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The Europeanization of the Nation-State

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Abstract

This article explores the interrelationship between national and supranational politics in contemporary history. In Europe, the nature of national and transnational politics, law and economics has been completely transformed through the emergence of the European Union (EU) and its predecessor, the European Community (EC). We cannot understand the European nation-state (and its regions) without appreciating the EC's or EU's dynamic (and often asymmetric) impact on public law, economics, the environment, social legislation, human rights and culture. This Europeanization of the nation-state has affected in different ways members and non-members of the EC and EU. The interplay between national and transnational politics, while not unique to the contemporary world, presents particular challenges to the contemporary historian. The enmeshing of national and supra- as well as international spheres means that the contemporary state cannot be analysed with the same tools and assumptions about political sovereignty as its nineteenth-century predecessors. Instead, this article calls for a greater readiness to engage in the complexities of national and EC/EU history and engage in a new dialogue with other disciplines, notably the political sciences.

Keywords

Europeanization, European Community, European integration, European law, European Union, histoire croisée

Across disciplines, scholars have argued that the second half of the twentieth century represented the apogee of the European nation-state. In the new political order of the Cold War and as a result of postwar mass migration, states acquired unprecedented ethnic homogeneity. Through the rise of the welfare state, improved communication and more effective security, states also

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developed new capacities for direct intervention in their citizens' lives.[1] At the same time, though, European states also experienced an exceptional degree of integration, and this is true in different ways both for Western and Eastern Europe before 1989. Whereas during the Cold War, national politics in Eastern Europe could hardly be understood without reference to Moscow, the rapid evolution of the European Community/European Union (EC/EU) before and especially after the late 1980s introduced an added dimension into national politics. The EC/EU constituted a political actor that emanated from the member states but that was also distinct from them. Supranational actors like the European Commission, the European Court of Justice and the European Central Bank constituted powerful actors in their own right, exercising significant authority over member states without being responsible to national legislators. Historians have yet to fully explore this paradox, the concurrence of unprecedented national governmental power and of supranational European governance. This enmeshing of supranational, national and even regional spheres is constitutive not only for the contemporary history of Europe. In an age of accelerated globalization, contemporary Europe itself appears as a distinctive prism through which the relationship between states and international organizations can be explored.

The major historical accounts of the European Community have tended to rationalize the evolution of the EC/EU as responding to national self-interest and market forces. According to Alan Milward, integration made possible the resurgence of the nation-state in Western Europe by creating a more stable postwar order, containing Germany, and ensuring economic growth.[2] Looking more closely at the major treaties that determined European integration between Rome (in 1957) and Maastricht (in 1992), Andrew Moravcsik similarly found that these treaties could, almost without fail, be best explained through an analysis of national self-interest. As economic harmonization spurred further growth, national economies and polities were strengthened by supranational frameworks that guaranteed fair play between member states.[3] John Gillingham, by contrast, has taken more seriously the ebbs and flows of integrationist fervour over the decades, arguing that the 1960s and the 1990s were characterized by the inability of supranational institutions to further integration. Only market liberalization in response to the economic crises of the 1970s could produce a sustained period of integration during the 1980s. A process of supranational integration could only proceed through the

1 Jürgen Osterhammel, *Geschichtswissenschaft jenseits des Nationalstaats* (Göttingen 2001); J.C. Scott, *Seeing like a State* (New Haven, CT 1998); Michael Mann and Dylan Riley, 'Explaining Macro-Regional Trends in Global Income Inequalities, 1950–2000', *Socio-Economic Review*, 5 (2007), 81–115; Gunilla Budde, Sebastian Conrad and Oliver Janz (eds), *Transnationale Geschichte* (Göttingen 2006).

2 Alan S. Milward, *The European Rescue of the Nation-State* (London (2nd edn) 2005).

3 Andrew Moravcsik, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht* (Ithaca, NY and London 1998).

markets – but never through some lofty ideal of Europe and certainly not as a result of the effectiveness of EC/EU institutions.[4]

Historians of the European nation-state, meanwhile, confirm the ineffectiveness of the European idea and of European institutions, largely by ignoring these factors altogether. The creation of the EC/EU is normally treated as a significant, but by no means decisive moment of foreign policy. Other milestones of integration such as the Empty-Chair Crisis (1965), the creation of the European Monetary System (EMS – 1979) and even the Single European Act (1986) tend to be ignored altogether. The EC/EU appears as a second-order institution with no impact on public opinion, popular culture and domestic politics.

The problem with these parallel historiographies of the European nation-state and of the EC/EU is that the two polities have become increasingly intertwined. It may have been possible, and indeed plausible, to underline the significance of national self-interest in determining the outcomes of integrationist projects like the European Commission or the Common Agricultural Policy.[5] Nor is it unreasonable to argue that the genesis of the single European currency, one of the EU's major integrationist projects, derived from the inability of relatively small states to realize effective monetary policies after the liberalization of money markets in the early 1970s. Indeed, even the European Parliament has been explained as reflecting the national self-interest of political leaders wishing to endow a critical top-down economic project with greater legitimacy.[6] Yet the problem with these interpretations is that from the late 1970s, the European Council (composed of the heads of government or states) has strengthened national representation precisely at the same time as supranational institutions curtailed the power of national governments in practice. The past two decades have seen a remarkable strengthening of the European Parliament, while institutions such as the European Central Bank have limited national decision-making in critical areas. For some 30 years at least, the nation-state has been constrained by pooled – or even abrogated – sovereignty at the EU level.

It is not simply that national leaders actively promoted deeper integration; European institutions have also been extremely adept at using existing frameworks to expand their own power. The European Court of Justice (ECJ) has been the most striking case in point. It has steadily expanded the remit of European law – very much at the expense of national legal systems – since the *Van Gend en Loos* (1963) and *Costa v ENEL* (1964) decisions, which asserted that European law was supreme and directly applicable in the member states. Since this provided quasi-constitutional status to European law, national supreme courts tried to draw boundaries against the ECJ's integrationist leanings from the 1970s. National governments,

4 John Gillingham, *European Integration 1950–2003: Superstate or New Market Economy?* (Cambridge 2003).

5 Andrew Moravcsik, 'Between Grain and Grandeur: The Political Economy of French EC Policy, 1958–1970 (Parts I and II)', *Journal of Cold War Studies*, 2, 2 (Spring 2000), 3–42 and *Journal of Cold War Studies*, 2, 3 (Fall 2000), 4–68; N. Piers Ludlow, 'The Making of the CAP: Towards a Historical Analysis of the EU's first major policy', *Contemporary European History*, 14, 3 (August 2005), 347–71.

6 Moravcsik, *Choice for Europe*, op. cit., ch. 4.

too, have occasionally tried to rein in the ECJ. Despite these attempts, the ECJ's powers have grown continuously. Transnational interests, judicial activism and legal appeals to the ECJ have driven the ECJ's activity into environmental, social and human rights law. Moreover, politicians from member states found themselves unable to put an end to the ECJ's integrationist tendencies, because this would have required intensive lobbying to produce a majority in the Council among member states, with uncertain outcomes.[7] EC/EU institutions, in other words, have acquired significant power as actors in their own right, not simply because of high-level 'bargaining' within Brussels/Luxembourg and between member states, but also because significant growth of transnational activity required further integration, which in turn spurred further cross-border movement.

The following section discusses how historians have approached the growing entanglement of national and supranational institutions and structures during the process of EC/EU integration (subsequently referred to as 'Europeanization'). It suggests that the problem with current historical interpretations of the EC/EU is that it cannot be simply related to the politics of statehood in conventional ways. Conversely, historians have failed to recognize that much of state sovereignty (and of everyday life at the grassroots) has become entangled with the EC/EU – and with other member states, as legislators and governments co-ordinated policies, as well as agreeing initiatives in relation to the EC/EU. In a second part, this article highlights a range of areas that can only be examined through the interplay between national governments and the EU. In fact, it appears to be difficult to write the history of the post-1970s European state without close reference to its growing involvement with the EC/EU. This entanglement points to a critical characteristic of contemporary history, as the late- and post-Cold War era has presented historians with a completely new political and cultural environment. The contemporary history of Europe is not simply about the interplay between national and transnational history. Rather, the contemporary history of European states requires historians to examine the confluence of powerful and expanding supranational institutions, shifting regional frameworks, national actors and transnational influences. The contemporary history of the European state is marked by the regional, national, transnational and supranational entanglement of its politics, economics, society and culture.

In the political sciences, the term 'Europeanization' has gained increasing currency since 2000, when its use began to grow exponentially. As a 'process of structural change, [which is] variously affecting actors and institutions, ideas and interests', it describes dynamic processes related to the EU that are 'typically incremental, irregular, and uneven over time and between locations, national

7 Alec Stone Sweet and James Caporaso, 'From Free Trade to Supranational Polity: European Court and Integration', in Wayne Sandholtz and Alec Stone Sweet (eds), *European Integration and Supranational Governance* (Oxford 1998), 92–133; Alex Stone Sweet (ed.), *The Judicial Construction of Europe* (Oxford 2004).

and subnational'.[8] Used most commonly in relation to public policy, 'Europeanization' can be distinguished from the process of European integration in that it asks not only how national actors affect EU policy-making, but also how the EU affects national policy-makers and how national policies converge among member states. Commission President (1985–95), Jacques Delors, predicted that 80 per cent of national laws related to economics and social affairs would be Europeanized by 1998, but it is extremely difficult to show how far this prediction has materialized. One recent attempt to examine national primary and secondary legislation directly related to the EU puts the figure at between 15 per cent and 40 per cent, but these estimates vary according to how one defines the EU's influence and how one assesses the transposition of EU law into national law.[9] The effect of transnational exchange among lawmakers, between the capitals of member states and with Brussels is impossible to quantify. Still, it is clear that many, if not most, national laws have been subject to transnational and supranational influences, sometimes setting precedents that came to be noted in other European capitals in turn. Scholars of Europeanization explore the processes, the institutions and the mindsets through which these outcomes came about.[10]

The Europeanization concept is not without problems. For instance, the term has been used to describe very different processes, from foreign policy – where the EU's impact on member states has remained relatively small – to market liberalization and environmental reforms, areas in which there is a high 'goodness of fit' between European and national institutions and interests. However, if a single term describes very different policy processes, what is left of its heuristic value? Moreover, the Europeanization paradigm has been used by scholars with reference to Europe rather than the EC/EU: such as, to describe transnational cultural influences *within* Europe, or the historical impact of Europe abroad, for instance in its colonies.[11] How can a term which reaches into other periods and continents be related specifically to how the EC/EU has interacted with national actors? Finally, advocates of the term have been at pains to avoid the charge of teleology inherent in a term that appears to imply the study of ever-closer processes of integration and harmonization. To this end, they have insisted that the term can capture very different – and even contradictory – institutional processes and dynamics and that it assesses weakening, as well as accelerating, processes of integration.[12]

Despite its shortcomings, the term is currently flourishing in analyses of the European Union. 'Europeanization' is hardly teleological compared with earlier

8 Kevin Featherstone, 'Introduction: In the Name of "Europe"', in Kevin Feathertone and Claudio Radaelli (eds), *The Politics of Europeanization* (Oxford 2003), 3–4.

9 Annette Elisabeth Töller, 'Measuring and Comparing the Europeanization of National Legislation: A Research Note', *Journal of Common Market Studies (JCMS)*, 48, 2 (2010), 417–44.

10 For the impact of the EU on institutions, actors and different governmental levels even in the UK, see Ian Bache and Andrew Jordan (eds), *The Europeanization of British Politics* (Basingstoke 2008); Kristine Kern and Harriet Bulkeley, 'Cities, Europeanization and Multi-level Governance: Governing Climate Change through Transnational Municipal Networks', *JCMS*, 47, 2 (March 2009), 309–32.

11 Featherstone, 'Introduction', op. cit., 6–7.

12 Johan P. Olsen, 'The many faces of Europeanization', *JCMS*, 40, 5 (December 2002), 921–52.

theories of integration such as intergovernmentalism (governments determine integration) or supranationalism (integration as a product of EC/EU institutions). Indeed, 'Europeanization' is more focused than other concepts that seek to capture the process of multi-level governance in the EU.[13] Europeanization has allowed scholars to gain much more sophisticated insights into the processes of policy-making and implementation, the workings of sub-national organizations and the successes and failures of enlargement. There is considerable agreement among political scientists that Europeanization refers to the direct and indirect processes between EU member states and between the EU and individual member states, through which actors, policies and institutions influence each other structurally, ideologically and procedurally.

Among historians, the term 'Europeanization' has been used with much greater ambivalence. The concept has found its most sophisticated exploration to date in an essay by Michael Geyer published in 1989. Protesting against the hegemonic uses which the term had acquired among national historians in their concern to posit national developments against the European 'other', Geyer argued that 'Europeanization' asked how worlds internal and external to the nation were shaped by each other. 'Every national imagination . . . is shaped by a European discourse. Every articulation of class, gender, and ethnicity engages in a European field of signs'.[14] Europeanization would allow historians to overcome the straitjacket of 'national' history-writing and it would provide an indispensable foundation for the reordering of national histories after the collapse of Soviet hegemony in Eastern Europe. Europeanization meant locating where – and what – Europe was, and this could only come about through its de-centring, by discovering European identities from without and placing them in their global, (post-)colonial context.

Geyer made his remarks at a time of dramatic geopolitical transformation in Europe, envisioning a number of historiographical trends that did not emerge clearly for another decade. Not the least of these related to a reconsideration of empire, as historians began to realize the political, economic, commercial and cultural interconnectedness of empires, including the colonizing society.[15] If this de-centring of empire had a profound impact on the history of the European nation-state, it also had the potential to reshape notions of 'Europeanness', as scholars began to uncover transnational European networks and perspectives in colonial society.[16]

13 Michael Jachtenfuchs, 'The Governance Approach to European Integration', *JCMS*, 39, 2 (June 2001), 245–64.

14 Michael Geyer, 'Historical Fictions of Autonomy and the Europeanization of National History', *Central European History*, 22, 3 (August 1989), 316–42, at 327.

15 See for instance Linda Colley, *The Ordeal of Elizabeth Marsh: A Woman in World History* (New York 2007).

16 Deborah Neill, 'Transnationalism in the Colonies: Cooperation, Rivalry and Race in German and French Tropical Medicine, 1880–1930', PhD thesis, University of Toronto, 2005; Deborah Neill, 'Paul Ehrlich's Colonial Connections: Scientific Networks and the Response to the Sleeping Sickness Epidemic, 1900–1914', *Social History of Medicine*, 22, 1 (January 2009), 61–77.

The reconsideration of empire has gone hand-in-hand with the rise of transnational history; both have deeply influenced each other, but clearly transnational history goes beyond colonial history. Global networks had a deep impact on individual states, as revolutions, cultural movements, social transformations and scientific innovation reinforced the interconnectedness of states well before the twentieth century.[17] At the level of the individual actor, too, the growth of print media and communications, as well as the growing ease of travel – hitherto considered to be so essential in shaping the nation – allowed actors to think far beyond the nation.[18] Transnational historians have therefore come to see the European state no longer as a fixed category with clear boundaries, but as a space for individual and collective experiences and action.[19]

In this shifting historiographical environment, it should come as no surprise that historians have paid increasing attention to the history of the European continent in its own right. In important respects, historians have always considered Europe as a transnational space in relation to distinctive cross-national phenomena, ranging from industrialization to welfare policies, from urbanization to design.[20] Historians have also explored political movements across national boundaries,[21] while also noting the evolution of the state and the public sphere in its European dimensions.[22] More recent, however, has been an interest in the evolution of Europe as a historical, cultural and geographical space.[23]

Inevitably, medieval and early modern historians have been much more comfortable with examining broader geographical spaces in Europe, showing that the concept of 'Europe' only became meaningful in the early modern period. In common defence against Turkish invaders and then through contact with

17 Christopher Bayly, *The Birth of the Modern World: Global Connections and Comparisons 1780–1914* (Oxford 2004); Sebastian Conrad, *Globalisierung und Nation im Deutschen Kaiserreich* (Munich 2006).

18 On travel between nations, nation-building and the transnational phenomenon, see Rudy Koshar, '"What ought to be seen": Tourists' Guidebooks and National Identities in Modern Germany and Europe', *Journal of Contemporary History*, 33 (1998), 323–40; Jan Palmowski, 'Travels with Baedeker: The Guidebook and the Middle Classes in Victorian and Edwardian England', in Rudy Koshar (ed.), *Histories of Leisure* (Oxford 2002), 105–30.

19 Sebastian Conrad and Jürgen Osterhammel, 'Einleitung', in Sebastian Conrad and Jürgen Osterhammel (eds), *Das Kaiserreich trasnational: Deutschland in der Welt 1871–1914* (Göttingen 2004), 7–27.

20 Sydney Pollard, *The Peaceful Conquest: The Industrialization of Europe, 1760–1970* (Oxford 1987); Nicholas Bullock and James Read, *The Movement for Housing Reform in Germany and France, 1840–1914* (Cambridge 1985); Stephen Victor Ward, *The Garden City: Past, Present and Future* (Abingdon 1992).

21 Geoff Eley, *Forging Democracy: The History of the Left in Europe, 1850–2000* (Oxford 2002).

22 Charles S. Maier, *Changing Boundaries of the Political: Essays on the Evolving Balance between the State and Society, Public and Private in Europe* (Cambridge 1987); Hartmut Kaelble, 'The Historical Rise of a European Public Sphere?', *Journal of European Integration History* (*JEIH*), 8, 2 (July 2002), 9–22; Jörg Requate and Martin Schulze Wessel (eds), *Europäische Öffentlichkeit: Transnationale Kommunikation seit dem 18. Jahrhundert* (Frankfurt 2002).

23 Hans-Rudolf Wicker, *Rethinking Nationalism and Ethnicity: The Struggle for Meaning and Order in Europe* (Oxford 1997); Colin Crouch, *Social Changes in Western Europe* (Oxford 1999); Shmuel N. Eisenstadt, *European Civilization in a Comparative Perspective: A Study in the Relations between Culture and Social Structure* (Oslo 1987); Gerard Delanty, *Inventing Europe: Idea, Identity, Reality* (Basingstoke 1995).

indigenous peoples in other continents, Europe became a common point of reference.[24] With the rise of the nation-state in the nineteenth century, historians tended to focus on national and imperial boundaries. Indeed, for much of the twentieth century, the two world wars and the economic crisis between were remembered predominantly in national terms. Only during the last decade of the twentieth century did a growing interest in the catastrophes of the twentieth century as a transnational phenomenon develop, with the implication that perpetrators and victims were to be found across the continent. As a consequence, historians have begun to make sense of the carnage that distinguished European history before 1945 (and, in some colonies, after that) and its peaceful and prosperous development thereafter. For instance, Richard Vinen's complex account warned against a master-narrative of transition from gloom to prosperity while also showing how intimately the two were connected. Noting the growth of democracy, prosperity and an overall decline of violence throughout the continent, Vinen challenged Mazower's emphasis on the bloody aspects of European history.[25] Mazower had emphasized that before the 'brutal stability' enforced upon Europe during the Cold War, Europe was riven by a civil war that raged during the two world wars and which tore apart national polities in the interwar period. Instead of bringing about the end to such misery, Mazower had argued that the fall of the Berlin Wall signalled the victory of capitalism, but with it also deep disillusionment with the ideals of political liberalism, democracy and the public provision of social equality and welfare.[26]

Other accounts of contemporary European history have narrated 'the story of a struggle against adversity and a triumph over the odds'.[27] To be sure, to some historians the European Union has appeared as a problematic part of that story: as a complex organization that was impossible to grasp and which was out of touch with its citizens.[28] More common, however, is an appreciation of the EC/EU as a contributor to European economic prosperity and postwar stability.[29] As Tony Judt has argued, the advantage of the EU was precisely its diffuseness, which allowed it to grow against narrowly defined national self-interest.[30]

Irrespective of whether Europe or the nation is the focus of study, the EC/EU has commonly been considered as being exogeneous to national developments, as a distinct and almost isolated area of national foreign and economic policy. Reflecting on the geopolitical transformations of the late 1980s and the early

24 Peter Burke, 'Did Europe exist before 1700?', *History of European Ideas*, 1 (1980), 21–9; Heinz Duchhardt, 'Was heisst und zu welchem Ende betreibt man – Europäische Geschichte?', in Heinz Duchhardt and Andreas Kunz (eds), *'Europäische Geschichte' als historiographisches Problem* (Mainz 1997), 193–202.

25 Richard Vinen, *A History in Fragments: Europe in the Twentieth Century* (London 2002).

26 Mark Mazower, *Dark Continent: Europe's Twentieth Century* (New York 1999).

27 William I. Hitchcock, *The Struggle for Europe: The Turbulent History of a Divided Continent 1945–2002* (New York 2003), 7.

28 Hitchcock, *Struggle*, op. cit., 435–64.

29 Walter Laqueur, *Europe in Our Time* (New York 1992); Tony Judt, *Postwar: A History of Europe since 1945* (New York 2005).

30 Judt, *Postwar*, op. cit., 732–6.

1990s, scholars have clearly perceived the continuing relevance of nationhood as popular sentiment, and as intimately linked to ideas of statehood and citizenship. With this in mind, historians such as Hagen Schulze and Dieter Langewiesche have shared an appreciation that in practice the EU represented a watershed, arguing that the EU re-ordered the European polity, linking European states with a supra-national regulatory structure. Although they accepted that the EU had evolved as an actor in its own right, they were reluctant to observe the implications that this had for the nature of the state. For all its interrelatedness with member states, the EU embodied an ideal of a Europe 'beyond' the nation-state.[31]

Even where historians have argued that ideas of nationhood and Europe up to and including the EU were intermeshed, this has not led to a serious engagement with how precisely the EU interacts with the nation-state. In an attempt to disprove that the creation of the EEC was a radical departure in historical terms, Ute Frevert has argued that Europe had, throughout the twentieth century, been part of national self-definitions, even if these were expressed very differently over time.[32] This argument links in with a particular scholarly concern, a fear that with the apparent success of European integration after 1957, the narrative of European history has become teleological.[33] Historians thus echoed (without necessarily acknowledging) Michael Geyer's observation that European history could be (ab)used as a national master-narrative, wherein the tribulations of national history eventually gave way to a unique and successful project of European history. To distance themselves from such a 'Treitschkean history of Europe', many historians have sought to de-couple the concept of 'Europeanization' from the EC/EU. Instead, they argued, historians interested in Europeanization should pay attention to the transnational links and influences that predominated European economics, culture and politics during the twentieth century, while also being mindful of continuities with earlier periods.[34]

The problem with such approaches is that they leave the concept of 'Europeanization' fuzzy and ill-defined. If 'Europeanization' refers to 'the dense web of economic, cultural and political relations' that connected national communities with other Europeans,[35] why should this term be centred on the twentieth

31 Dieter Langewiesche, *Nation, Nationalismus, Nationalstaat in Deutschland und Europa* (Munich 2000); Hagen Schulze, *Staat und Nation in der europäischen Geschichte* (Munich 1994).
32 Ute Frevert, *Eurovisionen: Ansichten guter Europäer im 19. und 20. Jahrhundert* (Frankfurt 2003).
33 Ute Frevert, 'Europeanizing Germany's Twentieth Century', *History and Memory*, 17, 1–2 (January–March 2005), 87–116, at 88. Frevert's work, however, is similarly subjected to a teleological juxtaposition between belligerent nationalists, on the one hand, and forward-looking transnational Europeanists, on the other. Moreover, it is more helpful to see transnational European thinkers in the interwar period as part of a wider development of transnational intellectual communities forming in response to the first world war: Dominic Sachsenmaier, 'Searching for Alternatives to Western Modernity – Cross-Cultural Approaches in the Aftermath of the Great War', *Journal of Modern European History*, 4 (2006), 241–60.
34 Marc Schalenberg, 'Europeanization and History: Concepts, Conflicts and Cohesion', *German History*, 22, 4 (December 2006), 106–10.
35 Frevert, 'Europeanizing', op. cit., 89.

century and not on the eighteenth, sixteenth, or ninth?[36] If 'Europeanization' refers to interchanges in urban culture and the development of transnational economic networks,[37] how are such processes different from 'Americanization' and 'globalization' respectively? Finally, there seems to exist broad agreement that the term can be most easily applied in relation to perspectives of Europe from outside.[38] But how would such an application of 'Europeanization' relate to urbanization or industrialization in the regions of Europe? Historians have used the term 'Europeanization' in mutually contradictory ways, perhaps precisely because it is still unclear how it relates to other transnational processes in European history.

Whereas historians of nation-states have found it extraordinarily difficult to relate the EC/EU to national politics, the same is true for the small but growing number of historians whose principal focus is on the EC/EU. The first generation of EEC historians highlighted the organization's long-term ideological and geopolitical logic. The EEC emerged, from this perspective, principally in the context of the Cold War, crafted by politicians and bureaucrats with shared beliefs and ideals.

Starting in the 1980s, EC historians came to concentrate more on the economic, geopolitical and institutional factors that affected the evolution of the EC/EU.[39] In subjecting the grander theories of political scientists to historical scrutiny, historians have begun to make a substantial contribution to wider interdisciplinary debates about the nature and evolution of the EU.[40] In these debates, the EC/EU appears almost solely from an institutional perspective, as a creation outside the nation-state that became the object of individual and collective interests. In focusing first and foremost on the history of European integration, EC/EU historians have participated in debates about the EU, not the nation or the EU's member states.

A further concern of EC scholars has been the evolution of a European identity. Although historians did not join this debate until the 1980s,[41] they provided historical perspectives, including the genesis of integrationist motives during the interwar period.[42] Here they noted, for instance, the development of transnational

36 See for instance Robert Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950–1350* (Princeton, NJ 1993), 269–91 for an explicit discussion of the 'Europeanization' concept in relation to the medieval period.

37 Schalenberg, 'Europeanization', op. cit., passim.

38 See for instance Geyer, 'Historical Fictions', op. cit., 319; Sebastian Condrad (ed.), 'Beyond Hegemony? Europe and the Politics of Non-Western Elites, 1900–1930', *Journal of Modern European History*, 4, 2 (July 2006), special issue. While this volume is cautious about using the term, note Jürgen Zimmerer and Russel A. Berman's use of the term in 'The German Colonial Imagination', *German History*, 24, 2 (April 2008), 251–71.

39 Wolfram Kaiser, 'Vom Staat zur Gesellschaft? Zur Historiographie der europäischen Integration', *Geschichte in Wissenschaft und Unterricht*, 55, 11 (November 2004), 663–79.

40 Wolfram Kaiser, 'History meets Politics: Overcoming Interdisciplinary Volapück in Research on the EU', *Journal of European Public Policy*, 15, 2 (March 2008), 300–13.

41 Hartmut Kaelble and Luisa Passerini, 'European Public Sphere and European Identity in 20th Century History', *JEIH*, 8, 2 (July 2002), 5–8.

42 Gérard Bossuat and Georges Saunier, *Inventer l'Europe: Histoire nouvelle des groupes d'influence et des acteurs de l'unité européenne* (Brussels 2003).

alliances and business federations (in mining, banking and other sectors).[43] For the period after 1945, a European network of historians led by René Girault has emphasized the continued significance of the nation-state as the pre-eminent point of reference for Europeans.[44] They showed how political leaders and the public at large have tended to assess the EU in terms of its capacity to enhance or undermine the social, economic and cultural benefits ostensibly guaranteed by the nation-state.[45] The EU from this perspective has only affected identities indirectly, inasmuch as the EU appeared to threaten the national identities of citizens.

Despite attracting growing scholarly attention, the interplay of European and national as well as regional identifications is barely understood. This is in part because the nature of one or multiple European identities has been extremely complex and very hard to determine,[46] and this has made it difficult to refer these back to the local and the state levels. In addition, the EU has lacked the political means available to member states in the construction of identity. For instance, in 2007 President Sarkozy created the 'Ministry of Immigration, Integration and National Identity', which in turn launched a national debate in 2009 on the nature of national identity in France. The ensuing debate was principally linked to questions of national immigration and integration; in that light it was hardly surprising that the EU did not feature prominently in the debate. It is also clear that against such conscious state-driven attempts at identity politics, the EU has had very little to offer.[47]

Whereas historical debates about the causes and effects of integration have developed into a truly transnational scholarly debate, many other subjects of enquiry related to the EU are specific to national predispositions and interests. For instance, it is almost impossible to find a sustained academic treatment of the 'subsidiarity' paradigm in the English language. By contrast, since the 1990s there has been a remarkably vibrant academic debate on the subject among scholars from Germany and Austria (both countries with strong federal and catholic traditions).[48] Similarly, interest in the genesis and nature of a 'Europe of Regions'

43 Eric Brussière and Michel Dumoulin, 'L'Émergence de L'Idée D'Identité Économique Européenne d'un Après-Guerre à L'Autre', in René Girault (ed.), *Identité et Conscience: Européens au Vingtième Siècle* (Paris 1994), 67–105.

44 René Girault, 'Introduction', in Girault (ed.), *Identité*, op. cit., 13–21, at 19–21; Mikael af Malmborg and Bo Strath (eds), *The Meaning of Europe: Variety and Contention within and among Nations* (Oxford 2002).

45 Antonio V. Menéndez-Alarcón, *The Cultural Realm of European Integration: Social Representations in France, Spain, and the United Kingdom* (Westport, CT 2004).

46 Jeffrey T. Checkel and Peter J. Katzenstein (eds), *European Identity* (Cambridge 2009); Reinhold Viehoff and Rien T. Segers (eds), *Kultur, Identität, Europa: Über die Schwierigkeiten und Möglichkeiten einer Konstruktion* (Frankfurt 1999); Franz Mayer and Jan Palmowski, 'European Identities and the EU – The Ties that Bind the Peoples of Europe', *JCMS*, 42 (2004), 573–98.

47 See for instance Patrick Weil, *Liberté, Égalité, discriminations: L'identité nationale au regard de l'histoire* (Paris 2009).

48 Kurt Wolfgang Nörr and Thomas Oppermann (eds), *Subsidiarität: Idee und Wirklichkeit. Zur Reichweite eines Prinzips in Deutschland und Europa* (Tübingen 1997).

has been much more pronounced in federal states or states with areas of (aspiring) regional autonomy, than in unitary states.[49] There is, in other words, an asymmetry of scholarly interest in the EC/EU which corresponds to national (and regional) political, scholarly and cultural contexts.

Clearly, conventional transnational perspectives fail to explain satisfactorily the relationship between the EC/EU and its member states. For this is a relationship that goes beyond transnational exchanges, involving actors and institutions that are at once beyond and within the state and its regions. Historians have thus far largely failed to relate these different layers to one another. They have either explored the history of states, examining the EC/EU as an increasingly important factor beyond the national polity, or they have examined the history of the EC/EU in response to inter-state bargaining. Yet we can only fully understand the relationship between the EC/EU and its member states by taking into account the 'variable geometry' between the supranational, the national, the regional and the local. And we can only understand Europeanization by examining how different types of actors, from consumers to plaintiffs, from local government officials to 'Eurocrats', interacted within this 'variable geometry'. In short, we need to examine the relationship between the EC/EU and its members (and neighbours) as entangled histories, 'histoire croisée'.[50]

'Histoire croisée' refers to an endeavour to study relations between actors, encompassing both comparisons and transfers to derive new meanings, using a wide range of tools from the social sciences to uncover multiple 'interpenetrating dimensions' of its subjects.[51] This idea of emphasizing entanglement and fluidity in historical enquiry is far from restricted to the modern period. However, it is of unique relevance in the case of a supranational actor that is at once composed of, but that also exerts distinct authority over, national actors. Indeed, the idea of 'histoire croisée' – often quoted but rarely applied – comes into its own as the relation between the EC/EU, its members and its peoples has been marked by multidirectional fluidity and crossings.

Only a few historians have begun to consider the implications of what an 'entangled' history of the contemporary European nation-state might look like. In considering twentieth-century European history, Jim Sheehan pointed to the relative absence of war after 1945 as a distinctively European phenomenon, while also arguing that the postwar period gave rise to a new kind of European state, one made up of model democracies and linked through transnational governance.[52] In practice, Sheehan has spent little time analysing the evolution

49 Undine Ruge, *Die Erfindung des 'Europa der Regionen': Kritische Ideengeschichte eines konservativen Konzepts* (Frankfurt 2003); Jürgen Hatzenbichler and Anres Mölzer (eds), *Europa der Regionen* (Graz 1993).

50 Michael Werner and Bénédicte Zimmermann, 'Beyond Comparison: *Histoire Croisée* and the Challenge of Reflexivity', *History and Theory*, 45 (2006), 30–50.

51 Ibid., at 31–3.

52 James J. Sheehan, *Where have all the Soldiers Gone? The Transformation of Modern Europe* (Boston and New York 2008).

of the EC/EU and its relationship to its member states in any detail. Remarkably, Sheehan has most to say about the significance of the EU in foreign policy, an area where it has been particularly weak vis-à-vis the member states. Nonetheless, Sheehan's central point is critical and conceptually different from previous considerations of the relationship between European integration and the nation-state. The EC/EU and its member states are no longer considered as distinct entities whose interconnectedness becomes relevant only at particular moments, such as the Empty Chair crisis of 1965, or the Maastricht Treaty of 1992. Instead, the embeddedness of the EU and its constituents distinguished the modern European nation-state, and this inextricable and complex relationship between national and supranational institutions at the level of the EC/EU more generally formed perhaps the most distinctive feature of modern Europe.

This section explores the entanglement of national and EC/EU history in the spheres of law, foreign policy and enlargement. A closer examination of these areas shows in practice the varying and dynamic ways in which regional, national, transnational and supranational actors interrelated. They also suggest strongly the significance of the EC/EU on culture and everyday life in contemporary European history. Especially since the 1980s, but in part also before, the contemporary history of the European state is at once subnational, national, transnational and supranational.

From its origins, European integration can be conceptualized as an attempt to settle international conflict through legal means. Yet this in itself does not explain why European law has acquired constitutional status in member states and why it subsequently expanded into policy areas in which the European Commission and other EC/EU institutions had relatively few powers: for instance, human rights or social legislation. Through the preliminary ruling mechanism (formerly Art. 177 of the Treaty establishing the European Community (TEC), subsequently Art. 234 TEC), whereby regional courts have been able to appeal directly to the ECJ without reference to higher national courts, national law became by definition supranational as well as transnational. What the French, British or German regional courts referred to Luxembourg and how they implemented the ECJ's rulings became highly important to the courts of other member states. It also determined much of the nature of the ECJ's judicial activism. Thus, the landmark *van Gend en Loos* (1963) and *Costa v ENEL* (1964) decisions were followed by others, such as the *Simmenthal* ruling (1978), which obliged national judges to interpret national law in accordance with EC law. Directly and indirectly, national law became subject to EC law, with local actors retaining high levels of discretion as to how this was to be applied and 'appropriated' to the national legal context.[53] It is hardly possible, therefore, to consider national public and constitutional law since the 1950s distinct from the expansion of European law.

The influence of the ECJ was not just a legal issue. It concerned national governments and it exercised the public. In the United Kingdom, of course, the

53 Karen J. Alter, *Establishing the Supremacy of European Law* (Oxford 2003).

supremacy of EC law affected the one foundational principle of the British state: the sovereignty of parliament. When the UK's highest court of appeal, the House of Lords, considered the question of the ECJ's supremacy, Lord Bridge ruled that 'it was the duty of a United Kingdom court to override any rule of national law found to be in conflict with any directly enforceable rule of Community law'. Bridge argued that whatever limitations this presented to parliamentary sovereignty, Westminster had freely decided to surrender this upon joining the EC in 1973.[54] When the ECJ assumed its supremacy over the Italian supreme court in the *Costa* case, this also constituted an assertion of sovereignty over the postwar Italian state. And when the German constitutional court issued its famous *Maastricht* ruling (1993), it distinguished the national order from the EU, positing European integration against historical notions of *Volk* and ethnicity which it understood to be the essential underpinnings of democracy and statehood.[55] European law affected the essence of national identity and the national body politic.

The relationship between politics and the law has scarcely been addressed. Bill Davies has produced a pioneering analysis of the German political establishment and the public sphere in responding to the ECJ. He shows how legal integration brought two pillars of West German legitimacy into fundamental conflict: constitutional patriotism (linked to the Basic Law) and the FRG's role as a model European nation willing to surrender sovereignty for the common good. In focusing on the law, Davies is able to demonstrate that Europeanization was an entangled process involving legal scholars in Germany and abroad, judges, ministries, bureaucrats and the public sphere. The reason why German politicians failed to respond swiftly to the constitutionalization of European law was that for years competing ministries (of justice, trade, foreign affairs and the Chancellery) could not agree on who should lead on the issue, or on what German interests actually were on this matter.[56]

In the arena of foreign affairs, the most important and long-standing actor in the EC/EU has been the European Commission, one of whose most important original powers consisted of the representation of Community members in global trade talks. Indeed, as gatekeepers to the Common Market, the Commission enjoyed significant overseas influence. Through preferential trade agreements, such as the Generalized System of Preferences and the Association Agreements that followed the Lomé and Cotonou Agreements (signed 1975–1989 and 2003 respectively), the EU provided free or preferential access to 99 per cent of goods from

54 Paul P. Craig, 'National Courts and Community Law', in Jack Hayward and Anand Menon (eds), *Governing Europe* (Oxford 2003), 15–35, at 21–2.

55 J.H.H. Weiler, 'The State "über alles": Demos, Telos and the German Maastricht Decision', NYU School of Law, Jean Monnet Center (1995): http://www.jeanmonnetprogram.org/papers/95/9506ind.html (accessed 1 May 2009); Dieter Grimm, 'Does Europe need a Constitution?', *European Law Journal (ELJ)*, 1 (1995), 284–302; Jürgen Habermas, 'Remarks on Dieter Grimm's "Does Europe need a Constitution?"', *ELJ*, 1 (1995), 303–7.

56 Bill Davies, 'Meek Acceptance? The West German Ministries' Reaction to the *Van Gend en Loos* and *Costa* Decisions', *JEIH*, 14 (2008), 57–76; Bill Davies, 'Constitutionalising the European Community: West Germany between Legal Sovereignty and European Integration 1949–1975', PhD thesis, University of London, 2007.

developing countries.[57] In providing access to its markets the EC/EU exerted enormous overseas influence through the asymmetry of power that existed between it and its external trading partners. For instance, pressure by the World Trade Organization (WTO) forced the EU to abandon its comprehensive trade agreements with developing Asian Pacific Countries (APC) by 2008 and to conclude regional reciprocal trade agreements (European Partnership Agreements) instead. These vastly increased the power imbalance between the EU and its partners, forcing the creation of new regional trading blocs that were ill-suited, and which made individual developing countries even more subservient to the EU.[58] In practice, poor countries were unable to adapt to EU harmonization rules where these differed from international standards.[59] This caused significant economic shifts amongst the EC/EU's trading partners, including the decline of traditional economic sectors and the social transformations that went along with this. EC/EU member states thus exerted indirect global influence as parts of a powerful trading bloc, with the Commission in turn co-ordinating the international approaches to commerce amongst member-states and internationally.

In contrast to trade policy, common foreign policies linked to the EC/EU developed late and were jealously guarded by the member states. Propelled by the EU's impotence in the Yugoslav Civil War in the early 1990s, member states endowed the EU with specific foreign policy powers, through the Common Foreign and Security Policy (CFSP). This remained in the hands of the European Council, composed of European heads of state and governments, thus denying supranational actors such as the Commission or the European Court of Justice any direct influence over foreign policy. Yet, not least because it required explicit agreement from all member states, the CFSP consistently fell short of expectations. Indeed, scholars of international relations have been struck by a persistent 'Expectations Capability Gap', a concept that describes the contrast between the EU's economic importance and its inability to make its voice heard internationally.[60] More recently, however, scholars have begun to shift their focus, showing that the strength of the EU and its member states lies precisely in the transformation of power brought about by their relationship. In his study of French foreign policy towards East Asia, Reuben Wong notes how France was able to influence EU policy towards China away from post-Tiananmen Square confrontation to

57 Christian Freres and Andrew Mold, 'European Union Trade Policy and the Poor: Towards Improving the Poverty Impact of the GSP in Latin America', in Wil Hout (ed.), *EU Development Policy and Poverty Reduction: Enhancing Effectiveness* (Aldershot 2007), 33–46, at 38; Graeme Macfadyen, Michael Phillips and Graham Haylor, 'The International Seafood Trade: Supporting Sustainable Livelihoods among Poor Aquatic Resource Users in Asia', in Hout (ed.), *EU Development Policy*, op. cit., 101–15.

58 Sanoussi Bilal, 'Redefining ACP–EU Trade Relations: Economic Partnership Agreements' (European Centre for Development Policy Management 2006), http://www.delbrb.ec.europa.eu/en/epa/epa_docs/epa_ECDPM_EPA_Dec06.pdf, accessed on 22 January 2010.

59 Witold Czubala, Ben Shepherd and John S. Wilson, 'Help or Hindrance? The Impact of Harmonised Standards on African Exports', *Journal of African Economies*, 18, 5 (2009), 711–44.

60 Christopher Hill, 'The Capability–Expectations Gap or Conceptualizing Europe's International Role', *JCMS*, 31, 3 (1993), 305–28.

co-operation. In turn, he demonstrates that the French learned from other member states who were seen to be more advanced players in the region. In addition, Wong shows how the Commission took the lead in instituting a Common Commercial Policy towards Japan, China and Vietnam. In short, membership of the EU augmented national influence abroad, but this could only happen if a member state used informal and formal networks and alliances created through the EU, in conjunction with other member states and the Commission itself.[61]

The most remarkable influence of the EC/EU on non-member states is apparent in Europe itself. Following Norway's latest rejection of membership in the 1994 plebiscite, successive Norwegian governments have incorporated around 5000 legal provisions through membership of the European Economic Area (EEA). While the possibility of EU membership moved off the political agenda through tacit agreements between all major parties, political and administrative elites have been keen to adapt to the EU as closely as possible. Norway even joined the Shengen Agreement and moved towards closer co-operation with the EU to pool security and defence initiatives.[62]

Through the EEA, Norway has participated in the European Single Market, which effectively means that as the EC passes new regulatons, Norway has to implement them. While most of these regulations were adopted without even coming through the Storting (parliament), many commentators and politicians agreed that, for those laws that did require parliamentary approval, the Storting functioned as 'a passive recipient of EU laws and regulations'.[63] It is hardly surprising that in 2003 a report on Power and Democracy in Norway found that Norwegian democracy was severely compromised, not least because Norwegian legislation was under substantial pressure to adapt to European regulations/directives.[64] This had wider repercussions for the nature (and influence) of civil society. It changed Norwegian political culture (as Norwegians had to learn to play by the political rules of Brussels), and it strengthened the executive and administrative parts of the governmental system at the expense of parliament.[65]

Norway is hardly alone in having to respond to the EU's economic, geopolitical and security influence (covering sensitive issues in relation to justice, immigration and home affairs). Other EEA states have similarly high transposition rates of EU

61 Reuben Y. Wong, *The Europeanization of French Foreign Policy: France and the EU in East Asia* (Basingstoke 2006). Similar conclusions for the entangled nature of British defence policy in the late 1990s have been reached in Robert Dover, *Europeanization of British Defense Policy* (Aldershot 2007).
62 John Erik Fossum, 'Norway's European "Gag Rules"', *European Review*, 18 (2010), 73–92, at 73–6; Pernille Rieker, 'From Territorial Defence to Comprehensive Security? European Integration and the Changing Norwegian and Swedish Security Identities', *Norwegian Institute of International Affairs*, Nr 626 (2002).
63 Clive Archer, *Norway outside the European Union: Norway and European Integration from 1994 to 2004* (Abingdon 2005), esp. 65–131, quotation from 83.
64 'The Norwegian Study on Power and Democracy, English Summary', http://www.oecd.org/dataoecd/52/54/33800474.pdf, accessed on 24 August 2010.
65 Archer, *Norway*, op. cit., passim.

law into national law.[66] But even Switzerland, which has chosen to remain outside the EEA agreement and conduct its business with the EU on a bilateral level, can barely be understood outside the EU context. The relationship of Switzerland to the EU and the possibility of eventual membership has been described as *the* open question of Swiss politics since 1992, when the Swiss rejected EEA membership.[67] Since then, the Swiss have negotiated a series of bilateral agreements securing access to the Common Market, while quietly adopting EU norms so as not to be disadvantaged in bilateral trade.[68] This approach has allowed Switzerland to retain more of the trappings of sovereignty than EEA countries, but this came at the cost of formal influence, as the Swiss were unable to participate in relevant committees in Brussels.[69] If the EU has been a major factor in the development of the wealthiest of non-member states, it would hardly be an exaggeration to assert that the contemporary history of any European country, whether a member state or not, cannot be written without taking into account its entanglement with the EC/EU.

Arguably the EC/EU's greatest foreign policy success has been its contribution to the democratic stabilization of post-authoritarian societies, from Greece in 1981 to the Central and Eastern European Countries (CEEC), which joined the EU in 2004 and 2007 respectively. Yet, because these applicant states turned into member states, accession cannot simply be considered through the lens of foreign policy. With their goal of providing common frameworks prevailing in all member states, the politics of enlargement provides a distinctive lens through which the entanglement of the EU, its existing members and its applicant states can be seen with particular clarity.

After EU leaders established the Copenhagen Criteria for membership (1993), every aspirant member had to fulfil the conditions of (a) political stability (including the rule of law, guarantee of human rights, etc); (b) economic stability (including functioning market mechanisms and institutions), and (c) acceptance of the Community *acquis* (hereafter: '*acquis*'), that is, the body of regulations and directives to which all member states have to adhere. Since the prospect of membership was articulated at a time when the CEECs' administrative, economic, legal and political institutions were being created and shaped, the EU had a particularly powerful part to play in affecting the nature of capacity-building in these countries.

In general, the EU was very cautious about directly influencing political institutions; of the relatively modest €6.6 billion committed in aid to CEECs between 1990 and 1998, less than 10 per cent was spent on administration, public institutions and civil society projects. Most was spent on economic capacity-building, including infrastructure privatization measures, education and energy/nuclear

66 In 2002, the EEA countries had a transposition deficit of EU directives into national law of less than 1.1 per cent: Archer, *Norway*, op. cit., 103.
67 Wolf Linder, *Schweizerische Demokratie: Instituzionen, Prozesse, Perspektiven* (2nd edn, Bern 2005), 381–3.
68 Wolf Linder, *Europäisierung der Schweiz – Verschweizerung der EU?* (Konstanz 2000).
69 Archer, *Norway*, op. cit.,179–80.

safety (these accounted for over 60 per cent of the funds).[70] The EU's political influence was hugely significant, nonetheless. Among a number of countries with clear democratic deficiencies (such as Slovakia, Croatia and Romania), the prospect of EU membership led directly to political reform, owing to popular support for pro-EU parties.[71] In other countries with more secure political systems (such as Poland or the Czech Republic), relations with the EU were consistently a major political issue between parties. Finally, EU expectations had a clear impact on critical political issues; this is most evident in the treatment of minorities, for example in the Baltic States and in Slovakia.[72]

It is hardly surprising that the EU should have featured so prominently in national politics, because it fundamentally affected institutional structures, economic development and individual behaviours. At an institutional level, the *acquis* was relatively 'thin' on matters of regional policy and administrative implementation, i.e. there were few specific measures that states were asked to adopt. Hence, even though broad policy outcomes were often determined by the EU and the *acquis*, the ways in which national elites adapted were highly diverse. For example, after the Madrid European Council in 1997 insisted on administrative transformations, CEECs all adopted major civil service reforms in the following years, though in each case these took into account national historical and political considerations.[73] The same is also true for regionalization. Despite the legacy of centralization during the communist era, CEECs created regions to respond to the EU's regional fund, which in 2000–6 allocated €213 billion to regions whose GDP was below 75 per cent of the EU average. As with the administrative reforms, the regions created varied greatly in nature, in response to pre-communist traditions, political concerns of national elites, the timing of regionalization and the nature of the national political reforms introduced in the early 1990s.[74] The EU has thus exerted fundamental influence on the political and administrative structures of the CEEC, and the significance of this varied with the national elites' ability to adapt EU regulations and directives to national traditions and cultures in congruous terms.

70 James Hughes, Gwendolyn Sasse and Claire Gordon, *Europeanization and Regionalization in the EU's Enlargement to Central and Eastern Europe: The Myth of Conditionality* (Basingstoke 2004), 23–4, Table 1.1.

71 Milana Anna Vachudova, *Europe Undivided: Democracy, Leverage, and Integration after Communism* (Oxford 2005), ch. 7; Frank Schimmelfennig and Ulrich Sedelmeier, 'The EU and Democratization in Central and Southeastern Europe since 1989', in Sabrina P. Ramet (ed.), *Central and Southeast European Politics since 1989* (Cambridge 2010), 519–35.

72 Frank Schimmelfennig, Stefan Engert and Heiko Knobel, 'Cost, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey', *JCMS*, 41, 3 (2004), 495–518.

73 Antonaneta L. Dimitrova, 'Europeanization and Civil Service Reform in Central and Eastern Europe', in Frank Schimmelfennig and Ulrich Sedelmeier (eds), *The Europeanization of Central and Eastern Europe* (Ithaca, NY 2005), 71–90, at 82–8; Eva Granqvist and Emma Wallin, 'Opening Up for Change: Modernizing Public Administration in the Baltic States', in Bengt Jacobsson (ed.), *The European Union and the Baltic States* (Abingdon 2010), 81–97.

74 Hughes, Sasse and Gordon, *Europeanization*, op. cit., 65–84; Dan Marek and Michael Baun, 'The EU as Regional Actor: The Case of the Czech Republic', *JCMS*, 40 (2002), 895–919.

At an economic level, EU influence has been nothing short of transformative for CEECs. To be sure, the creation of new institutions to support the market were not only supported by the EU, but also by other agencies, notably the World Bank, the IMF, and the US Agency for International Development. Still, the EU's interpretation of how the Single Market should be expanded produced fundamental structural change. In the case of Bulgaria, for instance, the requirement rapidly to eliminate the use of state aid to subsidize the steel industry (in contrast to the older member states, where no such requirements were in place) led to the dramatic decline of the sector. The same is true for the energy sector (which included the decommissioning of power plants and the transformation of Bulgaria from being a net exporter to a net importer of energy) and for any other sector where the *acquis* laid down clear rules and norms.[75] This is not the place to argue whether the effects of Europeanization have been positive or negative – but *that* these effects have been highly significant can hardly be overstated, and again the nature of these effects have differed between individual CEECs.

These deep-seated structural changes, and the discussions (and negotiations) about them, could hardly leave individual actors unaffected. Even though the effects of behavioural and attitudinal changes are extremely difficult to measure, the EU intended, from the outset, to affect individual behaviour as much as structural change. In a perfect illustration of how the relationship between the EU and the member states is often not only supranational, but also transnational, the EU instituted a system of 'twinning'. Accordingly, officials from CEEC bureaucracies would be put together with officials or former officials in similar positions in older member states. Through working together, CEEC officials would learn from their Western peers, change their behaviour and improve their performance. Whereas this process had unintended outcomes (former, experienced bureaucrats could, for instance, advise on strategies to undermine the Commission's influence), twinning could enhance (and thus change) administrative capacity where experts came from administrative systems whose expertise was most relevant to the CEEC.[76] Of course, it could also prove ineffective where the twinning partners were ill-chosen, or where the implementation of reforms were stalled by local elites – an important contributor to the lack of progress in Bulgaria's reforms in Justice and Home Affairs.[77] Moreover, what is true for countries like Norway and Switzerland is even more valid for the CEECs – the more intensively officials engaged with colleagues from other member states as well as with EU officials, the more they learned to speak the language and display the behaviours that would maximize national influence in the EU.[78]

Two important points emerge from the Europeanization of the CEEC since 1993. First, despite the extraordinary importance of the EU for the contemporary

75 Diana Bozhilova, *Bulgaria's Quest for EU Membership: The Europeanization of Policies in Transition* (London 2008).

76 Jenny Svensson, 'Governance through Mediation: EU Twinning in Lithuania', in Jacobsson (ed.), *The European Union*, op. cit., 59–80.

77 Bozhilova, *Bulgaria's Quest*, op. cit., ch.2.

78 Matilda Dahl, 'Rituals of Inquisition: European Commission Monitoring of Accession Processes', in Jacobsson (ed.), *The European Union*, op. cit., 38–58.

history of these states, individual actors rarely appreciated the full extent of the EU's significance.[79] This reflected a disconnectedness from the highly complex and technocratic ways of delivering the benefits of accession which is far from unique to local elites. This failure to understand the nature of EU multi-level governance on the part of elites and the public alike should not tempt scholars from making the same mistake. Precisely because the impact of the EU has been highly complex, it is critical for historians to factor in its interlinkages with local and national actors and structures to fully understand the contemporary history of the CEECs.

Second, it is clearly impossible to provide a single lens through which scholars could examine the contemporary history of the CEECs in relation to the EU. The ways in which individual countries engaged with the EU and its officials depended on the constitutional and political structures of individual CEECs, their security concerns, economic conditions, as well as individual actors and the nature of political and social elites. This is why a similar overall requirement (for instance, of administrative reform) could have different and even contrasting outcomes. While it is thus impossible to establish unidirectional models of Europeanization, the EU deeply affected each country of Central and Eastern Europe precisely because it interacted with its particular historical and cultural circumstances. The history of the countries of Central and Eastern Europe since 1993 is unthinkable without the European Union and the member states within it.[80]

The EU's close interrelationship with the countries of Eastern and Central Europe differs from its interactions with the 15 'older' member states, principally because of the timeframe in which the *acquis communautaire* was adopted. For older member states, integration was much more gradual, not least because the body of legislation to be adopted grew exponentially with the introduction of the Single Market and the Maastricht Treaty. Still, while the ways in which the CEECs had to adjust to the EC/EU have been particularly visible and dramatic, in principle the economic, legal, political, institutional and social requirements for harmonization and integration have been the same for all members, old and new.[81] The social, political and cultural effects of the EU on the CEECs show with particular clarity the effects which the EU has had on all its members.

The entanglement of national history and the EC/EU in the spheres of politics, trade, diplomacy and the law raises the critical questions of how they relate to the

79 Hughes, Sasse and Gordon, *Europeanization*, op. cit., 141–63.

80 Jan Zielonka has referred to the EU as a 'benign empire', noting that the EU's structural dominance over the CEECs allowed it to effect change in 'very broad, detailed, and intrusive' ways: Jan Zielonka, *Europe as Empire: The Nature of the Enlarged Union* (Oxford 2006), at 57.

81 Diana Bojilova has shown convincingly that the EU was more demanding of accession states in reducing state subsidies than of their own (old) member states before 2004–7, but this can be counterbalanced by the Commission's evident turning of a blind eye to non-fulfilment of the *acquis* at the time of joining: Bojilova, *Bulgaria's Quest*, ch.4. On Bulgaria's failure to bring down incidences of corruption in the accession period, see also Diana Bozhilova, 'Measuring Successes and Failures of EU-Europeanization in Eastern Enlargement: Judicial Reform in Bulgaria', *European Journal of Law Reform*, 9 (2007), 285–320.

life of the citizen and his or her everyday experience. Clearly, the effect of Europeanization is very different from other influences, such as Americanization or globalization, since it is significantly driven in conjunction with supranational institutions that are unique to the EC/EU. The importance of this becomes immediately clear in the field of commerce and trade, areas in which – along with agriculture – the EC/EU has had wide competencies from its origins. The EC's quest for a common market, and then for common commercial norms and standards, was a dynamic process, which affected increasingly new areas, spilling over into services and manufacturing and the production of foodstuffs. Following the *Cassis* ruling of 1979, whereby the ECJ ruled that goods lawfully produced in one member state could be sold in another where there were no significant differences in national standards, the European Community has sought to eliminate national specificities and remove technical barriers of trade. By 1998–2001, 61 per cent of food exports within the EU had adapted to harmonized EU trade regulations, including over 68 per cent of food exports from Germany and Greece.[82] The EC/EU has had a significant impact on what citizens consumed.

The EC/EU has also exerted important influence on how citizens worked. Related to the EU's concerns to enable the free movement of people has been the EU's growing impact on social policy. Following the Amsterdam Treaty of 1997, the European Community acquired competences allowing it to ensure equal opportunities at the workplace, enhance employers' consultation with the workforce and promote social dialogue, even at the expense of national governmental actors.[83] This is not to suggest that change towards a 'social Europe' has been far-reaching or effective.[84] Even though there have been a range of EU directives transposed into national law on issues ranging from labour law to welfare rights and social inclusion issues, there is still considerable argument among scholars about whether a meaningful 'European Social Model' actually exists, and what it consists of.[85] Still, the ways in which social (and human) rights have been adopted and implemented, formally and informally,[86] raises important historical questions about the evolution of the praxis of social policy within the EU and its member states.

The growing harmonization of social praxis raises the question of how this is related to memory, culture and identity. One important issue that requires further examination is how the 'histoire croisée' of contemporary Europe affected the

82 Bruno Henry de Frahan and Mark Vancauteren, 'Harmonization of Food Regulations and Trade in the Single Market: Evidence from Disaggregated Data', *European Review of Agricultural Economics*, 33, 3 (2006), 337–60.

83 Gerda Falkner, *EU Social Policy in the 1990s: Towards a Corporatist Policy Community* (Abingdon 1998).

84 Fritz W. Scharpff, 'The European Social Model: Coping with the Challenges of Diversity', *JCMS*, 40, 4 (2002), 645–70.

85 Ralf Rogowski (ed.), *The European Social Model and Transitional Labour Markets* (Farnham 2008).

86 Gerda Falkner, Oliver Treib, Miriam Hartlapp and Simone Leiber, *Complying with Europe: EU Harmonisation and Soft Law in the Member States* (Cambridge 2005); Beryl Philine ter Haar and Paul Copeland, 'What are the Future Prospects for the European Social Model? An Analysis of EU Equal Opportunities and Employment Policy', *European Law Journal*, 16, 3 (2010), 273–91.

cultural similarities (and differences) between Europeans themselves. As Geoff Eley notes in this issue, the past 30 years have seen a rapid growth of popular memory culture, and this has particular implications for the EC/EU.[87] This was a community founded not least on the memory of the second world war and its causes, hence the subsequent transformation of that memory and the growing complexity of that memory in relation to collaboration and victimhood were bound to have profound implications for national identities, transnational perceptions, and the EC/EU's popular legitimacy. In fact an analysis of contemporary intellectual currents in a range of countries suggests that, in remarkably similar ways, ideas about national rebirth, political regeneration, international co-operation and the creation of a political community were closely enmeshed. Indeed, Konrad Jarausch and Thomas Lindenberger have shown that, as these memories of the second world war and its lessons evolved within and across national boundaries, a 'patchwork' of memory landscapes developed, which referred to regional, national, international and supranational levels, often at the same time.[88]

Still, the 'patchwork' of local, national and supranational cultures that underpinned the evolution of the EC/EU and were affected by it do not simply relate to the memory of war and reconstruction. There are very big gaps in the scholarship on how the EC/EU has affected everyday life. Hardly any research has thus far been done on the ways in which consumer societies have become more alike through the standardization of roaming charges, the common market for air travel or the abolition of import restrictions within the EU. Some scholars have begun to examine the Europeanization of local life by looking at how cross-border regionalization has worked in practice.[89] Others have worked on the evolution of tourism as an inherently cross-regional and cross-national activity within Europe.[90] Nonetheless, we lack at a profound level any understanding of how the EC/EU affected the everyday life of citizens and how this evolved over time.

And yet it is possible to think about the evolution of culture in Europe in original and stimulating ways. Recently, a research network based at Oxford defined 'Europeanization' as 'a variety of political, social, economic and cultural processes that promote (or modify) a sustainable strengthening of intra-European connections and similarities through acts of emulation, exchange and entanglement', thus providing a historical perspective of which the EC/EU was only one part.[91] The project shows in how many arenas it is fruitful to think about the creation of a common European sphere that is at once distinct (for instance,

87 Geoff Eley, 'The Past under Erasure? History, Memory and the Contemporary', *Journal of Contemporary History*, 46, 3 (2011), 555–73.

88 Konrad H. Jarausch and Thomas Lindenberger, 'Contours of a Critical History of Contemporary Europe: a Transnational Agenda', in Konrad H. Jarausch and Thomas Lindenberger (eds), *Conflicted Memories: Europeanizing Contemporary Histories* (New York 2007), 1–22.

89 See for instance Olivier Kramsch and Barbara Hooper (eds), *Cross-Border Governance in the European Union* (Abingdon 2005).

90 Thomas Mergel, 'Europe's Leisure Time Communication: Tourism and Transnational Interaction since 1945', in Jarausch and Lindenberger (eds), *Conflicted Memories*, op. cit., 133–53.

91 Ulrike von Hirschhausen and Klaus Kiran Patel, 'Introduction', in Martin Conway and Klaus Kiran Patel (eds), *Europeanization in the Twentieth Century: Historical Approaches* (Basingstoke 2010),

from Americanization), and which is also inherently pluralist and multi-faceted. In applying this idea to topics as varied as pop music, finance, human rights and interwar internationalism, the participants do manage to project the depth and breadth of European cultural, political and economic exchange, and the ways in which this had an impact on national identification. Based upon its more expansive definition of Europeanization, this project argues that the political integration of Europe is but one facet of an accelerating interlocking of national and international spheres within the European continent. With this approach, the precise relationship between the cultural transformation of the European continent and the genesis of political integration remains open. Nonetheless, in marked contrast to the open-ended ambitions of the project,[92] most contributors do in fact relate to areas relevant to the EC/EU. Even if much more work remains to be done, this approach does much more than any other perspective developed in the social sciences to help us understand the values of political and bureaucratic actors and their constituents.

In sum, understanding the history of Europeanization as 'histoire croisée' allows us to explore a new and integral dimension of the history of the European state by adding the supranational European level to the regional, national and transnational European networks that affected national politics, culture and identity in Europe. This perspective allows contemporary historians to overcome the deficiencies of the social sciences by relating citizens and consumers to the political, financial and bureaucratic processes of European integration. And it allows contemporary historians to benefit from the political sciences in recognizing the sheer breadth and importance of the policy areas in which the EC/EU, and closer interdependence between member states, have helped shape national and regional affairs. European history is more than the history of nation-states. It is also more than transnational history and it encompasses more than supranational influences. Contemporary European history is all of these – regional, national, supranational and transnational – to varying degrees and at varying moments.

When Michael Geyer wrote about the Europeanization of national history in 1989, he did so out of a concern to overcome the 'fictions of national autonomy' still affecting national history-writing in Central Europe. This fiction should not be replaced by a fixation on the EC/EU as the only transnational space in European history. However, in linking Europeanization to the specific relationship between individual European nations and the EC/EU we direct attention to perhaps the most far-reaching transnational polity in modern history and certainly to the least understood transnational space in European history. The EC/EU constitutes far from the totality of transnational links and influences in Europe; but it has turned into the predominant ordering framework for European transnational

1–18, at 2. The remainder of this paragraph constitutes a reflection on the contributions to this volume, which concluded the research project.

92 It is illustrative to compare Schalenberg's earlier summary of the project's goals, which eschewed 'teleological' references to the EC/EU, with its final outcome as presented in Conway and Patel's excellent volume: Schalenberg, 'Europeanization', op. cit., passim.

relations. Asking how this could happen and how exactly power was transmitted through the transnational and the supranational spheres of the EC/EU is a major and distinctive historiographical problem.

Power in European nation-states always had a critical European, transnational dimension, whose nature shifted through the ages.[93] However, among historians the genesis and development of the EC/EU is too little understood for comparisons with other periods to be viable, and historians ignore the scholarly advances made by political scientists working on 'Europeanization' at their peril. Only once we fully comprehend the transnational and supranational nature and impact of the EC/EU and the nation-state can we relate Europe's contemporary history to earlier periods. And only then can we truly assess whether, and in what ways, transnational power and exchange in late twentieth-century Europe became unique.

An 'histoire croisée' of contemporary European nation-states will be particularly mindful of a number of key transformations which simply cannot be explained by focusing on the national arena alone. Four key themes emerge. First, the enmeshing of regional, national and EU levels provides new perspectives on the evolution of national identities. This is true, in different ways, for the UK (where the EU undermines parliamentary sovereignty), Germany (as the EU challenges an identity related to the Basic Law), France (where a social welfare consensus is seen as being threatened by the Common Market) and other states.[94] More often than not the effect of the EU has been indirect, whether in the spheres of politics, law, economics or culture. It had a transformative effect on many markers of national identity, even if EC/EU influence was not always perceived as such. The EC/EU also had a material effect on regional policies, regional networks, and thus also regional identifications, with inevitable consequences for how citizens perceived their region and their state.[95] These effects have differed greatly between regions and member states. Still, the EU has clearly complicated the framework within which the nation is constructed and contested, and the processes behind this have changed with the expanding roles of the Community and then the Union.

A second issue relates to the changing nature of the state. The EC/EU has not only transformed the workings of the economy and the law, but has also contributed to important political transformations within member states. For instance, the EC/EU has contributed to a growing dominance of the executive over the legislature. There have been a number of drivers behind this. Decisions have increasingly been made by ministers in Brussels binding all member states, thus forcing parliaments to approve even controversial measures *ex post facto*. Indeed, under the

93 Geyer, 'Historical Fictions', op. cit., 324.

94 In both France and the Netherlands, the 'No' votes to the European Constitution were strongest in the poorest regions, among the losers of globalization: Paul Taggart, 'Questions of Europe – the Domestic Politics of the 2005 French and Dutch Referendums and their Challenge for the Study of European Integration', *JCMS* 44 (Annual Review), 7–25; Arjen Nijeboer, 'Peoples' Vengeances: The Dutch Referendum', *European Constitutional Law Review*, 1 (2005), 393–405. For the case of Germany, see Davies, 'Constitutionalising', op. cit., 214–21.

95 Stephen Weatherill and Ulf Bernitz (eds), *The Role of Regions and Sub-National Actors in Europe* (Oxford 2005).

system of Qualified Majority Voting, democratically elected governments could be outvoted, thus forcing changes onto national legislators which had no national democratic legitimacy at all. In addition, the nature of multi-level governance, which can be detected in other federal systems, privileges the executive over the legislature. As governance became more complex, the executive developed the administrative capacity and the expertise to deal most effectively with the demands of multilevel governance.[96] In short, the contemporary history of Europe has seen fundamental shifts in the nature of political power. This helps explain the apparent paradox of the simultaneous growth of the nation-state and the growth of supranational institutions; both affected and reinforced the other, at the expense of other actors, including regional and national parliaments.

Third, from an entangled national, transnational and supranational perspective, the history of contemporary Europe is marked by a deep caesura that occurred from the mid-1980s to the mid-1990s. Following a period of relative stasis in the 1970s, the European Court of Justice engaged in unprecedented and lasting judicial activism. This was reinforced during Delors' presidency of the Commission. Beginning with the Single European Act (SEA) of 1986 and continuing with the Maastricht Treaty (TEU) of 1992, the EC/EU turned from negative integration (the removal of barriers to integration) to positive integration, passing legislation aimed at the harmonization of standards. To be sure, the EC exerted considerable supranational impact before 1986, for instance in the areas of agriculture or global and intra-EU commerce. Still, the SEA and the TEU set in chain a process of far deeper integration, ensuring a prominence of the EC/EU in new areas such as monetary policy and the environment. This period set in motion a period of 'deepening' integration in a new way, while in this period the EC/EU also widened, so that its deepening levels of integration impacted on all European countries. From the mid-1980s to the mid-1990s, the entangled history of contemporary Europe was rewritten.

Finally, the transnational and supranational dimensions of contemporary European history present particular challenges to the writing of social and cultural history. Given the indirect (and often unrecognized) ways in which the EC/EU has impacted on everyday life, it may be much more fruitful to examine the convergence of national and regional memories, cultures, and everyday practices. In this way historians might be able to show why increasing convergences in social rights, human rights and consumer cultures did not lead to the growth of transnational identifications and often appeared to lead to their decline. An examination of contemporary cultural history may show how a growing convergence of cultures and life-styles related to fears and anxieties about change, estrangement and the nature of community in national and regional contexts.

96 Tapio Raunio, 'National Parliaments and the Future of European Integration: Learning to Play the Multilevel Game', in Joan Debardeleben and Achim Hurrelmann (eds), *Democratic Dilemmas of Multilevel Governance: Legitimacy, Representation and Accountability in the European Union* (Basingstoke 2007), 158–76.

The EC/EU is merely the most closely integrated international organization to have emerged from the postwar international order. Its success has encouraged the formation of trading blocs worldwide. To be sure, the Southern (American) Common Market (Mercosur), the North American Free Trade Agreement (NAFTA) or the Association of Southeast Asean Nations (ASEAN) have been far less ambitious, lacking the political will or the legal basis to be anything other than Free Trade Areas. Nevertheless, they have had far-reaching consequences on consumer behaviours, production patterns and industrial relations, while also affecting economic policies of the member states.[97] Indeed, through the World Trade Organization, as well as informal forums such as the G-7, G-8 and now G-20 conferences of the world's biggest economies, national policies have become entangled in a web of international standards, policies and goals with often severe impacts on national polities. As these bodies have tried to frame the consequences and conditions of globalization, individual countries had to position themselves in relation to these transnational and supranational influences.

The economic entanglement of states has had important legal consequences. International commerce, intellectual property rights and human rights have been important transnational drivers in the development of international and transnational law.[98] In Europe, the judgments of the European Court of Human Rights have often directly been transposed into national law, often reinforcing the judicialization of national politics within the EC/EU and beyond.[99] More broadly, the evolution of international law, manifest for instance in the creation of international jurisdiction over crimes committed against humanity, means that individuals and states have become bound by international conventions, whether these have been transposed into national law or not.[100]

That national governments should be subjected to international agreements is not new to the contemporary period. And yet the formalized webs of international organizations, agreements and norms that run parallel to the internationalization of (commercial, financial and medial) exchange and the persistence of state autonomy[101] are a distinctive feature of contemporary history. Put differently, if the notion of 'histoire croisée' has opened up new perspectives in the writing of any historical epoch, it is essential to an understanding of contemporary history. It is difficult to see how contemporary history could be written without a clear notion of how the nation-state and its localities are entangled with trans- and supranational

97 See for instance Gerald M. Sider, 'The Production of Race, Culture and State: An Anthropology', *North American Dialogue*, 7 (2008), 4–7.

98 Laurence R. Helfer, Karen Alter and M. Florenica Guerzovich, 'Islands of Effective International Adjudication: Constructing an Intellectual Property Rule of Law in the Andean Community', *American Journal of International Law*, 109 (2009), 1–46.

99 See for instance Øyvind Østerud and Per Selle, 'Power and Democracy in Norway: The Transformation of Norwegian Politics', *Scandinavian Political Studies*, 29 (2006), 25–46, at 38.

100 Rachel Kerr, *The International Criminal Tribunal for the former Yugoslavia: An Exercise in Law, Politics, and Democracy* (Oxford 2004), ch.1, on the relationship between international law and international relations/politics.

101 Michael Mann, 'Has Globalization Ended the Rise and Rise of the Nation-State?', *Review of International Political Economy*, 4, 3 (September 1997), 472–96.

influences in the spheres of politics, law, commerce, consumer society, finance, communication and the environment.

The contemporary history of the European nation-state, then, has to take cognizance of the supranational and transnational entanglements of its regions, cultures and institutions. Of these, the growing influence of the EC/EU has clearly been the most far-reaching and the most distinctive. Given that the EC/EU represents a political order that is at once international, supranational, transnational and domestic, and which has a decisive influence on all European states, the contemporary state in Europe can no longer be analysed with the same tools and references as the nineteenth-century state. The contemporary European state cannot be considered on its own terms. The EU has become an integral part of the European state's fabric and identity, transforming with it the contemporary historian's craft.

Biographical Note

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