterns Inside the Single Market." Paris: CEPII. (Document de Travail No. 97-07, April).
- Gardner, Anthony Laurence. 1997. A New Era in US-EU Relations? The Clinton Administration and the New Transatlantic Agenda. Brookfield, VT: Ashgate.
- Geyer, Robert. 1997. The Uncertain Union: British and Norwegian Social Democrats in an Integrating Europe. Brookfield, VT: Ashgate.
- Jacquemin, Alexis and Lucio R. Pech (eds.) 1997. Europe Competing in the Global Economy: Reports of Competitiveness Advisory Group. Cheltenham, UK: Edward Elgar.
- Jovanic, Miroslav. 1998. International Economic Integration: Limits and Prospects. London, UK: Routledge.
- Krenzler, Horst Günter. 1997. "The EU and Central-East Europe: The Implications of Enlargement in Stages." Florence: European University Institute. (Policy Paper RSC 97/2).
- Maresceau, Marc. 1997. Enlarging the EU: Relations Between the EU and Central and Eastern Europe. London and New York: Addison, Wesley, Longman.
- Miles, Lee. 1997. Sweden and European Integration. Brookfield, VT: Ashgate.
- Raunio, Tapio. 1997. The European Perspective: Transnational Party Groups in the 1989-94 European Parliament. Brookfield, VT: Ashgate.
- Streeck, Wolfgang. 1998. "The Internationalization of Industrial Relations in Europe: Prospects and Problems." Madison, WI: University of Wisconsin Int'l Institute. (Working Paper Series in European Studies, 1: 1).
- Vahl, Remco E. 1997. Leadership in Disguise: The Role of the European Commission in EC Decision Making on Agriculture in the Uruguay Round. Brookfield, VT: Ashgate.

The State of the European Union, Vol. 4: Deepening and Widening

Edited by Pierre-Henri Laurent and Marc Maresceau

The struggle between those who seek a more integrated, and even a federal, Europe and those proposing a looser confederation was once again highlighted at the 1996-1997 Intergovernmental Conference, and reflected in the IGC decisions. This fourth volume in the European Community Studies Association's biennial series examines the divisions within the EU in the key areas of the common foreign and security policy, European monetary union, enlargement, and structural reform. The essays:

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Current Politics and Economics of Europe, published since 1990 by Nova Science Publishers, is now being relaunched. This scholarly journal, with four issues per year, is now fully refereed and has appointed a new Editor in Chief, and a new Editorial Board. The journal includes in its scope the entire spectrum of contemporary politics and economics of Europe, and as such is the only one of its kind published in the USA. It is biased in coverage towards the study of the European Union, although area studies papers are also welcome.

Manuscripts and editorial enquiries should be addressed to:

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Conferences

Europe at the End of the Millennium

February 25-March 1, 1998, Baltimore, MD: The eleventh international conference of the Council for European Studies, Columbia University, for social scientists and historians who are students of Europe. Possible themes include Cities and Regions; Legacies of European Empires; Gendering European Studies; and Political, Economic, and Cultural Aspects of European Integration, *inter alia*. Hotel reservations must be made by January 26, 1998. Visit the Council's Web site at <<http://www.columbia.edu/cu/ces>> or contact Council for European Studies, Columbia University, 807 International Affairs Bldg., New York, NY 10027; telephone 212 854 4172; fax 212 854 8808; e-mail <ces@columbia.edu>.

Understanding and Comparing the Main Trends Affecting Cultural Diversity in the EU and NAFTA Areas

February 26-27, 1998, London, UK: Organized by Prometheus-Europe and Goldsmith College of the University of London, this seminar focuses on the EU and North America moving ahead in linking their societies. With more complex regional integration processes arising between the EU and NAFTA, and diversity issues increasing, the importance of understanding and comparing the main trends affecting cultural diversity on both sides of the Atlantic is evident. Contact Prometheus-Europe, 4, rue de Berite, F-75006 Paris; telephone 33 1 42 22 88 61; facsimile 33 1 42 84 12 30; e-mail <centre@prom.org>.

Enlargement of the European Union

April 2-4, 1998, Manchester, UK: The UK Association of European Officers sponsors this conference focusing on the enlargement of the European Union and its impact on European programs. Likely themes to be examined are considerations of enlargement vis-à-vis Framework V; SOCRATES; regional funding; the role of national/regional organizations of European officers; and international EU programs. Contact the University of Liverpool, 150 Mt. Pleasant, Liverpool L69 3GD, UK; tel. 44 151 794 5832; facsimile 44 151 794 2060; e-mail <kgriff@liverpool.ac.uk>; or visit <<http://www.liv.ac.uk/~kgriff/eurweb.html>>.

Luxembourg Presidency

April 3-4, 1998, Luxembourg: The University of Sheffield Centre for Luxembourg Studies and Department of Politics are sponsoring this conference on Luxembourg's EU Presidency and any aspect of Luxembourg's languages and culture. For more information contact UACES via e-mail at <uaces@compuserve.com>.

Frozen in Time? American Communities and the Construction of American Images of Europe

May 1-2, 1998, Michigan: Sponsored by the Center for Western European Studies at Kalamazoo College, Michigan, this conference presents, in both film and workshops, experiences of European immigrant populations and how these experiences shaped American perceptions of Europe. Speakers include Kathleen Conzen, Peter Bondanella, Fintan O'Toole, and Geoffrey Reynolds. Contact the Center for Western European Studies, Kalamazoo College, 1200 Academy Street, Kalamazoo, MI 49006; telephone 616 337 7329; facsimile 616 337 7251; e-mail <cfwes@kzoo.edu>.

The Fuzzy Edges of Community

May 29-31, 1998, University of Ottawa, Ontario, Canada: ECSA Canada's third annual meeting will explore the emergence of regional systems in Europe and North and South America. Topics may include the emergence of regional systems; institutional forms; the degree to which regional systems reshape political identities; the extent to which regional systems erode, compromise, or "pool" national sovereignty; the degree to which regional systems alter or reshape political processes; and the effect of regional systems on commerce. Contact Peter Leslie, Dept. of Political Studies, Queen's University, Kingston, Ontario K7L 3N6, Canada; e-mail <lesliep@qsilver.queensu.ca> or David Long, School of International Affairs, Carleton University, 1125 Colonel By Drive, Ottawa, Ontario K1S 5B6, Canada; e-mail <dlong@ccs.carleton.ca>, or Steven Wolinetz, Dept. of Political Science, Memorial University, St. John's, Newfoundland A1B 3X9, Canada; e-mail <ecsac@morgan.ucs.mun.ca>.

From Pragmatic Solution to Global Structure

July 16-19, 1998, Münster, Germany: The European Peace Research Association (EuPRA) and several other institutions are organizing this conference centered on the legal legacy of Westphalia and Europe before and after 1648. Workshop topics include The Westphalian System; International Law: From Grotius to European Community Law; The Monetary Structures of Europe; *inter alia*. Contact the Department of Political Science, University of Twente, P.O. Box 217, 7500 AE Enschede, The Netherlands; facsimile 31 53 489 4734; e-mail <j.h.dewilde@bsk.utwente.nl>.

The Single Currency

September 1998, Brussels, Belgium: Organized by the ECSA Secretariat (DG-X), European Commission, this international conference will investigate the institutional, economic and international aspects of the single currency. Contact the ECSA Secretariat, 67, rue de Trèves, B-1040 Bruxelles, Belgium; telephone 32 2 230 5472; fax 32 2 230 5608; or e-mail <ecsa@pophost.eunet.be>.

Calls for Papers

The **Sixth International Congress of the Economic Society of Thessaloniki** will be held May 28-30, 1998, in Thessaloniki, Greece. The objective of the Congress is to discuss the impacts and consequences of the European Common Currency on economy and society. Theoretical and empirical submissions dealing with the following topics will be considered: macroeconomic policy (monetary and fiscal); financial markets and banking sector; employment and unemployment; international trade (intra- and extra-EU); private firms strategies and policies; social implications of the common currency; regional development; and multinational enterprises. The deadline for abstract and three copies of the paper is February 28, 1998. Contact Nikos Varsakelis, Aristotelian University of Thessaloniki, Department of Economics, P. O. Box 184, 54006 Thessaloniki, Greece; telephone 31 996 425; facsimile 31 996 426; e-mail <barsak@vergina.eng.auth.gr>.

The **Aberystwyth PostInternational Group (APIG)** is organizing its second conference "*Linking Theory and Practice: Issues in the Politics of Identity*," on September 9-11, 1998, in Aberystwyth, UK, and calls for papers. Themes include gender; security; nationalism; language; social movements; political geography; and narratives of identity. Confirmed speakers include Cynthia Enloe, Ernesto Laclau, David Campbell, and Eleonore Koffman. A 600-word proposal including name, contact address (with e-mail if available), and institutional affiliation is needed to submit a paper. Contact APIG, Dept. of International Politics, University of Wales, Aberystwyth, SY23 3DA, Wales, UK; telephone 44 1970 623 111 Ext. 4066 or 4067; facsimile 44 1970 622 709; or e-mail <apig@aber.ac.uk>.

The **European Union Politics Group of the American Political Science Association** invites proposals for papers for the September 3-6, 1998 annual APSA meeting. Recommended are papers that bridge two or more subfields in EU political studies or link the domestic politics of a member state with those of the EU. Suggested proposal topics: the intersection of domestic politics and decision making in the Council of Ministers; a study of European parliamentary elections in the context of national electoral politics; the interplay of the European Court of Justice and national courts; and the consequences of European developments for domestic politics in member states. Contact Karl Kaltenthaler, Dept. of International Studies, Rhodes College, Memphis, TN 38112; telephone 901 843 3630; facsimile 901 843 3371; e-mail <kaltenthaler@rhodes.edu>; or Christopher Anderson, Dept. of Political Science, State University of New York, Binghamton, NY 13902; telephone 607 777 2462; facsimile 607 777 2675; e-mail <canders@binghamton.edu>; or visit <http://www.uh.edu/~mfrank12/Call_for_papers.html>.

Grants and Fellowships

1999-2000 Fulbright Awards for U.S. Faculty and Professionals provide opportunities for lecturing or advanced research in over 125 countries are available to college and university faculty and professionals outside academe. U.S. citizenship and the Ph.D. or comparable professional qualifications required. For lecturing awards, university or college teaching experience is expected. Foreign language skills are needed for some countries, but most lecturing assignments are in English. Deadlines are: May 1, 1998, for distinguished Fulbright chairs in Western Europe and Canada; August 1, 1998, for lecturing and research grants in academic year 1999-2000; and November 1, 1998, for international education and academic administrator seminars. Contact the USIA Fulbright Senior Scholar Program, Council for International Exchange of Scholars, 3007 Tilden Street, NW, Suite 5L, Box GNEWS, Washington, DC 20008; telephone 202 686 7877; e-mail <apprequest@cies.iie.org> (requests for application materials only); or visit <<http://www.cies.org>>.

The **European Forum** of the European University Institute offers a number of **European Forum Fellowships** for the 1998-99 academic year for junior and senior scholars. Applicants should hold the doctorate degree by September 1998 and submit a research project which fits into the Forum's current research project (topic changes each year). The fellowships are full-time and require the fellows to reside in Florence; fellows should not have academic activities in another university or research center while holding the Forum fellowship. Preference will be given to applicants with a project leading to the publication of a book. Application deadline is July 30, 1998. For more information, contact The European Forum, European University Institute, Villa Schifanoia, Via Boccaccio 121, I-50133, Florence, Italy; fax 39 55 4685 575; e-mail <forinfo@datacomm.iue.it>; or visit the Web site <<http://www.iue.it>>.

Albert Gallatin Fellowships are available to U.S. citizen doctoral students whose dissertation research involves some aspect of international studies and who can spend the 1998-99 academic year at the Geneva Institute in Switzerland. Fellows must have a working proficiency in French and will receive a stipend plus round-trip travel between New York and Geneva. Application deadline is March 1, 1998. Address inquiries to the Albert Gallatin Fellowship, International Studies Office, 208 Minor Hall, University of Virginia, Charlottesville, VA 22903; telephone 804 982 3010; fax 804 982 3011.

Contingent on available funding, the **European Community Studies Association** will offer up to four **Curriculum Development Grants** for development of EU-related courses taught at U.S. institutions in 1998-99. Please see page 20 (the next page) in this *ECSA Review* for full application details.

Faculty Curriculum Development Grants Annual ECSA Competition

Contingent on funding approval, the European Community Studies Association of the United States (ECSA) will award a maximum of four grants of up to \$3,000 each for the development and teaching of a course relevant to the European Union during academic year 1998-99. These grants will fund the development of new courses or the augmentation of existing courses with additional material on the European Union. Courses must be taught in the United States and applicants must be current members of ECSA. The grants are funded by the Delegation of the European Commission in Washington, D.C. NB: Funds are awarded to the grantee's sponsoring department or division, not the individual grantee. The curriculum development grants are intended to provide resources that will have a sustained impact upon EU-related instruction at the recipient institutions.

Application deadline: April 15, 1998.

Where to send materials: European Community Studies Association
University of Pittsburgh
405 Bellefield Hall
Pittsburgh, PA 15260

What to send: Applicants must send four sets (photocopies acceptable) of each collated in the following order:

1. Letter of transmittal addressed to "Selection Committee."
2. Applicant's curriculum vita (short form acceptable).
3. One-page letter of support from sponsoring department, division or institution, verifying that a grants or budgetary officer from the same will receive the funds.
4. Course description which includes:
 - a) Title and level of the course.
 - b) Nature of the department, division, or school in which the course will be offered.
 - c) Dates during which the course will be offered.
 - d) Description of the course and its relevance to the existing or the proposed degree program(s).
 - e) Course syllabus (proposed, if new course, or actual, if augmenting an existing course).
5. Grant budget, including an itemized description of the ways in which the funds will be used.

Please note the following guidelines and constraints regarding the use of the grant funds:

1. Proposals may include a request of payment toward release time to provide instructors the opportunity to engage in course development, as well as requests for support of student research assistance.
2. Proposals which include the use any of the following in course design are encouraged: the Internet and World Wide Web, distance learning, CD-Roms, on-line data retrieval, production of video materials, interactive satellite communication, or other forms of electronic technology.
3. Acquisition of journal subscriptions will be considered only if the recipient institution pledges to maintain the subscription(s) beyond the term of the grant. Travel expenses or honoraria for guest speakers will be considered only if essential to the proposed course. Absolutely no overhead costs can be paid for by these grants.

World Wide Web Sites

The following annotated list highlights new or newly-discovered World Wide Web sites of interest to EU scholars. NB: All Web site addresses must be preceded by **http://** which has been omitted here for the sake of brevity.

<www.ecb.int> The European Monetary Institute recently (January 1998) launched its own Web site of the same name, and it is a must-visit for EU scholars following the move to a single currency. It includes draft illustrations of the new *euro* currency in all its denominations, substantive texts such as Article 109f of the Treaty which establishes economic and monetary policy, and links to all the Web sites of EU central banks. Also, click on the site's section, "Changeover," to find a highly valuable list of dozens of links to "Web pages on preparations for the changeover to the single currency."

<www.fredonia.edu/department/polisci/eu.htm> is a long URL well worth typing and bookmarking for instructors seeking information on European Union simulation activities. Developed by ECSA member William Muller at the State University of New York at Brockport, the "Eurosims" model EU takes place annually, alternating between Brockport and Europe. The Eurosims Web site includes many useful links to other EU-related sites, including a link to the site of the newer Midwest Model EU at <www.iupui.edu/~modeleu>. This annual EU simulation, developed by ECSA member John McCormick, brings to Indianapolis college students from more than a dozen institutions in the Midwest.

<www.jmission-eu.be> is the official site of the Japanese Mission to the EU, of interest to scholars of EU-Asia or EU-Japan relations. This well-developed site has sections on Japan-EU relations, political dialogue, and cooperative projects, as well as links to Japanese government sites, including those of Japanese embassies in Europe. It has detailed sections with substantive texts from diplomatic events such as the 6th Japan-EU Summit at The Hague (June 1997).

<www.europa.eu.int> "Europa" is the official server and multilingual Web site of the European Union. The Council, the Commission, the Parliament and the Courts post their news here, along with a wealth of EU information from a basic primer to official publications to a chat room on the Amsterdam Treaty. This site is so complete and important for EU scholars that it will be mentioned in every *ECSA Review*.

<www.eurunion.org> "The European Union in the US" is the site of the EU's representation in the United States, including the Delegations in Washington and New York. The site includes a comprehensive alphabetical list of all the Web sites of the EU's institutions and agencies, indexed by subject. Go straight to it at <www.eurunion.org/infores/euindex.htm>.

Academic Programs

The following is a partial list of EU-related academic programs. Please contact each program directly for information on instructional staff, accreditation, courses, policies, fees and application materials and deadlines.

Limerick Summer School in European Integration, July 2-16, 1998. The Summer School is fully accredited by the University of Washington and focusses on contemporary issues in European integration, with emphasis on the Irish perspective. Participants will be drawn from Europe and North America. The European focus of the program will be directly linked to exploration of the historical, cultural, social and economic diversity of Ireland's west coast as a 'peripheral' region in the EU. Contact the Director, Centre for European Studies, University of Limerick, Limerick, Ireland; telephone 353 61 202 202; facsimile 353 61 202 991; or e-mail <edward.moxon-browne@ul.ie>. The Web site address is <<http://www.angelfire.com/me/moxonbrowne/Summerschool.html>>.

University of Oxford Summer Programme in History, Politics and Society, July 5-25, 1998. This intensive program of university-level study is suitable for graduate students, secondary or college teachers, or senior-level undergraduates. It offers courses in the history, politics and society of Britain and Europe, including the evolution of the European Union. Contact the University of Oxford Department for Continuing Education, 1 Wellington Square, Oxford OX1 2JA, UK; telephone 44 1865 270 374; facsimile 44 1865 270 314; or e-mail <charles.watson@conted.ox.ac.uk>.

International Workshop, "Roots of Conflicts in the Black Sea Area," August 24-31, 1998, Mangalia, Romania. For civil servants, students and scholars in international studies, contemporary history and international law. The workshop will examine comparative and case studies of conflicts in the Black Sea region and southeastern Europe. Contact Dr. Colette Mazzucelli, The Black Sea University Foundation, 1864 74th Street, Brooklyn, NY 11204; telephone 718 234 0143; e-mail <colettegrace@earthlink.net>.

Master of European Studies, College of Europe, Brugge, Belgium. The College of Europe annually admits 320 university graduates in the social sciences from 30 nations to pursue a one-year Master of European Studies degree. This post-graduate program is taught in English and French and is built around the four departments of economics, human resources development, law, and political and administrative studies, with a required program in European interdisciplinary studies. Contact the College of Europe Admissions Office, Dijver 11, B-8000 Brugge, Belgium; telephone 32 50 449 911; facsimile 32 50 449 900; Web site <<http://www.coleurop.be>>.

ECSA Fellow

Michael Julian, 1997-98 ECSA Fellow at the Université Libre de Bruxelles, is pursuing a master's degree in European law. He writes that the program is "clearly more adapted to someone who already has a J.D.," and that "the professors at the Institute [of European Studies] are for the most part practicing attorneys or EU (Commission) employees. This gives the classes a more practical slant. I am learning quite a bit about European law and am slowly mastering French legal jargon." Mr. Julian is a 1997 graduate of the West Virginia University College of Law where he majored in transnational, commercial, and intellectual property law.

ECSA List Server

The **ECSA List Server** was launched in 1996 to be a forum for discussion, debate and information sharing among ECSA USA members. Currently 220 Association members in the U.S. and Europe have subscribed to the list, which is also used occasionally as an information dissemination resource by the ECSA Administrative Office. The list gets low to moderate usage, and is open to current ECSA USA members who choose to subscribe to it.

To subscribe, send an e-mail message to ECSA at <ecsa+@pitt.edu> with only this one-line message in the text area: <subscribe ecsa@list.pitt.edu>. Be sure to send the message to the e-mail address given above rather than to the entire list. Include no extra spaces, punctuation, or signature. It will take several days to process the request and you will receive a welcome message from the University of Pittsburgh's Majordomo when you are on the List.

1999 Sixth Biennial Conference

The 1999 Sixth Biennial Conference will be held June 2-5, 1999 in Pittsburgh, Pennsylvania at the Westin William Penn Hotel. The conference runs from Wednesday morning through Saturday afternoon, a change from previous ECSA conference schedules. Local host for the conference will be the Center for West European Studies at the University of Pittsburgh, Alberta Sbragia, Director. The call for paper and panel proposals will go out in April 1998 and will appear in the next *ECSA Review* and on the ECSA Web site. The 1999 Conference Program Chair is Professor Paulette Kurzer, University of Arizona. For more detailed announcements and information about Pittsburgh and its region, visit <<http://www.pitt.edu/~ecsa101>>.

ECSA members and others wishing to order copies of papers from the 1997 Fifth Biennial International Conference can find the abstracts on line at <<http://www.pitt.edu/~ecsa101/abs97.html>>. Papers cost \$4 US each to cover copying and first class postage charges. Please note that payment by check, MasterCard or Visa must accompany paper orders and that we cannot fulfill orders for copies of more than 25 papers.

Address Changes

Please notify the ECSA administrative office of any address change as soon as possible, preferably at least six weeks in advance. This will help ensure that you do not miss any publications or other mailings sent to members. Send address changes to e-mail <ecsa+@pitt.edu> or fax to 412 648 1168.

Membership Directory

The ECSA membership directory will be published later this year; members will receive proof sheets and have the opportunity to verify the information in their entries. Those whose memberships are current will be included in the directory (renewal notices are sent out quarterly, in March, June, September, and December). If unsure of the status of your membership, please check the date in the upper right corner of your address label; this is the last date on which you paid dues.

Annual dues include three issues of the *ECSA Review*, the opportunity to participate in the ECSA List Server, any monographs published during the period of your membership, discounted registration fee at the Biennial Conference, and the conference program or the membership directory (offered in alternating years). Your membership also helps to support the development of scholarship on European integration.

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ECSA would like to thank members DONALD J. SWANZ and JOAN S. WARD, who made donations to ECSA above and beyond their membership dues when they renewed during the last quarter. Such gifts are tax-deductible for U.S. citizens and donors will receive a receipt for gifts over \$10 (ten dollars).

Euristote: University Research on European Integration

Euristote is the primary archive of university research on European integration, with over 22,000 references to research now being conducted in over 350 universities throughout the world. ECSA members are encouraged to complete a research survey form on-line and return it by e-mail via ECSA's Web site by visiting <<http://www.pitt.edu/~ecsa101/eurisform>>.

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ECSA Review (ISSN 1090-5758) is published three times yearly by the European Community Studies Association of the United States, a membership association and non-profit organization devoted to the exchange of information and ideas about the European Union. We welcome scholarly, EU-related manuscripts. Subscription to the *ECSA Review* is a benefit of Association membership.

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