

Europe at the Highest Level

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Luuk van Middelaar puts forward an alternative history of the European construction by analysing the various types of discourse on Europe, the influence of international events and overdue research on democratic legitimacy.

Reviewed: Luuk van Middelaar, *Le passage à l'Europe. Histoire d'un commencement* [The Transition to Europe. The Story of a Beginning], translated from Dutch into French by Daniel Cunin and Olivier Vanwersch-Cot, Paris, Gallimard, 2012. 480 p., 27, 90 €. An English translation is forthcoming at Yale University Press, Spring 2013.

Le passage à l'Europe. Histoire d'un commencement is a revised version of the thesis that Luuk van Middelaar wrote under the supervision of Marcel Gauchet. The author sets himself the ambitious task of understanding “the true political nature of the Union” (p. 10). The originality of his approach stems from the fact that Van Middelaar analyses the European Union from the 1950s to the present day without following a chronological order. Instead, he examines various developmental stages of the European Union in order to identify its political uniqueness, because “the truth of politics can only be understood over time” (p. 14).

He aims at being innovative in his approach. The foreword and prologue show how he distances himself from the debate that pits federalists against sovereigntists. Van Middelaar also believes that the political nature of the Union can only be understood if we exercise caution when it comes to words and discourse. Van Middelaar rejects jargon. This book is extremely well informed on technical matters, but presupposes no specialist knowledge of institutional mechanisms or the abundance of acronyms and neologisms that are so often used to refer to them. In addition, the author identifies and deconstructs three types of discourse on the European Union, showing their ideological and normative foundations as well as their historical origins. Van Middelaar thus distinguishes between a discourse on “the Europe of States”, which is linked to confederalism and whose academic advocates are mostly historians and specialists in international relations; a discourse on “the Europe of citizens”, which is linked to federalism and has no academic home base as yet; and a discourse on “the Europe of Governments”, which is linked to functionalism and is advocated mainly by economists, sociologists and political scientists. These types of discourse come together to generate three further predominant types of discourse: intergovernmentalism (Offices and States), supranationalism (Offices and Citizens), and constitutionalism (States and Citizens). However, according to Van Middelaar, these types of discourse do not allow us to take

account of the historicity of the European construction. This critical opening part is beneficial. It takes into account the abundance of discourse on the European Union in a simple way without caricaturing existing studies. Furthermore, it shows that the various theories trying to explain European integration are not exempt from political preferences as regards the direction the European project should take. Van Middelaar shows intellectual boldness in immediately identifying these types of discourse and distancing himself from them.

Europe in three spheres

The author then analyses political Europe from three different perspectives. The *external sphere* is defined by its geographical limits. It encompasses the continent's sovereign States ("the European concert"), driven by their pursuit of self-interest. The *internal sphere* is based on the treaty signed in 1951. It is made up of the European institutions and its driving force is the pursuit of community interest. The *intermediate sphere* is formed of the EU Member States and is more difficult to define. In this sphere, each State goes in pursuit of its own interests while maintaining a growing awareness of community interest. The book focuses on this sphere, which Van Middelaar believes to be misunderstood. If we could understand the particularity of interstate relations at this level, then we would be able to clarify the nature of the Union. However, we sometimes struggle to understand how the idea of the interstate relations that underpins the intermediary sphere can be distinguished from the traditional intergovernmental concept that Van Middelaar analyses.

The first two parts of the book try to explain the "passage to Europe" by placing the founding fathers and heads of government centre stage. The first part ("The secret of the table") is the most innovative. Van Middelaar shows that the Member States' decision to use the majority rule – or, in other words, to drop the right to veto – has allowed them to establish themselves as a political body. He clarifies a key point, one that has, in our opinion, been mentioned very little in European studies. When characterising the Union, there has often been greater focus on the transfer or the relinquishing of sovereignty. The transition to majority voting is the specific expression of that. The author shows very convincingly that it has been vital both for adopting the Treaties and for daily legislative decision-making within the Council. Another outstandingly original feature of this first part is the reinterpretation that Van Middelaar gives of the Luxembourg Compromise. This 1966 text put an end to the Empty Chair crisis. For several months, France had not attended Council meetings because the French delegation had refused to allow a decision on agriculture to be taken by majority vote. In the Luxembourg Compromise, the parties recognised that when the vital interest of a State comes under threat, it should not be outvoted and a solution must be found in order to satisfy it. While this compromise is generally considered to have been a failure – the crystallisation of the battle between advocates and opponents of the legislative majority decision – Van Middelaar shatters the consensus. In his view, the compromise meant that the French recognised the treaty and that the five other Council members, for their part, recognised that vital national interests could not be ignored for the sake of Europe. The compromise allowed the intermediate sphere to exist.

A new account of the construction of Europe

In the second part ("The vicissitudes of fortune") the author tries to show how the EU was formed as a response to international events. The Union is portrayed as a diplomatic construction. This interpretation is a far cry from many studies highlighting the EU's economic foundations. The author therefore provides an original account of the European construction. The European Convention, for example, which has been analysed first and

foremost for its internal functioning, is here examined through the prism of foreign policy. Van Middelaar establishes a link between the part played by the Convention and the context of the Iraq war. This section is mostly backed up by anecdotes, although also, rather too often, on reported comments (from Mitterrand for example). This is a dangerous method, because there is rarely any proof that those involved actually said what is attributed to them. Furthermore, by focusing on the actions of heads of state and government, the diplomatic conception put forward by Van Middelaar may appear simplistic. It is also regrettable that the consequences of enlargement in the East and the question of whether or not this changed the European project are dealt with so fleetingly.

The pursuit of democratic legitimacy

This story of Europe, which focuses on the heads of state, serves to highlight the EU's lack of democratic legitimacy in a symptomatic and almost brutal way. Before the final part of the book begins, the author barely mentions the role of European citizens or democratic control over the action taken by heads of state. This final part, entitled "The public quest", finally tackles this subject by analysing efforts to achieve "democratisation from the top down": "the movement came from politicians who were drifting and seeking firm ground" (p. 420). Van Middelaar provokes the reader by describing the pursuit of democratic legitimacy by those involved in the European project as "fishing for applause". In a dense analysis, he distinguishes three strategies used to bring about public consent. The *German strategy* consists in "convincing". Van Middelaar lists the measures that are supposed to stir European feeling – the flag, the anthem, the euro, etc. The *Roman strategy*, "*panem et circum*", consists in sharing out social and legal rights – the right to settle in the different Member States, regional aid, the common agricultural policy, etc. The *Greek strategy* consists in giving the people a voice by involving them in the process of building Europe – for example by establishing direct election of the European Parliament. Van Middelaar is quick to analyse the demagogic aspect of some of these policies of conquest and avoids easy theories, such as the one stating that the European Parliament, by its mere existence, increases the Union's democratic legitimacy. He emphasises this paradox: for the last thirty years, the citizens have shown less and less interest in the Parliament whereas the formal power of the institution has increased. By putting forward a typology of the various attempts at top-down democratisation and analysing their failure, the author addresses a point that, as far as we are aware, has scarcely been examined in existing studies.

However, Van Middelaar believes some actions to be strategies that "attract and retain the public's attention" (p. 342) when they are not necessarily so. In order to be able to talk of a strategy, it is necessary for those involved to consciously use a method with the aim of achieving a distinct goal – in this case, the legitimacy of the Union. And yet at times we struggle to identify the strategy and, as a result, to understand why a particular policy coming from Brussels can be regarded as a strategy intended to convince the European people of the EU's legitimacy. We can understand the fact that the European flag and the anthem are part of a strategic (German) approach because they are simply symbols. But if every public policy decision made in Brussels is a strategy intended to establish its legitimacy – as the pages describing the "*panem et circum*" strategy suggest by referring to the common agricultural policy, freedom of movement and regional aid – we are no longer sure what makes up the political nature of the Union that Van Middelaar is seeking to identify. By the end of the third part, therefore, we are convinced of the European Union's uniqueness and political complexity. We are also concerned by the complete failure of its democratisation. However, the "political nature" of the EU appears even more mysterious, and in this sense the book

deserves credit for stimulating further reflection. The theory defended by Van Middelaar in the third part provokes the reader, but his line of argument lacks nuance. The author focuses on the main players in the European construction by examining democratisation unilaterally from the top down. Civil society and the national parliaments appear passive according to Van Middelaar's account; their initiatives may still, however, have an effect on the European "public".

Generally speaking, it is also regrettable that Van Middelaar, by putting forward the idea that "the political motives for peaceful coexistence ultimately gain the upper hand over economic interests", ignores the economic factors involved. In addition, the author's style is sometimes disconcerting in its grandiloquence. It is perhaps unnecessary to make reference to Moses and the Ten Commandments in order to explain that, unlike them, modern constitutions can be revised. The very frequent use of metaphors does not always serve to clarify the aim and can sometimes be irritating – as when, in the second part of the book, the author refers repeatedly to "Lady Fortune" to signify the part played by chance in the European construction. Nevertheless, by sharing his in-depth knowledge of the European construction and highlighting its many originalities, Van Middelaar presents a stimulating, useful and personal book.

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