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# **EUSA REVIEW**

## ***EUSA Review Forum***

### **Progressive Europe?**

#### **Gender and Non-Discrimination in the EU**

THE ISSUE OF EQUAL RIGHTS between women and men—at least in the workplace—has long been one of the most prominent examples of “positive integration” in the European Union, and arguably the most far-reaching element of EU social policy. In recent years, the EU’s traditional emphasis on sex equality in the workplace has been supplemented by a commitment to the “mainstreaming” of gender issues, the upgrading of sexual equality as a common objective in the Treaties, and the insertion of a new Treaty provision relating to the principle of non-discrimination more generally. These and other developments have led some authors to present the EU as a “progressive polity” in its commitment to gender equality and non-discrimination.

In this Forum, four authors assess this claim of a “progressive Europe,” focusing on the evolution of EU gender policy (Sonia Mazey, Jo Shaw, R. Amy Elman) and the development of a broader policy regarding non-discrimination on the basis of factors such as race, age, and sexual orientation (Mark Bell). Taken together, the essays reveal the impressive legal and constitutional foundations of EU gender and non-discrimination policies, as well as the significant weaknesses of EU policy practice, the problematic relationship between gender and other grounds for discrimination such as race and age, and the difficulty of measuring what constitutes “progress” in the first place.

—*Forum Editor*

#### **The Development of EU Gender Policies:**

#### **Toward the Recognition of Difference**

**Sonia Mazey**

IN THE PAST DECADE, A new phase of EU gender policy, linked to the concept of “gender mainstreaming,” has gained rapid ascendancy within the EU. The 1997 Amsterdam Treaty marked an important turning point in this development. The revised Treaty elevated the status of gender equality to a “fundamental principle” of Community activity, enshrined the principle of gender mainstreaming into the Treaty, and widened the range of positive action measures which may be adopted in order to benefit the disadvantaged sex in the field of employment. In addition, sex was incorporated into a new general non-discrimination clause (Article 13), establishing a legal basis for EU measures to combat

discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. This constitutional embedding of gender equality into the Amsterdam Treaty undoubtedly represented an important victory for European feminists (Helfferrich and Kolb 2001; Mazey 2001). The key question, however, is “whether this exercise will *matter*—whether it will actually influence policy outcomes in the member-states” (Pollack and Hafner-Burton 2000: 445). Five years on from the adoption of the Amsterdam Treaty, EU scholars have begun to examine the evidence.

Gender mainstreaming represents the latest stage in the incremental “broadening” of EU gender policies. In contrast to earlier “equal treatment” and “positive action” EU equality strategies, which, respectively, treated women the same as men and helped women adjust to the (gender blind) male norm, mainstreaming is based upon the recognition of gender differences between men and women. Thus, for EU policy makers, mainstreaming “involves not restricting efforts to promote equality to the implementation of specific measures to help women, but mobilizing all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effect on the respective situations of men and women” (Commission of the European Communities, 2000: 5). In a broad sense, mainstreaming is a transversal and long-term political strategy for achieving gender equality by “engendering” the policy-making process. More narrowly conceived, it is a method of policy-making, which requires the adoption of particular policy-making instruments and procedures. In particular, gender mainstreaming has necessitated the introduction at the EU level of “soft” (i.e., legally non-binding) policy instruments, such as the collection of sex disaggregated data, gender impact assessments, benchmarking, national league tables, and gender auditing of EU programmes.

It is important to stress that within the EU, mainstreaming is intended to complement, not replace, positive action measures for women and equal treatment legislation. Thus, the Community Framework Strategy on Gender Equality (2001-2005) brings together all the different EU initiatives and programmes designed to promote gender equality with an across-the-board mainstreaming approach. The positive action program associated with the Framework Strategy (to which €50 million has been allocated) focuses upon five objectives, which provide the frame of reference for policy development, and to which all EU gender equality initiatives are now linked: equality (*continued on p.3*)

***Information and Ideas on the European Union***

## EUSA Review

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This issue of the *EUSA Review* features a Special Pull-Out Section on EU-Related Organizations (included as an insert).

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## From the Chair

### Martin A. Schain

AS THIS GOES TO PRESS, the EU summit in Seville is drawing to a close. The dramatic breakthrough of Jean-Marie LePen in the French presidential elections in April provided an impetus for a focus on immigration and asylum policy. The discussions on a common immigration policy, and the ultimate agreement to enhance joint consultations among border police and further harmonize asylum requirements, are a clear indication of how little progress has been made in this area, despite Schengen. This focus was also a reminder of the agenda-setting capacity of the extreme right, even when it loses in the electoral arena.

We are very pleased to announce the relaunching of our U.S.-EU Relations Project, thanks to the support of several generous partners. For this Project, the EUSA Executive Committee identifies an important, current topic in U.S.-EU affairs and commissions an internationally known scholar to write on it. Long-time EUSA members will remember our previous U.S.-EU Relations Projects, which resulted in monographs by Catherine McArdle Kelleher on security relations (1993), Miles Kahler on economic relations (1995), David Vogel on trade regulation (1997), and most recently, Randall Henning and Pier Carlo Padoan on transatlantic perspectives on the euro (2000). Now, in recognition of the changed nature of security relations that resulted from September 11th, we have identified "the new security relationship" as our topic, and Elizabeth Pond as our Project Scholar. Pond has written extensively on security issues and the EU and is an editor of the journal, *Internationale Politik: Transatlantic Edition*.

Several important institutions have made invaluable contributions to this project: The German Marshall Fund of the United States, through a generous grant; Brookings Institution Press, which will once again publish the monograph for us, and the Center for Strategic and International Studies in Washington, DC, which will host the Project workshop in January 2003, when Pond will present the first version of her work. We thank EUSA member Simon Serfaty, Director of CSIS's Europe Program, for making that possible. Pond will present her work again at the EUSA Conference in Nashville, and Brookings will release the Project monograph in Fall 2003. Current EUSA members will receive a complimentary copy of the monograph from us at that time. The EUSA Executive Committee believes that this project is important as part of our commitment to encouraging work on U.S.-EU relations, in addition to providing a forum for the new work of our members.

Plans for EUSA Nashville are proceeding apace (the call for paper and panel proposals is posted on our Web site in PDF format). Please help us circulate the call not only in your department or institution, but to other groups or organizations to which you belong. We hope for a broad representation of fields, disciplines, and perspectives among the proposals, from those scholars who study specific EU member states to those who investigate broad theoretical questions. We also welcome participation of advanced graduate students, and we hope that our members will speak to their students and encourage them to submit paper proposals. In addition, we welcome proposals (*continued on p.22*)

(continued from p.1) in economic life (labour market policies); equal representation and participation in decision-making (parity democracy); equality in social life (social protection, health); equality in civil life (human rights, gender-related violence, trafficking), and changing gender roles and overcoming stereotypes (in education, culture, media). Each Commission DG is required to produce an annual work programme indicating what actions it intends to undertake towards the above objectives. Meanwhile, both the Commission and the European Women's Lobby have, wherever possible, sought to translate the gender equality principles of the Amsterdam Treaty into a legal framework. Indeed, the Commission intends to introduce a new directive later this summer, based upon Article 13, to achieve equality of women and men outside the field of employment. However, as the veteran feminist advocate and senior Commission official, Agnes Hubert acknowledged, "there is only so far we can go on this [legal] basis." Moreover, given the highly normative nature of gender equality issues, and the numerous veto points in the EU legislative process, it would in any case, be politically difficult for the Commission to "coerce" member states into further Europeanization in this policy sector. Against this backdrop, mainstreaming, characterized by soft policy instruments and "voluntary policy transfer" (Dolowitz and Marsh 2000) between member states, provides an alternative and arguably more subtle means of achieving gender equality "by stealth."

Evidence suggests that gender mainstreaming *has* provided feminist policy entrepreneurs (notably the EWL) with new opportunities to engender EU policy debates within the Commission in areas that were previously "gender blind." New areas analysed under a gender perspective include world trade and globalization, EU enlargement, fisheries, and asylum and refugee policy (Mazey, forthcoming). Gender mainstreaming policy methods have begun to penetrate the European Commission (albeit unevenly), prompting changes in policy discourse, procedures and outputs. Gender awareness training, gender impact assessments, the collection of gender desegregated data and the insertion in all calls for proposals and expressions of interest of a reference to EU gender equality policies have become increasingly routine activities within the Commission. Unsurprisingly, the impact of gender mainstreaming has been greatest in those sectors with prior experience of dealing with equal opportunities issues, notably employment, structural funds, development, education and training. Policy-makers in these sectors were already accustomed to dealing with gender issues and working with women policy stakeholders. Thus, in these services, the minimum conditions required for gender mainstreaming were (more or less) in place: understanding about the gender problematic, appropriate methodological tools; and inclusion of women's interests in the policy-making process. By contrast, in other "gender blind" sectors such as internal market, competition policy, trade, energy and transport, mainstreaming has thus far made less headway (Pollack and Hafner-Burton 2000; Mazey 2001). Significantly, these are also sectors in which women have historically been less well represented in the decision-making process. Just as in the 1970s and 1980s, feminist

advocates within the policy-making process have been influential in achieving this latest expansion of EU gender policies.

Gender mainstreaming has presented European feminists with both new opportunities and new strategic dilemmas. On the one hand, mainstreaming has "legitimized" the EWL within the EU policy-making process. The Lobby has been increasingly active in new policy areas such as globalization and trade, EU enlargement and EU Treaty and institutional reform. Given the continuing under-representation of women and lack of gender expertise in the EU institutions, the EWL has become an influential source of women's representation within the EU decision-making process. The problem is that the EWL (with just eleven full-time staff and meagre funds) currently lacks sufficient resources to deliver this ambitious agenda.

There is also scepticism within the Lobby regarding the likely benefits for women of mainstreaming. Though European feminists acknowledge the transformative potential of such a strategy, many doubt whether there exists either the political commitment or institutional capacity required to implement this strategy within a multi-level polity such as the EU. Given that national governments remain primarily responsible for interpreting and implementing EU policies, there are grounds for such fears. The introduction of so-called "family-friendly" employment, for instance, has in some member states been pursued primarily from the employers' side, resulting in the introduction of increasingly unpredictable, rather than shorter, working hours. More recently, it is extremely revealing that gender issues have not yet featured in the ongoing debates about how European governance structures might be democratised—an omission which suggests that gender mainstreaming has yet to become culturally and institutionally embedded in the EU broadly defined. In view of these uncertainties, the EWL remains committed to grounding gender equality in law.

Lastly, many women fear that the privileged status of women's rights within the context of EU social policies may also be jeopardised by the increased emphasis upon mainstreaming. The Amsterdam Treaty established a broad human rights framework which commits the EU to combating various forms of discrimination. This development has highlighted the need for European women to think more systematically about the relationship between *gender* mainstreaming and the more inclusive strategy of *equality* mainstreaming. Thus far, the EWL has been reluctant to embrace a broader definition of "equal opportunities" beyond gender issues and has remained passive towards elderly and disability mainstreaming initiatives. The reluctance of the Lobby to embrace equality mainstreaming is perhaps understandable given the present fragility of EU gender equality policies. Whilst equality mainstreaming may ultimately be a more effective means of incorporating "difference" into EU policies, there is a fear that the greater effort on race, disability, religion, etc. might come at the expense of gender.

*Sonia Mazey is Faculty Lecturer in Politics and Tutorial Fellow at Hertford College, Oxford University.*

*(Forum continued on p.4)*

## Gender Mainstreaming and the EU Constitution

Jo Shaw

GENDER MAINSTREAMING HAS BECOME the buzz word of EU gender policy since the mid 1990s. Its proponents argue it has greater capacity to deliver socio-economic equity for all members of society, by requiring the thorough scrutiny of every aspect of policy-making, from inception to implementation. Its detractors argue that it is rarely more than formulaic window dressing, and that it could undermine the existing legally binding framework of sex discrimination law. For the purposes of this essay, I shall go with the proponents rather than the detractors. Taking an initially optimistic point of view, I examine the extent to which the gender-receptiveness issues raised by mainstreaming both as a policy style and even—potentially—a new approach to politics are embedded in EU constitutional law and discourse.

The degree of inclusiveness of a polity at the level of constitutionalism matters. It matters whether a non-state polity such as the EU includes within its constitutional framework provisions on gender or race equality. The content, purpose and function of these provisions contribute to what Neil Walker calls the substantive and polity-defining functions of constitutionalism (Walker 2001). It is also important to know how and why these provisions came to be included in a constitutional text, as well as how they have been interpreted by influential actors such as courts, legislatures and executives. Legal feminist scholarship has been quick to recognize the double-edged nature of taking advantage of the privileged sites of struggle provided by constitutional or similar norms. On the one hand, the inclusion of a norm of equality in any constitutional text rarely “just happens” as a top-down phenomenon. On the contrary, even if constitutional norms are not always directly struggled over—especially at the supranational level where there is relatively little direct citizen access to the levers of power—new constitutional norms are still likely at the very least to be the filtered reflection of *other* struggles, ones which are perhaps more localized or less focused on reformism and legal change. To that extent, to harness the normative power of such provisions is to recognize and value the transformative potential of struggle and protest about a repressive *status quo* such as a restrictive gender regime. Yet still, the very fact of engaging with the “state” or “state power,” even in the diffused form of the EU, brings with it the risk of assimilation into that same liberal legal order and of diluting the limited critical resources of a radical feminist politics.

The constitutional dimension of the EU’s gender regime hangs by a slender historical thread: Article 119 EEC. This equal pay provision was included in the Treaty of Rome largely to prevent the risk of distortions of competition in the labour market arising because France had already enacted equal pay guarantees (Barnard 1996). Wobbe (2001) contextualizes this story by reference to the rise of a rights ideology and a rights narrative after the Second World War, not to mention the role taken by the International Labour Organization in the negotiations on the EEC Treaty (Hoskyns, 1996: 53). Until 1999, and the entry into force of the Treaty of Amsterdam, legal change in the gender rights

field was largely driven by judicial activism focused on the Treaty and a limited body of secondary legislation. It also depended upon the agency of a number of key actors. The Commission pressed for a new era of European social policy from the early 1970s and initiated sex equality legislation in the form of equal pay and equal treatment directives. The Court of Justice famously established the direct effect of Article 119 in the Defrenne (No. 2) case, and strategic litigants and their legal advisors and trades unions have helped to ensure a steady flow of cases from national courts to the Court.

As Sonia Mazey has shown above, the 1997 Treaty of Amsterdam has added the imprimatur of member state approval to these developments and embedded gender equality norms more deeply into the fabric of the EU’s constitution, including a revised Article 3(2) EC which enshrines the principle of gender mainstreaming into the Treaty, an amended Article 141 (ex 119), and the new Article 13 EC allowing the adoption of measures to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Since Amsterdam the EU fundamental rights framework has been transformed. A Convention of national representatives and representatives of the EU institutions elaborated a Fundamental Rights Charter for the EU, adopted at Nice in December 2000. Chapter III of the Charter is simply headed “Equality” and it contains a veritable “potpourri” of rights, some of a traditional justiciable and constitutional type, some of a more aspirational nature. Not all are directly concerned with gender equality, but they do raise the question of how “differences” can be melded together in a fundamental rights regime. Spread across seven articles, we find equality before the law, the prohibition of discrimination, respect for cultural, religious and linguistic diversity, a specific guarantee of equality between men and women in all spheres, and a range of children’s rights, rights of the elderly, and rights of disabled persons. The Charter is not formally binding, but it was quickly employed by Advocates General in the Court of Justice as an inspirational source of rights argument, although the Court itself has been more circumspect. Should the Charter find a place as a formal element of a “European Constitution” after the current Convention and the 2004 IGC, it will have significant effects on the nature of the Euro-polity—effects which are hard to predict with precision given the open-textured character of its provisions.

The evidence points towards an equality principle which is deeply embedded in the EU’s constitutional fabric, at least in formal terms. It also highlights the different ways the principle can operate within the constitutional order. There are straightforward guarantees of non-discrimination, legal bases for implementation of the equality principle by the institutions, and more complex and ambitious techniques to promote substantive socio-economic equality such as gender mainstreaming and positive action. This is fertile territory to argue that gender mainstreaming can be more than just a technique for policy-makers and can be instead the basis for a transformation of politics via the overall polity-generative capacity of constitutionalism.



*Editor's note: This is a list of EU-related organizations, generally independent entities, with a significant EU focus as part of their missions. Please contact them directly for further information. Inclusion here does not constitute endorsement by the European Union Studies Association. Space constraints prohibited our including every group or organization that contacted us.*

**Atlantic Council of the United States** has a Program on Transatlantic Relations that promotes dialogue on U.S.-European policy issues such as trade, the environment, and NATO, through publications, conferences, briefing tours, and public events. It also serves as the NATO liaison office in the U.S.

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**Europe 2020** is a think tank that offers seminars (such as "Transatlantic 2020") in and outside the EU, in partnership with European institutions, some EU member states, research centers, news media, and associations. Many of its activities are on-line.

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**European Community Studies Association** is a project of the European Commission developed to be an umbrella for associations of EU scholars, primarily in EU member states. It promotes the study and teaching of European integration and cooperation among its member associations. It offers technical assistance to associations and organizes a biennial conference.

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**European Institute of Public Administration** is funded in part by EU member states and the European Commission to provide high-level training for public officials in the member states and candidate countries. The goal is to help public administrators adapt to the European integration process through conferences, workshops, publications, and consultancies, in Maastricht and satellite offices in Barcelona, Luxembourg, and Milan.

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**International Atlantic Economic Society** facilitates communication among economists across the Atlantic, promotes the field of economics, and fosters the intellectual development of economists by sponsoring conferences and publishing articles for international dissemination and dialogue.

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W [europa.eu.int/comm/external\\_relations/us/intro/ct.htm](http://europa.eu.int/comm/external_relations/us/intro/ct.htm)  
W [www.eurunion.org/infores/eucenter.htm](http://www.eurunion.org/infores/eucenter.htm)

**One Europe or Several?** is a five-year research program, funded by the British Economic and Social Research Council, that examines the processes of political, security, economic, social and cultural change across Europe, examining convergence, divergence, and prospects for integration and fragmentation.

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F 44 1273 678 571 E [j.rollo@sussex.ac.uk](mailto:j.rollo@sussex.ac.uk)

**Transatlantic Business Dialogue** promotes closer trade ties between the U.S. and the EU. It is an informal process in which European and American companies and business associations develop joint trade policy recommendations, working with the European Commission and the U.S. government.

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**Transatlantic Consumer Dialogue** is a forum of 65 U.S. and EU consumer organizations which develops joint consumer policy recommendations to the U.S. government and EU in order to promote the consumer's interests; through it, EU and U.S. consumer groups have input into EU and U.S. negotiations.

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**Transatlantic Information Exchange Service**, also known as TIESWeb, uses the Internet to strengthen the transatlantic partnership by promoting dialogue on a people-to-people level. It has sections on civil society, digital libraries, education, the environment, senior citizens, work and representation, and others. The site offers a Webzine, subscription to a daily e-mail EU news digest, and much more.

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*Editor's note: Our next compilation of EU-related organizations will be published with the Summer 2003 EUSA Review (deadline June 15, 2003). Send brief details to [europa@pitt.edu](mailto:europa@pitt.edu).*

The constitutional form is unfortunately rather ahead of the constitutional practice. There is so far little evidence that mainstreaming is seeping into the case law of the Court of Justice, despite the Court's generally activist history in the promotion of gender equality. The Court's case law continues to distinguish sharply between labour market issues, where its writ runs, and those of the gendered division of labour in the household, where it does not. "Neutral" legal categories such as rights and remedies are not often open to specifically gendered reasoning. Even so, it is interesting to note the Court's increased willingness in recent judgments to engage more fully with the wider socio-economic circumstances in which gender relations in the family develop. In cases such as *Lommers* (Case C-476/99, March 19 2002), the Court has demonstrated a broader view of the complexities of strategizing for equality than some of the earlier cases, not so much because they represent a radical departure from previous maternalist analyses exemplified by the *Hoffmann* case (Case 184/83 [1984] ECR 3047) and critiqued by McGlynn (2000), but because of the greater depth of legal reasoning applied.

Feminist politics has also so far had little impact upon the mega-constitutional events such as the Convention on the Future of the Union or initiatives such as the Governance White Paper, which involve a critical reflection upon the way the EU does its business. One can point to the paucity of representation amongst the Convention's 105 members and 13 observers. In total, there are ten women from the EU member states, plus six from the accession countries. Two of the thirteen observers are women. Only two of the twelve-member Praesidium, which effectively controls much of the agenda of the Convention, are women, and none of the three-member Presidency. Yet in other respects the principles of parity democracy have seeped into the EU's portfolio of gender equality policies. The Commission adopted a decision on the gender balance of Committees and Expert Groups, with a commitment to forty percent women members, and the Council adopted a recommendation on the balanced participation of women and men in the decision-making process. The latter calls for integrated strategies on the part of the member states to address participation imbalances. The *ad hoc* manner in which members are nominated for a body such as the Convention is precisely the opposite of such an integrated strategy, and appears to be a recipe for ensuring low levels of participation, with everyone relying on everyone else—especially the Scandinavians—to ensure that women are nominated.

The proposition that policy-making operates in a gendered environment and with effects which are not wholly gender-neutral receives no attention whatsoever in the Governance White Paper of July 2001. Yet gender mainstreaming:

"does not mean simply making Community programmes or resources more accessible to women, but rather the simultaneous mobilization of legal instruments, financial resources and the Community's analytical and organizational capacities in order to introduce in all areas the desire to build balanced relationships between women and men."

This statement from the Commission (1996) clearly resonates with the grand objectives of the White Paper to "open up policy-making," to "connect the EU more closely to its citizens and

lead to more effective policies." The White Paper aims to harness five principles of good governance—openness, participation, accountability, effectiveness and coherence—in order to overcome the perceived legitimacy gap infecting the EU and its institutions. Although work on "public spheres" has begun to establish the gendered nature of such legitimacy gaps, gender is ignored in the White Paper. The focus on "better regulation through a greater diversity of policy tools and their combined use," although fleshed out in places with references to the open method of co-ordination, the role of the social partners and techniques of "co-regulation," does not extend to identifying the possible contribution to "better regulation" made by gender mainstreaming.

The White Paper is quick to deal with "powers," but slow to face head on the question of "power." Gender is primordially a power question (Shaw, 2000). To follow the gender mainstreaming project to its logical conclusion is to raise some fundamental questions about who decides who gets what, where and how. Gender mainstreaming can be an empowerment project in much the same way that the reconsideration of "governance" could potentially be empowering. Cram (2001) suggests that national conditions, including resistance to reform, will play a huge role in determining the impact of governance reforms at the domestic level. Similarly, Beveridge *et al.* (2000) chart a huge diversity of national conditions affecting gender mainstreaming and gender equality regimes. Issues of "fit" at the national level can dominate in both cases. Moreover, both governance reform and gender mainstreaming are political not technocratic projects. It is regrettable and indeed remarkable that the insights of one innovative governance project in relation to gender mainstreaming have not been brought to bear in the formulation of another broader project of reform.

The marginalization of feminist politics in the Convention and the White Paper, combined with the slow pace of adaptation on the part of the Court of Justice, makes it clear that the embedding of mainstreaming in the constitutional politics of the EU has some way yet to go.

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## **Our European Enigma: Assessing Progress**

**R. Amy Elman**

ASSESSMENTS OF EUROPE'S "PROGRESS" toward (sexual) equality often reveal more about our conceptions of what equality is than whether and to what extent Europe has been able (or willing) to achieve it. Thus, as some embrace Article 119 and subsequent legislation as significant remedy for gender inequality, others aver that European law legitimates capital accumulation while appearing opposed to the gendered inequities associated with it. Similarly, while reforms for "working mothers" are arguably essential to gender equality, the very term also implies that women's primary status (and responsibility) is motherhood and that working (for wages) is secondary. *(continued on p.6)*

Understanding the historical trends, achievements and shortcomings of efforts to ameliorate sexism is complicated. The dynamic and pervasive quality of sexism, the unusual character of Europe's polity and the illusive goals of feminist movements (e.g., to "take back the night," "end male violence" and promote "equality") are only some of the conditions that make "progress" difficult to discern. This essay focuses on these and other factors that haunt our efforts to make sense of sexual equality within the context of European integration.

While women's movements generated the public outrage that likely prompted member-state and Union action against sexual inequality, the general reluctance to *define* women's movements clearly hampers our efforts to measure their effect. Moreover, to what extent have *other social conditions and/or actors* (for whatever the reasons) inspired efforts to counter sexism? In sum, what counts as *evidence* in determining Europe's progress toward ending sex discrimination?

"Feminism" is a term so fraught with dissension over its meaning and application that the relatively more inclusive term "women's movement(s)" has either substituted for or been used interchangeably with it. This linguistic shift diminished some problems and others emerged. First, while feminist movements are women's movements, not all women's movements are feminist and some actually insist on their opposition to or distance from feminism. The erroneous assumption that *women in movements* are feminists suggests that being female is synonymous with being a feminist. Expecting one's experience of oppression to produce an emancipatory politics is essentialist and inevitably disappoints those seeking liberation because oppression produces damaged people at least as often as it produces effectual activists. The tenor of definitional inclusion compromises strategic effectiveness for movement activists while jeopardizing epistemological and methodological precision for scholars of movements.

In the absence of conceptual clarity concerning women's movements and their influence, direct evidence of gender inequality and/or remedies ostensibly adopted to address it may hold greater appeal. In compensating for the dearth of historical detail, scholars use macro-data that unambiguously reveals gender inequality in political representation (i.e., fewer women in positions of power), the wage labor market (i.e., lower wages and benefits), and "the family" (i.e., "the double burden"). These data and related remedies for "working women" in general and "working mothers" in particular are so prominent that their utility is rarely interrogated.

If the emphasis extended to "work" and "family" mirrored empirical reality, this stress might be less objectionable. Yet, however important these issues are to many women, not least to those writing on this subject, they were not (and have not been) as integral to feminist activists as the literature on "women's movements" would suggest. For many, the conundrum of combining (paid) work with family (read "care work" for male partners and children) was (and is) less important than efforts to transcend the confines of this conventional lifestyle (and burdensome expectation). Indeed, more women than ever throughout Europe are opting out of or postponing marriage and motherhood.

Given the current climate, why are working mothers the "hegemonic subject" of scholars? According to Lisa D. Brush (forthcoming), politics play a decisive role in the persistent preoccupation of scholars in the selection of their case studies and the relatively circumscribed approach to research that they take. She notes that the reliance on standard measures produces scholarship that addresses women in *comparison* to men but does not assess women in their social *relation* to them. In consequence, "the cultural, sexual, physical, and emotional enforcement of male dominance goes unmeasured, unremarked, and unchallenged" (Brush, forthcoming). If analogous claims can be made concerning the consequences of privileging working mothers as the key beneficiaries of Europe's equality policies, are there alternative policies and critical analyses that may better facilitate sexual equality?

Years ago I placed my faith in the utility of case studies and policies adopted to mitigate male violence because, I argued, male dominance is clearly expressed in the violence and sexual abuse that men and boys perpetrate against women and girls. I thus asserted that efforts to end male violence and penalize the perpetrators reveal a greater responsiveness to women on the part of capitalist states than the more conventional policies that are of interest to most researchers on women, the ("welfare") state and European integration. After the Commission's adoption of a community-wide information campaign on violence against women (i.e., the Daphne Program) and the explosion of interest in and rhetorical statements on this subject, I wonder.

Previously determined to promote social change by ending male violence, feminist activists began resembling poster children for the same states and EU institutions they once challenged, if not loathed. If not for an appreciation of the unintended consequences of strategic actions, one would be at a loss to explain this transformation. After states acknowledged their apathy and attributed it to the expense of policies that could prove beneficial to women, feminists began reversing these arguments to show the cost of oppression both to states and their reputations. After insisting that the effects of battering spilled over into the workplace at considerable loss to the economy (through lowered productivity and increased absenteeism due to injuries), activist claims resonated not just with member-states but with the EU.

The increased interest among Europe's policy-makers in mitigating male violence, moreover, corresponded to escalating public concern throughout the member states. In 1997, the European Commission released a report acknowledging that male violence is the most endemic form of violence within all member states. The following year, the European Parliament designated 1999 as the "European Year Against Violence Against Women." The Commission concomitantly proposed funding for investigations into the problem as well as the community-wide information campaign, Daphne.

Though too soon to tell, it is likely that the above-noted Community efforts will provide remedy to some and prove illusory to many. That is because when the framing, chain of political command, and market structures relating to women's oppression remain intact, illusion masks the absence of redress. National reputation is an essential part of any state's strategic



equity, particularly now that “globalization and the media revolution have made each state more aware of itself, its image, its reputation, and its attitude—in short, its brand” (Van Ham 2001: 3). Market-oriented Europe is no less brand-oriented and, as Peter Van Ham wisely warns, branding holds a “preference for style over substance” (ibid.). State and EU action is taken to increase legitimacy much as corporate sponsorship is an investment in future profit. Such acts are not movement actions determined to liberate women—they are marketing tools. The extent to which the public perceives that sexual equality has progressed and credits Europe with this success, the acts are wise investments—whether or not the product is compassion without the effort taken so that it is not needed.

Problems of measurement render an authoritative assessment of Europe’s progress impossible to provide. However, questioning what progress means encourages us to better understand our capacity to initiate change in ways that might convince us that progress is possible.

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## **Managing Diversity: Non-Discrimination and the European Union**

**Mark Bell**

EU LAW ON DISCRIMINATION has been subject to a dynamic series of changes in recent years. These stem from the decision of the member states in 1997 to add a new legal competence for combating discrimination to the EC Treaty, Article 13. This provision extended the material scope for anti-discrimination law beyond the labour market, as well as providing the Community with powers to combat discrimination on grounds of sex, racial or ethnic origin, religion or belief, age, disability and sexual orientation. In this essay, three trends are examined: first, the adoption of new instruments for combating discrimination; second, the application of non-discrimination norms to a wider range of grounds; and third, the extension of the material scope of discrimination law. Whilst progress has been made in all these areas, it is argued that there is little clarity as to the underlying vision or ultimate legal framework.

### Adopting New Strategies and Instruments

Three Directives on combating discrimination have been adopted since the introduction of Article 13. First, in June 2000, the Council adopted the “Racial Equality Directive” (2000/43/EC, OJ L180/22) forbidding discrimination on grounds of racial or ethnic origin in a range of areas, such as employment, education and health care. Second, in November 2000, the Council adopted the “Framework Directive” (2000/78/EC, OJ L303/16) prohibiting discrimination on grounds of religion or belief, disability, age and sexual orientation, but only in the (broadly defined) area of employment. Finally, on 17 May 2002, the Parliament and Council agreed a series of amendments to the 1976 Equal Treatment Directive, which forbids gender discrimination in employment. Significantly, each of these Directives pursues a number of new strategies.

First, there is a wider definition of unlawful discrimination. Indirect discrimination is redefined in order to move away from the existing dependence on statistical evidence (e.g. Case C-167/97 Seymour-Smith [1999] ECR I-623). Instead, the new standard focuses on situations where “an apparently neutral provision, criterion or practice would put persons [with particular characteristics, e.g. a disability] at a *particular disadvantage*.” Harassment is also explicitly prohibited as well as any instructions to discriminate by third parties. Second, there is a new stress on enforcement and remedies. Victimization of complainants is forbidden and the sanctions adopted by national law are required to be “effective, proportionate and dissuasive.” More importantly, the need to support individual litigants is recognised: organizations with a “legitimate interest” in enforcing equal treatment can bring cases on behalf of individuals, and member states must establish “equal treatment bodies” with a duty to provide independent assistance to victims of discrimination. Strangely though, such bodies need only cover discrimination based on sex and racial or ethnic origin.

### Extending the Umbrella of Protection

As noted above, Article 13 gave the Community a clear mandate to apply non-discrimination principles beyond the existing “suspect” grounds of sex and nationality. Yet, the European Union has since added a further and broader layer of protection in the Charter of Fundamental Rights (2000, OJ C364/01). The Charter provides a statement of the fundamental rights recognised by the Union. However, disagreement amongst the member states at the time of its conclusion meant that it has an ambivalent legal status. It is not part of the founding Treaties and hence not legally binding. Nonetheless, reference to its norms by the Court of First Instance and Advocates-General at the Court of Justice suggest that the Charter will certainly have legal effects. Article 21 provides a non-exhaustive list of grounds on which discrimination is prohibited. In addition to the grounds already recognized in the EC Treaty, reference is made to colour, social origin, genetic features, language, political or any other opinion, membership of a national minority, property and birth.

An unusual hierarchy emerges as a result. First, there is discrimination on grounds of EU nationality, which, by virtue of the directly effective rights conferred in Article 12 EC, is prohibited throughout Community law and seemingly in most areas of national law (e.g. Case C-184/99 Grzelczyk [2001] ECR I-6193). Second, the grounds found in Article 13 can, through the passage of EC legislation, become forbidden areas of discrimination in national law. Finally, the remaining grounds only appearing in the Charter are, at least, likely to be regarded by the Court of Justice as suspect classifications as regards differential treatment within EU law, but in respect of which the Union enjoys no powers to adopt implementing legislation.

### Moving Beyond the Labour Market

The other new trend is the application of non-discrimination norms to areas outside employment. Whilst this was already true for the prohibition of nationality discrimination, Community law on sex discrimination applied primarily in situations connected to participation in employment. In contrast, the Racial Equality Directive additionally covers the areas of (*continued on p.8*)

“social protection, including social security and healthcare; social advantages; education; and access to and supply of goods and services which are available to the public, including housing” (Article 3(1)). However, these are subject to the important, if vague, caveat that it is only in so far as these issues fall “within the limits of the powers conferred upon the Community.” Given the blurred boundaries of EC legal competence in areas such as healthcare or education, the scope of the non-discrimination requirement remains ambiguous.

Nonetheless, the Council has already committed itself to the adoption of further legislation on gender equality in areas outside employment (European Social Agenda, [2001] OJ C157/4) and there are active campaigns for similar legislation on grounds of disability and sexual orientation. The experience of applying the 1976 Equal Treatment Directive means that the Court of Justice already possesses a rich body of case-law from which to draw principles when confronted with questions surrounding the employment provisions of the new anti-discrimination Directives. However, the promotion of equality in education, for example, will present the Court with new challenges, such as the legal scope for positive action in this area.

#### A Coherent Vision of Equality and Diversity?

The transformation of EU anti-discrimination law has provided a welcome revitalization, rather than continued reliance on the stale legal framework provided in the 1976 Equal Treatment Directive. Moreover, the Directives are producing a trickle-down effect by stimulating debate across the member states, as well as the EU applicant states, on how best to (re)construct anti-discrimination law. For the most part, the new Directives should enhance protection against discrimination at the national level; however, there is also the potential for EU norms to disrupt established legal traditions and frameworks. In particular, the Article 13 initiatives have not reduced the pre-existing equality hierarchy within EU law. On the contrary, new hierarchies have emerged and there is an evident lack of consistency between the various legislative initiatives. This is problematic for national legal systems based around common standards for all forms of discrimination; indeed, the Directives may provide the opportunity for the emergence or exaggeration of national equality hierarchies. The challenge for the Union is to ensure that the end product is not a discrimination law of “bits and pieces,” but a coherent and consistent framework for promoting equality.

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### **Public Opinion and European Integration: The State of the Field Matthew Gabel**

THE REJECTION OF THE NICE TREATY in the June 7, 2001 Irish referendum reminded us of the importance of mass political behavior for the process of European integration. Specifically, the event illustrated two lingering concerns about the future of European integration. First, elite and public opinion are not in concert on European integration. Second, the low turnout—also a characteristic of European elections—points to the low salience and popular mobilization on European issues. The latter concern is often connected to the democratic deficit in the EU.

Furthermore, beyond referendums, mass political behavior regarding European integration promises to play an important role in the governance of Europe and the member states. The success of some important common policies—such as the common currency—depends crucially on public opinion. In addition, it is hard to imagine a successful geographic expansion of the EU in the face of public opposition in the EU and the applicant states.

This essay is designed to highlight several recent developments in our understanding of public opinion and European integration. I focus on five aspects of mass political behavior and European Union politics: (a) voting behavior in referendums; (b) public attitudes toward EU policy; (c) public support for institutional and geographic reforms; and (d) the impact of European integration on voting behavior in national elections; and (e) the effect of cultural and religious values on support for integration.

#### Referendums on European Integration

While scholars and journalists have studied individual referendums on EU membership and treaty reforms, they have paid very little attention to general questions regarding voting behavior in these referendums. Two recent research projects address this gap in the literature. First, Simon Hug and co-authors have studied EU referendums as a class of events. Hug and Sciarini (2000) develop and test a theoretical model of how institutional features—e.g., voluntary vs. required referendum—mediate the impact of political factors on referendum voting behavior. Christin and Hug (2002) demonstrated that the process of holding a referendum generally increases public support for integration. Finally, a recent book by Hug (2002), *Voices of Europe: Citizens, Referendums, and European Integration*, provides a detailed study of voting behavior in EU referendums, providing insights into the policy effects of referendums and the extension of referendums in EU politics.

A second strand of research has focused predominantly on the Danish referendum experience. In a study of the Danish referendum on the Maastricht Treaty, Franklin, Marsh, and McLaren (1994) argued that voting behavior in that referendum—and referendums on issues of low salience to voters more

generally—tends to reflect voters' attitudes toward domestic political parties, particularly the governing party(ies). Svensson (2002) and Franklin (2002) revisit this argument in a forthcoming special issue of the *European Journal of Political Research*, edited by LeDuc and Svensson (2002). Their exchange further develops our understanding of the conditions under which party elite can influence voting behavior in referendums on integration. It is worth noting that the special issue in which these articles appear deals with a variety of issues pertaining to voting behavior in referendums.

#### Public Opinion and EU Policy

Outside of referendums, it is not clear whether or how voters' attitudes matter for EU policy-making. While European elections might provide such a link, evidence from these elections indicates that a candidate's success is unrelated to her (or her party's) positions on EU policy. And, many scholars and journalists contend that national parties shape public opinion, not the other way around (e.g., Wessels 1995). Consequently, we might consider voters' policy attitudes irrelevant for EU policy-making. Some recent research suggests otherwise.

Carrubba (2001) examines whether voters' attitudes toward integration affect the positions that parties take on integration. Surprisingly, he finds fairly robust evidence that they do. By establishing this electoral connection, his study suggests that mass policy preferences are relevant for understanding EU policy-making. Moreover, his careful methodological treatment of the issue of reverse causality raises questions about how to interpret past evidence of party effects on voter opinion.

Why do voters vary in their preferences over EU policy? Ray (2002) provides an interesting answer, focusing on citizens' preferences for EU authority in different policy areas. Ray shows that citizens evaluate policies based on their satisfaction with the current national level policy and their expected benefit from a change to a harmonized EU policy. Thus national context—in terms of social protection and welfare policies—tempers how citizens in similar socio-economic positions in different member-states view the same policy.

Public opinion is particularly relevant for maintaining a common currency (Barro 1986). Here, too, national context matters for public opinion. Kaltenthaler and Anderson (2001), Banducci, Karp, and Loedel (forthcoming), and Gabel (2001) show that individual-level and aggregate-level support is affected by national economic and political contexts: e.g., domestic trade relations, economic institutions, and the domestic political agenda.

#### Public Opinion on Institutional and Geographic EU Reform

Two recent studies of public support for proposed institutional and geographic reforms are of particular interest. Rohrschneider (2002) explores why EU citizens vary in their support for the creation of parliamentary government at the European level. He finds that support varies positively with citizens' perception of the quality of representation at the European level. Interestingly, this effect grows in strength with the quality of national political institutions.<sup>1</sup> One important implication of this study is that a common proposal to alleviate the democratic deficit—an increase in the (*continued on p.10*)

(continued from p.9) power of the EP—faces serious public opposition because of the perceived democratic deficit.

Tucker, Pacek, and Bernisky (2002) examine support for accession to the EU among citizens of the applicant countries. They find that the beneficiaries from the economic transition and supporters of a market economy are significantly more supportive of membership than the economic losers from the transition. They also present suggestive evidence that citizens' attitudes toward membership affect their choice of parties in national elections. Voters who support integration are more likely to favor parties that advocate accession than voters who oppose membership. It is important to note that they do not argue that support for accession is based on utilitarian evaluations of economic benefits from EU membership itself. As Ehin (2001) and Cichowski (2000) show, such concerns are poor predictors of support for accession.

#### European Integration and National Electoral Politics

While a great deal of evidence suggests that national electoral politics are consequential for EU politics, until recently there was scant evidence for the reverse effect. But several studies indicate that the membership in the European Union and EU policy concerns are likely to play an increasing role in national elections. Evans (1998) presents convincing evidence that voters' attitudes toward the EU have had a significant effect on vote choice in recent British elections. Gabel (2000) and Scheve (1999) present evidence of similar effects in other member-states. Clearly, EU politics has not dominated national elections, but it appears to be gaining in salience. How important a role could integration play in national elections? [V]an der Eijk and Franklin (2002) conclude that the issue of European integration represents a "sleeping giant." They find that voters' positions on integration are so distinct from their left-right positions that the politicization of European integration will have dramatic effects on national electoral politics.<sup>2</sup>

#### Culture, Religion, and Public Support for Integration

Utilitarian models of public support for integration have played a prominent role in research (e.g., Gabel 1998). Several recent studies provide a different perspective, focusing on cultural and religious attributes of citizens. McLaren (2002) shows that citizens' perceptions of cultural threat are an important factor in explaining opposition to integration. De Master and Le Roy (2000) demonstrate that xenophobia is a significant factor as well. Nelsen, Guth, and Fraser (2001) focus on the nature and strength of Christian religious affiliations. They find that Catholics are more supportive of integration than Protestants and that support increases with the level of religiosity for both denominations.

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#### **Notes**

1. On the effects of the quality of national institutions, see also Sanchez-Cuenca (2000).
2. The findings of Gabel and Anderson (forthcoming) also support this characterization of policy positions.

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# European Union Law

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## Book Reviews

**Bruno De Witte, Dominik Hanf, and Ellen Vos (eds.) *The Many Faces of Differentiation in EU Law*. Antwerp, Belgium: Intersentia, 2001, 390 pp.**

THIS BOOK PUTS ITS FINGER ON a very important topic in global governance: how to build flexibility into international agreements. Flexibility is important in facilitating adaptation to local and changing circumstances and in avoiding the dulling effects of homogenization through internationalization. As the editors point out, differentiation may well be the opposite of uniformity—so that in embracing the virtues of flexibility one per force relinquishes the benefits of uniformity. But, they argue, flexibility may actually strengthen unity in the long run, presumably by helping to ensure that greater international coordination and cooperation does not force awkward and unpopular policies on domestic actors, thus provoking non-compliance and fomenting backlash.

The goal of greater flexibility was formalized in the Treaty of Amsterdam and the Treaty of Nice which included clauses designed to facilitate “enhanced cooperation” among sub-groups of member states. This political development was the impetus for the project, but as the volume makes clear, European Law has always allowed for differentiation and flexibility. The book compiles contributions from a workshop and, as advertised, the book presents *The Many Faces of Differentiation in EU Law*.

The editors group the individual papers—all written by legal scholars—into four sections: (1) “Closer Cooperation from Rome to Nice” (two chapters providing an historical overview of differentiation over time); (2) “Uniformity v. Diversity in EU Policy-Making: Field Studies” (four chapters analyzing the trade-off between uniformity and diversity in certain policy areas); (3) “Uniformity v. Diversity in EU Law: Institutional Aspects” (six chapters; law and domestic structures are some of the “institutions,” but external relations are also discussed here for reasons that are not entirely clear); and (4) “Constitutional Perspectives on Differentiation” (which presumably means issues that are overarching the other sections; two chapters and a note). The extremely short introduction and the grouping reflects an attempt to make the papers speak to each other and to draw some general insights. The quality of individual papers is quite good in that one gets a sense that the authors know what they are talking about, and the roster of contributors is impressive. But one is left with too many faces, not enough of a pulling together of the different contributions, and too little analysis within each contribution of what the faces mean.

I tried to organize the faces in order to get some sense of the dimensions of flexibility in European law. It led me to a different grouping of chapters:

(1) Flexibility as it is built into EU legislation (presumably by the Council): “Flexibility clauses” were built into EU treaties over time (contribution by Dominik Hanf) and perhaps ironically, even weakened more recently (Jose M. de Areilza); different-

iation was built into harmonizing legislation (Ellen Vos); diversity is institutionalized EU treaties, legislation, and relations with other international organizations (Deidre Curtin).

(2) Flexibility as allowed through derogations to EU policies in areas such as: EMU (Jean-Victor Louis); social policy (Sean Van Raepenbusch and Dominik Hanf); environmental policy (Ludwig Krämer); and, Justice and Home Affairs (Georgia Papagianni).

(3) Flexibility in external relations (contributions by Bruno de Witte and by Eddy de Smijter).

(4) Flexibility created through nuance in law and legal interpretation: proportionality and subsidiarity are tools for differentiation (Gráinne de Búrca); soft law instruments provide flexibility in European law (Linda Senden and Sacha Prechal); and, the principle of equality, brought in through EU, international and national law, as it constrains flexibility (Jan Wouters).

(5) Flexibility emerges also through inevitable variations created by national institutions (judiciaries and private enterprise) (Wouter Devroe).

Overall the volume does not order the bewildering variations that exist in European law and European governance, and a number of the contributors do not go beyond listing the differentiation one finds. Perhaps the point is to gather a list of the ways in which flexibility is maintained. But the political scientist in me wonders ... when is flexibility chosen? Why are some tools of differentiation used in some situations, and other in different situations? Who are the actors inserting flexibility (the Council, national administrators, national parliaments, the European parliament, courts, all of the above)? What are the different ways in which the different actors build in flexibility? What are the motivations of different actors in adding in flexibility? What are the political, economic and legal consequences of the different modes of differentiation? What are the costs and trade-offs in real terms in adding flexibility?

For scholars of European law, the book provides a detailed catalogue of a number of dimensions of flexibility in European law and some insightful analysis of what this flexibility means for legal interpretation (the chapters by de Búrca and Wouters are excellent here). For those who want to learn from the European experience, the volume reveals the techniques Europe has used throughout time to deal with the centripetal forces of divergent actor interests through building flexibility into its law. For those who want to gain access to the incredibly complicated nature of European law, to know what states must do together, and where they can go their own way, the book displays the lawyers’ toolkit of ways to build escapes into the law. It is not the legal scholars’ fault that politicians (of the legal and political type) are so good at building in flexibility by creating what in the end of the day are exceptions and caveats that permeate European law. Perhaps it would be impossible to make order of the exceptions—though non-lawyers (and especially the general public) would benefit tremendously from doing so. This book certainly shows the many dimensions that would need to be included in any attempted synthesis.

**Karen J. Alter**  
Northwestern University

**Roy H. Ginsberg, *The European Union in International Politics: Baptism by Fire*. Boulder, CO: Rowman & Littlefield Publishers, 2001, 305 pp.**

THE TOPIC OF ROY GINSBERG'S book could hardly be more timely. At least since the mid-1990s, Eurobarometer Reports, including the most recent one of April 2002, have demonstrated that by substantial majorities, European publics have supported the goal of pursuing peace in Europe and beyond and have been in favor of common foreign policy and common security and defense policy. In calling for the EU to "shoulder its responsibilities as a world power," the European Commission's recent submission to the Convention appears finally to recognize this desire of European citizens for a greater engagement of the EU internationally.

Others have sought to describe and explain two facets of the EU's foreign relations: the decision-making system and the nature of the decisions. However, these analyses tend to separate into two tracks: external trade and economic relations (Pillar I) and Common Foreign and Security policy (Pillar II). Roy Ginsberg's work brings a completely new perspective by combining the two strands into what he calls "European foreign policy" and by looking at the third, arguably most crucial, dimension of the overall decision-making process: implementation and impact on the other players in the international system.

Ginsberg's effort to grasp the many levels and multifarious mechanisms of the EU's impact in global politics does for external behavior what Gary Marks did for our understanding of decision-making and implementation on internal matters (multi-level governance). As with Marks, the strength of this work lies in its capacity for both synthesis and original thinking.

The book seeks to answer a fundamental question that we have largely ignored: Is the EU an economic giant, yet a political dwarf internationally? After briefly reviewing the conceptual literature pertaining to external behavior, which he finds useful in combination but lacking as individual contributions, Roy Ginsberg offers a framework for assessing impact in the transformation of outputs (both action and inaction) from the foreign policy system into outcomes. He uses both subjective (cognitive) and objective (empirical) measures of external political impact, ranging from elite interviews, public opinion, primary and secondary source material to statistical data and quantification. His nuanced approach of defining four levels of impact—nil, marginal, considerable and significant—and of accepting two kinds of outcome—negative and positive—is a strength of the work. However, he could elaborate more on the distinctions between "considerable" and "significant" impacts.

The cases Ginsberg uses to evaluate impact are well-chosen, for they define the purposes, instruments, and limits of the EU internationally. In former Yugoslavia from 1991 through 1995, the EU faced one of its severest challenges, whose outcome stimulated the whole Common Foreign and Security Policy project. The Middle East was a primary area of European Political Cooperation (the precursor to CFSP) since its inception in the early 1970s. The EU's relationship with the U.S., whether

bilaterally or in third areas, is fundamental to everything the EU does.

In all three cases, Ginsberg challenges the conventional wisdom that the EU is, at best, a subordinate player in the international system. Rather than posing a stark alternative to the mainstream view, Roy Ginsberg offers a realistic assessment of the EU's impact. The three cases reveal different characteristics of the EU: in former Yugoslavia as risk-taker and agenda-setter; in the Middle East as economic and political actor; and in the case of the U.S., as partner. In all three cases, he assembles and analyzes large volumes of data, and presents clear, extensive, summary charts.

Of the eighty cases of EU action in the former Yugoslavia from 1991 until 1995, in the majority the EU had considerable impact (fifty-one percent), with the categories of significant, marginal and nil registering thirty, sixteen, and three percent of cases respectively. Just as the EU used a variety of instruments—from sponsoring peace talks to providing monitors to proffering humanitarian and economic assistance—so its impact was felt by a variety of actors—from individual states to sub-national governments to international organizations.

In characterizing the EU's experience in former Yugoslavia as "baptism by fire" (p.85), Ginsberg suggests the long-term consequences of EU foreign policy maturation stemming from this early involvement. Ginsberg's framework can be utilized to assess the EU's later role in the region through the Stability Pact for South East Europe, the Stabilization and Association Process, and as one of the chief pillars of the UN Mission in Kosovo. Again, we see variegated impact, from nil to significant, and clear evidence of leadership, multiple channels of operation, and of innovation. Moving beyond the economic and political realms, it is in former Yugoslavia that serious discussion is occurring about an EU military role, especially with regard to Macedonia.

To authenticate Ginsberg's findings, we also need to go beyond his cut-off date in the Middle East, namely 1999. Evaluating events since the beginning of April 2002, we see that areas of considerable impact in the past—the EU's singular contribution to building up the Palestinian Authority institutions—can easily be transformed in the longer term into nil impact: the Israeli destruction in short order of significant parts of the Palestinian infrastructure. Ginsberg's analysis does not make the same kind of distinction between short-term and long-term impact in the Middle East that he does in former Yugoslavia. Nevertheless, his framework does capture the reality that the nil impact mentioned regarding institutions has been accompanied by marginal impact (inability to get Israel to retreat from its incursion), considerable impact (the EU is now part of a new framework, the Quartet, together with the U.S., the UN, and the Russian Federation), and significant impact (the resolution of the siege of the Church of the Nativity).

In the period Roy Ginsberg does cover, 1991-1999, given the intractability of the conflict, it is not surprising that significant impact fares worst with no evidence of effect on the Middle East Peace Process. Yet, with respect to the two protagonists, the EU did much better: forty-eight percent of actions had considerable impact on the Palestinians, with the figure standing at sixty-eight

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percent on Israel; thirty-three percent of cases had significant impact on the Palestinians, and seven percent of cases showed significant impact on Israel. As in the former Yugoslavia, the EU seems to be building networks of interaction with all parties that could bear fruit in the long term.

Analysts on both sides of the Atlantic consider the relationship to have entered a new and dangerous phase of fundamental estrangement both bilaterally and with respect to third issues and regions. American policy-makers tend to wear Realist blinders and discount the EU as a political actor, whereas EU policy-makers, frustrated by being viewed as a junior partner, are increasingly charting their own course. Ginsberg's evidence indicates that both sides are wrong to operate from an assumption of lack of impact. Most of the cases Ginsberg evaluates, which range across a broad spectrum functionally and geographically, reveal high levels of EU impact on the U.S.: thirty-five percent of cases showed considerable impact and forty-two percent indicated significant impact.

As the EU reflects during the Convention on the values, institutions and behavior that define it, Roy Ginsberg's book is an important and excellent reminder that in the international arena it has already shed the mantle of political dwarfdom. If the U.S. can dispense with conventional assumptions, and accept this reality of EU political stature internationally, then an effective, conscious, collective (as opposed to an individualized, haphazard, cross-purposes division of labor) could emerge. Such a plan would rest on the unique features of both sides, which in combination could help guarantee a peaceful transformation of the international system that began in 1989 and was jolted severely by the events of September 11, 2001.

**Lily Gardner Feldman  
The Johns Hopkins University**

**Doug Imig and Sidney Tarrow (eds.) *Contentious Europeans: Protest and Politics in an Emerging Polity*. Boulder, CO: Rowman & Littlefield, 2001, 293 pp.**

EVIDENCE OF EUROPEANIZATION, UNDERSTOOD as the impact of EU policies on domestic politics, continues to draw the attention of specialists beyond the field of European integration studies. To

some extent, this is to be expected, as over time institutional and policy adjustments, adaptations and other organizational and political dynamics will have evolved in reaction to the scope of EU influence. In the area of political action, most attention to date has concentrated on interest group behavior, whether in relation to the formation of European-level associations and/or national strategies for influencing the European Commission, national governments, etc. European Parliament elections have generated a growing body of voting studies, and thanks to the Eurobarometer series, analyses of public opinion and attitudes on the EU have matured. More recently, political party specialists have begun to incorporate the EU into their research foci, whether it is the analysis of transnational party federations or the impact of the EU on national parties policies and organization. Anti-EU sentiment, whether manifested in party politics or public attitudes, has been a specific focus and developing area of study over the past few years as well.

The book under review, *Contentious Europeans*, represents the efforts of yet another research field for which the EU is now considered a relevant issue/actor/area of contestation for analysis. Social movements studies, that is, traditional as well as new social movements, have been a viable area of investigation for the past thirty years or more (depending on where one draws the line on new social movements, the 1950s civil rights movements, or later in the 1960s and early 1970s with anti-war, feminist and ecological movements). The main thesis of editors Imig and Tarrow is that the EU now impinges on the environment and thus calculations of contemporary movements. These movements are now involved in developing strategies and tactics suited to engaging this new organizational actor. How they—farmers, environmentalists, anti-GM protesters, etc.—fashion new ways of dealing with the EU, indeed, where exactly to deal with the EU, is the focus of the chapters of the book.

"Contentious politics," according to the editors, is not only about social movements, e.g., politics in the street, "but of the many forms of episodic contentious interaction that have grown up around the policy-making processes of the European Union" (p.4). Contentious politics is one facet of the many ways in which Europeans now confront the EU as it intrudes into more and more areas of domestic life. For Imig and Tarrow, how and where this contentious collective action is aimed is a central concern. The book consists of the editors' theoretical argument and presentation of data from a comparative project as well as a number of chapters documenting the actions of a variety of different groups/movements. The comparative project consists of a data set drawn from the Reuters news wire reflecting events from January 1, 1984 through December 31, 1997 in all twelve EU member states of the time. Nine-thousand-eight-hundred seventy-two "discrete contentious political events" were found and, of these, 490 fit the parameters designed to describe *European* contentious events. From this data, different types of European protest were measured, leading to general conclusions regarding the evolution of protest and the future configuration of the European polity. Europrotests, as one can easily imagine, are those in which the EU is either a target, direct or indirect,



or the source. Either way, the EU is implicated in the intent of the protest. Imig and Tarrow further divide Europrotests into “domesticated” and “transnational,” with transnational further subdivided into competitive, cooperative and collective.

Domesticated protests appear to be the primary focus of action involving the EU. Domesticated refers to the direct target of the protest, i.e., the national state or some component of it or other actors present on this terrain, even though the EU or one of its agencies is the source or indirect target. Domesticated contentious action in fact makes up roughly eighty-two percent of Europrotests. The evidence demonstrates that “although Europeans are increasingly troubled by the policy incursions of the EU, they continue to vent their grievances close to home—demanding that their national governments serve as interlocutors on their behalf” (p.47). Among the conclusions from this comparative study, according to the editors, are that social movements continue to operate mostly within domestic political systems, regardless if the subject of their attention is supranational, and that the national state, or better, the member state, is not disappearing anytime soon. In fact, according to the evidence from their study, Imig and Tarrow suggest that its role as an intermediary between its citizenry and the EU is becoming all the more significant. As for the future shape of the EU, they label their perspective *interactionist*, that is, the dynamic involved in the political formation of a European polity is “conflict and cooperation between and among nonstate and public actors” (p.4).

Most of the rest of the book is taken up with case studies, and these are arrayed to reveal that some movements are more successful than others in acquiring some satisfaction for their demands, or simply are more involved than others in contentious political action aimed at the EU. Here of course, the evidence supports what we all know, which is that farmers, as an occupational group, are far ahead of most others in taking “to the streets.” Other findings include the phenomenon of some movements, for instance the European Union Migrant’s Forum, becoming ensconced in Brussels but cut off from a dynamic movement base, thus affecting the movement’s influence in bringing pressure on decision-makers. The findings certainly suggest that successful lobbying in Brussels requires an active national base, in fact coordinated across countries. The example of the European Women’s Lobby is a case in point. Some Brussels-based organizations, such as the European Trade Union Confederation, are considered too far removed from actual national union struggles to make much of a difference at all. Imig and Tarrow refer to “virtual representation” when describing the actions of these organizations.

*Contentious Europeans* is an important work. It firmly establishes the relationship between social movement literature and European integration studies, particularly the expanding area of Europeanization. Both the comparative study by Imig and Tarrow and the case studies clearly demonstrate that simple notions of protest and the EU, and even more sedate forms of action such as lobbying, are far more complex than sensationalist media stories might suggest. Organization, national traditions, timing of membership in the EU, location of target, etc., all of these and more are factors that make up the phenomenon of social

movements and the EU today. *Contentious Europeans* is rich in detail and judicious in conclusions, and the case studies are first-rate in terms of information and evaluation. The chapters by Imig and Tarrow are a pleasure to read, and many more layers of findings are presented—too much to mention in the space of this review. In the end, Imig and Tarrow and their collaborators have succeeded in systematizing and structuring future research in this area.

**Robert Ladrech**  
**Keele University**

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**Michelle P. Egan. *Constructing a European Market: Standards, Regulation and Governance*. Oxford, UK: Oxford University Press, 2001, 365 pp.**

DOES ANYONE OUT THERE STILL think that free markets are “natural” entities, requiring only the removal of government interference for their operation? If so, they need to read Michele Egan’s important book on the role standard setting has played in the creation of the Single European market. Egan shows how, when comprehensive and incompatible national systems of standards already exist, the creation of a single market is a difficult task. Although member state governments “demonstrate an unwillingness to accept the mutual equivalence of standards, regulations and conformity assessment” (p.266), reducing the role of government in standard setting has not been sufficient for a solution. Greater delegation to the private sector has not been a panacea. Progress has been made as a result of the interplay between industry-led efforts and emergent legal principles. These legal principles, and the courts that promote them, now set the rules of the game by which governments and firms fight it out over standards. Industry cooperation depends on the creation of a robust legal regime, yet another example of the paradox that Steven K. Vogel characterized as “freer markets, more rules.”

Agreeing on measures to eliminate barriers to trade due to differences in standards is not a trivial problem but has been an understudied one. This lack of attention may stem from the perception that, “regulatory politics [are] excruciatingly technical and involv[e] arcane and tedious matters” (p.271). This book goes quite some way toward rectifying the lack of attention by providing a multifaceted examination of a complex topic. The book incorporates relevant literatures on the economics and politics of regulation, cooperation between governments and among firms, business-government relations, law, and, in many cases, the technical characteristics of the standards themselves.

In theory, there are substantial economic gains to be had by removing technical barriers. In practice, in the European Union, these gains have been difficult to realize and the magnitude of the potential gains has, in many cases, not been sufficient to resolve problems around standards. As Egan observes, the existence of national standard setting systems creates a Battle of the Sexes game. Everyone would gain from agreeing to a single standard (or mutual recognition of all standards). However, harmonization on any of the existing standards would create

winners and losers. One firm's barrier is another firm's advantage. For example, although enormous economic gains could be realized by reaching some accommodation on standards for construction materials, this has been one of the slowest areas in standard setting. By contrast, much progress has been made on standards for toy safety. The gains here probably are smaller, but the distributional impacts are less important.

The book seeks to describe and explain the development of the European Union's approach to managing technical standards and to assess the effectiveness of the approaches tried to date, concluding that much work remains to be done to bring the single market into being. The book examines the costs of fragmentation in the European market and early attempts at harmonization or convergence, which proceeded so slowly that they ultimately were abandoned. The book goes on to examine the New Approach, which sought to resolve issues around standards through greater reliance on private parties and greater flexibility on standards. Chapter 5 examines the role of law and courts in the process, particularly through the development of legal principles. Several chapters assess the impact of these legal rulings on development of markets. Chapter 8 sets out some of the difficulties in reaching agreement on standards, through a closer examination of four cases: the safety of toys, the safety of industrial machinery, regulation of medical devices and construction materials. The book concludes with a focus on the firm level of the standard setting system, looking at the strategies of firms in adapting to the new market.

The book makes fruitful comparisons between the U.S. and the EU in the creation of an internal market, a task that remains incomplete in both cases. The courts played an important role in market creation in both systems. Both systems also make use of private actors in standard setting, but in different ways. Private standard setting in the U.S. is pluralistic, with overlapping and fragmented jurisdictions. In contrast, private standard setting in the EU is intended to be unique and authoritative, representing a delegation of regulatory authority to private actors. Egan notes that, in the EU, a strong role for private actors is a given. In the U.S., the legitimacy of such arrangements often is questioned. In both cases, the delegation of standard setting has led to growth in authority of non-majoritarian institutions, such as standard setting bodies and the courts. Although the EU does retain some oversight over the process, delegation has been a convenient way to deflect blame for the slow pace of negotiations. As Egan points out, in a number of areas, there are substantial barriers to trade within the U.S..

This book is set to become the authoritative work on the subject, both in terms of the history of the process and the consequences of the regime that resulted. It should be read by anyone interested in the nuts and bolts of creating the European single market, in the role of law as a market-preserving and market-correcting force, and also in the governance issues surrounding the operation of markets.

Inger Weibust  
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The **European Parliament DG for Research's** new study, "The European Parliament and the Eurotom Treaty: Past, Present and Future" (Working Paper ENER 114 EN), is available to interested EUSA members. Request a copy of the 155-pp. report from Ciára Barker via [cbarker@europarl.eu.int](mailto:cbarker@europarl.eu.int) or view it on-line at [www.europarl.eu.int](http://www.europarl.eu.int).

## EUSA List Serve

WHAT IS THE UBIQUITOUS List Serve? In simple terms, it is a database of e-mail addresses accessed by a named e-mail list. In EUSA's case, our list is managed and maintained by the EUSA office and includes nearly 900 subscribers (as of June 2002), current EUSA members who choose to participate in the List. We use the Majordomo program (which automates the management of Internet mailing lists), and this technology is generously provided to us by the University of Pittsburgh. Among its many advantages is the capacity to send messages to a single named list (one, anonymous line in the message header), rather than the inclusion and/or display of the hundreds of individual e-mail addresses. This not only protects the privacy of the List subscribers, but greatly reduces the size of the posted messages.

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- don’t include e-mail attachments
- don’t wait until it is too close to your event or deadline to post your message; readers need enough advance notice to plan to attend, apply for the post or scholarship, etc.

### How to post a message to the EUSA List Serve:

Send your message to [eusa@list.pitt.edu](mailto:eusa@list.pitt.edu) and, if approved, it will be posted as soon as possible. Messages are posted to the List in the order that they are received. We do not acknowledge the receipt or the posting of your message. We reserve the right to edit for clarity and/or length, and we reserve the right not to post messages to the List. NB: The EUSA does not circulate, rent, lend, or otherwise share the e-mail addresses of its members.

### Recent postings to the EUSA List Serve ...

#### Position announcements such as, *inter alia*:

- postdoctoral fellowship at the Institute for the Study of Europe at Columbia University
- doctoral fellowships for a Transatlantic Graduate Student Workshop at the European University Institute
- Fulbright Grants in EU Affairs in Brussels and Bruges
- research/studentships at the London School of Economics and the Queen’s University Belfast

#### List queries seeking information on, *inter alia*:

- a good definition of national interest as related to EU decision making?
- the contributions of Clarence K. Streit to the development of what became the EU?
- the privatisation process in the financial services industry in Central and East European countries?
- the process of Europeanization, and ... a distinction between European values as against ... other values?
- polling data in Europe looking at European views on U.S. and American policies since September 11th?

## Teaching the EU

*Editor's note: This column is written by members of EUSA's "Teaching the EU" Interest Section. For details about the Section and how to join it, please visit [www.eustudies.org/teachingsection.html](http://www.eustudies.org/teachingsection.html)*

### Teaching European Integration Antje Wiener

BEFORE I PRESENT A COURSE module on the topic of European integration, I would like to stress that regarding introductory modules to the topic of the European Union, I have little to add to Thomas Diez's essay that was published as an earlier contribution to the then *ECSA Review*.<sup>1</sup> His course was well developed, tackled the main issues (institutions, theories, policies) for students with an interest in European integration, and offered well-balanced potential for raising questions that allowed students to think critically about the phenomenon and the theories developed to study it. This said, this essay takes a slightly different angle. It offers an approach to classes on European integration that don't start from scratch following the classic three-step approach. Instead, it discusses changing perspectives on European integration in the broader context of governance beyond the state in world politics. The focus is therefore less on the "beast" itself and whether and how it is "caged in" properly—a discussion that all too often leaves scholars having to deal with the pitfalls of methodological nationalism, i.e., identifying a number of deficits (legitimacy, transparency, democracy) with the EU in comparison with nationally constituted polities. To avoid them, the course discussed in this essay encourages students to grasp and elaborate on the European Union's comparative value-added. It does so by taking issues of more general interest in world politics, such as institutionalization, legalization and constitutionalization, all of which express ways of dealing with decentred political organization, further. In many ways, students are challenged to think toward "squaring the circle" while advised not to lose the circle's roots. The class, *Constitutionalization in World Politics*,<sup>2</sup> represents one module of an interdisciplinary M.A. in European and Global Governance that also includes modules on law, political economy, and international organizations, apart from the classic introductory course on *EU Institutions, Theories, Policies*.<sup>3</sup> It is also part of a transatlantic team teaching project that is conducted in collaboration with Mathias Albert (Bielefeld) and Rey Koslowski (Rutgers-Newark) with a view to developing a five-course interactive pathway on Global and European Governance.<sup>4</sup>

The module aims to develop an informed understanding of dense institutionalization beyond nationally constituted borders of order. The goal is two-fold. On the one hand, students learn to identify and understand the origin, role and function of hard and soft institutions in world politics. On the other hand, they are guided to evaluate the political and normative implications of these institutions drawing, in particular, on the EU's experience

with a considerably more dense, and increasingly formal constitutionalized framework than other international organizations (NATO, MERCOSUR, and NAFTA), regimes, epistemic communities, or global societal networks. Understanding how processes of institutionalization evolve and being able to identify their respective "constitutional" substance is considered as basic knowledge for comparative studies of emergent proto-constitutional settings and their role and function in world politics. The analytical and empirical perspective offered by this approach is thus comparative and, importantly, in comparison with currently most favored work on the EU from world politics "down" instead from the nation-state "up" toward the EU. Taking this rather unconventional angle in teaching European integration has led students to find the EU as a polity that "safe-guards democratic values and citizens' rights" as a surprise, perhaps, given the enormous and still growing literature on the EU's democratic deficit and how to deal with it. The following overview illustrates the substance of the module with more specific reference to each of the twelve sessions. (Note: The updated syllabus will be made available on-line in September 2003.)<sup>5</sup>

The first session discusses the question of what constitutionalization means in different contexts (nation-state, global politics, regional politics). What defines a constitution; does it entail meaning and political potential beyond state boundaries; how is the process of constitutionalization linked to the nation-state; does it necessarily lead to a full-blown constitutional document; and—what about governance? The second session introduces the notion of polity-formation. Building the notion of sovereignty as institution in the international state system and recalling the social practices that are constitutive for its meaning, this session aims to distinguish between general (constitutive) and specific (historical) elements of polities. While the former establishes a comparable basic pattern for all polities, the latter offers an understanding of how and why different types of polities (e.g. national, supranational, medieval, and post-national) vary. The following session shifts focus toward institutions in relation to evolving transnational and supranational political arenas with a particular focus on regimes and so-called "fringe" meetings. Both are contexts in which new interactive patterns are practiced, routinized and constitutionalized. Regime formation is characterized as entailing informal yet stable institutions which are based on shared procedures, processes and norms in particular issue areas; fringe meetings, for example, at United Nations conferences broaden the focus toward non-state actors such as transnational social movements, lobby groups and advocacy groups that often take on the key role of transmitting information—and political pressure—on a vertical axis between domestic, transnational and supranational settings.

The next three sessions deal with the role of institutions from the perspective of "order," "associative patterns," and "norms" in world politics. They include formal international organizations (UN, NATO, and EU) as well as informal cooperation based on regimes (money, law of the sea, environment, and human rights) that are usually set up to support processes of cooperation in an otherwise unregulated or "anarchic" international order. The first cut on formal institutionalization points to the guiding, monitoring

and structuring quality of institutions with a view to enabling and constraining behavior outside the boundaries of national law. The consecutive sessions take a more thorough perspective on informal institutions that evolve from and structure cooperation and communication in absence of the rule of law, such as norms, ideas and practices which often acquire prescriptive force. This focus on informal institutions follows the constructivist turn toward a more interdisciplinary assessment of “how the world hangs together.”<sup>6</sup> It opens political science perspectives toward sociological insights, e.g., the impact of “intersubjectivity” and processes of “socialization” in world politics. Examples are questions of compliance with norms and membership rules in international institutions, as well as persuasion and learning with a view to norm-implementation and rule-following. The starting point is the notion of social interaction and the construction of norms which emerge subsequently to cooperation through international regimes. Accordingly, the session on norms discusses their role as both relatively stable informal institutions that guide behavior in world politics as well as flexible and evolving patterns which are created through interactive processes.

The final sessions turn to the substance of constitutionalization including normative issues of “civilization” and “rights” in world politics. The constitutional process in the European Union as the most advanced model of constitution-building beyond the nation-state is brought back in. Students are encouraged to critically assess the origin and political potential of constitutionalization in the European proto-constitutional setting, comparing other cases addressed in previous sessions with the EU as the most advanced case. Does this setting offer answers as to how to safeguard democratic and legitimate governance despite the decentralization of authority and an increasing disconnectedness among the governors and the governed? Does it entail potential beyond the perception of its polity as *sui generis*? The last session discusses the changing role of rights in world politics (including human rights, minority rights, citizenship rights, consumer rights and gender rights), i.e., how did they influence the formation of nation-states; what are new rights beyond the state—how well are they respected and on which basis are they guaranteed; is there a shift in type of rights that forge the changing patterns of political authority?

This session brings back the focus on the constitutive elements of polity-formation, i.e., internal sovereignty (citizenship), external sovereignty (borders) and organized sovereignty (constitution) as well as the social practices as the historical elements that forged the particular institutional setting of national polities. Students are encouraged to compare the key role of centralized citizenship rights in the twentieth century with the increasingly fragmented type of rights policy and the related changes in the twenty-first century.

*Antje Wiener has taught in the U.S., Canada, the UK, and Germany, and is currently Reader and Jean Monnet Professor at the Institute of European Studies, Queen's University of Belfast.*

*Editor's note: Notes for Wiener's essay appear on p.22.*

## Spotlight on Sweden in the USA

*Many EUSA members focus on EU member states. This feature highlights an individual EU member state's official presences in the USA, and more.*

### Important Web sites

- Primary diplomatic Web site: The Embassy of Sweden Web site is at [www.swedish-embassy.org](http://www.swedish-embassy.org)
- The U.S. Embassy in Stockholm maintains its Web site at [www.usis.usemb.se](http://www.usis.usemb.se) The site emphasizes U.S. diplomacy and foreign affairs broadly. It offers much information on the U.S. Northern Europe Initiative and also focuses on Baltic Sea Region security and cooperation and provides, e.g., detailed proceedings from the Stockholm Conferences.

Missions Embassy of Sweden, 1501 M Street NW, Suite 900, Washington, DC 20005; tel. 202.467.2600; fax 202.467.2699. More than thirty consulates in the U.S. (too numerous to list here), in most major cities, on both coasts, and throughout the Midwest.

The Consulate General of Sweden in New York City sponsors the Swedish Information Service via its Culture and Public Affairs section. It offers many resources (print, video, and on-line) on contemporary Swedish society, institutions, industry, and culture. Contact them at One Dag Hammarskjold Plaza, New York, NY 10017; tel. 212.583.2550; fax 212.755.2732; e-mail [amb.newyork@foreign.ministry.se](mailto:amb.newyork@foreign.ministry.se)

The Swedish Council of America, based in Minneapolis, is an umbrella group for 200+ Swedish-American organizations that aim to strengthen U.S.-Sweden ties and promote knowledge of the Swedish contribution to U.S. life. They hold conferences, give grants and awards, etc. See [www.swedishcouncil.org](http://www.swedishcouncil.org)

### Selected scholarly resources

- The Society for the Advancement of Scandinavian Study (SASS) is an association of scholars and others interested in Denmark, Finland, Iceland, Norway, and Sweden. SASS promotes research in Scandinavian languages, literatures, history, culture, and society. It publishes the journal *Scandinavian Studies*. Find more information at [www.byu.edu/sasslink](http://www.byu.edu/sasslink)
- The Economic Council of Sweden publishes the academic journal, *Swedish Economic Policy Review*, twice yearly. See [www.ekradet.konj.se/sepr/](http://www.ekradet.konj.se/sepr/)
- The Stockholm School of Economics Library has on-line Scandinavian Working Papers series in Economics and Business Administration (in English). See <http://swoba.hhs.se/> or <http://swopec.hhs.se/>

## Fellowships and Awards

The **Fulbright Scholar Program** offers lecture/research awards in some 140 countries for academic year 2003-2004. Awards of two months to an academic year or longer are available for college and university faculty and administrators, business and government professionals, journalists, lawyers, independent scholars, and others. Most lecturing assignments are in English. There are 40+ awards in West and East European countries, including a Fulbright Lectureship in U.S.-EU Relations and a European Union Affairs Research Program. For details, visit <[www.cies.org](http://www.cies.org)> or e-mail <[apprequest@cies.iie.org](mailto:apprequest@cies.iie.org)>. For lecturing/research grants, the deadline is *August 1, 2002*; for the German Studies Seminar and spring/summer seminars in Germany and elsewhere, the deadline is *November 1, 2002*.

The **TransCoop Program** of the Alexander von Humboldt Foundation supports research collaboration between German, U.S., and/or Canadian scholars in the humanities, social sciences, law, and economics. Scholars from universities and research institutions in Canada, Germany, and the U.S. may apply for funding for up to three years. The Program may award up to €45,000 for each collaboration, and the Foundation expects that the home institutions will continue to pay the salaries of the scholars and their assistants. The funds may not be applied to overhead costs, and funds must be matched by funds from U.S. and/or Canadian sources. Download applications from <[www.humboldt-foundation.de](http://www.humboldt-foundation.de)> or contact the Foundation's U.S. Liaison Office at e-mail <[avh@bellatlantic.net](mailto:avh@bellatlantic.net)> or by telephone, 202.783.1907. Deadline: *October 31, 2002*.

The **International Dissertation Field Research Fellowship** program of the Social Science Research Council provides support for social scientists and humanists to conduct dissertation field research in all areas and regions of the world, and will award up to 50 fellowships in 2003. Fellows will participate in multidisciplinary workshops upon completion of field research. The program is open to full-time graduate students in the social sciences and humanities, regardless of citizenship, enrolled in doctoral programs in the U.S. Proposals are invited for field research on all areas or regions of the world, as well as for research that is comparative, cross-regional and/or cross-cultural. Applicants must have completed all Ph.D. requirements except the fieldwork by the time the fellowship begins or by December 2003, whichever comes first. Standard fellowships will provide support for 9-12 months of field research and related expenses, but will rarely exceed \$17,000. The fellowship must be held for a single continuous period between July 2003-December 2004. Applications should specify why extended, field-based research is critical to the successful completion of the proposed doctoral dissertation. The proposal's research design should be realistic in scope, clearly formulated and responsive to theoretical and methodological concerns. See <[www.ssrc.org/fellowships/idrf](http://www.ssrc.org/fellowships/idrf)>. Deadline: *November 12, 2002*.

## Conferences

*September 2-4, 2002*: "The Future of Europe," Belfast, UK. UACES 32nd Annual Conference and 7th Research Conference. For more details visit <[www.uaces.org](http://www.uaces.org)>.

*September 4-6, 2002*: "The European Administrative Space: Governance in Diversity," Potsdam, Germany. Annual Conference, European Group of Public Administration. See <[www.uni-potsdam.de/egpa2002](http://www.uni-potsdam.de/egpa2002)>.

*September 19-21, 2002*: "EU Enlargement in a Changing World," Ljubljana, Slovenia. European Association of Development Research and Training Institutes. See <[www.eadi.org](http://www.eadi.org)>.

*September 20-21, 2002*: "First International Workshop for Young Scholars of European Legal Studies," Aix-en-Provence, France. Organized by the European Law Journal and the CERIC, Université d'Aix-Marseille III. Contact <[f.g.snyder@lse.ac.uk](mailto:f.g.snyder@lse.ac.uk)>.

*September 26-28, 2002*: "The Politics of European Integration: Academic *Acquis* and Future Challenges," Bordeaux, France. European Consortium of Political Research. See <[www.essex.ac.uk/ecpr/standinggroups/bordeaux/bordeauxhome.htm](http://www.essex.ac.uk/ecpr/standinggroups/bordeaux/bordeauxhome.htm)>.

*October 4-5, 2002*: "Reclaiming the Future: The Central European Quest," Annual Conference, Dublin European Institute, Ireland, on the reshaping and future of the European continent and the European idea. See <[www.europeanstudies.ie](http://www.europeanstudies.ie)>.

*October 17-19, 2002*: "Multilevel and Federal Governance: The Experiences of Canada and the European Union," Victoria, Canada. Organized by the European Studies Program, University of Victoria. Contact <[averdun@uvic.ca](mailto:averdun@uvic.ca)> or <[lloy@uvic.ca](mailto:lloy@uvic.ca)>.

*October 25-26, 2002*: "Britain and the European Union: At the Heart of Europe or on Its Edge?" European Union Center, University of Oklahoma, Norman, OK. See <[www.ou.edu/eucenter](http://www.ou.edu/eucenter)>.

*October 30-November 2, 2002*: 20th International Federation of European Law (FIDE) Congress, London. Topics: European law and national constitutions, the euro and e-commerce, and cross-border mergers/competition law. See <[www.fide2002.org](http://www.fide2002.org)>.

*November 14-16, 2002*: "Reshaping Transatlantic Relations for the XXIst Century: The Citizen's Perspective," Miami, Florida. Organized by the TransAtlantic Information Exchange Service with co-sponsors Fondation Hippocrène, State of Florida, Europe 2020, Politalk, Newropeans, and five European Union Centers in the U.S. See <[www.tiesweb.org](http://www.tiesweb.org)>.

*March 27-29, 2003*: 8th Biennial International Conference, European Union Studies Association, Nashville, TN. Call for proposals and more info. at <[www.eustudies.org/conf2003.html](http://www.eustudies.org/conf2003.html)>.

## Publications

### New EU-Related Books and Working Papers

- Börzel, Tanja (2002) *Nations and Regions in the European Union: Institutional Adaptation in Germany and Spain*. Cambridge: Cambridge University Press.
- Dehousse, Renaud (2002) "Misfits: EU Law and the Transformation of European Governance." Jean Monnet Working Paper 2/02. [www.jeanmonnetprogram.org/papers](http://www.jeanmonnetprogram.org/papers)
- Delmas-Marty, Naomi (2002) *Towards a Truly Common Law: Europe as a Laboratory for Legal Pluralism*. Cambridge: Cambridge University Press.
- García, Ricardo Alonso (2002) "The General Provisions of the Charter of Fundamental Rights of the European Union." Jean Monnet Working Paper 4/02. [www.jeanmonnetprogram.org/papers](http://www.jeanmonnetprogram.org/papers)
- Hooghe, Liesbet (2002) *The European Commission and the Integration of Europe: Images of Governance*. Cambridge: Cambridge University Press.
- Hug, Simon (2002) *Voices of Europe: Citizens, Referendums, and European Integration*. Boulder, CO: Rowman & Littlefield.
- Kamina, Pascal (2002) *Film Copyright in the European Union*. Cambridge: Cambridge University Press.
- Kreppel, Amie (2002) *The European Parliament and Supranational Party System: A Study in Institutional Development*. Cambridge: Cambridge University Press.
- Leibfried, Stephan (ed.) (2002) *Welfare State Futures*. Cambridge: Cambridge University Press.
- Mayhew, Alan (2002) *Recreating Europe: The European Union's Policy Toward Central and Eastern Europe* (2nd. ed.) Cambridge: Cambridge University Press.
- \_\_\_\_\_ (2002) "The Negotiating Position of the European Union on Agriculture, the Structural Funds and the EU Budget." SEI Working Paper, 52. Sussex: Sussex European Institute.
- Sbragia, Alberta M. (2002) "The Dilemma of Governance with Government." Jean Monnet Working Paper 3/02. [www.jeanmonnetprogram.org/papers](http://www.jeanmonnetprogram.org/papers)
- Steunenberg, Bernard and Jacques Thomassen (eds.) (2002) *The European Parliament: Moving Toward Democracy in the EU*. Boulder, CO: Rowman & Littlefield.
- Szczerbiak, Aleks (2002) "After the Election, Nearing the Endgame: The Polish Euro-Debate in the Run-Up to the 2003 EU Accession Referendum." SEI Working Paper, 53. Sussex: Sussex European Institute.
- van Schendelen, Rinus (2002) *Machiavelli in Brussels: The Art of Lobbying the EU*. Amsterdam: Amsterdam University Press.
- Van Caenegem, R. C. (2002) *European Law in the Past and the Future: Unity and Diversity over Two Millennia*. Cambridge: Cambridge University Press.
- Verdun, Amy (2002) *The Euro: European Integration Theory and Economic and Monetary Union*. Boulder, CO: Rowman & Littlefield.

## EUSA Prizes

THE EUSA'S 1997-1999 EXECUTIVE COMMITTEE established prizes to be awarded at each EUSA Biennial International Conference. The prizes both recognize and encourage excellence in scholarship in the field of European Union studies. Each prize carries a small cash award, funded by EUSA's Grants and Scholarships Fund, and will be presented to the recipients at the EUSA Conference banquet. The prize selection committees are comprised of EUSA Executive Committee members and established EU scholars. We now seek nominations for the following:

### EUSA Prize for Best Conference Paper

The EUSA Prize for Best Conference Paper will be awarded in 2003 to an outstanding paper presented at the 2001 Biennial Conference in Madison. All those who presented an original paper at the Conference and who deposited copies of their paper with the EUSA at the time of the Conference are eligible. The prize carries a cash award of \$100. Past recipients of this award have been EUSA members Karen Alter and David M. Green.

To apply for the prize, please mail three paper copies of the version of the paper that you presented at the 2001 ECSA Conference to the EUSA Administrative Office (contact coordinates given below). NB: Papers may not be submitted by e-mail, facsimile, or on diskette, or delivered to the office in person. Deadline for *receipt* of nominated papers for the EUSA Prize for Best 2001 Conference Paper is September 16, 2002.

### EUSA Prize for Best Dissertation

The EUSA Prize for Best Dissertation in EU studies will be awarded in 2003 to a dissertation on any aspect of European integration submitted in completion of the Ph.D. at a U.S. university between September 1, 2000 and August 31, 2002. The student must have defended and deposited the dissertation and graduated during this period, the dissertation must include a signed, dated dissertation committee approval page, and the dissertation nomination must be submitted by the department chair. Only one dissertation per department at an institution may be nominated for this prize. The prize carries a cash award of \$250. Past recipients of this prize have been EUSA members Marc Smyrl and Joseph Jupille.

Department chairs should mail one paper copy of the dissertation with a cover letter from the department chair to the EUSA Administrative Office (contact coordinates given below). Dissertations may not be submitted by e-mail, facsimile, or on diskette, or delivered to the office in person. Deadline for *receipt* of nominations for the next EUSA Prize for Best Dissertation is September 16, 2002.

### Send Best Conference Paper and Best Dissertation Prize nominations to:

European Union Studies Association  
415 Bellefield Hall  
University of Pittsburgh  
Pittsburgh, PA 15260 USA

Please contact us with questions via e-mail at [eusaa@pitt.edu](mailto:eusaa@pitt.edu) or by telephone at 412.648.7635.

## From the Chair

(continued from p.2) from practitioners in business, government, and law. We are delighted to be welcoming, in fact, two groups of practitioners at our Nashville conference: the EU Depository Librarians from throughout the U.S., thanks to the EU Washington Delegation's Public Inquiries and Library Section, and a group of more than fifty Nashville business leaders who will attend a pre-conference half-day seminar, "Go International: Business to Business, Focus on Europe," that we are co-organizing with the Nashville Chamber of Commerce.

Those of you who presented and deposited papers at our 2001 Conference in Madison, Wisconsin are eligible for Conference Paper Prize; we also seek nominations for the Best Dissertation in EU Studies (in any discipline) granted at a U.S. institution. Deadline for both is September 16, 2002. (For nominating details and requirements, please see p.21 in this issue or visit our Web site.)

During the coming academic year, EUSA membership will elect several new members to the Executive Committee, our governing body. Four seats will be open for terms that will run 2003-2007. Any current EUSA member (except those who have already reached the eight-year lifetime limit) is eligible to run, and may nominate him/herself or be nominated by another current member. Full details will appear in the Fall *EUSA Review*. We will also circulate details via our e-mail List Serve. Please think about whether you'd like to serve the organization as a member of our board, which meets once yearly, determines EUSA policies, and oversees programs.

Finally, members of EUSA who will be attending the Annual Meeting of the American Political Science Association in Boston over Labor Day weekend are invited to attend a reception that we are jointly sponsoring with the APSA Organized Section on European Politics and Society (see p.8 for date/location).

MARTIN A. SCHAIN  
New York University

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Wiener (continued from p.19)

### Notes

1. Diez, Thomas (1999) "Reinvestigating Integration," *ECSA Review* 12: 3, 6-9.
2. For details see <http://www.qub.ac.uk/ies/teaching/modules/930-02-03.doc>
3. For details see <http://www.qub.ac.uk/ies/teaching/msglobal.html>
4. For details see [http://www.uni-bielefeld.de/soz/we/politik/governance/governance\\_en.htm](http://www.uni-bielefeld.de/soz/we/politik/governance/governance_en.htm)
5. It will be posted at <http://www.qub.ac.uk/ies/teaching/time/ttablepl.html>
6. Ruggie, John Gerard (1998) "What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge." *International Organization* 52: 4, 855-885.

## EUSA News and Notes

**Dates to remember:** Our conference proposal receipt deadline is October 15, 2002 (and mark your calendars for our 9th Biennial International Conference: March 31-April 2, 2005, Austin, Texas!) Other EUSA deadlines: September 16, 2002, for EUSA prize nominations; December 31, 2002, for EUSA Executive Committee nominations for the Spring 2003 election.

**Educator discount:** Instructors who want their students to read a particular essay or set of essays from the *EUSA Review*, while acquainting them with the broader field of EU studies, may order quantities (up to 50 per order) of back issues of the *Review* (while supplies last), for \$1 per copy plus shipping. We provide an invoice with our U.S. tax ID number. To place an order, send a letter (e-mail is fine) indicating the desired issue and quantity of the *Review* along with the name of the instructor, department, and course in which it will be used. To inquire about availability, contact the EUSA office at [eusa@pitt.edu](mailto:eusa@pitt.edu).

Don't forget to list the **European Union Studies Association** Web address on your course syllabi as an important EU resource for your students: <http://www.eustudies.org>. Please feel free to download our logo from our home page for this purpose as well.

Your home institution may cover your EUSA membership; many institutions have budgets for **professional memberships** for their employees. Don't forget to ask. By the way, does your institution **match employees' charitable contributions** to 501(c)3 organizations? This is a fine way to increase the value of your gift to EUSA, be it unrestricted or a gift to one of our Funds. Please contact the EUSA Office in Pittsburgh if you need to have our U.S. federal ID number for either of these purposes.

The *EUSA Review* follows an annual calendar of announcements and listings organized in four topic areas: Winter (December 15): EU-Related Academic Programs (degree or certificate-granting, worldwide); Spring (March 15): EU-Related Web Sites (preference given to primary sources such as databases, electronic publications, and bibliographies); Summer (June 15): EU-Related Organizations (academic and professional associations or independent research centers and institutes with significant EU aspects in their missions); and Fall (September 15): EUSA Members' Research Notes (EUSA members' current EU-related research projects, with particular attention to funded projects). Send brief announcements by e-mail to [eusa@pitt.edu](mailto:eusa@pitt.edu) or by mail to EUSA, 415 Bellefield Hall, University of Pittsburgh, Pittsburgh, PA 15260 USA. We reserve the right to edit for length, and we cannot guarantee inclusion in the listings. We do not accept unsolicited e-mail attachments.



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### What is it?

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### What does it include?

The Lifetime Membership includes all regular membership benefits for life. Among those benefits currently are subscription to the quarterly *EUSA Review*, receipt of occasional EUSA monographs, qualifying for EUSA competitions, discounted registration rates at the EUSA International Conference, subscription to our e-mail List Serve, and the opportunity to join EUSA interest sections.

### Are there any other benefits?

By making a one-time membership payment, you not only avoid the task of renewing each year, but gain the twin advantages of securing lifetime membership at today's dollar values and avoiding future dues increases.

### Who should do this?

Any person wishing to support the endeavors of the European Union Studies Association—the fostering of scholarship and inquiry on the ongoing European integration project. For U.S. taxpayers, an additional benefit is a receipt for a one-time \$500 charitable contribution to EUSA, tax-deductible to the extent allowed by law (reducing your tax liability for the year in which you become a Lifetime Member).

### How do I become a Lifetime Member?

Simply mail your check, in US\$ and made payable to "EUSA," to the European Union Studies Association, address given at right. (We can not accept lifetime membership payments by credit card.) We will send you a receipt and letter of acknowledgment.

### Will my Lifetime Membership be publicly recognized?

Yes, EUSA Lifetime Members will be listed in the *EUSA Review* and in our printed, biennial Member Directory.

## EUROPEAN UNION STUDIES ASSOCIATION

New Individual Membership Form (*Please type or print*)

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Work Facsimile \_\_\_\_\_

E-mail \_\_\_\_\_

Your Professional Affiliation \_\_\_\_\_

Do you wish to be subscribed to EUSA's e-mail List Serve? \_\_\_\_\_ yes \_\_\_\_\_ no

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Student\* \_\_\_\_\_ \$30 one year \_\_\_\_\_ \$55 two years

Lifetime Membership \_\_\_\_\_ \$1500 (see left for details)

\* Students must provide copy of current semester's registration form.

EU Law Interest Section \_\_\_\_\_ \$5 per year

EU Political Economy Interest Section \_\_\_\_\_ \$5 per year

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EU Latin America Caribbean Interest Section \_\_\_\_\_ \$5 per year

EU Economics Interest Section \_\_\_\_\_ \$5 per year

EU Public Opinion and Participation Section \_\_\_\_\_ \$5 per year

U.S. taxpayers may make a tax-deductible contribution to support the work of EUSA in any amount over membership dues:

EUSA Grants and Scholarships Fund \$ \_\_\_\_\_

EUSA Endowment Fund \$ \_\_\_\_\_

**Total amount enclosed** \$ \_\_\_\_\_

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