

*ARENA*  
*Working Papers*  
*WP 04/13*

# Unity, diversity and democratic institutions

**What can we learn from the European Union as a  
large-scale experiment in political organization and  
governing?**

By

**Johan P. Olsen**

ARENA – Centre for European Studies, University of Oslo  
PO BOX 1143 Blindern  
N- 0317 Oslo  
j.p.olsen@arena.uio.no

**Abstract**

How to reconcile political unity and diversity is a key issue in both democratic practice and theory. Coping with this dilemma activates some basic questions about how we understand political actors, institutions and change. This paper suggests that the evolving European polity is an exciting site for exploring this issue. In particular, can the European experiment give a better general understanding of what factors influence the rise and decline of voluntary cooperative efforts across established entities and boundaries? Can it shed light upon what are the consequences for the component units when they become part of a larger entity? Can we learn something about the changing conditions of democratic institutions and actors and their significance for the dynamics of change in political orders?

For half a century Europe has been involved in a large-scale experiment in political organization and governing. The terms of political order and the basic rules of political cooperation and association have been reconsidered. Constitutional and institutional change has taken place. The experiment is still going on and the outcome is uncertain. Then, what kind of political order has emerged in Europe? Through what processes has it happened? Why have sovereign states voluntarily joined a larger political unit – the European Union? What have been the consequences for the member states?

Understanding European developments is in itself of importance. Yet, the evolving European polity is also an exciting site for exploring some enduring aspects of political life and it may be worthwhile to consider whether there are lessons relevant *outside* the European setting. In particular, can the experiment give a better general understanding of what factors influence the rise and decline of voluntary cooperative efforts across established entities and boundaries? Can it shed light upon what are the consequences for the component units when they become part of a larger entity? Can we learn something about the changing conditions of democratic institutions and actors and their significance for the dynamics of change in political orders?

These themes are elaborated in the following parts. Change in political orders is conceptualized as institutionalization and de-institutionalization and focus is on voluntary cooperation and integration among political entities in contemporary democratic contexts. Changes caused by war and coercion, important as they have been in Europe and elsewhere, are excluded. *First*, three basic questions about political order are raised. *Second*, it is hypothesized that the continuous efforts to balance unity and diversity, system integration and component autonomy, is a key to understanding the dynamics of political orders; and it is asked how democratic institutions of government, as a particular type of normative integration, might help develop and maintain unity in diversity. *Third*, European integration is viewed as a process of (re)balancing unity and diversity, an analytical task complicated because interpretations of the emerging political order in Europe vary from seeing the Westphalia state order as decaying, to seeing Westphalia as being rescued or transformed.

*Finally*, I suggest four lessons students of democratic institutions of government can learn from the European case.<sup>1</sup>

### **Three questions about political order**

Students of political institutions have wondered, *first*, how a relatively enduring political order emerges, is maintained and changed, and how disorder, violence and capricious rule are avoided. They have asked, what are the preconditions for political order and under what conditions is there political authority at all? They have also asked, what are the processes through which actors with inconsistent preferences are transformed into a politically organized cooperative community with a shared system of authority, rules, common purposes and allegiance (Wheeler 1975: 4)? How are unity, legitimacy, allegiance and a collective commitment to follow shared rules, fostered, maintained and lost? What is the role of social conflict and resource asymmetries in institutional change (Knight 1992)?

*Second*, it has been inquired, what kinds of political orders are there and what kinds can there be? What are the distinctive characteristics, organizing principles and identities of different polities, across political communities and time? What are the terms of order? What are the institutions for and how are they explained and justified? How do they organize authority, relations and interaction; and how do they prescribe, allow, proscribe and constrain behavior and habits of thought as more or less appropriate? How do they allocate and control the use of resources?

*Third*, the functioning and consequences of political orders have been examined. Institutions have both collective and distributive effects. They enable collective action government and create mutual advantage. They also systematically favor some social groups and types of behavior and create distributional conflicts, winners and losers (Schattschneider 1960, Knight 1992). Institutions focus collective attention on shared concerns and sentiments or on what divides people (Rosenau 1984: 277). They regulate access to political centers and networks (Rokkan 1970) and fashion mentalities and habits of mind (Mill 1861). Transformation of

---

<sup>1</sup> This paper was originally prepared for presentation at the 30th Anniversary of the Center for Research and Teaching in Economics (CIDE), Mexico City. It will be published in Spanish in *Gerstión y Política Pública*, Mexico and in English in *The Journal of Political Philosophy*. I am thankful for constructive questions and comments from Morten Egeberg and James March, as well as David Arellano, Rodolfo Vergara and the other participants in the CIDE celebration.

political orders, then, destroys as well as creates institutions and life chances (Black 1966, Tilly 1975: 71).

An Enlightenment inspired democratic vision is that political order and authority stems from the people, as the ultimate source of legitimacy. Society can be understood and influenced and citizens can make history and design the institutions under which they want to be governed. Citizens have a “hypothetical attitude” towards existing institutions (Habermas 1996: 486) and the choice among forms of government is the most fundamental question facing a polity. Constitutional politics signifies the processes through which the basic institutions, principles and norms of politics and government are developed and changed.

The democratic vision is consistent with the most common answer to why individual or collective actors voluntarily enter an organization: They organize because they together can solve some problem better, or with less effort and expenses, than they can each for themselves. Yet, there has been expressed doubt concerning the degree to which political orders and institutions can be deliberately chosen (Hamilton, Jay and Madison 1787, Mill 1861). Doubt has also been expressed whether it really matters how institutions and constitutions are designed, if they are out of step with social and economic forces (Dahl 1989: 127-8, 139).

Generally, an interpretation of political development as the choice and perfection of human institutions is problematic. There is institutional inertia. Institutions (and institutional ideologies) reflect the historical experience of a community. They take time to root and they are often difficult to change. Organizational structures and institutional ideologies are forged through historical processes in successive efforts to match normative principles and causal beliefs to experience. Yet, institutions are also difficult to keep constant. They are vulnerable and threatened by the possibility of decline and entropy - disorder, disintegration, disorganization, confusion, chaos, decay, and violent conflict. Institutional dynamics are also influenced by the fact that democratic orders are never perfectly integrated: monolithic, coordinated and consistent. They are composed of a variety of structures and processes, organized on the basis of different principles, and routinely colliding and changing (Skowronek 1995). Some of the fiercest political conflicts have been over what are the appropriate institutional principles and the balance between unity and diversity, coordination

and autonomy, and many students of political organization have seen lack of stability as a more serious problem than lack of flexibility. Understanding the emergence of a new order, then, includes understanding why established rules and practices are undermined, but more is known about how institutions arise than how they decay and disintegrate (Schweller and Priess 1997: 25).

The paper's understanding of political change and continuity, then, challenges the idea of constitutional choice -- that political institutions adapt quickly to changes in political purposes, understanding and power. The paper also challenges environmental determinism -- that change in political institutions is driven by external social, economic and cultural forces, and reflects differences in the comparative (functional or normative) efficiency of alternative institutional forms. Instead, political institutions are assumed to have independent explanatory power. Shifting reform attempts and environmental conditions are observed, interpreted and reacted upon through institutional structures, traditions and dynamics, and processes of change, including competitive selection and rational adaptation, are mediated by institutions (March and Olsen 1989, 1995).

The possible significance of democratic actors and institutions for understanding change in political orders, therefore, has to be examined and the paper is based on four assumptions: *First*, different political orders are constituted by different ties and relationships. *Second*, actors may be motivated by instrumental concerns as well as constitutive identities, principles and rules. *Third*, political institutions can be tools for achieving immediate policy benefit, as well as carriers of constitutive identities, principles and purposes providing robustness against reform attempts and external changes. *Fourth*, institutional dynamics, i.e. how quickly institutions arise, adapt and dissolve, depend on the kinds of ties on which the institutions are primarily based.

Then, understanding the conditions under which politically organized entities are likely to enter into a new political entity and transfer political authority to it, and the consequences of different degrees and forms of inter-unit integration for intra-unit organization and governance, requires insight into the nature and sources of political unity and diversity. We need to examine the number and types of bonds that constitute and stabilize political entities and create coordination, consistency and coherence; and the factors that keep the component

units apart and create diversity. *In brief*, we need to take an interest in how integration and its consequences may depend on what type of entities the component entities are, how they are constituted and how strong identities they have; what type of entity the new unit is; how the relations and interactions between the new unit and the component units are organized, and whether their constitutive characteristics are compatible or irreconcilable.

### **Balancing unity and diversity**

The quality of democratic institutions depends on their success in balancing unity and diversity, system coordination and unit autonomy -- that is, the ability to act in a coherent and purposeful way and at the same time respect and accommodate legitimate diversity and conflicts. Statecraft implies the ability to make and enforce collective decisions *and* sustain a political community in the face of enduring differences (Selznick 1992: 369).

Historically it has been argued that political order depends on social and cultural homogeneity. A polity composed of strangers and enemies who diverge on basic moral and religious precepts has been seen as unviable (Mill 1962: 309, Spragens 1990: 123). Contemporary democracies, however, legitimize social and cultural diversity and political opposition and conflict. Ordered rule is based on proper political institutions, not preexisting social and cultural homogeneity. Democracies are communities of rules and procedures more than communities of substantive goals. Institutions are assessed on the basis of their specific properties and consistency with basic principles of reason and moral in the community, and not solely as instruments for achieving immediate substantive benefits (Olsen 1997a). The functionally best solution is not always politically or culturally feasible (Merton 1938). Yet, well-organized political institutions can make it possible to live peacefully together with enduring conflicts and also contribute to political community and social cohesion. They can help even deeply split societies balance unity and diversity and be politically stable (Lijpart 1975).

**Varieties of integrations and dynamics.** Integration is a process which turn previously separated units into components of a relatively coherent and consistent system. Integration as a condition consists in some measure of the density and intensity (number, kinds and strength) of relations among the constituent units: their interdependence, consistency and structural connectedness (March 1999: 134-135, also Deutsch 1968: 158-60, March and

Olsen 1995: 66-72). *Functional integration* is a measure of interdependence and relevance, i.e. the degree to which decisions and events in one part of a system have an immediate and direct impact on other parts. *Social integration* refers to connectedness and a measure of linkages, such as contact, communication and trading. *Cultural integration* implies that the beliefs of a social group fit together and make sense. Integration as *political institutionalization* refers to: (a) Structures, rules, roles and practices specifying legitimate authority relations and codes of appropriate behavior. (b) Shared purposes, identities, traditions of interpretation and principles of legitimacy that explain and justify practices and provide a basis for activating moral and emotional allegiances and solidarity, (c) Common resources which create capability and capacity to act in a coordinated way.

A starting point for understanding political integration is the observation that, except for situations of extreme power asymmetry, changes in the relations *among* organized units are linked to changes *within* units through a process of mutual adaptation and co-evolution rather than unilateral adaptation. As relatively autonomous units become integrated into a larger system of cooperative effort, their internal structure and dynamics tend to change. The effectiveness of internal leadership control may be reduced and the organization may lose coherence and unity.<sup>2</sup>

Therefore, most of the time, integration into a larger organized system competes with the desire for autonomy among the system's components. It is difficult to find and maintain a proper balance between system integration and unit autonomy. System coordination and coherence tends to foster efforts to protect the identity and distinctive character of the components. Likewise, differentiation of sub-systems and integration of each component, are likely to generate demands for system coordination and control, coherence and consistency (Aldrich and Whetten 1981: 401 Scott, Mitchell and Perry 1981: 141, Rosenau 1984: 256-7). Often a process of political integration carries the seeds of its own disintegration, producing simultaneous processes of fragmentation and fusion (Ferguson and Mansbach 1996: 39). Hence, all systems are facing the question of how much and what forms of integration the components can tolerate and how much and what forms of diversity the system can tolerate. How then does system integration, and whether becoming part of a larger system requires that

---

<sup>2</sup> March 1953, March and Olsen 1995: 184, Brunsson and Olsen 1998: 31, Olsen 1998.

component units give up constitutive characteristics, depend on features of the larger unit, the component units and their interrelations?

Students of political organization have argued that a polity constituted solely on the basis of expediency, calculated expected utility and power balance, so that the legitimacy of the political order depends only on its contribution to achieving immediate (collective or differentiated) policy benefits, will be too contingent on circumstance.<sup>3</sup> Such a polity is likely to be unstable because institutional change will follow shifts in the comparative efficiency of alternative forms. If a polity is held together primarily by coercive means and differential advantage, changes in relative resources and alliances will be crucial.

A polity is likely to be more stable if it is (also) glued together by a collective identity, i.e. a shared conception of who the citizens are and what community they belong to and are emotionally attached to, by shared habits and conceptions of “good governance”, rights and obligations, appropriate behavior and fair outcomes. For example, some conceptions of democracy see self-restraint and following common rules as part of being a member of a democratic community and taking on roles like citizen, elected representative, bureaucrat, expert and judge (March and Olsen 1995). A spirit of citizenship then implies a willingness to think and act as members of the community as whole and not solely as self-interested individuals or as members of particular interest groups (Arblaster 1987: 77).

Political tradition may be unreflected. Then authority relations, a sense of identity and allegiance, rules of appropriate behavior and fair outcomes which transcend immediate instrumental concerns and shifting goals are observed. Yet, the reasons and justifications of the principles on which institutions have developed have been (partly) forgotten. Usually, change in such polities follows from slow reinterpretation of tradition. However, under extraordinary conditions, such as a performance crisis, the principles are likely to be challenged. The result then may be a rediscovery and reconfirmation of the legitimacy of existing principles. Or, the reconsideration may cause a refutation and replacement of traditional principles and institutions, possibly with unforeseen and unplanned effects. The dynamics of change will be different in a legitimate political order held together by a strong

---

<sup>3</sup> Wolin 1960: 88-9, Mill 1962: 31, Weber 1978: 213, Rawls 1985: 249, 1987: 11, Spragens 1990: 256, Habermas 1996: xi, 8, 26-29.

*reflexive* collective identity and ethos. Then continuous public reflection and deliberation makes it likely that crises and breakdowns can be avoided and that change in basic principles will be incremental.

**Varieties of consequences.** Faced with the possibility of integration into a larger unit, the challenge for the component units is least daunting in a polity constituted on functional expediency alone. No constitutive identity, commitments or emotions are involved. To join or not is to be solved through the calculation of the comparative policy benefits of joining and staying outside. The dilemma of maintaining an original unit's identity will be more conspicuous when both the larger system and the component units are held together by strong constitutive identities and a loss of identity can not be compensated by policy gains. Examples are polities with a strong sense of nationhood, language and culture, religious community, or political ideology.

The challenge for the component units is also moderate when cooperation involves a limited substantive agenda and takes the form of common conferences, declarations, voluntary exchange, non-obligatory standards and legally non-binding rules. The challenge increases when the agenda is expanded and the new unit is based on joint policy making, majority decisions, legally binding rules, significant budgets and staffs, a common identity and competence to expand the system's authority and resources.

Finding an acceptable balance between unity and diversity is furthermore relatively easy when identities and constitutive characteristics are reconcilable. This includes when they complement each other, and when a component unit desires changes following from integration, e.g. as part of the search for a new self-image or role identity (Deutsch 1968: 192). "Collision" implies relatively irreconcilable differences which demand unwanted changes in the constitutive characteristics of the component units. An example is when an interventionist, welfare state faces integration into a market based order. In a market order the main concern is to provide flexibility by removing barriers to voluntary exchange based on calculated self-interest. The existence of other relations than the purely functional, e.g. a feeling of belonging and human bonding, trust and loyalty, is seen as hindering the mechanism of free exchanges. Therefore, integration into a market order will in particular provide a challenge to advantaged districts, social groups, industries and others whose rights

or privileges have been protected by the solidarity and the acceptance of political redistribution in the smaller unit. Collision can, however, also be caused by the smaller entity's willingness to accept majority rule, government intervention and redistribution in the smaller and more homogeneous unit, but not within a larger and more heterogeneous entity.

When a component unit as a whole becomes part of a larger unit, leaders and others with extended external contacts tend to strengthen their position. Their boundary scanning functions provide them with information others do not have and they get a key role when it comes to interpret what the external world is willing to accept and therefore what is politically possible. In contrast, if different parts of a component entity are integrated into different task environments, external units or networks, strain is put upon the component entity's ability to continue as a unitary and coherent cooperative effort. Then, there is differentiated attention and exposure to information among sub-groups. Previously shared goals and identity tend to be questioned or transformed. Boundaries become more ambiguous and the internal control over resources is likely to be challenged. Loss of coordination and coherence is in particular likely if there are no other strong ties gluing each of the component units together.

An implication of the Enlightenment-inspired democratic and institutional perspective, then, is that it is necessary to reconsider the view that unity and diversity always are at the opposite ends of the same continuum and that coordination and autonomy always compete. Because institutions mediate between diversity and unity, the relationship may be more complex. The two may be uncorrelated or even positively correlated under some institutional conditions. It is, for example, imaginable that reduced diversity does not necessarily trigger processes of integration and that increased diversity does not necessarily create disintegration. It is also imaginable that increased diversity generates specific forms of unity. For instance, diverse and interdependent entities may accept integration in terms of more common rules, even if they are not willing to transfer massive discretion and joint decision making to a single political center. Probably, a successful reconciliation of diversity and unity also depends on the processes involved, and in particular how tensions and conflicts are coped with.

Next, these ideas about the balancing of political unity and diversity are used to examine the case of integrating 25 states with 455 million inhabitants into the European Union. The task is

complicated by the fact that there are competing conceptions of European integration and its implications for the unity/diversity-balance. Here three stylized interpretations are discussed: Westphalia decaying, Westphalia rescued, and Westphalia transformed.

### **Westphalia decaying**

Weber saw the territorial state as an end-point in political organization and governing: "In the end, the modern state controls the total means of political organization, which actually come together under a single head" (Weber 1970: 82). Bendix, in contrast, saw "the state" as a historically delimited term that implied "not only a transition in the early modern period but sooner or later a transition to new and yet unrealized or unrecognized institutional patterns in the future" (Bendix 1968: 9).

Some argue that *now* is the time when Europe faces a break with the Westphalian principle for organizing political space based on state sovereignty and considerable overlap between political, legal, administrative, economic, social and cultural boundaries. European integration is seen to have a potential to provide a "pathway for leading mankind out of the era of the nation state" (Deutsch 1968: 191). We may be entering "a new stage in the history of the Western European states" (Wessels 1996: 58) and there may be "a new large-scale territorial differentiation characterized by the progressive lowering of internal boundaries and the slow rising of external new boundaries" (Bartolini 1998: 48).

European history has been characterized by efforts to make territorial boundaries correspond with functional boundaries (Bartolini 1998: 7). Now it is claimed that the old order is decaying because it is unable to cope with the most pressing economic, social, security and environmental problems. A variety of boundary-exceeding forces, together with internal fragmentation, are seen to erode the states' external boundaries and internal authority, as well as national identities and loyalties. Political institutions and authority have lost support and legitimacy and a process of "unbundling territoriality" into various functional regimes (Ruggie 1993) is replacing the reification of state borders (Barkin and Cronin 1994: 126). The territorial state withers and is being replaced by new institutional patterns of authority and social integration (Liftin 1997: 176).

One interpretation is that there is a general revolt against the Westphalian order and a return to an order with a variety of layered, overlapping, nested and competing polities, affiliations and allegiances (Appandurai 1996: 22-23, Ferguson and Mansbach 1996: 33-34, 417, Doornbos and Kaviraj 1997). The dynamics of change is society driven and largely outside political control. Transnational actors are more important than democratically elected politicians and a grand supranational restructuring driven by functional interdependencies and economic, technological, demographic and social imperatives makes the state, the nation and existing borders obsolete and non-viable.<sup>4</sup> Global economic and technological interdependence, competition and rationalization are usually portrayed as the key drivers. But political development is also seen to reflect a global ecology where nature does not know national boundaries (World Commission 1987) and a world of migrations and Diasporas where "cultures that will not stay in place" challenge the territorialization of culture (Pollock 1998).

The claim that nation states are functionally obsolete and unable to cope with current challenges and opportunities, and that the glue that have held them together no longer work, echoes the old idea that "the law of progress" makes states and nations unviable and that they are doomed to disappear (Hobsbawn 1992). Modernization emphasizes instrumental efficiency and effectiveness rather than territorial traditions and interests and the state has felt victim to competitive functional selection and "an inescapable cycle of decay", a development assessed as coming close to "a natural law" (Ohmae 1995: 59-60, 141).<sup>5</sup> Historically, claims of irrelevancy and the tension between functional, territorial and cultural boundaries have in particular been directed towards the smaller states. Now it is argued that the strength of market forces make attempts to transform the EU into a state-like polity "ironic" and "tragic" (Ohmae 1995: 138).

The unviability-claim often includes democratic politics and government and hierarchical organization in general. While the emerging nation state implied a fusion into one

---

<sup>4</sup> Bell 1987: 16, Beetham 1990: 219, Hobsbawn 1992: 191-2, Tassin 1992: 169, Liftin 1997.

<sup>5</sup> The TINA (there-is-no-alternative) line of argumentation about the impossibility and undesirability of political intervention is well known. Hirschman (1991) observes three theses in what he calls the Rhetoric of Reaction. *Perversity*: Intervention will create the opposite effects of what is intended and intervention will exacerbate the conditions reformers try to remedy. *Futility*: Intervention will have no effect. *Jeopardy*: Intervention will endanger some previous, precious accomplishments and make the costs of the proposed changes too high.

compulsory association (Weber 1978: 666), a new type of society demands a new type of political governing, with a less central role for representative government and a more central role for non-governmental actors. Governance can not be based on a single, territorial center and territorial representation. The era of hierarchical government has come to an end as a logical consequence of the functional differentiation of modernity (Castells 1996, Mayntz 1997).

Within this society-centered perspective, there is a "reconquest of political authority by societal actors" (Andersen and Burns 1996: 228). Task effectiveness and technical imperatives presupposes depoliticization, professional competence and knowledge, as well as the participation of organized interests. Europe is moving towards a post-democratic or post-parliamentary order where the influence of the people through territorial, representative democracy has a marginal place. It is also "unlikely to be a reversal or regression toward a classical ideal of effective representative democracy" (Andersen and Burns 1996: 236-7,242,245).

Of course, there are interdependencies and developments outside the reach of European political actors. Global economic and technological competition is affecting both member states and the Union in important ways, inspiring the EU to become a stronger international political actor (Knodt and Princen 2003). Furthermore, while huge sums of money have been spent to keep all national languages official EU languages, there has been a trend towards an "English-Only Europe" (Phillipson 2003).

Nevertheless, the idea that global environments and processes of modernization select precisely among competing institutional configurations on the basis of comparative functional efficiency, and that they favor diversity and market-solutions and create political impotence and irrelevance, is problematic. It is not obvious that market-building and negative integration, in terms of removing barriers to trade and interaction, is the only adequate response to current functional interdependencies. Different boundary-exceeding forces do not necessarily require the same institutional arrangements, and in particular arrangements favoring less political unity, authority and coordination. Economic rationalization may destroy collective belongings and generate individualism and diversity. Yet large-scale Diasporas indicate the enduring strength of cultural belongings. Cultural collisions, ecological

interdependencies, boarder-crossing crime as well as international trade often generate demands for political rules and interventions.

The idea of environmental determinism and competitive selection favoring a specific institutional arrangement is also challenged by the limited convergence in institutions of government observed in European nation states. European history has seen a dynamic interaction between unity and diversity, universalism and particularism, and centripetal and centrifugal tendencies. European states have followed different trajectories and significant intra-European differences have remained (Rokkan 1975, Nedrebø 1986: 70, Flora 1993). Democratic government has achieved some autonomy because it has *not* been seen solely a mechanism for economic management in the service of prosperity or any other single policy-objective. Political communities have been constituted as more than an economic group and they have possessed value systems beyond the satisfaction of economic needs (Weber 1978: 902, also 40-41). Nations are communities of people who have learned to communicate with, and understand each other, beyond the mere interchanges of goods and services (Deutsch 1966: 99,174).

In the context of the European Union, a variety of domestic political and administrative arrangements have turned out to be viable. There has been flexibility in terms of reallocation of attention, contacts and resources. Yet such change has largely happened without fundamental changes in national institutions.<sup>6</sup> There are elements of convergence in the ways in which European issues are coordinated, but there are also substantial differences and national distinctiveness persist (Kassim, Peters and Wright 2000, Kassim et al. 2001).

There has, in addition, been a resurgence of nationalism in Europe and a renewed scholarly defense of the unifying function of national identity. The nation is then portrayed as an ethical community, maintaining solidarity among a group of people who see themselves as distinct and differentiated from outsiders, creating historical continuity, connecting individuals to a particular geographical place, and legitimating self-governance (Miller 2000). While nationalism has generated terror and destruction, the nation and nationalism is assessed to be

---

<sup>6</sup> Page and Wouters 1995, Gustavsson and Lewin 1996, Héritier, Knill and Mingers 1996, Meny, Muller and Quermonne 1996, Olsen 2002, 2003, Hanf and Soetendorp 1997, Cowles, Caporaso and Risse 2001, Goetz and Hix 2001, Knill 2001, Jacobsson, Lægred and Pedersen 2004, Wessels, Maurer and Mittag 2003.

the only realistic socio-cultural framework for a modern world order, providing indispensable elements of cultural fulfillment, belonging, and fraternity. In brief, “it would be folly to predict an early supersession of nationalism and imminent transcendence of the nation” (Smith 1995: 159-60).

These observations show that there is no unambiguous empirical support for a society-centered perspective that assumes that political boundaries and authorities generally are deinstitutionalized, and that changes in the unity/diversity-balance are outside political control. The political restructuring of Europe has been influenced but not dictated by environmental forces. Yet, functional interdependencies and social linkages have not automatically translated into political change. There have been elements of standardization and homogenization, but several institutional arrangements have turned out to be viable.

The available data, however, invites preliminary and not firm conclusions, and the decay-of-Westphalia-hypothesis invites studies based on assumptions about how states are actually organized and function, rather than studies based on a legal construct of “the sovereign state” and a state-based order. In Europe the development of a central state capability and the nationalization of political, legal, administrative, economic, social, linguistic, religious and cultural boundaries have been uneven. There are huge variations in the degree to which states -- through processes of state-building, nation-building, citizens’ participation in mass politics, legal protection of collective and individual rights, and social protection and welfare provisions -- have developed a sense of collectivity and associative and emotional political bonds of belonging (Eisenstadt and Rokkan 1973, Rokkan 1975, Doornbos and Kaviraj 1997).<sup>7</sup>

---

<sup>7</sup> The state- and nation-building literature suggests that states are integrated differently in terms of having:

- State building, with an organized capacity for territorial control: common institutions with a unitary and coherent military and administrative apparatus under the authority of one sovereign political center, securing border control and jurisdiction over the territory.
- Nation building, providing a cultural basis for governing: A strong, shared national identity - a *Nationalgefühl* - with cultural standardization and homogenization within national borders and differentiation from the outside.
- Democratization: Development of shared beliefs in principles of popular sovereignty, political equality, representative democracy and political accountability, with a cumulative inclusion of all social groups in mass politics and votes as decisive in policy making.
- Legalization: Development of a *Rechtsstaat* with constitutional rules and rights that give direction to and constrain the use of both public and private power.
- Socio-economic citizenship: Development of the ideology that citizenship includes social and economic rights, with a welfare state as the guardian of distributive justice and the social security of all citizens

As a result, "the state" signifies a variety of institutional configurations. Contemporary states are more integrated or less so, and they are integrated in different ways. They are made up of a multiplicity of structures and rules, identities and belief structures, resources and capabilities. Several organizational principles have legitimacy. There are tensions and collisions between them, and integration along one dimension can create problems of integration along others. Such differences stabilize states and specific institutions in different ways and to different degrees. They are also likely to influence whether a state will voluntarily enter a larger political unit; state responses to cooperation and integration; and what happens to states as organized systems of action when they become part of a larger unit. While there is scant empirical evidence illuminating the consequences of such variations, observations of differences between pro-integration "core" (continental) states and the more reluctant Scandinavian states, strongly integrated along all the dimensions found in the state- and nation-building literature, suggest a possible pattern.

### **Westphalia rescued**

In contrast to the emphasis on environmental determinism and political impotence, European integration has been interpreted as a strategy to recapture national problem solving capacity and "rescue" the state (Milward 1992). The answer to the question, why is it that Europe, the cradle of the state system, is now experimenting with a post-Westphalian order, simply is that Europe is not doing so. To maintain a political order and a system of government does not imply status quo but a continuous ability to adapt institutions to changing circumstances. Institutional reforms and center-building are a response to the crises and wars, failures and challenges of European states, including their loss of world hegemony. They represent a rational adaptation to new circumstances that strengthen the states and accommodate their interests. The intergovernmental perspective, in particular, portrays changes in the unity-diversity-balance as a matter of political will, power and choice.

---

and a device for balancing political intervention with capitalism and markets and social protection with economic growth

- Corporatism: Integration of organized interests into public policy-making, a representation legitimated by the expertise provided by organizations and the principle that "affected parties" should take part in policy making, but also reflecting *Realpolitik* and the inclusion of functional interests that through their control of strategic resources affect the performance of state and society.

The European Union is the most developed supranational institutional configuration in the world. Yet it is not a political system of its own with general-purpose democratic legitimacy and it can not be so against the will of the member states.<sup>8</sup> The Union is, rather, the creature of, and controlled by, the member states. It is a successful case of interstate co-operation where the larger states are the prime movers. National elites act pragmatically on the basis of their relative bargaining power and national interests, primarily defined as economic interests. Institutions are designed and reformed to improve functional performance. States bind themselves and reduce their day-to-day discretion by delegating authority to European institutions as a strategy for achieving long-term policy benefits (Moravcsik 1998, 1999).<sup>9</sup>

As a result, European integration has been uneven, with primacy to economic integration and a development from the common market, via the single market to economic and monetary union, the common currency (Euro) and the European Central Bank. The market has become the institutional centerpiece of the Union and competition policy has achieved quasi-constitutional status. Focus has been on regulation and not on majority-based institutions, redistribution and attempts to modify constitutive identities (Majone 1996). While a key aspect of the EU is the importance of legal integration, the Union has modest capacity to govern, administer and redistribute resources. It has limited financial capabilities, with a ceiling of 1.27% of the GNP of the member states for its own financial means, limited administrative capabilities of its own and limited law-enforcement capability and no independent military capability. The European Parliament has been comparatively weak. Integration has been an elite phenomenon with low levels of mass mobilization and non-majority institutions have to a considerable extent been shielded from democratic accountability through elections and public discourse (Franklin and van der Eijk 1995).

The Union, furthermore, is a polity based on instrumentalism and functionalism without strong cultural integration and popular allegiance. The states have been more concerned with

---

<sup>8</sup> “The Union is not now, and will not soon be a unified democratic polity, and it would undermine the bases of its own legitimacy if highly salient political preferences of its member states could simply be over-ruled by majority votes in the Council and the European Parliament” (Scharpf 2003: 103). Scharpf, however, does not assume that member states are in (perfect) control. Rather, they are constrained by EU institutions and policies.

<sup>9</sup> Moravcsik, however, sees governments as representing social interests (Moravcsik 1999). State actors are treated as proxies for the underlying social forces (Moravcsik 1998: 36, note 29). In settings where organized interests are powerful and active, governments are then narrowly constrained.

protecting national languages than national currencies. In general, the Union has been given weak control over socialization, education and cultural affairs and it is obliged to respect the identities and cultures of member states. The EU aloofness is partly a result of experience. Interventions in identity-related matters have tended to focus attention on national distinctiveness and create conflict, as illustrated by cultural and media policies (Schlesinger 1993).

Moravcsik, for one, sees the EU as a legitimate order with no democratic deficit and he suggests that the true Europeans may be those who view the Union as “a stable form of pragmatic co-operation deliberately tailored to the enduring, increasingly convergent national interests of European firms, governments, and citizens” (Moravcsik 1999: 176). Over the last decade the EU has moved toward a stable institutional equilibrium and a constitutional settlement. The Union lacks a large-scale integrating project, and “we may now be glimpsing the constitutional order that will govern Europe, barring a severe crisis, for the foreseeable future” (Moravcsik 2002: 603-4).

**Beyond intergovernmentalism.** Is then the EU merely an instrument for the political leaders of the (big) member states and has Union membership not implied change in state autonomy, coherence, or identity? There are competing conceptualizations of the EU and disagreement about how to describe the Union and the causes and consequences of integration. There is no consensus about the relative importance of state, trans-national and supra-national (European-level) actors, institutions and processes. While some see member states as strengthened, others claim that states have lost parts of their formal sovereignty and real autonomy (Scharpf 1999) and that there is a double democratic deficit in the Union (Schmitter 2000). Some see preferences as being formed at the European as well as the domestic level and veteran EU-scholars hold different opinions about how national identities and loyalties have been affected (Laffan 1998: 242, Wessels 1998: 227). A variety of, often uncoordinated, processes of change are observed (Dehousse and Majone 1994, Marks, Hooghe and Blank 1995).

Of this complexity, the rescue-perspective may best capture intergovernmental bargaining on treaty reforms.<sup>10</sup> Other students of integration have, however, called attention to non-state

---

<sup>10</sup> Moravcsik argues that “it is simply not my intention to offer a comprehensive theory of European integration”. Focus is on the determination of which factors most strongly influence major intergovernmental

actors and institutional settings, as well as other consequences and a rebalancing of European unity/diversity and coordination/autonomy. The Union has, for example, been interpreted as a supranational polity changing the member states (Sandholtz and Stone Sweet 1998, Stone Sweet, Sandholtz and Fliegstein 2001). Legal integration and the judge-made doctrines of the supremacy and the direct effect of European law has transformed the Union (Weiler 1991, 1999) and the constitutionalization of the Treaty system has “progressively enhanced the supranational elements in the EU and undermined its intergovernmental character, federalizing the polity in all but the name” (Stone Sweet 2003: 18). European law has created individual rights that constrain national governments, as citizens, associations and firms can take their government to the European Court of Justice (ECJ). Neo-functionalism has also emphasized the interaction of transnational actors and supranational (European-level) actors. Trading and other economic activities, together with social interaction and exchanges, have generated a demand for European rules, policies and institutions. Supra-national actors, such as the Commission and the ECJ have met these demands by building strategies and capabilities based on the functionality of particular policies, usually without public debate about the impacts on member states.<sup>11</sup>

While there has been a gradual strengthening of the European Parliament and more extended use of qualified majority voting, rather than unanimity, the EU has become a multi-level and multi-centered polity with blurred boundaries between levels of government and between the public and the private sector. There is a variety of multi-level and issue-dependent networks and bargaining systems organized along functional rather than territorial lines. The European legal order has become more diffuse and polycentric and it is not obvious where final authority rests. *In brief*, the Union is an example of "governance without government", that is, a system where no central authority or single group of actors can consistently impose their solutions on others, but have to work as mediators facilitating consensus formation.<sup>12</sup>

---

bargains. The search for a single theory that can explain all the EC politics at one go is “futile, even counterproductive” (Moravcsik 1999: 174).

<sup>11</sup> Weiler 1991, 1999, Stone Sweet and Sandholtz 1997, Stone Sweet and Brunell 1998,

<sup>12</sup> Kohler-Koch 1996, 1998a,b, Rometsch and Wessels 1996, Wessels 1996, Joerges, Ladeur and Vos 1997, Teubner 1997, Kohler-Koch and Eising 1999, Jactenfuchs and Kohler-Koch 2003, Kohler-Koch 2003.

Different EU-instruments have different effects. The quasi-constitutional status of competition policy and the free movement of capital, goods, services and people reduce the states' capacity for self-governance (Scharpf 1999). In contrast, "soft law", the open method of coordination and standards giving access to the European market provide rules of conduct that may have effects without being obligatory and legally binding (Héritier 2003). Such instruments are more compatible with state autonomy and diversity. Their increasing use may therefore reflect attempts to balance claims of national autonomy and power, with Union ambitions to coordinate and control, while lacking adequate authority and resources to issue and enforce binding orders. Conflicts are also buffered by a division of labor where the Commission gives substance to framework decisions taken by the intergovernmental Council, while member states play the major role in implementing EU decisions. In this perspective, the often observed "implementation deficit" may work as a flexibility and conflict-reducing device (Olsen 1997b).

European integration also matches different institutions differently. While national parliaments have had their law-making capacities constrained, other institutions have been strengthened and their importance enhanced. Examples are the executive, courts of law and central banks. A quasi-symbiotic relationship is developing between the ECJ and national courts, the European Central Bank and national banks, and the Commission and national administrative entities. These relations are still in the making, yet they make domestic institutions part of both a national and European authority system (Slaughter, Stone Sweet and Weiler 1998, Egeberg 2003, 2004).

Functional integration can generally be expected to change the balance between the power of sector experts and territorial, numerical democracy, and functional integration transcending territorial levels have challenged institutions coordinating across sectors at both the domestic and European level. As illustrated by the ECJ, there are cycles of raising aspiration levels and renewed self-restraint at the European level (Joerges 1996: 10). Aspirations of coherent national action also vary across states, but EU-membership has put strain on the states' ability to coordinate their actions both at the domestic level and in Brussels (Kassim, Peters and Wright 2000, Kassim et al. 2001).

While both change and continuity are observed, policy convergence, standardization and homogenization has been more prominent than change in institutions and identities. Key institutions have shown robustness and limited convergence in spite of the single market, common legislation and high degree of interaction among elites (Cowles, Caporaso and Risse 2001, Olsen 2003, Wessels, Maurer and Mittag 2003). Neither have identities turned out to change easily. Stronger European institutions have not consistently produced a stronger European post-national identity. Large minorities of Europeans, however, carry multiple identities (Hooghe and Marks 2001: 66, Risse 2004) and even reluctant Europeans such as the Danes have come closer to perceive themselves as “European” (Goul Andersen 2003).

Bureaucrats and experts participating in EU-networks are also carriers of multiple roles and identities. The main loyalty is to national institutions, but in addition they have a sense of belonging to the committees in which they participate. National belongings are, furthermore, evoked in some institutional settings more than in others, that is, more in the intergovernmental Council committees and in comitology committees implementing community law, than in committees under the (supra-national) Commission (Egeberg 1999, Egeberg, Schaefer and Trondal 2003, Trondal and Veggeland 2003). Yet, existing knowledge about the causal pathways of identity-formation -- such as the relative importance of functional success, education and socialization, and deliberation and persuasion -- does not invite firm conclusions (Risse 2004).

Has, then, the Union reached an institutional equilibrium and unity/diversity balance? Or is the European political order being transformed? If so, how would we know -- what are key indicators of whether the Union has fostered a new order beyond Westphalia?

### **Westphalia transformed**

A political order characterized by coherent and sovereign nation states and international anarchy with rivalry among states is problematic as a baseline for interpreting transformations. This is so, *first*, because international anarchy historically has been modified by various forms of cooperation and interlocking relations among European states (Wallace 2001) and, *second*, because the division of political space into states and the state’s claim on citizens’ loyalty has competed with a variety of other divisions, identities and loyalties (Rokkan 1975).

For a long time period, the nation state has been the key political framework and actor in Europe and nationality has proved to be a principle of exceptional force as justification and mobilization of political action (Tilly 1992). Nevertheless, political and national boundaries have never been perfectly congruent (Navari 1981: 13) and it has been seen as a "pernicious postulate" that the world divides into distinct societies, each having its more or less autonomous government, culture and solidarity (Tilly 1984: 11). Because state sovereignty and integration have often been in conflict with national sovereignty and integration, there has been a tendency towards oscillation between the two principles (Barkin and Cronin 1994: 108).

From an institutional perspective transformation through integration can be measured along two dimensions: The degree of institutionalization beyond the national level and the principles on which European institutions are primarily organized and legitimized. *First*, transformation can be measured by the emergence of European institutions for joint policy making. The significance of European institutions increases as decisions are made by qualified majority, rather than consensus. Their importance also increases the more competencies, autonomy and capacity for action European institutions achieve and the less member states give European-level actors binding instructions.

*Second*, transformation can be measured by the degree to which European-level institutions are organized along, and legitimized by other principles than state, territory, and nation. Such institutions provide channels for representation of a multi-dimensional conflict structure (Egeberg 2004, Marks and Steenbergen 2004). This, in turn, encourage domestic institutional adaptation and give incentives for groups to organize themselves on the basis of other allegiances than state and nation, even when political parties, interest groups and mass media remain primarily nationally organized. Transformation then takes place to the degree that there is a loosening of the links between state, nation, democracy and citizenship (Habermas 1992) and officials and citizens develop a notion of shared European identity and emotional affiliation. A further step is suggested by UN Secretary General, Kofi Annan, who looks forward to "the day when Europe rejoices as much in diversity within states as it does in diversity between them" (Annan 2004).

Identifying exactly when a transformation of the European political order is taking place is, however, difficult because developments along the two dimensions have taken the form of incremental change and not a sudden break. Therefore, rather than making an attempt to identify an exact point of transformation, we ask: Have the enlargement to 25 member states, the politicization of integration and demands for democratization, and the Convention on the Future of Europe, producing the “Draft Treaty Establishing a Constitution for Europe”, contributed to a transformative development?

**Enlargement.** The likelihood of a stable European equilibrium and unity/diversity-balance has been reduced by a steady arrival of new member states (Redmond and Rosenthal 1998) and a frequent claim has been that there is an inherent contradiction between enlarging and deepening the Union. The Amsterdam Treaty (1997) institutionalized mechanisms of flexible integration and introduced as a basic principle that some member states can cooperate more closely than others. The demand for flexibility was presented as a response to the problems of managing the increasing diversity and heterogeneity of the Union (Stubb 1998). The May 1 2004 enlargement, involving ten new members, has introduced more heterogeneity and power asymmetries in the Union. Does this imply that equilibrium is less likely? Is disintegration, rather than further integration, to be expected?

The belief in a contradiction between widening and deepening the Union implies a negative correlation between increased diversity among the component units and integration in the relations between them. This belief is behind the assumption that convergence and reduced diversity creates integration; and that integration, with stronger institutionalized relations between the component units, reduces diversity and produce convergence among the units.

However, earlier EU-enlargements illustrate that system integration in terms of common formal institutions, identities and policies, and diversity among component entities is not necessarily negatively correlated. The relation may be neutral. The diversity among units may be reduced, for example by "the religion of modernity" (Andersen and Burns 1996: 247) without formal integration. Empirical studies also show that the relation can be positive. Historically widening and deepening have come together. Candidate countries have adjusted to the EU in order to improve policy efficiency (Sverdrup 1997) and in order to “be considered a responsible and capable candidate for EU-membership" (Caddy 1998: 89). Yet,

new members have also brought new concerns and demanded policies that have strengthened, not weakened integration. Enlargement decisions have been based on principled action and ideas about identity and belonging and not solely on utility calculation, and member states have accepted widening even when it has been seen as threatening to their interests (Sjursen 1997).<sup>13</sup> *In brief*, the long-term consequences of enlargement for how unity and diversity are reconciled are not obvious, even if the most likely short-term implication is increased stress on the Union's common decision making, coordination and consistency.

**Politicization and democratic dynamics.** When a transformation of the political order is on the agenda, there is often more than usual public debate and demands for better justification of existing institutional arrangements and reform proposals. In the European Union, however, justification of integration and cooperation has for some time primarily been functional and a-political. The claim has been that integration creates only winners and legitimacy has been based on practical results, consensus-seeking, expertise and indirect democracy derived from the member states.

The a-political rhetoric, the assumption of a shared project and the claim that “united in diversity we will be stronger and better equipped to find solutions to common problems” are still present in EU-documents, speeches by Union leaders, and in the 2003 draft Constitution (Convention 2003a, Prodi 2004: 2). Yet, over the last decade the a-political conception has been challenged, the “permissive consensus” assumed by political elites (Lindberg and Scheingold 1970: 4) has been weakened, and the legitimacy of the Union has been contested. In a way, the Union may be returning to the conception held by its founders. For them integration was a genuine political project, not an artifact of functional requirements or solely the pursuit of economic efficiency and prosperity. Aspirations were to prevent war, tame nationalism, create a legal order and make Europeans discover their belonging together. In that spirit it has been claimed that “to understand European integration, one must understand its irreducible political character” and how it is shaped by struggles about how to organize political life in Europe (Hooghe and Marks 2001: 141, also 51).

---

<sup>13</sup> For different perspectives on EU enlargement, see Schimmelfennig and Sedelmeier 2002.

Improving the democratic legitimacy became a key issue when the Maastricht euphoria, and establishing the political Union in 1992, turned into criticism and a loss of public confidence. It was observed that citizens held high expectations but distrusted Union institutions and it was concluded that the Union's system of governance required more direct democratic legitimacy and popular involvement. Institutions had to be brought closer to citizens and the role of citizen-based institutions and public opinion had to be strengthened. It was also asked whether further development of the Union required more shared mentality and identification. Yet it is accepted that building trust and cohesion would take time (Commission 1992: 8, 82, 1995).

These developments may illustrate that when for some time priority has been given to technical-functional concerns; counterforce in terms of politicization is likely to be activated. Then it is rediscovered that there is no clear line between "technical" and "political" issues and that few goals are so absolute and autonomous that they justify in the long run complete protection against democratic politics and popular accountability (Gustavsson1998). Rationalized, specialized functional systems are also discovered to be "blind" when it comes to their broader societal effects (Teubner 1997). Generally, the more the Union has moved from being a special-purpose organization with limited tasks, responsibilities and powers and towards a full-blown institutionalized polity, the more visible the limits of the principle of governance *for* the people based on functional legitimacy and indirect democratic legitimacy.

Is then politicization, with more democratization and citizens' involvement, likely to make Europe transcend the framework of the sovereign state? Is a politicized EU, more than a Union emphasizing functional legitimacy and the efficient aggregation of state preferences, likely to move towards a post-Westphalian order and a new unity/diversity-balance? Predicting future patterns of (dis)integration is complicated because there is no shared vision of how political authority is to be organized and legitimized in Europe, and because it is uncertain what unity-diversity balance an enlarged Union can live with. While some want integration to continue, others see it as having gone too far. For federalists committed to a polity-building project, the aim is an "ever closer Union", with more integration and stronger European-level institutions, giving the EU state-like features. As Euro-skeptics and believers in a stateless market (Kapteyn 1996) see it, further integration efforts are likely to drive the member states apart, not closer together.

Predictions of the consequences following from politicization also depend on how democratic politics is understood and the time perspective used. Democratic politics can be seen as aggregating predetermined preferences. Since there are huge and enduring gaps between rulers and ruled in their attitudes towards European integration, with citizens consistently more Euro-skeptic, increased citizens' involvement is in an aggregative perspective likely to halt, or slow down, further integration.

Democratic politics has a larger transformative potential when it is seen to impact peoples' preferences and conceptions of themselves and others through processes of will-formation, deliberation, justification and struggle (March and Olsen 1986, 1989, 1995, Eriksen and Fossum 2000). Then, European dynamics may provide an example of change in political-cultural communication and self-understanding as independent causes and not artifacts of technological and economic imperatives (Pollock 1998). Change involves discourse on what it means to be European, the kinds of community, normative principles and institutions one are willing to observe, and the meaning of core concepts such as democracy, sovereignty, federation, citizenship, human rights, and accountability. Rather than having an agreed and static meaning, such concepts appear as multi-dimensional and ambiguous phenomena in flux (Liftin 1997: 171, 195) and in the long run, enlightened and engaged citizens may provide a more solid legitimacy-base for the political order in Europe – be it intergovernmental or federal. The Convention on the Future of Europe provides a site for examining some aspects of such processes.

**The Convention on the Future of Europe.** The Convention was established to prepare the fifth treaty reform in less than 20 years. The Convention had its first meeting 26 February 2002 and presented its almost unanimous draft 20 June 2003. It counted 105 members, 103 alternates, and several observers. 28 countries, with more than half a billion citizens were present: The 15 member states, the 10 countries that became members May 1 2004, and the applicant countries Bulgaria, Romania and Turkey. A variety of political ideologies and positions were represented. National parliaments were for the first time directly taking part in a Treaty reform and the 56 national parliamentarians were by far the largest group (Convention 2003a).

The Convention used an institutional-engineering language, arguing what the Union is for and which institutions would be the best tools for common purposes. Discussions, nevertheless, involved both instrumental concerns and constitutive identities and principles, and aspirations were to represent something new in the series of Treaty revisions. At the opening the president, former French President Valérie Giscard d'Estaing, argued that a successful drafting of a European Constitution required a process beyond the aggregation of predetermined national and institutional self-interests. Needed was a "Convention spirit" with a European focus and a willingness to test existing preferences and positions, to examine national and institutional belongings and explore a European perspective (Giscard d'Estaing 2002). He has also portrayed the Convention as part of a process where Europe was "returned to politics, to citizens, to public debate" (Giscard d'Estaing 2003: 14).

The Convention had no direct popular mandate as a Constitutional Assembly (Closa 2004) and it took place in the shadow of the Intergovernmental Conference (IGC) making the final decision and the ratification by national Parliaments and in some cases referendums. The big member states had a privileged role and national, institutional and other interests were defended. The democratic life of the Union was discussed with modest popular engagement and throughout the process only a third of EU citizen reported to have heard about the Convention (Petersson et al. 2003). Still, the Convention was more representative and transparent than earlier treaty reforms. The participants reasoned in principled terms about the future architecture of the EU and deliberated about the terms of political community and union (Eriksen, Fossum and Menéndez 2004).

Knowing the history of EU Treaty reforms, it was no surprise that there were confrontations over the institutional architecture and the distribution of authority and power. A variety of lines of conflict were observed. Some conflicts were territorial, for example between smaller and bigger states. But the participants also divided according to different attitudes towards the future balance between European unity and diversity. This conflict surfaced as a federalists-intergovernmentalist, and to a lesser degree an outright euro-skeptic line; between net contributors and net receivers; and between participants adhering to different political ideologies. This cleavage, however, had competition from a variety of other issues dividing the Convention: The left-right dimension and attitudes toward the role of politics in regulating markets, providing social security and redistribute resources; divisions according to

institutional belonging, the desire to mention the importance of Christianity, the attitude toward the Iraq war and the relations to the United States, and conflicting positions on other specific policy issues. Beyond doubt, the Convention illustrated that European-level conflicts are not limited to confrontations between member states.

In most respects, the Draft Constitution did not represent a fundamental break with Union practices. The most radical, but not seriously contested, proposal was the principle of a *citizens' Europe*, as different from the traditional *Europe of states*.<sup>14</sup> Emphasizing the principle is consistent with a long-term development where the Union's identity increasingly has been linked to liberal-democratic values. The Maastricht Treaty (1992) for the first time explicitly said that the Union was founded on the principles of democracy and fundamental human rights. Since then, these aspects have been strengthened and the Draft Constitution, in its first paragraph, refers to "the will of citizens and states". The section on "The democratic life of the Union" states that the Union, in all its activities, shall observe the principles of the equality of citizens, representative democracy and participatory democracy (Convention 2003a, Title VI, p. 41).

*If* the principle of a citizens' Europe becomes central in the governing of the Union, making the individual citizen the key component unit, it would contribute to a transformation of the European political order: *First*, because competition and conflicts between states would increasingly be supplemented by a variety of other belongings and cleavages; *second*, because in a Union of 25, where six countries have 74% of the population, power relations would also be quite different from a Union where all states are supposed to have a veto in decisions which threaten their fundamental interests.

In the Convention, Constitutional law was the common language and frame of reference and the significance of the Constitution was emphasized throughout the process. However, the real importance of the legal text, accepted with some modifications by governments June 18 2004 and formally signed four months later, depends on several factors: *First*, whether the draft text, is actually ratified by parliaments and in referenda; *second*, how long it takes

---

<sup>14</sup> A statement suggesting important implications of the Draft text, but not much debated or contested, was made by the president of the ECJ, M. Gil Carlos Rodríguez Iglesias, who asked whether the constitutional status of the four freedoms was weakened, or the freedoms and the internal market would continue to enjoy the status of "principles of economic constitutional law" (Convention 2003b: 6).

before the Constitution is again revised; and *third*, the degree to which the Constitution de facto comes to govern future behavior and developments in the Union. Weiler, for example, invites some skepticism:

“It is a matter of legal hubris to imagine that constitutions really constitute. All these issues are just bends and dykes in the river which can channel somewhat, retard somewhat but not truly affect the course of human affairs. The future of Europe will not be decided in the true, profound sense by the Convention or the IGC” (Weiler 2002: 578).

The significance of the Convention does not, however, depend solely on the legal text it produced. The Convention model, as a new method of Treaty reform, is likely to be used in the future. The Convention also generated cultural (causal and normative) learning that is relevant for the Unions unity/diversity-balance, and that may have an impact independent of the constitutional text. For example, one participant argued that:

“the most valuable aspect of our Community adventure are unwritten: the habit of working together, the fabric of trust woven day by day, the habit of listening to others, the quest for a lasting compromise, the method of collective debate conducted in several languages, the exhausting practice of marathon negotiations, the emergence of new forms of solidarity to be superimposed on national forms, the amazing discovery that the output of this inevitably complex machinery is generally better than the most brilliant decision etc. In other words, the art of living together” (Lamassoure 2002: 14-15).

In the EU there have been complaints that new members have “not so far developed the culture of compromise” (Landaburu 2004: 1), as well as reports that even skeptics found participation in the Convention interesting and that they modified their perceptions and attitudes (Pettersson et al. 2003). The Convention had transformative elements and it is observed that its outcome can not solely be understood by studying governmental preferences and power and the “classical intergovernmental dynamics” (Hoffmann and Vergés Bausili 2003: 129). Still, it is not obvious that the Convention modified the identities of participants. Firm conclusions are discouraged by scant empirical evidence and modest understanding of the sources and mechanisms of identity change and the role of European institutions in such processes (Hooghe and Marks 2001, Risse 2004).

Some, in particular those who believe in the instrumental rhetoric of the EU, may be disappointed by the difficulties involved in specifying precisely the consequences of enlargement, politicization and the Convention. For others, the problems may suggest that the Union is increasingly committing itself to democratic-constitutional institutions and

principles, in spite of obvious difficulties in calculating substantive implications. Balancing unity and diversity, then, is not only a question of functional expediency, calculated utility, pragmatic cooperation and power-balance. It is also a question of constitutive principles and collective identity -- of long-term processes of building trust, cohesion, allegiances and a politically organized community. Arguably, European integration illustrates that the latter type of concerns gradually has become more important, complementing concerns of expediency and economic advantage.

### **Lessons from the EU**

European integration is an ongoing, contested, open-ended and reversible process. The process generates uncertainty and fear as well as optimism and hope for the future. There are political disputes over how the Union is to be organized, staffed, financed, described, explained and justified. There is also scholarly disagreement about what kind of order has developed, about the key causal mechanisms and consequences of integration, and the significance of democratic institutions and actors. Often the EU is described as a unique and almost mysterious system of governance and the literature offers a collection of questions, approaches, assumptions, findings and interpretations, rather than firm, agreed-upon and well-documented conclusions.

Like other political systems, the EU is struggling to find a balance between the whole and the parts, between unity and diversity, coordination and autonomy. It is contested how much unity and how much diversity the Union can live with. Yet, in spite of uncertainty and disagreement, the Union's system of governance has changed in a consistent direction. Three tendencies are clear: The EU and its forerunners have continually attracted new members, its agenda has expanded and stronger institutional capabilities have evolved at the European level.

The European Union *has* moved beyond mere market-building and economic integration. It has become more than a problem solving system based on expediency and calculated expected utility. The Union has developed towards an institutionalized political order that modify the importance of state, group and individual interests and resources. Yet, it is an order more based on a community of rules than a community of shared purposes, or a community of strong popular allegiances and emotional belonging.

Does the European case then provide any general lessons for students of politics and government institutions? Since each of the three perspectives on Westphalian dynamics, granting different institutions, actors and consequences different importance, seems to capture some aspects of the integration process, a *first* lesson is that it is doubtful that there in the foreseeable future will be a single comprehensive theory of European integration or similar large-scale and complex political experiments. That is, students of peaceful change in political orders are unlikely to succeed if they try to understand a political world characterized by a variety of institutional settings, behavioral logics and processes of change by using models assuming a single universal type of institutional setting, behavioral logic and process of change.

Instead, theory-builders have to take into account that actors try to calculate expected utility as well as to follow rules of appropriate behavior derived from constitutive identities and principles they think deserve respect. They also have to observe that new institutional layers and spheres of government have been added to, rather than replacing old ones, creating an increasingly complex ecology of structures and processes, organized on the basis of different and not easily reconcilable principles. Furthermore, they have to accommodate that political change takes place through a variety, and not necessarily coordinated set of processes (March and Olsen 1998, 2004, Olsen 2001).

More than half a century ago, Dahl and Lindblom (1953) provided elements of a research program for coping with such complications. Dahl and Lindblom resolved systems of governing into a set of basic elementary processes. Hierarchy, voting-systems, bargaining and markets and price-systems were portrayed as *supplementary*, rather than *alternative* institutional mechanisms for governing society and providing understanding, social control and dynamics of change. Unity and diversity, then, is balanced through a changing *mix* of institutions and processes, and the scholarly challenge is to understand of the scope conditions and the interaction of the different forms, as well as the factors that drive systems of government toward one mix, rather than another.

A *second* lesson is that democratic actors and institutions can play a role in large-scale transformation of political orders. The European dynamics of change have to a considerable extent been political and not solely technical-functional or driven by environmental

imperatives. Believers in the Enlightenment concept of democratic government, that society can be understood and influenced, need not despair. Yet both understanding and control are less than perfect.

Major policy achievements, such as the common currency (Euro) and enlargement, have been realized remarkably fast, to the surprise of both participants and onlookers. Still, the European case reaffirms that “historical moments” can be awfully long (Herzog 1989: 39). Domestic politics and policies have been influenced by European-level institutions, decisions and events, but national institutions and identities have shown considerable robustness in spite of the single market, common laws and a high degree of interaction among elites.

An implication is that understanding change in entrenched institutions and identities requires extended time scales, and adjusting mind-sets may be even more difficult than reforming formal institutions. In major transformative processes, carriers of public authority are more likely to look like constitutional and institutional gardeners than engineers (March and Olsen 1983, Olsen 2000).

*Third*, the politicization of institutional reform in the EU illustrates that there are limits to technocratic and executive legitimacy when change in the political order is at stake. It can not be taken as given that there is agreement about the terms of the desirable order -- that all actors are committed to a sense of direction and what constitutes “progress”, or that they believe that everyone will gain from the proposed change. For example, up to Maastricht 1992 the EU exhibited similarities with what Frederickson (1999) found in a US metropolitan area. Frederickson observed high interdependence among territorial entities, porous borders and reduced salience of formal jurisdictions, and erosion of individual problem-solving capacity. He found fusion of administrations across levels of government and jurisdictions, for example through a complex committee system. Executive and administrative adaptation and institutionalization, largely based on functional legitimacy, was far ahead of the integration of legislatures, political parties, social movements and a common public space. Still, reforms took place “in the shadow of” political institutions and power relations. In comparison, the European Union came out of the shadow during the 1990s. A focus on market building was supplemented with a growing interest in democracy, citizenship, human

rights, social cohesion, employment, welfare and a variety of other issues. It was observed that integration had created winners and losers and that there was a democratic deficit.

EU developments, therefore, raise questions about the conditions under which institutional reform is a fairly autonomous process primarily involving executives and experts, and the conditions under which such processes are overwhelmed by wider political processes and popular mobilization. Different institutions and actors are likely to have different time-scales of adaptation and majority-based institutions are under some circumstances slower in adapting to new circumstances. Yet, it may be hypothesized that reforms involving possible system transformations are likely to generate a quest for democratic legitimacy.

*Fourth*, EU-developments raise questions about the abilities democracies have when it comes to learn from experience and adapt to new circumstances, and the degree to which such abilities make institutional disintegration and breakdown less likely. There is a need to inquire what makes some political systems, or parts of a political system, able to rethink, learn, and mobilize authority, resources and popular support for restructuring the political order. In democracies it is often assumed that the capacity for learning and adaptation depend on the degree to which citizens form a community of inquiry and communication which legitimates criticism and opposition; makes actors continuously reexamining established “truths” based on collective experience; and make them accept the force of reason and impartial principles.

In the European Union this democratic ideal has so far been realized only to a limited degree. The lessons participants and onlookers have drawn may, however, depend on how conflicts and differences in resources have been coped with. Part of the explanation of the European success in institutionalized cooperation, may be an extended use of a style of compromise and consensus-seeking rather than an adversarial style driven by power differentials and the principle of winners-take-all. Of course, bargaining and deliberation have taken place in the shadow of existing power asymmetries. Yet the balancing of unity and diversity has also been characterized by a search for consensus and compromises, rather than majority decisions and winners-take-all. Integration has been flexible and uneven, generating a multi-level and multi-centered order. Legal integration and rules have been key characteristics and the EU has accepted the co-existence of a diversity of models of governing

and administration across member states. Conflict resolution has also been supported by the emerging common institutions, criss-crossing cleavages, appeals to a common cultural heritage, and (one may hope) that Europeans have learnt the hard lesson that institutionalized cooperation is to be preferred to war and violence when it comes to deal with the problems of living together.

A possible implication is that what is sometimes labeled indecisiveness and lack of leadership may reflect the aspiration to reach broad agreements in order to maintain or develop political community, trust and a culture of compromise. Peaceful and voluntary transformation of political orders and avoidance of destructive conflicts and system breakdowns may depend on whether there are predictable and legitimate routines for dealing with critical situations, as well as institutional mechanisms for everyday-learning that forge a sense of unity and belonging amidst recognized difference and diversity.

## References

- Aldrich, H. and D.A. Whetten 1981, Organization-sets, action-sets, and networks: making the most out of simplicity. In P.C. Nystrom and W.H. Starbuck (eds.), *Handbook of Organizational Design. Vol. 1*: 385-408. Oxford: Oxford University Press.
- Andersen, S.A. and T.R. Burns 1996, The European Union and the erosion of parliamentary democracy: A study of post-parliamentary governance. *Contemporary Developmental Analysis* 1 (2): 33-66. Reprinted in S.A. Andersen and K.A. Eliassen (eds.) 1996, *The European Union: How Democratic Is It?*: 227-251. London: Sage.
- Annan, K. 2004, Address to the European Parliament upon receipt of the Andrei Sakharov Prize for Freedom of Thought, Brussels 29 January 2004. <http://www.ncadc.org.uk/letters/newszine43/kofi.html>
- Appandurai, A. 1996, *Modernity at Large. Cultural Dimensions of Globalization*. Minneapolis: University of Minnesota Press.
- Arblaster, A. 1987, *Democracy*. Milton Keynes: Open University Press.
- Barkin, J.S. and B. Cronin 1994, The state and the nation: changing norms and the rules of sovereignty in international relations. *International Organization* 48 (1): 107-130.
- Bartolini, S. 1998, Exit options, boundary building, political structuring. Florence, EUI: Working Papers SPS No. 98/1.
- Beetham, D. 1990, The future of the nation-state. In G. McLennan, D. Held and S. Hall (eds.): *The Idea of the Modern State*: 208-222. Milton Keynes: Open University Press.
- Bell, D. 1987, The World and the United States in 2013, *Daedalus* 116 (3):1-31.
- Bendix, R. 1968, Introduction. In R. Bendix (ed.) *State and Society*: 1-13. Boston: Little, Brown and Company.
- Black, C.E. 1966, *The Dynamics of Modernization. A Study in Comparative History*. New York: Harper & Row.
- Brunsson, N. and J.P. Olsen 1998, Organization theory: Thirty years of dismantling, and then...? In N. Brunsson and J.P. Olsen (eds.): *Organizing Organizations*: 13-43. Oslo: Fagbokforlaget.
- Caddy, J.E. 1998, Sowing the seeds of deliberative democracy? Institutions for the environment in Central Europe: Case studies of public participation in environmental decision-making in contemporary Hungary. Florence, EUI: Thesis.
- Castells, M. 1996, *The Rise of the Network Society*. Oxford: Blackwell.
- Closa, C. 2004, The Convention method and the transformation of EU constitutional politics. In E.O. Eriksen, J.E. Fossum and A. J. Menéndez (eds.), *Developing a Constitution for Europe*: 183-206. London: Routledge.
- Commission 1992, From the Single Act to Maastricht and Beyond. The Means to Match our Ambitions. Brussels: Com (92) 2000.
- Commission 1995, Report on the operation of the Treaty on European Union. Brussels 10th of May 1995: SEC(95) final.
- Convention 2003a, The European Convention: *Draft Treaty Establishing a Constitution for Europe*. Luxembourg: Office for Official Publications of the European Communities.

- Convention 2003b, Oral presentation by M. Gil Carlos Rodríguez Iglesias, President of the Court of Justice of the European Communities, to the “discussion circle” on the Court of Justice on 17 February 2003. Brussels: CONV 572/03.
- Cowles, M., J. Caporaso and T. Risse (eds.) 2001, *Transforming Europe: Europeanization and Domestic Change*. Ithaca NY: Cornell University Press.
- Dahl, R.A. 1989, *Democracy and Its Critics*. New Haven CT: Yale University Press.
- Dahl, R.A. and Ch.E. Lindblom 1953, *Politics, Economics, and Welfare. Planning and Politico-Economic Systems Resolved into Basic Social Processes*. New York: Harper Torchbooks.
- Dehousse, R. and G. Majone 1994, The institutional dynamics of European integration: From the Single Act to the Maastricht Treaty. In S. Martin (ed): *The Construction of Europe*: 91-112. Dordrecht: Kluwer Academic Publishers.
- Deutsch, K.W. 1966, *Nationalism and Social Communication. An Inquiry into the Foundations of Nationality*. New York:
- Deutsch, K.W. 1968, *The Analysis of International Relations*. Englewood Cliffs, NJ: Prentice Hall.
- Doornbos, M. and S. Kaviraj (eds.) 1997, *Dynamics of State Formation. India and Europe Compared*. New Dehli: Sage.
- Egeberg, M. 1999, Transcending intergovernmentalism? Identity and role perceptions of national civil servants in EU committees. *Journal of European Public Policy* 6 (3): 456-474.
- Egeberg, M. 2003, How bureaucratic structure matters: An organizational perspective. In B.G. Peters and J. Pierre (eds.) *Handbook of Public Administration*: 116-126. London: Sage.
- Egeberg, M. 2004, An organizational approach to European integration: Outline of a complementary perspective. *European Journal of Political Research* 43: 199-219.
- Egeberg, M., G. Schaefer and J. Trondal 2003, The many faces of EU committee governance. *West European Politics* 26 (3): 19-40.
- Eisenstadt, S. and S. Rokkan (eds.) 1973, *Building States and Nations (I,II)*. Beverly Hills: Sage.
- Eriksen, E.O. and J.E. Fossum (eds.) 2000, *Democracy in the European Union. Integration through Deliberation?* London: Routledge.
- Eriksen, E.O., J.E. Fossum and A. J. Menéndez (eds.) 2004, *Developing a Constitution for Europe*. London: Routledge.
- Ferguson, Y. H. and R.W. Mansbach 1996, *Polities: Authority, Identities, and Change*. Columbia: University of South Carolina Press.
- Flora, Peter 1983, *State, Economy, and Society in Western Europe 1815-1975*. Frankfurt: Campus.
- Franklin, M.N. and C. van der Eijk 1995, The problem: Representation and democracy in the European Union. In C. van der Eijk and M.N. Franklin (eds.) *Choosing Europe? The European Electorate and National Politics in the Face of Union*: 3-10. Ann Arbor: University of Michigan Press.
- Frederickson, H.G. 1999, The repositioning of American Public Administration, *Political Science & Politics* (December). [http://www.findarticles.com/cf\\_dls/m2139/4\\_32/59136259/print.jhtml](http://www.findarticles.com/cf_dls/m2139/4_32/59136259/print.jhtml)
- Giscard d’Estaing, V. 2002, Introductory speech to the Convention on the future of Europe. Brussels SN 1565/02, 26 February 2002.

- Giscard d'Estaing, V. 2003, Speech in Aachen 29 May 2003, when receiving the Charlemagne Prize. <http://european-convention.eu.int/bienvenue.asp?lang=EN>
- Goetz, K.H. and S. Hix (eds.) 2001, *Europeanized Politics? European Integration and National Political Systems*. London: Frank Cass.
- Goul Andersen, J. 2003, EU og modstanden i Danmark. In *Danmark 30 år i EU – et festskrift*: 82-104. Copenhagen: Gyldendal.
- Gustavsson, S. 1998, Varför överstat utan demokrati? In U. Bernitz, S. Gustavsson and L. Oxelheim (eds.): *Europaperspektiv. Årsbok 1998*. Stockholm: Nerenius & Santérus.
- Gustavsson, S. and L. Lewin (eds.) 1996, *The Future of the Nation State*. Stockholm: Nerenius & Santérus.
- Habermas, J. 1996, *Between Facts and Norms*. Cambridge MA: The MIT Press.
- Habermas, J. 1992, Citizenship and national identity: Some reflections on the future of Europe. *Praxis International* 12 (1): 1-19.
- Hamilton, A., J. Jay and J. Madison 1964 [1787], *The Federalist Papers*. New York: Pocket Books.
- Hanf, K. and B. Soetendorp (eds.) 1997, *Adapting to European Integration*. London: Longman.
- Héritier, A. 2003, New modes of governance in Europe: Increasing political capacity and policy effectiveness? In T.A. Börzel and R.A. Cichowski (eds.) *The State of the European Union. Vol. 6: Law, Politics, and Society*: 105-126. Oxford: Oxford University Press.
- Héritier, A., C. Knill and S. Mingers 1996, *Ringing the Changes in Europe. Regulatory Competition and Redefinition of the State. Britain, France, Germany*. Berlin: de Gruyter.
- Herzog, D. 1989, *Happy Slaves: A Critique of Consent Theory*. Chicago: University of Chicago Press.
- Hirschman, A.O. 1991, *The Rhetoric of Reaction. Perversity. Futility. Jeopardy*. Cambridge MA: The Belknap Press.
- Hobsbawm, E.J. 1992 (2.ed.), *Nations and Nationalism Since 1780*. Cambridge: Cambridge University Press.
- Hoffmann, L. and A. Vergés Bausili 2003, The reform of Treaty revision procedures: The European Convention and the future of Europe. In T.A. Börzel and R.A. Cichowski (eds.) *The State of the European Union. Vol. 6: Law, Politics, and Society*: 127-146. Oxford: Oxford University Press.
- Hooghe, L. and G. Marks 2001, *Multi-level Governance and European Integration*. Lanham Ma: Rowman & Littlefield.
- Jachtenfuchs, M. and B. Kohler-Koch (eds.) 2003 (2. ed.), *Europäische Integration*. Opladen: Leske and Budrich.
- Jacobsson, B., P. Lægreid and O.K. Pedersen 2004, *Europeanization and Transnational States. Comparing Nordic Central Governments*. London: Routledge.
- Joerges, C. 1996, The emergence of denationalized governance structures and the European Court of Justice. Oslo, ARENA: working paper no 16/96.
- Joerges, C., K-H. Ladeur and E. Vos (eds.) 1997, *Integrating Scientific Expertise into Regulatory Decision-Making. National Traditions and European Innovations*. Baden-Baden: Nomos.

- Kapteyn, P. 1996, *The Stateless Market: The European Dilemma of Integration and Civilization*. London: Routledge.
- Kassim, H., B. G. Peters and V. Wright (eds.) 2000, *The National Co-ordination of EU Policy. The Domestic Level*. Oxford: Oxford University Press
- Kassim, H., A. Menon, B.G. Peters, and V. Wright (eds.) 2001, *The National Co-ordination of EU Policy. The European Level*. Oxford: Oxford University Press.
- Knight, F. 1992, *Institutions and Social Conflict*. Cambridge: Cambridge University Press.
- Knill, C. 2001, *The Europeanization of National Administrations*. Cambridge: Cambridge University Press.
- Knodt, M. and S. Princen (eds.) 2003, *Understanding the European Union's External Relations*. London: Routledge.
- Kohler-Koch, B. 1996, The strength of weakness: The transformation of governance in the EU. In S. Gustavsson and L. Lewin (eds.): *The Future of the Nation State*: 169-210. Stockholm: Nerenius & Santérus.
- Kohler-Koch, B. at al. 1998a, *Interactive Politik in Europa. Regionen im Netzwerk der Integration*. Opladen: Leske + Budrich.
- Kohler-Koch, B. (ed.) 1998b, Regieren in entgrenzten Räumen, *Politische Vierteljahresschrift*, Sonderheft 29. Opladen: Westdeutscher Verlag.
- Kohler-Koch, B. (ed.) 2003, *Linking EU and National Governance*. Oxford: Oxford University Press.
- Kohler-Koch, B. and R. Eising (eds.) 1999, *The Transformation of Governance in the European Union*. London: Routledge.
- Laffan, B. 1998 The European Union: a distinctive model of internationalization. *Journal of European Public Policy* 5 (2): 235-53.
- Lamassoure, A. 2002, *The European Union: four possible models*. Brussels: The European Convention CONV 235/02.
- Landaburu, E. 2004, New member states must still be monitored, says top EU official. *Euobserver.com* 30 April 2004. <http://euobs.com/index.phtml?print=true&sid=15&aid=15404>
- Lifin, K.T. 1997, Sovereignty in world ecopolitics. *Mershon International Studies Review* 41: 167-204.
- Lijphart, A. 1975 (2. revised edition), *The Politics of Accommodation. Pluralism and Democracy in the Netherlands*. Berkeley: University of California Press.
- Lindberg, L.N. and S.A. Scheingold 1970, *Europe's Would-Be Polity: Patterns of Change in the European Community*. Englewood Cliffs NJ: Prentice Hall.
- Majone, G. 1996, *Regulating Europe*. London: Routledge.
- March, J.G. 1953, *Autonomy as a Factor in Group Organization. A Study in Politics*. PhD dissertation, Yale University. Reprinted, New York: Arno Press 1980.
- March, J.G. 1999, A learning perspective on the network dynamics of institutional integration. In M. Egeberg and P. Lægreid (eds.) *Organizing Political Institutions*: 129-155. Oslo: Scandinavian University Press.
- March, J.G. and J.P. Olsen 1983, Organizing political life: What administrative reorganization tells us about government. *American Political Science Review* 77: 281-297.

- March, J.G. and J.P. Olsen 1986, Popular sovereignty and the search for appropriate institutions. *Journal of Public Policy* 6 (4): 341-370.
- March, J.G. and J.P. Olsen 1989, *Rediscovering Institutions*. New York: Free Press.
- March, J.G. and J.P. Olsen 1995, *Democratic Governance*. New York: Free Press.
- March, J.G. and J.P. Olsen 1998. The institutional dynamics of international political orders. *International Organization* 52: 943-69. Reprinted in P.J. Katzenstein, R.O. Keohane and S.D. Krasner eds. 1999, *Exploration and Contestation in the Study of World Politics*: 303-329. Cambridge Ma: The MIT Press.
- March, J.P. and J.P. Olsen 2004, The logic of appropriateness. To appear in M. Rein, M. Moran and R.E. Goodin (eds.) *Handbook of Public Policy*. Oxford: Oxford University Press.
- Marks, G., L. Hooghe and K. Blank 1995, European integration and the state. Florence: EUI Working paper RSC no. 95/7.
- Marks, G. and M.R. Steenbergen (eds.) 2004, *European Integration and Political Conflict*. Cambridge: Cambridge University Press.
- Mayntz, R. 1997, *Soziale Dynamik und Politische Steuerung. Theoretische und Methodologische Überlegungen*. Frankfurt am Main: Campus.
- Mény, Y., P. Muller and J-L. Quermonne (eds.) 1996, *Adjusting to Europe: The Impact of the European Union on National Institutions and Policies*. London: Routledge.
- Merton, R.K. 1938. Social structure and anomie. *American Sociological Review* 3: 672-682.
- Mill, J.S. 1962 [1861], *Considerations on Representative Government*. South Bend IN: Gateway Editions.
- Miller, D. 2000, *Citizenship and National Identity*. Cambridge: Polity Press.
- Milward, A. 1992, *The European Rescue of the Nation-State*. Berkeley CA: University of California Press.
- Moravcsik, A. 1998, *The Choice for Europe: Social Purposes and State Power from Messina to Maastricht*. Ithaca NY: Cornell University Press.
- Moravcsik, A. 1999, The Choice for Europe: Current commentary and future research: a response to James Caporaso, Fritz Scharpf, and Helen Wallace. *Journal of European Public Policy* 6 (1): 168-179.
- Moravcsik, A. 2002, In defense of the 'democratic deficit': Reassessing legitimacy in the European Union. *Journal of Common Market Studies* 40 (4): 603-24.
- Navari, C. 1981, The origins of the nation-state. In L. Tivey (ed.): *The Nation-State. The Formation of Modern Politics*: 13-38. Oxford: Martin Robertson.
- Nedrebø, T. 1986, Whence Europe? The Political Culture of European Unification. Bergen: University of Bergen, Department of Comparative Politics: Unpublished thesis.
- Ohmae, K. 1995, *The End of the Nation State*. New York: Free Press.
- Olsen, J.P. 1997a. Institutional design in democratic contexts. *The Journal of Political Philosophy* 5: 203-229.
- Olsen, J.P. 1997b, The changing political organization of Europe. In J.J. Hesse and T.A.J. Toonen (eds.): *The European Yearbook of Comparative Government and Public Administration*, Vol.II/1995: 225-250. Baden-Baden: Nomos.

- Olsen, J.P. 1998, The new European experiment in political organization. Oslo: Paper prepared for the conference "Samples of the Future", SCANCOR, Stanford University 20-22 September 1998.
- Olsen, J.P. 2000, How, then, does one get there? An institutionalist response to Herr Fischer's vision of a European federation. In C. Joerges, Y. Mény and J.H.H. Weiler (eds.), *What Kind of Constitution for What Kind of Polity?* : 163-179. Florence, EUI and Cambridge Ma: Harvard Law School.
- Olsen, J.P. 2001, Garbage cans, New Institutionalism, and the study of politics. *American Political Science Review* 95: 191-198.
- Olsen, J.P. 2002, The many faces of Europeanization. *Journal of Common Market Studies* 40 (5): 921-952.
- Olsen, J.P. 2003, Towards a European administrative space? *Journal of European Public Policy* 10: 506-531.
- Page, E.C. and L. Wouters 1995, The Europeanization of the national bureaucracies? In J. Pierre (ed.): *Bureaucracy in the Modern State*: 185-204. Aldershot: Edward Elgar.
- Petersson, O., U. Mörth, J.P. Olsen and J. Tallberg 2003, *Demokrati i EU*. Stockholm: SNS Förlag.
- Phillipson, R. 2003, *English-Only Europe? Challenging Language Policy*. London: Routledge.
- Pollock, S. 1998, India in the vernacular millennium: Literary culture and polity, 1000-1500. *Daedalus* 127 (3): 41-74.
- Prodi, R. 2004, Statement of President Prodi on enlargement. Brussels: DN: IP/04/576, 30/04/2004.
- Rawls, J. 1985, Justice as Fairness: Political not Metaphysical. *Philosophy and Public Affairs*, 14: 223-251.
- Rawls, J. 1987, The Idea of an Overlapping Consensus. *Oxford Journal of Legal Studies*, 7: 1-25.
- Redmond, J. and G.G. Rosenthal (eds.) 1998, *The Expanding European Union. Past, Present, Future*. London: Lynne Rienner.
- Risse, T. 2004, European institutions and identity change: What have we learned? In R.K. Herrmann, T. Risse and M.B. Brewer (eds.) 2004. *Transnational Identities: Becoming European in the EU*: 247-271. Lanham MD: Rowman and Littlefield.
- Rokkan, S. 1970, Nation-building, cleavage formation and the structuring of mass politics. In S. Rokkan et al.: *Citizens, Elections and Parties: Approaches to the Comparative Study of the Processes of Development*: 72-144. Bergen: Universitetsforlaget.
- Rokkan, S. 1975, Dimensions of state formation and nation-building: A possible paradigm for research on variations within Europe. In C. Tilly (ed.): *The Formation of National States in Europe*: 562-600. Princeton NJ: Princeton University Press.
- Rometsch, D. and W. Wessels 1996, Conclusion: European Union and national institutions. In D. Rometsch and W. Wessels (eds.): *The European Union and Member States*: 328-365. Manchester: Manchester University Press.
- Rosenau, J.N. 1984, A pre-theory revisited: World politics in an era of cascading interdependence. *International Studies Quarterly* 28: 245-305.
- Ruggie, J.G. 1993, Territoriality and beyond: Problematizing modernity in international relations. *International Organization* 47 (1): 139-174.
- Sandholtz, W. and A. Stone Sweet (eds.) 1998, *European Integration and Supranational Governance*. Oxford: Oxford University Press.

- Scharpf, F.W. 1999, *Governing in Europe. Effective and Democratic?* Oxford: Oxford University Press.
- Scharpf, F.W. 2003, Legitimate diversity: The new challenge of European integration. In T.A. Börzel and R.A. Cichowski (eds.) *The State of the European Union. Vol. 6: Law, Politics, and Society*: 79-104. Oxford: Oxford University Press.
- Schattschneider, E.E. 1960, *The Semi-Sovereign People*. New York: Holt, Rinehard and Winston.
- Schimmelfennig, F. and U. Sedelmeier (guest editors) 2002, European Union Enlargement – Theoretical and comparative approaches. *Journal of European Public Policy* 9 (4, special issue).
- Schlesinger, P.R. 1993, Wishful thinking: Cultural politics, media, and collective identities in Europe. *Journal of Communication* 43 (2): 6-17.
- Schmitter, P.C. 2000, *How to Democratize the European Union ... And Why Bother?* Lanham: Rowman & Littlefield.
- Schweller, R.L. and D. Priess 1997, A tale of two realisms: Expanding the institutions debate. *Mershon International Studies Review* 41: 1-32.
- Scott, W.G., T.R. Mitchell and N.S. Perry 1981, Organizational governance. In P.C. Nystrom and W.H. Starbuck (eds.), *Handbook of Organizational Design. Vol. 2*: 135-151. Oxford: Oxford University Press.
- Selznick, P. 1992, *The Moral Commonwealth*. Berkeley: University of California Press.
- Sjursen, H. 1997, Enlarging the Union. In S. Stavridis et al. (eds.) *New Challenges to the European Union: Policies and Policy-Making*: 151-171. Aldershot: Dartmouth.
- Skowronek, S. 1995, Order and change. *Polity* 28 (1): 91-96.
- Slaughter, A-M., A. Stone Sweet and J.H.H. Weiler (eds.) 1998, *The European Courts & National Courts. Doctrine and Jurisprudence*. Oxford: Hart Publishing.
- Smith, A.D. 1995, *Nations and Nationalism in a Global Era*. Cambridge: Polity Press.
- Spragens, T.A. jr. 1990, *Reason and Democracy*. Durham, NC: Duke University.
- Stone Sweet, A. 2003, European integration and the legal system. In T.A. Börzel and R.A. Cichowski (eds.) *The State of the European Union. Vol. 6: Law, Politics, and Society*: 18-47. Oxford: Oxford University Press.
- Stone Sweet, A. and T.L. Brunell 1998, Constructing a supranational constitution: Dispute resolution and governance in the European Community. *American Political Science Review* 92 (1): 63-81.
- Stone Sweet, A. and W. Sandholtz 1997, European integration and supranational governance. *Journal of European Public Policy* 4 (3) 297-317).
- Stone Sweet, A. W. Sandholtz, and N. Fliegstein (eds.) 2001, *The Institutionalization of Europe*. Oxford: Oxford University Press.
- Stubb, A. C-G. 1998, The Amsterdam Treaty and flexible integration. *ECSA Review* 9: 1-5.
- Sverdrup, U. 1997, Norway: An adaptive non-member. In K. Hanf and B. Soetendorp (eds.): *Adapting to European Integration*: 149-167. London: Longman.
- Tassin, E. 1992, Europe: A Political Community? In C. Mouffe (ed.): *Dimensions of Radical Democracy: 169-192*. London: Verso.

- Teubner, G. 1997, The King's many bodies: The self-destruction of Law's hierarchy. *Law & Society Review* 31 (4) 763-787.
- Tilly, C. 1975, Reflections on the history of European state-making. In C. Tilly 1975, *The Formation of National States in Western Europe*: 3-83. Princeton N.J.: Princeton University Press.
- Tilly, C. 1984, *Big Structures, Large Processes, Huge Comparisons*. New York: Russel Sage.
- Tilly, C. 1992 (paper back ed.), *Coercion, Capital, and European States, AD 990-1992*. Cambridge: Blackwell.
- Treaty on European Union 1992, Luxembourg: Office for Official Publications of the European Communities.
- Trondal, J. and F. Veggeland 2003, Access, voice and loyalty. The representation of domestic civil servants in EU committees. *Journal of European Public Policy* 10 (1) 59-77.
- Wallace, H. 2001, Introduction: rethinking European integration. In H. Wallace (ed.): *Interlocking Dimensions of European Integration*: 1-24. Houndmills: Palgrave.
- Weber, M. 1970, Politics as a vocation. In H.H. Gerth and C. Wright Mills (eds.) *From Max Weber*: 77-128. London: Routledge and Kegan Paul.
- Weber, M. 1978, *Economy and Society*. Berkeley CA: University of California Press.
- Weiler, J.H.H. 1991, The transformation of Europe. *Yale Law Journal* 100: 2403-83.
- Weiler, J.H.H. 1999, *The Constitution of Europe*. Cambridge: Cambridge University Press.
- Weiler, J.H.H. 2002, A constitution for Europe? Some hard choices. *Journal of Common Market Studies* 40 (4): 563-580.
- Wessels, W. 1996, The modern West European state and the European Union: Democratic erosion or a new kind of polity? In S.A. Andersen and K.A. Eliassen (eds.), *The European Union: How Democratic Is it?*: 57-69. London: Sage.
- Wessels, W. 1998, Comitology: fusion in action. Politico-administrative trends in the EU system. *Journal of European Public Policy* 5 (2): 209-34.
- Wessels, W., A. Mauerer & J. Mittag (eds.) 2003, *Fifteen into One? The European Union and Its member States*. Manchester: Manchester University Press.
- Wheeler, H. 1975, Constitutionalism. In F.I. Greenstein and N.W. Polsby (eds): *Handbook of Political Science: Governmental Institutions and Processes*, Vol 5: 1-91. Reading MA: Addison-Wesley.
- Wolin, S. 1960, *Politics and Vision*. Boston: Little, Brown.
- World Commission on Environment and Development 1987, *Our Common Future*. Oxford: Oxford University Press.