

T.C.

MARMARA UNIVERSITY

148720

EUROPEAN COMMUNITY INSTITUTE

EUROPEAN INTEGRATION AND ITS EFFECTS

ON THE EUROPEAN NATION-STATE

Master's Thesis

OĞUZHAN BİLGİÇ

Under the supervision of

Assist. Prof. Çiğdem Nas

148720

Istanbul 2004

T.C.  
MARMARA UNIVERSITY  
EUROPEAN COMMUNITY INSTITUTE  
EU POLITICS AND INTERNATIONAL RELATIONS

EUROPEAN INTEGRATION AND ITS EFFECTS  
ON THE EUROPEAN NATION-STATE

Master's Thesis

OĐUZHAN BİLGİÇ

Istanbul 2004

**CONTENTS**

ÖZET iv

ABSTRACT v

INTRODUCTION 1

CHAPTER I : THE NATION-STATE AND THE EUROPEAN INTEGRATION

    PROCESS 5

    1. CONCEPTUALISING THE NATION-STATE 5

        1.1 State From Different Perspectives 5

        1.2 Nation As a Political Entity And Nationalism 7

        1.3 The Emergence of the Nation-state in Europe 12

        1.4 The Dynamics of the European Nation-State 18

    2. THE TRANSFORMATION OF NATION-STATE IN THE EUROPEAN UNION 24

        2.1 Beyond the Nation-State: Community Idea

        2.2 The EU and National Citizenship 29

        2.3 The EU and The Transfer Of National Sovereignty 34

        2.4 State-Centric Approach to the Transfer of Sovereignty 38

        2.5 Multi-Level Governance Approach 40

        2.6 The Need For Transfer of Sovereignty 41

|   |           |
|---|-----------|
| <b>CHAPTER II : THE EUROPEANISATION OF THE NATION-STATE IN THE<br/>EUROPEAN INTEGRATION PROCESS</b>         | <b>47</b> |
| <b>1. THE CONCEPT OF EUROPEANISATION</b>  | <b>47</b> |
| <b>2. THE EUROPEANISATION PROCESS OF THE NATION-STATE<br/>THROUGH THE INSTITUTIONAL STRUCTURE OF THE EU</b> | <b>53</b> |
| 2.1 The Impact of Europeanisation   | 53        |
| 2.2 The EU : A Transnational Governance?  | 56        |
| 2.3 The Council Of The EU   | 61        |
| 2.4 The Commission  | 62        |
| 2.5 Comitology: A New Decision-Making System  | 62        |
| 2.6 The European Parliament   | 65        |
| 2.7 The European Court of Justice   | 66        |
| <b>3 THE EUROPEAN INTEGRATION AND ITS EFFECTS ON<br/>THE MEMBER-STATES THROUGH EUROPEANISATION</b>          | <b>68</b> |

|   |     |
|---|-----|
| CHAPTER III : THE FATE OF NATION-STATE WITHIN THE<br>EUROPEAN UNION                           | 70  |
| 1. THE POSSIBILITY OF PROVIDING DEMOCRACY AND LEGITIMACY<br>BEYOND THE NATION-STATE IN THE EU | 72  |
| 1.1 The Dilemma Between “Democracy For The People” and<br>“Democracy of the People”           | 72  |
| 1.2 The Legitimacy of the European Union  | 80  |
| 2. THE ACCOUNTABILITY OF FEDERATION OF NATION-STATES<br>FOR THE FUTURE PERSPECTIVE OF THE EU  | 86  |
| 2.1 Classical Federalism And EU Experiment  | 86  |
| 2.2 “New Federalism” or “Federation of Nation-States”   | 88  |
| 3. THE REGENERATION OF THE NATION-STATE WITHIN THE EU   | 91  |
| CONCLUSION  | 95  |
| REFERENCES  | 100 |

## ÖZET

Avrupa Bütünleşmesi sürecinin Avrupa ulus-devletine olan etkileri ve ulus-devlet kavramının aldığı son şekli irdeleyebilmek için geçmişten günümüze yapılan bir çok analizin vardığı ortak nokta, ulus-devletlerin etkinliğini koruduğunu göstermektedir. Globalleşme ve bütünleşme hareketlerinin olumsuz etkilerine rağmen işlevlerini ve gücünü tamamen kaybetmemiş olan ulus-devlet, bir çok açıdan Avrupa Birliği içerisinde de siyasal hayatın halen en etkin çıkış noktasıdır. Alınan tüm kararlar, başlatılan tüm süreçler ve siyasal bütünleşme yolunda atılan her adım, Birliğe üye ulus-devletlerin kontrolünden geçmektedir. Her ne kadar ileri boyutlarda ulus-devletlerden Avrupa Birliği'ne egemenlik devri ve kurumların giderek daha etkin karar alma gücüne ulaştığı görülsede, bu durum tamamen ulus-devletlerin özgür iradeleriyle meydana gelmektedir; dolayısıyla Birliği amaçlarına ulaşmada motive eden ve gereken inisiyatifleri üreten başlıca kurum ulus-devlettir. Bu bağlamda ulus-devletler AB şemsiyesi altında, globalleşme ve karşılıklı bağımlılığın giderek arttığı bir ortamda kendilerini yeniden üretme fırsatı bulmaktadırlar. Bu surette, AB, onlar için karşı konulması gereken bir tehdit değil, tersine ekonomik ve siyasi faydalarıyla varlıklarını daha güçlü bir biçimde sürdürmelerine olanak sağlayan "demirledikleri kuytu bir liman" haline gelmektedir.. Avrupalılaştırma politikaları sayesinde kendi başlarına altından kalkamayacakları bir çok alanda yakın işbirliği olanağı bulan ulus-devletler, ekonomiden sosyal yaşama sayısız reformlar (halk desteği olmadığı durumlarda AB'ye sığınarak) gerçekleştirmiştir. Avrupa Birliği ister federal bir devlet haline gelsin, isterse genişleme ve giderek yavaşlayan karar alma mekanizmaları yüzünden bir gerileme sürecine girsin Avrupa ulus-devletlerinin varlıklarını değişime uğrasalar da sürdürmeleri ve AB'nin geleceğinde başlıca söz sahibi durumunda olmaları kaçınılmaz gibi görünmektedir.

## ABSTRACT

The European nation-state, which did not lose its functions and powers despite the negative effects of globalisation and integration movements, is still the main cornerstone of the political life within the European Union. All the decisions, processes and every step toward the political integration are under the ultimate control of the nation-states. In spite of the fact that the European Union is strengthened by the transfer of sovereignty from the member nation-states, this situation emerges from the free-will of nation-states themselves; by this way, the main institution that produce the essential initiatives and motivate the European Union in the way of achieving its goals, is the nation-state. Within this perspective, nation-states find the opportunity of regenerating themselves under the umbrella of the European Union, in an environment where the effects of globalisation and increasing interdependency are quite high. So, the European Union is not a threat that must be prevented from, for the nation-states, but it becomes "a still harbour" that provide better solutions to the economic, social and political problems.

## Introduction

The aim of this thesis is to examine the effects of European integration on the European nation-state through the perspective of different theoretical approaches. Regarding the fact that the concept of nation-state did not lose its functions in the current system of states, especially in the EU member states, the difficulties of creating a political entity in Europe and sustaining such a structure will be analyzed in the light of historical perspective and current conditions in Europe which are evolved in the past 50 years, full of integrational developments.

In this integration, when we look at the European Union Member-States, we see two different structures; supranational and nation-state identification. In this thesis, analyzing the developing of the European states, the changing in the way of integration in the Union will be examined with the aspects of governance and socio-political differentiation.

So, it can be said that the aim is to conceptualize the specific position of "nation-state" within the European Integration in terms of its historical and theoretical framework and its reflections in the practical developments. In order to shape an adequate framework for nation-state theory paying attention to its existence as the most important component of European political integration the thesis will first of all give a perspective on this concrete political entity in Europe by an analysis of the past and current conditions which are evolved since the French Revolution of 1789, the years full of European Integration ideas. Then, it will be

explained that why and with which necessities do the European idealists need to formulate the background of this political entity with a scope of "creating a common conscience like in an ordinary nation-state in Europe". Here, the case of "citizenship" will be evaluated.

Also, how the members of the European Union are regarded under the pressure of integration and the difficulties of multi-level governance, how and with which conditions will the EU be governed as a unique state will be another subject of this thesis.

The study will then outline the Europeanisation process of the nation-states, which foster a transformation period within the continent. To shed a light on this transformation, the starting point is the question of current position of the nation-state within the EU. For this purpose, the important point that the challenge of the EU with the nation-state system will also be the central study area. This question will lead us to examine the specific issue areas like the adaptations of nation-states to Europeanisation in order to maintain the core idea of neither the nation-state nor the EU should not be the winner of this game or process; the result should be a synthesis of these two entities within the region which can be regarded as a political integration of nation-states.

So, the thesis is set up on the idea of "nation-states, in spite of many outcomes of the European Integration process, remain as the main supportive points of governance, democracy, legitimacy and identity. These four concepts are still the most powerful fortresses of the nation-state phenomenon. In fact, neither the European elites, nor the drivers of the EU can not have an intention to create a European political entity in which nation-states would be

vanished for the sake of a new form of state. That sounds utopic, because of some reasons. First of all, the EU's capability of providing democracy and legitimacy at the supranational level is still quite weak as a result of the lack of a European public sphere. The emergence of such an entity which may be called "European Society" will take a long period of time. Secondly, the EU is not an end product. It is still a progressing process; the direction of this process has been much discussed in recent literature. Mainly intergovernmentalism and federalism have been the most supported integration theories in this thesis. The most recent form of intergovernmentalism, "liberal intergovernmentalism" is introduced for explaining the European Integration's strengthening effects on the nation-states and federalism is supported as the future perspective for the process. In the third section, as the most important idea of the paper, the Union's evolution towards an advanced form federation will be evaluated in detail; its one section is concentrating on federalist ideas which were recently proclaimed by key leaders of the EU member-states.

Finally the last section mainly concludes the thesis by analysing the key issues addressed in the first two sections in terms of centrality and regeneration of the nation-state within the European Union.

The hypotheses and assumptions of this thesis can be listed as;

1. The European integration cannot be examined without taking into account the specific location of nation-state phenomenon.
2. All the developments and achievements within the European Union are also the elaborations of individual member-states which are still accepted to be nation-states,

2. All the developments and achievements within the European Union are also the elaborations of individual member-states which are still accepted to be nation-states, thus the coming political integration will not be independent of national identifications.
3. Economic and political integration which is about to be realized by the EU institutions must be supported by studies on mental transformation in the level of social integration in order to maintain the "European identity formation" in all member-states.
4. The necessities of "creating a common conscience" and formulating an opportunity for the future member states should be taken into consideration.



## CHAPTER I : THE NATION-STATE AND THE EUROPEAN INTEGRATION PROCESS

### 1. CONCEPTUALISING THE NATION-STATE

#### 1.1 State From Different Perspectives

State is undoubtedly a political institution and an organizational structure, according to Weber, it is "human community that successfully claims the monopoly of the legitimate use of physical force within a given territory" (Weber, 1996:12). From this description, we come to the point of sovereignty which the state owns in particular, without sharing except of special cases. Social scientists created a common definition on state. State is a complexity of institutions. These institutions are ruled by the state's own staff. They are mostly in the centre of a region which is geographically bordered. State is responsible of taking care of national society at home and being interested with other larger societies which it has to be in relationship with. State monopolizes the ruling mechanisms within its borders, and this situation is needed for the creation of a common political culture that is shared by all citizens (Hall, 2000:642).

Briefly, state can be defined as the political expression of societies as a solution to their societal problems within the relations and conflicts between each other reasoned by the emergence of inter-societal differentiations in the period of transition

of humanity from barbarism to civilization. State, as a form of organization, aims the institutionalization and continuity of solution to the problems which could not be solved within the natural relationships of humanity. The continuity of solution is only possible with the continuity of the institution who brought it. And this is the problematic of this institution as it has to provide its supremacy within the society at the level of common conscience. At the political level, it becomes the "state", as a result of this, state, in the historical process, is not occurred spontaneously, but it emerged to provide the continuity of solution which is not able to renew itself.

In this framework, state can be defined as an institution of society which organizes and regulates actively the society's highest level of solution and mostly shared conscience (Coşkun, 1997:95).

State is a part of a human society which is associated with common obedience for a unique sovereignty. This sovereignty can be defined as the authority that controls the society. When the rules, occurred from different authorities, fall into disagreement, the regulative, supreme and decisive authority takes the final decision. Law is only effective when supported by certain sanctions (ibid:95). Thus, the governance right and legislative authority are the basis of sovereignty; this perception brings forth the meaning of the relationship between state and sovereignty that "the state is an institution which holds the forces of governance and legislation as the exclusive authority".

The term "state", historically found its form in the early development of the western political institutions. This term was used firstly in the 16. century. It was used against the existing

political traditions, in order to give a new meaning to sovereignty, thus maintain the decline of the traditional western political structure (*ibid*:95).

In the medieval age, there was a dilemma about the emergence of the state in the political system: the pope and the emperor. After a long and successful struggle, the modern state emerged.

However, the first person to transform the theory of "state" into a more comprehensible form is Jean Bodin. Inspired from the France of the XVI. Century, Bodin lived in a country where the medieval political institutions and traditions were maintaining the power of royals. According to the Christian traditions, the church had a credible destiny and duties against the kings. The solution of Bodin to this struggle between the church and royals was "there must be a unique legislator who should be recognized by all as the last authority to have a say". The problem of Bodin's understanding of sovereignty was "there was not so much power in comparison with legal rights for this authority" (Ağaoğulları,2000:10).

## 1.2 Nation As a Political Entity And Nationalism

After pointing out the concept of state, the second component, nation will be issued in this section. The term "nation" refers to a cultural community in which the individuals have the conscience of belonging undoubtedly by the existence of solidarity, history, common values and fate. The concept of nation refers to a human community who share common myths and historical memory, a common mass public culture, a common economy and common legal rights and duties (Smith, 1999:16). It cannot be divided, it is unique. The nation has its roots

in the cultural differentiations; it is not a voluntary association, all the members were born into it, live in it and die in it. This characteristic of nation makes the people share common values, fate and history (Giddens,2000:146).

Nation can also be described as a rather large organization form in which the people are gathered. But it also refers to a historical development. From the historical perspective, the societies in which the components of nation appeared, provided the full characteristics of "being a nation" in the real meaning only after establishing their own states. In today's comprehension, nation means the community of people who has a common history and similar thoughts about the future, thus who has an accord of belief and conscience.

According to sociological approaches, nation is treated as the integration of sub-cultures with a supreme culture which is standardized, homogenized and supported by central authority in the process of economic and political systems' intersection (Leca, 1996:15). Nation can refer to a human community which transformed the conscience of possessing the same ethnicity and the conscience of political loyalty to the most important component of group belongingness for a sociologist. On the other hand according to a jurist a nation is a community of people who belong to a state with the link of citizenship.

It is, according to Walker Connor, a mass-based community of belonging and interest, whose members share a backward looking sense of common genealogical and geographic roots, as well as forward-looking sense of destiny. As a community of belonging, members typically view the nation as an extended family related by common ancestry, although this belief in a

common ancestor is based more on myths and legends than on an appraisal of the nation's real history (Connor, 1978:377). Many scholars, like Benedict Anderson, claimed that "a nation is an invented or even imagined community", because the members of even the smallest nation will never know most of the other members, meet them or even hear of them. So, the nation can only be understood within the intersecting dynamics of history, language, ideology and power (Erözden, 1997:11). Also, there is the fact that it is the existence of legends, well-known tales that create a "nation" which is constructed like a building which stands on its ground (the ground is not seen from outside but its strength makes the building secure against external effects). Departing from this example, the members of a nation are not always wholly visible, the past and future generations are also the ensured members of the nation. This feature is reflected on the concept of national identity, which is based on the conception of a collective national consciousness, whose sources are culturally based, but need not be predetermined. According to Anthony Smith, it is a complex and highly abstract concept which include several dimensions. He lists them as:

- the territorial boundedness of separate cultural populations in their own homelands
- the shared nature of myths of origin and historical memories of the community
- the common bond of a mass, standardized culture,
- a common territorial division of labour, with mobility for all members and ownership of resources by all members in the homeland,
- the possession by all members of a unified system of common legal rights and duties under common laws and institutions (Smith, 1995:323).

The emergence of nations is dependent on the emergence of the political doctrine of nationalism. This doctrine has three components in general:

1. There is a definite and self-evident nation.
2. The interests of this nation are more important than those of other nations.
3. Nation should be independent and this aspect requires the recognition of its political sovereignty (Leca, 1996:15)

In this regard, some approaches to the concept of nationalism can be argued in order to give an overview about the development of the national idea. As the first approach, primordialism claim that nationalism has its roots in human associational life (Wollman, Spencer, 2002:27). According to this approach, "biology, psychology and culture may also be summoned in support of the idea that nations are an ancient, necessary and perhaps natural part of social organisation, an organic presence whose origins go back to the myths of time" (*ibid*:27).

Defenders of another approach, ethno-symbolists claim that the source the power of nationalism are the myths, memories, traditions and symbols of ethnic heritages and "the ways in which a popular living past has been and can be rediscovered and reinterpreted by modern nationalist intelligentsias" (Smith, 1999:9 in Wollman and Spencer, 2002:28).

However, the modernist approach to the nation and nationalism aims to create a more concrete and critical view of nationalism than that claimed by primordialists and ethno-symbolists and increase the possibility of transcending nationalism and overcoming the limitations of nation-state (*ibid*:55).

The empirical alternatives to these approaches can be seen in the distinction between civic and ethnic nationalism ideas. In the ethnic model of nationalism in accordance with ethnic symbolism, nations are seen to be the products of history; thus the nation is a result of fate, not free-will. No one is able to choose to join a nation, it is exclusive and closed rather than open. Citizenship is acquired by birth (*ibid*:101). Civic nationalism accepts that all the people regardless of their ethnic origins, colour, gender or language are the components of the nation if they "subscribe to the nation's political creed"; it is called civic nationalism because it sees the nation as a community of equal, rightful citizens who are attached to it with patriotic sentiments (*ibid*:101).

The fusion of nationalism and citizenship which time to time get in contradiction with each other, makes the political integration and its intersection with cultural integration, the most important component of modernity (Leca, 1996:16). This aspect of nationalism has two major characteristics:

1. When it becomes the instrument of struggle for sovereignty in the name of a definite culture, it has a supplementary and exclusive character.
  2. When it legitimizes the citizenship in the name of the volition that constitutes the nation-state, it has an inclusive rather than exclusive<sup>3</sup> individualist character.
- (Leca, 1996:16)

According to Charles Tilly who identified specifically the nationalism with the history of national states, in the formation period of nationalism, the political variable played a more important role than the economic variable. He determines the discriminating character of modern nation-states as the reinforcement degree of power of the central administration and

According to Charles Tilly who identified specifically the nationalism with the history of national states, in the formation period of nationalism, the political variable played a more important role than the economic variable. He determines the discriminating character of modern nation-states as the reinforcement degree of power of the central administration and the increasement of capacity to motivate the citizens and industrial or agricultural resources an the area of state (Tilly, 1993:3).

### 1.3 The Emergence of the Nation-State in Europe

The idea of "nation" led to the emergence of the era of the nation-state. In order to understand today's Europe, it is necessary to analyse the evolution of the nation-state whose creation as a collective unit with a common identity from the fusion of vast sum of ethnic units with its own identity is a very complicated process. But an adequate analysis of this process will give a basic idea about the conditions and prerequisites of creating a collective "European unit" and a collective European identity which are in the process of developing within the European Union. From this point of view, such an analysis will also place the nation-state model as an example to the political integration model about its different conditions of emerging from that of today's political environment, but the basic principles and necessities are almost the same as in two hundred years ago. Richard Münch underlines three aspects of the process by which "larger collective units with a common identity are created from smaller ones:

1. outward demarcation and external struggles
2. inner homogenization
3. inclusion: the differentiation between centre and periphery (Münch,1996:2)

While introducing these aspects, Münch accepts that every nation-state model is different from each other in terms of historical perspective and he also maintains that the progress of any nation-state developed in Europe cannot stipulate the future of a European supranational collective unit with a common identity. In fact, if we analyze these three aspects, we come to the existence of problem in nation-state formation unit which should at the same time create common values and common "others" while setting out a safeguard mechanism to preserve its emerging unity. However he argues that the emergence of the European nation-states can be regarded as an historical case on a lower level of development of the current process of European integration (Münch,1996:4). The argument is the same as the classical approach to the nation-state: "due to the expansion of economic trade, larger economic units arose: political battles led to accumulations of power, that were in territorial expansions" (Münch,1996:5). In this process, the smaller political units came across a fatal choice between two alternatives: first, surviving by joining together with stronger units, or, two, subordinating themselves to larger units by expanding themselves and conquering other smaller units, by merging or by capturing a suitable place of their own. In this regard, the first examples of European nation-states are United Kingdom, France and Spain who built larger political units from smaller ones in the course of eighteenth and nineteenth century. As Münch notes, they connected different regions with their own cultural and social structures into one political unit. He underlines this emergence by analyzing the first examples of nation-state formations

and formulates his perspective about the approachment between the two terms as: "the convergence of state and nation was a construction of the state-builders, first under absolutist rule and finally under democratic rule- a convergence paradigmatically illustrated by the absolutist centralization of France and its transformation into a democratically centralized nation-state after the revolution of 1789. Just after the French Revolution, when royal power had lost its efficiency and being the unique reference, there occurred a need for some values to back up state power" (Münch, 1996:3). At this time, nationalism served not only to legitimize the state, but also to provide a new context and identity for individuals who were suffering from the loss of their traditional and local sources of identity (*ibid*:52). Here, the nation became a symbol of the united people against the absolutist rule of the king. The revolution transformed the two opposites of nation and absolutist state into the unified nation-state" (Münch,1996:3).

The modern state had three functions in the absolutist monarchy. The first was law and order which differentiate the former types of state and modern state. State, in the name of the public, demand some duties from the individuals and forbids some types of behaviors having the tools to apply these rules. Secondly, it provides an effective public financial mechanism, as a result of the need for a continuous professional army. Thirdly, it implements an economic policy by maintaining mercantilism, whose basic principle was the priority of national economy. It supplemented the capitalist trade and helped the states cover their economic deficits with precious metals.

In the historical context of Europe, it can be observed that the unifying aspect of economy constructed the nation concept. Before 1860, there were two major nation-

states (Great Britain and France) and after this time, Sweden, Denmark, Norway, Portugal, Switzerland and Netherlands could be accepted as nation-states. In the example of Great Britain, it has a peculiar geographical position within European nation-states which results in the fact that this country has never been forced to defend its borders. This aspect differentiates Great Britain from France or Spain, who had to struggle for a long period of time to define their borders. Also it is far different from Germany that based its nation concept not on soil but on language and cultural basis (Geuhenno,1993:6).

The example of France constitute a different situation; the inflation of ethnic groups from Vikings to Normands brought about the neccessity of establishing a common unifying culture and served to revolutioners of 1789 to establish a nation-state in which every people had to speak French. The French Revolution injected new values against the religious traditional structure of Europe while bringing a meaningful idealism, in other words, the conscience of being nation. It connected the concept of nation with the concept of state. Also, nationalism defined itself with the liberal and radical movements in the tradition of French Revolution. These principles also caused the emergence of totalitarian movements in the 20.century after constituting the main reasons of 19.century revolutions (Brzezinski, 1996:26)

So, nation-state is accepted to be a recent development. It was not known in the ancient era nor in the medieval age. Instead, there were city-states, empires, feudal and dynastical or religious states. The modern nation-state was emerged in the Netherlands, England and America with the influence of revolutions (Kohn, 1967:1).

Coming to the "internal homogenization" point, Münch states that this feature has broken down mutual prejudice, regionalism and inequality by the welfare policies of the nation-states barely after their emergence process. The legislations in the nation-states have created more formally standardized life conditions, the economic growth achieved by a unified economic area has brought a high standard of living, education and communication; these sophistications lead the way to the "expansion of a unified national consciousness and the extension of cultural horizons, and have broken down provinciality" (Münch,1996:3). So, political, administrative and legal standardization with a sense of centralization has replaced the regional or ethnic identity of groups with an identity of "nation".

From the historical perspective, nation was established as a "gemeinschaft" (community) and state as a "gesselschaft" (voluntary association) (Holton, 1998:33). But when a community becomes a state, there is seen a disagreement between the different communities before an establishment of an institution. So, the early emergence of the nation-state concept was a result of the existence of borders (absolute lines) rather than frontiers (indefinite lines) between some traditional states (*ibid*:34). These borders were drawn on the map of a nation's sovereignty area and any attack to one part of borders is certainly perceived as an attack to the nation's entirety. But in today's world, these borders become frontier again as a result of emerging close relationships with other countries and the emergence of supranational structures..

"The ordinary nation-state" whose mother was Europe, inspired from renaissance and reform, was born in Westphalia, trained with industrial revolution and lived its

golden age between the second half of the nineteenth century and first half of the twentieth century. In the post-Westphalia era, while the map of Europe was shaped, the concept of modern nation-state emerged in the nineteenth century. In the Congress of Vienna (1815), the principal states reconstructed Europe; England, Russia, France, Austria and Prussia gathered under the name of Concert of Europe. The pre-condition of this concert was the acceptance of juridical equality, common rules and responsibilities as the guidance by the European states. This framework, established in the congress, reshaped Europe (Krüger, 1993:100).

After the Congress of Vienna (1815), the wealths of nation-state were classified in six categories (Krüger, 1993) as;

1. The modern constitutional nation-state with parliament (i.e. England)
2. Traditional nation-states in which the government involves into conflicts (i.e. Spain)
3. The nations which struggle to establish nation-states but being forced down by other nation-states (i.e. Ireland)
4. The nations in which the conscience of being nation exists but because of inability of organising into one political entity, cannot be categorized as nation-state in spite of their early modernization movements (i.e. Germany)
5. The nations which are divided into more than one states (i.e. Poland)
6. Multi-national empires i.e. Ottoman Empire)

Almost all national movements achieved to be successful in Europe and as a result of this, an international system of nation-state emerged in Europe. But this situation also

brought forth a conflict between the dominant national groups and other ethnic groups in minority.

#### 1.4 The Dynamics of the European Nation-State

There are five elements of nation-state concept, four internal (language, religion, history and culture) and one external (an image of enemy) (Erözden, 1997:106). The idea of the need for a common language in order to establish a nation was expressed firstly in France, where the citizenship right had been obtained by speaking French after the Revolution. Also in Germany and Italy, in the unification processes, speaking the official language was the first condition of being a citizen and being a citizen was the first condition of belonging to a nation. From these examples, one can say that language is a political concept, but under no circumstances, only a common language can be a basic and objective element of a nation for the demands to establish a nation-state.

National history and culture form the main tools of the concept of the nation. It is very meaningful that the moment at which the nation-state first took place in the history was just after the French Revolution; the direct relationship between the fiction of nation, the nationalism, nation-state and the transformation of history-writing into a scientific discipline, thus reveals.

The mixing of nation and religion concepts comes from the setting up of homogeneity of human community. This situation is an extension of the principle "cius regio, eius

religio" (the religion of the prince is the religion of citizens), an idea that was brought up after the Reform Movement in the German principalities. Therefore, the first absolute connection of political and religious borders occurred. In Norway and Denmark, the church became a state institution and the priests became officials in this period. The thesis of attribution by ethnic groups of the differences between themselves and other ethnic groups in order to define themselves was brought up by John Armstrong who was inspired by Barth and Beneviste's works (Erözden,1997:110). The fifth and only external dynamic, which is accepted to be a negative aspect, the creation of an image of enemy is absolutely very important in the nation-state formation process. In fact, it is a spontaneous reaction; the very reason is, the majority of today's nation-states had been forced to struggle for their independency or their entirety. The external threat in this struggle constituted directly the enemy image.

The concept of nation-state is undoubtedly one of the results of self-determination right of the people. In the French Bill of Rights, it is declared that, every nation is independent and this sovereignty cannot be turned over to anyone (Hobsbawn, 1995:23). The concept of nation-state can be defined by the triplet of nation, state and people, and it depends on an ethnic or ethno-cultural criteria (because ethnicity is also constituted by history, religion and language), a geopolitical criteria (realm and sovereignty) and a socio-political criteria (citizenship and the conscience of belonging to a nation). Thus, the concept "nation-state" expresses the fusion of a political identity (state) and a cultural identity (nation) in a definite realm.

But the traditional dynamics of nation-state concept ultimately lost their importance as a result of the emergence of information society that replaced industrial culture and industrial technology which remained as the main elements of nation-state for the last 200 years. Nevertheless, the basic content of the concept remained untarnished till today, the state, or nation-state is still the most important actor with the exclusive right to take authoritative decisions within its borders. It still decides on the fate of its people, regulates the internal economy and political-social life with its tools like bureaucracy, has the last word to say in defense issues and the like.

So, in Europe, with the nation-state central administration became widespread and the routines of daily life, culture and accumulation of wealth became dependent to the state. The states began to impose the national languages, national education systems and national military systems internally and to the outside of the country; they began to control seriously the movements through their borders with application of duties as the instruments of economic policies and border restrictions while restricting the rights of strangers. Nation-states not only monopolized the problems of public sphere or political regulations, they also intervened effectively in the economic activities.

As a result of the integration movements en route to establish the nation-states, regional authorities were suppressed to make definite the authorities of central administration and thus "the absolute state nationalized" (Hobsbawn, 1995:76). This suppression of regional authorities (then universal authorities, like religious ones) caused the emergence of new identities in Europe in the modern era. In fact, the number of socio-political identity units has dramatically decreased. In 1500, there had

been approximately 500 political units in Europe, but in 1900, this number was decreased to 25 nation-states. Sociologist Stein Rokkan who analyzed the formation period of nation, developed a three level model in which he fused the economy, culture and politics variables. In the first level, the state formation period takes place. This process has been passed through in a long period of time between the late medieval age and French Revolution, in certain regions of Europe. The specific peculiarity of this period is the emergence of homogeneity among the elites regarding economic and cultural aspects. In the second level, regional identities began to be replaced by a homogenous and central identity which persuade the people to be loyal to the system. In the third level, these people gradually gain the political participation skills and learn to demand within the system by expressing themselves politically. The system also reproduces itself in every level in terms of economic conditions and public services, thus the processes of "nation formation" are completed (Rokkan,1975:25).

In his work "The End of Nation-State", Geuhenno defines the nation as a spontaneous political entity and claims that it is the last degree to reach for a society as a matter of fact. He also maintains his hypothesis for nation-state that it is a transition level between the age of kingdoms and age of new empires, so it is a temporary political form which should be accepted as an exception of Europe (Geuhenno,1993).

However, in one sense, today's nation-state in Europe is remarkably different from the one of a century ago. Firstly, the Western European states lost their colonial power step by step after the 1. World War and the most dramatic result of fascism,

the 2. World War changed the nature of international relations. By this time, as a result of high capacity of political and social interaction, the decisions are more inspired from common policies and reactions of other states; it may be argued that this case has the same peculiarities with that of a century ago, but the substantial difference is, this situation goes beyond the regular structure of state and the limits of national sovereignty with the tool of supranationalism and constitute a "lock-in", a state where nor "turn-back" neither "escape" mechanisms are suppressed.

Supranationalism makes this change slightly, as in Weiler's saying, "at the pure statal level, it replaces the liberal premise of international society with a community one" (Weiler, 1999:3). Indeed, this replacement brings forth a question about the "place of state" against international law, its aspects like self-determination and sovereignty become the core of the question. Weiler answers to this problem with a pure logic:

"the classical model of international law is a replication at the international level of a liberal theory of the state. The state is implicitly treated as the analogue, on the international level, to the individual within a domestic situation. In this conception, international legal notions such as self-determination, sovereignty, independence and consent have their obvious analogy in theories of the individual within the state. In the supranational vision, the community as a transnational regime will not simply be a neutral arena in which states will seek to maximize their benefits, but will create a tension between the state and the community of states. Crucially, the community idea is not meant to eliminate the national state but to create a regime which seeks to tame the national interest with a new discipline. The idyllic is a state of affairs which eliminates the excess of narrow statal "national interest". The challenge is to control at societal level the uncontrolled reflexes of national interest in the international sphere" (Weiler, 1999:5).

In his words, it can be argued that Weiler, as a strong supporter of community idea, thinks that "national interest", a nation-state's first priority in the international arena, must be diminished for the sake of creating a supranational mechanism. He maintains the redefinition of the boundaries of the state, between the nation and state and within the nation itself. In my opinion, it is not surprising, then to come across Weiler's thoughts in the statement of "European Integration was elite driven. Ideals discourse may be part of the explanation of the mobilization of those elites" (Weiler,1999:7). According to his "pure logic", the supranational necessities were at first times acceptable by the peoples who were ruined, destroy and lived the worst years of the century in the heart of Europe. The Second World War, did not only destroyed the homes and bodies of the people, but also "discredited the previous international order and for many Europeans, the basic element in that order: the sovereign nation-state" (Weiler,1999:10).

## 2. THE TRANSFORMATION OF NATION-STATE IN THE EUROPEAN UNION

### 2.1 Beyond the Nation-State: Community Idea

The community idea in Europe emerged from vast sum of studies and practical efforts by both the politicians and scholars throughout centuries. So, the idea is an old one, romantics like Victor Hugo, or other philosophers like Dubois and Saint-Simon expressed this idea in many of their works; Napoleon Bonaparte and Adolf Hitler aimed to achieve it by military force, but only with common sense which evolved in the second half of the 20. century, the European nation-states managed to walk towards this idea.

Wallace evaluated this process by focusing on the relations among the European nation-states in order to understand this evolving of post-modern international society. He examines this evolution first by naming it as a new pattern of international relations in the context of Western Europe's established system of highly-institutionalized multilateral politics (Wallace, 1997).

This institutionalization occurred from the above mentioned need of European nation-states who became weak and dependent to USA economically after the Second World War. In this regard, we can say that 2. World War and aftermath changed the direction of political conscience in Europe dramatically in terms of national sovereignty concept.

After a relatively short period of reconstruction and re-development in the next years of war, the positions of major governments within Western Europe began to change: they started to insist on controlling the interstate agenda in the formation process of the first steps towards the integration. This caused the emergence of a new interstate order, in which, as Wallace declares, the tools and actions are merely different. So, interactions between governments, economies and societies within Western Europe have moved well beyond the traditional model of relations among nation-states (Wallace,1997).

European Integration has been taking place in a world characterized by complex interdependence. In today's world, different from fifty years ago, international politics are not characterized by the consequences of potential conflict among states, especially within the boundaries of the EU; so, complex interdependence approach, conceptualised by Keohane and Nye, challenge the realist assumptions by mentioning the important role of actors other than states, which is useful for us to shed a light on the nation-state's position in today's consequences (Keohane and Nye, 2001:77).

This approach has three characteristics:

1. Multiple channels that connect societies , including informal bonds between elites in terms of international arrangements and informal bonds among non-governmental elites and transnational organisations like multinational banks and corporations. Keohane and Nye name these channels as "interstate", "transgovernmental" and "transnational" relations. By the term "interstate", they

accept the realist assumptions. By “transgovernmental”, they assume that states act coherently as units and by “transnational”, they “relax the assumption that states are the only units” (Keohane and Nye, 2001:78). The actors of these multiple channels are important because of their missions in making government policies in industrialised countries more sensitive to each other. With the help of transnational communications and multinational organisations, the aim of governments in domestic activities became more coherent on one another. Therefore, there is an important difference regarding the effect of foreign policies on domestic economic activities in comparison with the past, as in the cases of environmental regulations and control over technology.

2. The second characteristic of complex interdependence approach depends on the absence of hierarchy among issues; they are not arranged in a clear or consistent hierarchy. In today's world, the military security does not dominate the interstate agenda, this aspect of interstate relations makes the distinction between domestic and foreign policies weaker. One reason of this change comes from the multi-level decision-making by which the important issues are considered in different and several levels or departments. The adequacy of policy coordination became more important because of higher costs. So, when there are multiple issues in the agenda, which threaten the interests of domestic groups but do not threaten the nation-state as a whole, the problem of finding a coherent and consistent policy occur; this problem, today, became too difficult for one nation-state to overcome, purely domestic remedies are no longer adequate.

3. The last characteristic is the minor role of military force; complex interdependence is in some ways an integration concept, so, in one region when complex interdependence prevails, military force is not used by governments towards other governments (Keohane and Nye, 2001:78). It may be important in these governments' relations with outside governments but today, especially in economic issues among the members of an alliance, it became irrelevant. Despite the largely accepted fact that military force is always a central component of political power, especially among industrialised and pluralist countries, the fears of attack have decreased. For example France has abandoned the "tous azimuts" (defense in all directions) strategy; the United Kingdom and Germany have no perception of threat by each other. "Intense relationships of mutual influence exist between these countries, but in most of them, force is irrelevant or unimportant as an instrument of policy" (Keohane and Nye, 2001:80).

To sum up, complex interdependence approach is a criticism towards realist assumptions which traditionally deny the role of international organisations and give the state the power of dominance in world politics. They divide the policies as "high politics" like military security and "low politics" like economic and social affairs. But complex interdependence goes beyond such a traditional classification of international relations, this approach emphasizes the growing economic and political interdependence among states that may facilitate a process of integration.

This may shed a light on the recently seen emergence in the field of international politics, the effects of globalization, "in terms of responsibilities and obligations,

sovereignty has evolved largely in response to developments in Eurocentric international society but it is now most likely to change under the influence of the broader global experience through which international relations are moving”(Wallace,1990:10).

This change, or movement, however has political and social components, parallel to the developments in the integration process. The “excluding force” or “privilege” of the nation-state is about to be forgotten as a result of the recent emergence of trans-border social interaction within the union. With the initiative procured by treaties like Schengen (1985) and Amsterdam (1997), “the loss of national control over the movement of citizens and aliens has been balanced by the growth of transnational cooperation among state law enforcement agencies: police, customs, immigration, intelligence services, judicial administrations, interior-ministries-the guarantors of domestic order can only be guaranteed through extensive international cooperation”(Wallace,1990:16). We can add the interaction among the state agents, such as ministries, as it proceeds parallel with social transformation. Today, the European Union member states' ministers do not work in their “ivory towers” like in an ordinary nation-state, they travel accross the continent at least 2 or 3 times a week and their agendas are shaped by the round of regular multilateral meetings and the bilateral consultations which supplement them. This, from my point of view, form a powerful element of change in the attitude towards the “national sovereignty” in particular. We can see this change in Rosenau’s argument about the attitude to the near past on the same issue: “to the extend that states hide behind their sovereign prerogatives as a reason for resisting or avoiding collaborative international projects, sovereignty as an illisunary symbol of independence that blocks a full accomodation

to the realities of interdependence or by providing an excuse for responding aggressively to neighbors who are said to be 'threat'"(Rosenau in Wallace,1990:24).

Regardless of the traditional definition of national sovereignty about its legitimate power within unlimited borders, it breaks down the inside/outside distinction. This is the distinction between identity and difference, self and other, inclusion and exclusion, and unity and diversity. Inside, law, justice, freedom and social progress are ensured by the sovereign authority of the state and outside, the lack of a supreme authority leads to power politics, conflict and war. At this point, it can be said that the evolution of the European Union, en route to create an invisible link between the nations within Europe under a supranational authority, takes the "state-sovereignty" concept on itself and tries to modify it in order to enforce the creation of a "European nation-state".

## 2.2. The EU and National Citizenship

The classical nation-state concept which originated from England and developed by the ideas of American and French Revolutions legitimate itself on the phenomenon of "citizen". This phenomenon is defined by some rights and responsibilities that are taken under guarantee by law. As a general rule in democratic nation-states, all citizens have the same rights and obligations with no regard to their race, religion or economic characteristics. As Raymond Aron notes, "citizens rightfully demand that the state respect their rights, because the state rightfully demands from citizens that they fulfill certain obligations" (Aron, 1974 in Schnapper, 1994:318).

However, citizenship is originally based on “human rights” and it is exercised by the citizens with “claim rights”. The concept “claim rights” means the rights of the citizens to receive services from the state like the right to a job, material well-being, educational opportunities (Schnaper, 1994:203). According to Schnaper, citizenship itself has evolved over the past two centuries and the emphasis was placed on claim rights (*ibid*:203). This period was started just after the French Revolution, developed by the labour protection rights after the revolutions of 1848, gained velocity by the establishment of welfare state concept after the Second World War and recently by the law of European Union.

The political basis of the citizenship originates from the establishment of the nation-state and the rise of nationalism. In this regard, there are two developments in the history; first, in the nineteenth century, citizenship emerged with the modern nation-state after the collapse of feudalism and second, recently the European Union eliminates the economic and social restrictions of nationalism and national borders to provide a new kind of citizenship for all the “Europeans”. European Union, at this point, created a new understanding of citizenship at a different level, but this situation raises two questions:

1. Is it necessary for all political entities to be based on a self-conscious and active body of citizens that is capable of directing its claims to central institutions?
2. Should the European Union be based on a certain organised community which is bonded through “a sense of belonging?” (Van Ham, 2000:3).

Thirty or twenty years ago, the answer to both these two questions was generally negative according to the actual conditions. As an example, Aron noted, "rights and duties, which in Europe as elsewhere, are independent, can hardly be called multinational. In fact, they are quintessentially national... Though the European Community tends to grant all the citizens of its member-states the same economic and social rights, there are no such animals as 'European Citizens', there are only French, German or Italian citizens" (Aron, 1974 in Schnapper, 1994:203).

Since the post-Maastricht period, this answer seems archaic, as Keane criticises it to be remained in the borders of classic nation-state concept: "Aron's conclusion is based not only on the legal tatology that individuals can only become citizens because they belong to a sovereign state which is the sole guarantor of citizenship rights and duties. It also does not take account of the growth of multinational states and societies and the trend towards the definition of the rights of European citizenship, available to all who live within the European Union region. If and when the Maastricht Treaty of the Union is finally implemented, this trend will be greatly strengthened. Citizens of any state resident in another member-state will be entitled to vote and to stand for office at the levels of local government and the European Parliament. Citizens will enjoy the rights to information across frontiers, to petition the European Parliament, and to make use of a Parliamentary Ombudsman. And they will be entitled, when travelling abroad, to full diplomatic protection by any other EU member-state" (Keane, 1994:183).

This point is particularly relevant to Schnapper's diagnosis about the "new citizenship"; he notes that thinking economic and social rights as the simple condition

necessary to exercise political citizenship is to think in terms of the classical citizenship. But in fact, he notes, these rights represent the background of the new citizenship by which they affect the political status of the individuals. The European institutions develop at first the social law, they define the status of citizen and the rights of it; they guarantee the right to work freely, the social rights of immigrants and gender equality. Therefore, these laws permit the European citizens and foreigners to survive in Europe possessing a strict political status with rights and obligations which are expressed by the European level institutions in the on-going process. "EC law is about to create a specific citizenship founded on a conception of solidarity and social justice that is common to all Europeans. The national state undoubtedly remains the only authority that can confer the status of European citizen through national law. But European citizens can take their case to the European Court of Justice, eventually arguing against their own national state- which has sometimes actually been sentenced by the Court to defend the rights of European citizens against their own national state. There is now a European as well as national citizenship" (Schnapper, 1994:205)

Supporting the ideas of Schnapper, Meehan find the roots of this new citizenship in EU history. The economic community, began by lowering custom duties and led to a common market and a common currency and this economically strong community led to a political entity. The economic interest groups became transnationalised and they act in the same direction. The Maastricht Treaty as another step forward a political union gave local political rights to all Europeans and provided the right to petition. From this time, Europe and its regions, and no longer nation-states uniquely, deal with the problems of education, poverty, unemployment, urban and rural problems.

As another step, "regions committee" of the European Parliament creates a space for the regions to have a say at the European level. Furthermore, multiple identities arises like the new kind of rights and obligations that are expressed by the increasing number of institutions. This development configures the complex manner of national, regional and European political authorities" combination with transnational interest groups. So, the new citizenship, according to Meehan, emerging through these measures, institutions and actions, cannot be defined as national or cosmopolitan, but it is multiple (Meehan,1993:172-186).

This would appear to be supported by the proponents of post-national citizenship, who acknowledge that the sovereignty of national law is weakened by the development of European law and also by multiple legal allegiances due to the mobility of people. So the political construction of Europe and existence of foreign residents force the conditions to differentiate the link between nationality and citizenship (Schnapper,1994:208). They disagree with the new citizenship concept in terms of social cohesion and integration subject, according to Jacqueline Costa Lascoux, this may lead a "functionality" of democratic practices. In order to overcome this dissociation between the nationality and citizenship, "citizenship contract" is proposed between foreigners and authorities to provide the participation of them in the life of European societies (Schnapper, 1994:209). Consequently, Jürgen Habermas shapes this proposal as "constitutional patriotism" as an argument against "conventional form of national identity" which connects nationality with citizenship. This dissociation leads to a detachment from national allegiance and becomes likely to build a European identity for which the European Union can become the place for

democratic political practices, separated from national feelings and passions (Schnapper, 1994:210).

### 2.3 The EU and The Transfer Of National Sovereignty

Today's nation-state is at the heart of a transformation period, forced by the extreme interdependence, an inevitable global economy and the emergence of international, transnational and supranational structures of governance. It is also challenging the "internationalisation of social movements, transnational epistemic communities and the emergence of some semblance of a global public opinion". In fact, the nation-state is influenced not only by the growing international structures, but also by regional movements and by the transformation in the aspects of internal policy-making dictated by global interdependency (Eriksen, Fossum, 1999:3). All these factors are creating a pressure against the nation-state in terms of traditional state structures and sovereignty.

A proper analysis of the nation-state deserves a good understanding of its variations in its structural and institutional formation, and a particular approach to its sovereignty, which is challenged by significant transformations within the area of international law (Fossum, 2001:7). The recognition of individuals and groups as subjects of international law and the changing focus of international law from the political and geopolitical matters to economic, social, communication and environmental matters lead the way to an inevitable pressure on the nation-state. So, "international law recognizes powers and constraints and rights and duties, which have qualified the principle of state sovereignty in a number of important respects;

sovereignty per se is no longer a straightforward guarantee of international legitimacy. Entrenched in certain legal instruments is the view that a legitimate state must be a democratic state that upholds certain common values" (*ibid*:7).

In this circumstance, Thomas j. Biersteker, concentrating on sovereignty of state, changes the focus on the transformation of its meaning over time. By doing this, he emphasizes how "claims of authority are issue specific and change" in time, but his intention is not to present another type of system. According to him, looking for terms for the changing meaning of sovereignty is not to search for an alternative to the system of sovereign state authority that already exists or is about to appear. The modern state system that perceived as having emerged from the Treaty of Westphalia did not come to be a result of a break with the past, and there is no reason to expect any transformation far from the ideal of the Westphalian State sovereignty system to be different. "Elements of the past continue in the present; changes can be perceived only after we develop a vocabulary to describe them. Forms of understandings of sovereignty will emerge, like an image out of a fog; they will come into view only gradually and dimly. We do not have to identify a clearly defined new global authority or imagine a return to the heteronomy of the Middle Ages to discuss emerging forms of of sovereignty. A more fruitful way to proceed is to focus on variations in claims of authority" (Biersteker,1999:28).

Undoubtedly, Biersteker refers from authority the institutionalised and formal power; anyhow, he distinguishes authority from power as maintaining authority's legitimacy of claim: "implying rights of some superior or some location of authority and obligations of subordinates or objects of that authority" (*ibid*:28).

The most original idea of Biersteker on sovereignty is his statement that the meaning of sovereignty is variable, it is not fixed in space and time, "therefore, it is impossible to imagine degrees of sovereignty. It is not meaningful to talk an 'erosion' of sovereignty in a linear and continuous sense" (*ibid*:28). Thinking about the past and present, the events took place in the international arena, confirms this statement. Only taking his example of comparison between today's world and the one about thirty years ago, demonstrates this feature of sovereignty; "states claimed rights to take measures that might include everything from the right to extend rights to individuals to the severe repression of minority groups challenging the goals of nation-building project. All of this was undertaken in the name of national security, national development or state building. These claims were tacitly recognized by the inaction (in both word and deed) of other states and they were defended in the name of national sovereignty and rights of sovereign non-intervention. During the 1970's these claims were extended into the economic realm, with declarations of the permanent sovereignty of states over natural resources located in their territories. Today, these claims sound archaic" (*ibid*:29).

Within this perspective, the European Union today exercises a system of common values in a "supranational structure of governance" (Fossum,1999:4) as a diminishment of state sovereignty. It is a complex political entity, different from any ordinary state structure; because it contains supranational, transnational and international features in its institutional structures. The laws and regulations of the EU has "direct effect on the member states in the areas within its jurisdiction" (*ibid*:4).

The challenge between the nation-state and supranational structures or particularly between member states and the EU, emerges at this point. The member states "see themselves as the 'masters of the treaties' and each member-state has the right to veto treaty changes, thus retaining a strong 'statist' imprint on the EU" (*ibid*:8). But on the other hand, these states are losing their power on the presentation of domestic interests in international relations and the sovereignty of individual states is diminished in the European Arena by collective decision-making and by supranational institutions" (Marks et al.,1996:347).

Under these circumstances, two different approaches to the effects of European integration on the sovereignty of nation-state promote the debate; state-centric and multi-level governance. The first, state-centric approach assumes that the European integration has nothing to do with the sovereignty of the member-states. The sovereignty, according to state-centrists, "is preserved or even strengthened through the EU membership" (*ibid*:350). The second, multi-level governance approach is a polity creating process in which authority and policy-making influence are shared across multiple levels of government-subnational, national and supra-national (*ibid*:350). According to this approach, the control is being transferred from the member-states to the supranational institutions. So, the particular sovereignty of state is diminished through institutional structure of the EU containing the European Parliament, European Commission, and the European Court of Justice in spite of the intergovernmental existence of the European Council.

## 2.4 State-Centric Approach to the Transfer of Sovereignty

This approach is conceptualised by scholars who are named "intergovernmentalists". According to Caporaso, its roots lie in neo-realism but the actual version of the concept is undoubtedly "liberal intergovernmentalism" which is "despite its nuanced view of inter-state co-operation and state preference formation" (*ibid*:351) reflects the particular perspective of state-centric approach.

Liberal intergovernmentalism, according to Caporaso, creates an overview on international institutions which seek their prosperity from co-operation, dilute the anarchy in an environment shaped by states as unitary actors who determine their actions according to their domestic politics (Caporaso,1996:30). Andrew Moravcsik, who is the best-known theorist of liberal-intergovernmentalism, defines this approach basically as "the European Union can be analysed as a successful intergovernmental regime, designed to manage economic interdependence through negotiated policy-co-ordination. An understanding of the preferences and power of its member-states is a logical starting point for analysis" (Moravcsik,1993:474). While the concept accepts that the institutions of the EU are quite strong, it states that they are at the service of member-states and they are not independent. According to Moravcsik, "the unique institutional structure of the European Union is acceptable to national governments only insofar as it strengthens rather than weakens their control over domestic affairs, permitting them to attain goals otherwise inachievable" (*ibid*:507).

So, it is accepted by the liberal intergovernmentalist approach that the European institutions are serving a determined function, without being very different from other

international institutions:" like other international regimes, EU institutions increase the efficiency of bargaining by providing a set of passive, transaction-cost reducing rules" (*ibid*:518). While doing so, the fundamental target of the member-states is absolutely determining the limits of the power of these institutions and strictly preserving themselves in terms of sovereignty. Moravcsik defines this situation as "their principal national interest will be not only to define and limit that transfer of sovereignty carefully but also meticulously to structure the central institutions so as to preserve a balance of power within the integrationist framework in favor of the nation-states themselves" (*ibid*:507).

In sum, liberal intergovernmentalism stipulates the policy-making in the EU as determined by bargaining among member-states. The decisions taken by the EU institutions "reflect the lowest common denominator among state executive positions" (Marks et al.,1996:351). Because, the most important decisions are taken on the basis of unanimity and this situation gives an ultimate controlling instrument to each member-state.

State-centric model, in a realist manner, connects the unitary state behaviors in international arena with their domestic political issues. So, the most important claim of the state-centric model is "that policy-making in the EU is determined primarily by state executives constrained by political interests nested within autonomous state arenas that connect subnational groups to European affairs" (Marks et al.,1996:351). At this point, the whole business is seem to be loaded to state executives who are responsible of reconciling the European and internal politics; as Moravcsik argues, it is "a process that takes place in two successive stages: governments first define a

set of interests, then bargain among themselves in an effort to realise those interests, so the EU does not diffuse the domestic influence of the executive, it centralizes it. Rather than 'domesticating' the international system, EU 'internalizes' domestic politics. While cooperation may limit the external flexibility of executives, it simultaneously confers greater domestic influence, in this sense, the EU strengthens the state" (Moravcsik,1993:518).

## 2.5 Multi-Level Governance Approach

The second model, as an alternative to state-centric approach, similarly sees the state representatives and domestic politics as the important actors in the decision-making mechanism in the EU. But this model diffuses the actions towards the decision-making by the levels in each, different actors come into play. So, it rejects the monopolization of state representatives in the issue of governance in the EU, stating that "supranational institutions" -above all, the European Commission, The European Court of Justice and the European Parliament- have independent influence in policy-making that cannot be derived from their role as agents of state executives; they may play an important role but, according to multi-level governance model, one must also analyse the independent role of European level actors to explain European policy-making (Marks et al.,1996:353). This perspective brings forth the main idea of this model, that is, the decision-making in the EU does not allow an absolute control for the state executives, they may be the lowest common denominator, as argued by the state-centric model; but this denominator can only shape the largest framework of integration. The results of collective decision-making do not always bring gains, they

may also cause losses for any member states who actually involved in the decision-making process.

Another claim of the multi-level governance model is about the subnational actors, who are accepted to be limited in the boundaries of national political arenas. Multi-level governance inserts them into both national and supranational arenas "creating transnational associations in the process; states do not monopolize links between domestic and European actors, but are among a variety of actors contesting decisions that are made at a variety of levels" (*ibid*:352). From this point of view, the involvement of subnational groups to the domestic politics is extended by the multi-level governance model to the European level. So, "the separation between domestic and international politics, which lies at the heart of the state-centric model, is rejected by the multi-level governance model. States are integral and powerful part of the EU, but they no longer provide the sole interface between supranational and subnational arenas, and they share, rather than monopolize, control over many activities that take place in their respective territories" (*ibid*:352).

## 2.6 The Need For Transfer of Sovereignty

A specific reason for this need may include the willingness of national decision-makers to throw the ball into the EU's court for the subjects which are not supported by their people. So, the benefit of this game is, for the national governments, the right to say "this is not our decision/initiative, but the one of supranational institutions". On the other hand, they have formed a lot of safeguards in the establishment treaties of the European Union. There are some reserve points for some states, for example,

the taxation policy, state aids, monetary and energy policy. Also, the Single European Act and the Maastricht Treaty save the right of veto and require unanimity for vital subjects for national governments. So, "these qualifications soften the blow to national sovereignty" (Marks et al.,1996:370), but one point is highly important: "even under the doubtful premise that the Council is the sole decision-maker, it is now the case that state sovereignty has been pooled among a group of states in most EU policy areas" (Marks et al.,1996).

This means that the recent treaties (SEA and Maastricht) strengthen the other two institutions (Commission and the European Parliament) in terms of co-operative decision-making and this case has caused a relative impact on particular state sovereignty within the EU. This situation brings forth a specific circumstance: "the decision-making rules are complex, but the bottom line is clear: over broad areas of EU competence individual state executives may be outvoted" (*ibid*:370).

This circumstance, from an objective perspective, reflects the existence of all components of multi-level governance: different lines and uses of authority, autonomous but controlled actions of institutions, and as a matter of fact, "complementary policy functions" (*ibid*:371).

The implementation of multi-level governance is based on sharing the responsibilities and execution of policies in practice by the supranational and national institutions. In fact, it is a process that one hand is becoming more involved in some specific issues (the Commission) and this feature gives this institution, an ability for a close contact with subnational authorities and interest groups. "At first sight, comitology seems to give state executives control over the Commission's action in genuine principal-agent

fashion. But the relationship between state actors and European institutions is more complex. Comitology is weakest in precisely those areas where the Commission has extensive executive powers, e.g. in competition policy, state aids, agriculture, commercial policy and internal market. Here, the Commission has significant space for autonomous action" (*ibid*:371)

The argument of state-centrists to this perspective is the ability of state executives to transfer these powers "to achieve state oriented collective goods, such as control over potential distortion of competition or a stronger bargaining position in international trade" (*ibid*:365).

Against this argument, the supporters of multi-level governance demonstrate three examples of loss of exclusive control over policies;

- "1. They no longer control competition within their borders,
2. They cannot aid national firms as they deem fit,
3. They cannot autonomously conduct trade negotiations" (*ibid*:366).

To some extent, the approach of multi-level governance does not have an intention of breaking the sovereignty of states as a whole. But its main concern is to put the multi-level polity into practice by the free actions of executives of both national and subnational entities. By doing so, it facilitates the difficult role of state executives in some policy areas, when "the political benefits outweigh the cost of losing control" (*ibid*:370).

So, the sharing of responsibility for unpopular decisions do not form a threat towards the states themselves, which are according to state-centrists, "extremely powerful institutions that are capable of crushing direct threats to their existence" (*ibid*:369). Also, despite this extreme power of state, state executives are not very powerful to generate the sovereignty because of qualified majority voting. Furthermore, the European Agenda is not under ultimate control of individual states, it is the main initiative power of supranational institutions and this feature of the EU strengthens its organs against the "sovereign states" which are eager to maintain their sovereignty by controlling the collective actions, but are not able to do so usually because of the institutions that are formed by themselves. Even among these institutions, a competition has been existed; "the growing diversity of issues on the Council's agenda, the sheer number of state executive principals and the mistrust that exists among them, and the increased specialisation of policy-making have made the Council of Ministers reliant upon the Commission to set the agenda, forge compromises, and supervise compliance. The Commission and the Council are not on a par, but neither can their relationship be understood in principal-agent terms. Policy making in the EU is characterized by mutual dependence, complementary functions and overlapping competencies" (*ibid*:373).

So, this complexity causes the products that are not the first preference of all member-states as a result of diffusion of political control over the institutions which constitute an area of a play, that might be called: multi-level governance.

A proper analysis through the process of European integration since the late 1980s may come to the conclusion that the aim of this process is to form a federal state, but

the concept of nation-state as the remaining circumstance despite all the efforts against its powers, is stimulating and slowing down this integration movement, as a reaction to the relative threat to its national interests and capabilities. But throughout this period, so many scholars agree on an argument that economic globalisation and the uncontrollable transnational relations are weakening the nation-state; so an equation with two unknowns emerge as the main problem of today; the nation-state and the EU. This equation will stay untarnished at least in the short and middle term, whether the process achieve its final goal or not.

In fact, the nation-state model in Europe, inherited from the 19th century is in an identity crisis which is involved by the end of national territory concept. The globalisation, the loss of state sovereignty, the technological and historical evolutions created this crisis and put it towards the nation-state. In his analysis on the nation-state in Western Europe, Stanley Hoffmann states that: "as a result, nation-states- often incoherent, economically absurd, administratively ramsack and impotent yet dangerous in international politics- remain the basic units in spite of all remonstrations and exhortations. They go on "faute de mieux" despite their alleged obsolescence" (Hoffman, 1996:72). Reminding the statement of E.H. Carr of 1945, "we shall not see again a Europe of twenty and a world of more than sixty independent states", Hoffmann criticises the idealistic views as "statesmen have invented original schemes for moving Western Europe 'beyond the nation-state' and political scientists have studied their efforts with a care from which emotional involvement was not absent. The conditions seemed ideal. After World War II, nationalism seemed at a low ebb, and an adequate formula and method for building a substitute had apparently been devised. Thirty years after the end of the war- a

period longer than the interwar era- observers have had to revise their judgements. The most optimistic put their hope in the chances which the future may still harbor, rather than in the propelling power of the present. Less optimistic ones, like myself, try simply to understand what went wrong" (Hoffmann,1996:72).



## **CHAPTER II : THE EUROPEANISATION OF THE NATION-STATE IN THE EUROPEAN INTEGRATION PROCESS**

The central question to be examined in this section is the impact of the Europeanisation on the dynamics of the European nation-state and the evolution of the future European political structure. By this question, the Europeanisation will be evaluated in terms of its emergence, current situation and its impacts on both the two institutional structures: national and supranational.

The recent argument on “how will the EU transform into a political entity from an international institution” is specifically about its governance and its organisation which experience an evolution, that is a working process not ended yet. In this process, tempting transformations of the EU’s organisational structures create significant examples in terms of “how political orders and systems of governance in general originate and how they are maintained and change” (Olsen, 2001:2).

### **1. THE CONCEPT OF EUROPEANISATION**

The term Europeanisation is defined as “the emergence and development at the European level of distinct structures of governance, that is, of political, legal and social institutions associated with political problem solving that formalize interactions among the actors, and of policy networks specialising in the creation of authoritative European rules” (Risse et al.,2001:3). This definition sets out the limits of EU’s political institutionalisation which is the starting point of the impact of Europeanisation

on the member nation-states. The fact that this impact differs widely in terms of the action capacity of European wide institutions and the capacity of member-states' answering to it, Europeanisation must be explained through two important points: the limits of European institutions for Europeanisation and the capability of member-states to response to Europeanisation. So, the aim of defining Europeanisation must also be limiting it to the degree of what it changed and what it is about to change at the national and supranational level.

One of the most obvious consequences of Europeanisation on national politics is its influence in the daily life by the EU's actions and legislations; this influence to a large extent drives the EU to be more efficient in the decision-making mechanisms of national governments. Their legislation, economic behavior and many other actions are ruled by the direction of the EU's institutions. But this process can lead to a "policy misfit" between EU legislation and domestic policies, or it might even challenge the "deeply rooted collective understandings of national identity" (Risse, et al.,2001:3). The reason lies in the fact that the different structures of political, economic, legal and social institutions in the member-states require different adaptational pressures made by the EU institutions.

Also, the understanding of Europeanisation differ in every member-state, we cannot examine the same adaptational pressure in the United Kingdom similar to that in Germany or France. Their point of view to the European Integration, as well as to Europeanisation differ widely as a result of their nation-states' historical, political, economical and social aspects. So, the components of Europeanisation like rules and procedures should differentiate the degrees of adaptational pressures with

regard to policy structures which may differ among the member nation-states according to their need for Europeanisation. This differentiation leads us to two major results; first, if the adaptational pressures are low or not required, then it can be said that the domestic institutions work in parallel with EU institutions and legislations; second, if more adaptational pressures are required, or if they are high, then member states' institutions challenge with EU norms and there is a lot to do on this circumstance. In such situations, automatically "the institutional material and cultural adaptations are exceedingly costly and national institutions will be defended at great cost" (*ibid*:7). The example of United Kingdom's position against Euro fits to this kind of challenges.

Olsen makes an attempt to distinguish the Europeanisation's different aspects in order to create a larger perspective for its use as a term. He distinguishes between five possible uses:

- a) "Europeanisation as changes in external territorial boundaries". By this use, he takes the term beyond the borders of European Union as he sees the political structure of the continent of Europe governed by the same system of governance. He gives the example of enlargement, the process in which Europeanisation takes place, bringing the same values<sup>3</sup> and structures outside of the current European Union.
- b) "Europeanisation as the development of institutions of governance at the European level". This aspect reinforces the governing capability of center institutions, which are mostly involved with producing the initiatives to drive the process of the EU. This development also brings forth the constitutive

principles which empowers these institutions in terms of legislation and binding decision-making.

- c) "Europeanisation as central penetration of national and sub-national systems of governance." The implication of this peculiarity of Europeanisation requires a "division of responsibilities and powers between different levels of governance". Thus, the central governance and local national autonomy will be coordinated through a balance in order to adapt the European norms to the national and sub-national institutions. This is needed because the current multi-level system of governance throughout Europe is quite complex as a result of different nation-states' different local requirements for governance. As an example, the sub-national governance in France is quite different from that of Germany's lander system or Italy's regional division.
- d) "Europeanisation as exporting forms of political organisation and governance that are typical and distinct for Europe beyond the European territory". This involves the situation of Europe in international politics as an actor who is seen as the ideal type of organisation by many other countries. Also, the norms and rules brought by Europeanisation places the European Union in a circumstance that it must act more effectively concerning the relations with the outside world as the unique representative of both its member-states and the European values.
- e) "Europeanisation as a political project aiming at a unified and politically stronger Europe". Regarding the fact that the European Union is not an end-product, but still a progressing process, Europeanisation can be seen as a key concept in this process, used to improve the integration by center-building and domestic adaptation" (Olsen, 2001:4).

However, it is necessary to combine the different points of view to Europeanisation, in order to understand the on-going institutional formation and political changes. It is argued by Olsen that the formation of institutions for governance at the European level means the use of "purposeful decision-making" (*ibid:5*). Within this framework, he places his ideas about Europeanisation on two basic processes of adaptation: experiential learning and competitive selection. Then we come to the final understanding that, as a political project for strengthening the European Union, Europeanisation necessitates the mutual adaptation of institutions; therefore, "the multitude of institutions and actors co-evolve as they adapt to each other, they change the organisational setting for each other's adaptation as they find a place in the changing political world order" (*ibid:5*).

This change, related to Europe's current situation in the subject of relations among major institutions, also demonstrates the EU's willingness for the purpose of being an effective actor in global affairs. As a matter of fact, it is a basic rule in international politics; the one who acts strongly in the scene of world affairs is the one who owns the power in its political, economic and social structure. As the above mentioned aspects of Europeanisation aims at creating or strengthening such a powerful political entity, it also aims the achievement of Europe as a super power. Naturally, a comparison between the USA and the European Union is useless in this regard, because of their different political formation periods and historical backgrounds, but in the subject of being an actor in international politics, we can refer to Europeanisation's fourth and fifth aspects, mentioned by Olsen, as the political project for strengthening Europe in order to be a powerful actor who exports its values, culture and political system beyond its territories, just as USA do.

So, it can be said that, with its tool of Europeanisation, the European Union is very successful in institution building in order to manage a common system of political coherence in the continent of Europe. It is seen both in internal affairs of the European Union, in which the *acquis communautaire* is the core principle for whole legislations in the member states, and in external affairs like enlargement, in which some hard criteria are put forward the applicant countries. These criteria reflect the basic standards and obligations, systematically shape the "entrance key" to the European Union. If the applicant countries are managed to be Europeanised" they are accepted, if not, they are rejected. It is so simple, whatever the actual conditions may be. As Olsen argued, "actors appeal to a shared collective identity and the implications of the identity. They evoke common standards of truth and morals and change follows as normative or factual beliefs change" (*ibid*:8).

To sum up, the most obvious consequence of Europeanisation is, its effect on the current system of nation-states in the continent of Europe by which it forces them to transform their political, legal, economical and social structures in order to be accepted as "European". The European Union manages this mechanism through Europeanisation, just as the "invisible hand theory" of Adam Smith which regulates the system by specific tools of its institutions.

## 2. THE EUROPEANISATION PROCESS OF THE NATION-STATE THROUGH THE INSTITUTIONAL STRUCTURE OF THE EU

### 2.1 The Impact of Europeanisation

From a distinctive point of view, Europeanisation can be argued as the institutionalisation of European governance system in order to create and apply the same European policies in every member and applicant states. So, the impact of Europeanisation in this framework should be maintained through the institutional structure of the European Union. As Checkel argues, the impact of Europeanisation contains also “the strengthening of an organisational capacity for collective action and the development of common ideas, like new norms and collective understandings regarding citizenship and membership” (Checkel, 2001 in Olsen, 2001:10). So, the most important question here is, how should the shapers of these institutions act in order to create original and strong structures to which the nation-states would easily adapt believing that they cannot themselves find a better or other way to create such structures (*ibid*:12). Indeed, this question is the core point of ongoing research process in the European Union; it makes the EU a “political and sociological laboratory” where many policies are created, argued, implemented and some of them are chosen to survive for their “goodness to fit” (Risse et al., 2001:3). In this laboratory, scholars who are named liberal intergovernmentalists argue that institutional choices are made by the governments of member-states (Moravcsik, 1998:3).

According to liberal intergovernmentalist theory, these choices and preferences are affected by the social and economic interests of the member-states. Moravcsik names the representatives of the member-states who are affected by these interests and act ultimately in favor of them as "rational-self interested actors, who are capable of taking in information about the orientations of interest groups and calculating what their positions imply for European Integration (Moravcsik, 1993:473).

The most important aspect of liberal intergovernmentalism in the subject of Europeanisation is, undoubtedly its concern on bargaining and negotiations in the international scene. By this way, the governments of the member states put forward their options on the table during the negotiations and reconcile on every subject with other member-state governments taking into consideration these options. As a matter of fact, this bargaining procedure necessitates some standards in which the institutions ultimately take role in the play. So, there becomes a trilateral negotiation structure; in one side, the member-state, in the other, the interested member-states and in the third side the interested institutions. The existence of these institutions, here facilitates the negotiation and bargaining process, by the way, the decisions and results are made in the European standards whatever the options or breaking points may be. Moravcsik describes this situation as "to secure the substantive bargains they had made, finally governments delegated and pooled sovereignty in international institutions for the express purpose of committing one another to cooperate" (Moravcsik, 1998:3-4).

However, Bruno Jorbert in his article "Interacting States", gives a detailed analysis of this process, remarking the sectors: "the devising and institutionalisation of new rules

ordinarily combine three processes: a key actor defecting from the existing compromise, the emergence of new sector-based actors, and the intrusion of cross-sectoral actors for the purpose of correcting failures of adjustment between the overall and the sector-based elements" (Jorbert, 1999:188). So, the interaction among the states, ruled by the third actor (here involves the EU institutions) provides the stability of coming up to right decisions in favor of both three sides. This interaction, according to Jorbert, has not eroded the "state", nor the EU's capacity of acting, "the strengthening of the EU may thus be gauged in its capacity to share with the national member-states this initiating capability: the recognized ability to define and legitimate new institutions and compell their recognition by the partners concerned" (Jorbert, 1999:193). Supporting this argument, Risse, Cowles and Caporaso see the institutions as the vehicles for applying policies and producing norms and expectations despite some unwillingness of domestic structures (Risse et al., 2001:8). So, the institutional structure and the Europeanisation, according to tis point of view, have an important political effect in the case of relations between European and national structures. The result of these relations is with no doubt, the adaptational pressure which occurs ultimately in the process of Europeanisation.

Furthermore, the EU's institutional structure which was designed at the beginning to create an economic community and then transformed to maintain the steps forward a political entity is argued by Rokkan, who suggested four dimensions to formulate the structure of institutions:

- a) "Regulatory institutions": which formate administrative instruments for the controlling of the region including the ability to provide resources for common

- issue areas. Examples can be counted as the Commission, the Council and the European Court of Justice.
- b) "Socialising institutions": by the tools of education, cultural emphasis and socialisation creating a supranational entity which includes common values and sense of belonging. The European wide interest groups and clubs can be the examples for this kind of institutions.
  - c) "Democratic institutions": maintaining the citizenship phenomenon, developing democratic institutions, equal rights of political participation, legitimized and guaranteed opposition, organised parties and space for public debate and popular enlightenment. The European wide political parties and the European Parliament can be the examples.
  - d) "Welfare institutions": "developing social and economic citizenship and rights, and a community that accepts the collective responsibility for securing more equal life chances for citizens through the means of public service, reallocation of resources and the regulation of the use of private resources" (Rokkan, 1999 in Olsen, 2001:11).

## 2.2 The EU : A Transnational Governance?

The processes of the European Union policy-making have become complex in the last decade. Every change on the basis of treaties and every enlargement process resulted as complications in the case of policy-making and set up new perspectives and approaches in the subject. As the Union transformed into a political entity after the Maastricht Treaty, the policy agenda has broadened from agriculture,

competition, external trade, monetary policy to foreign policy, energy or environmental regulations.

By this questioning approach, the aim is not giving a detailed information about the complex policy-making processes held in the European institutions, neither differentiating them with those held in a classical nation-state model. The aim is to shed a light on European governance which exercise a balance between national policies and union solutions.

This balance, named "pendulum" by Helen Wallace, characterizes the European governance, oscillates between two magnetic fields: the one nation-state based and the other transnational, each with its own inducements and specific features (Wallace, 2001:12). According to Wallace, the propensity of transnational policies or the national ones is dependent on the varying strengths of these two fields; if both two fields are weak in a policy area, then, the policy will provide no coherence. Also, there is another point that, one of these two field, the nation-state one also contain smaller magnetic fields at local and regional levels. The pendulum metaphor of Wallace depends on three assumptions:

1. The West European nation-state is politically inadequate.
2. Globalisation has a significant impact.
3. The West European region has specific features (*ibid*:12).

The first assumption that argues the inadequacy of nation-state is relevant to the period after the Second World War, in which the powers of the state extended in

terms of functions of governments that have become more effective in the lives of the citizens. As functions increased, according to Wallace, states found themselves under pressures of increasing demands and responded to these demands by the instruments of transnational cooperation (Wallace, 2001:15). This feature of the state created a paradoxical situation that it remained effective in front of its citizens but created a delegation of sovereignty powers to transnational institutions in the last fifty years.

The second assumption about the globalisation goes beyond the classical understanding of impacts of globalisation that relate to the interdependence of economic transactions and the processes created by new technologies (*ibid*:16). In another sense, Wallace notes that globalisation has enabled different societal actors to have access to an international arena as an extension of the nation-state arena (*ibid*:16). Specifically, this feature means that economic actors became less loyal to the nation-state. Thus, globalisation fosters the transnational cooperation just like in the issue of the European Union.

The third and the last assumption takes attention to the intensity of both two other assumptions, the inadequacy of the nation-state and impacts of globalisation in West European region. Wallace sees a distinct effort in this region to contain the consequences of globalisation, because it traditionally exists in Europe, the transnational interaction and cooperation both formal and informal: "...rather than be forced to choose between the national polity for developing policies and the relative anarchy of the globe, West Europeans invented a form of regional governance with

polity-like features to extend the state and to harden the boundary between themselves and the rest of the world" (Wallace, 2001:17).

The policy making system of the European Union is seen as "sui generis" because of its deficits in comparison with the common features of the domestic policy-making systems of individual nation-states (Richardson, 2001:101). Richardson comes to this argument from the lack of one traditional actor, an elected government, regarded as the key player in shaping the policies. Of course, the lack of effective political parties at the European level can be added to this traditional sense. Instead of these parties (they formally exist within European Parliament but have no reasonable effect on the Commission), European level interest groups became more efficient in policy-making processes. Richardson, who define the lack of an elected government and effective political parties as "hollow core of the European Union policy making" fills this hollow core with bureaucracy and interest groups (*ibid*:101).

Playing an active role in the policy maintenance, these two actors fill the hollow core by institutionalising a new pattern of policy-making process. Because, they behave irrespective of the institutional structure of any individual nation-state. At this point, Richardson brings three theoretical assumptions about the European level policy-making system:

"1. Bureaucracies have a tendency to construct stable and manageable relationships with interest groups in each policy domain as a means of securing some kind of "negotiated order" or stable public policy environment.

2. Interest groups generally exhibit a preference for state bureaucracies as a venue for informing themselves about and influencing public policy.

3. Interest groups will seek to exploit new opportunity structures or venues as a means of maximising their capacity to shape public policy to their own advantage" (*ibid*:100).

In today's circumstances, the term "governance" mean not only the ruling of a particular political entity through responsible institutions, such as a parliament, bureaucracy and a government, but also explain the practices of networks or horizontal forms of interaction: "governance is based on a variety of different processes with different authority bases, and highlights the role of voluntary and non-profit organisations in joint-decision-making and implementation, and the semi-public character of modern political enterprise" (Eriksen and Fossum, 2002:5). Today, the European Union experiences this new meaning of governance with its institutions which are shaped through the principle of independency from bound and territories within the region. As a proposal, Eriksen and Fossum describe this situation with the term "transnational governance" which is basically constructed by a proliferation of organisations where no single organising principle dominates (*ibid*:5). It is used to explain the emergence of new forms of legal and political cooperation of public and individual actors at international and regional levels; so, the EU can be regarded as a transnational governance as far as its system transformed from an intergovernmental collaboration to a more complex political entity.

In this system, the top institutions of the EU play a key role providing a “statal framework” for the governance by undertaking different functions through a system of interdependency.

### 2.3 The Council Of The EU

The Council is set up by the relevant ministers of the member-states. Until today, it remained as “the last and most powerful castle” of the nation-state within the institutional structure of the EU. Hellen Wallace defines this institution as “the prisoner of member-states” regarding the fact that it is the most powerful body within the EU which provides a political space for competition among the member-states (Wallace, 2001:59). According to Wallace, the growth of the Council with its vertical segments and horizontal layers causes a paradoxical trend: the process of organising a European governance deserves more and more participation of ministers and national officials to the processes, but their involvement is not parallel at the transnational level (Wallace, 2001:60).

The most important function of the Council is to bring satisfaction for particular interests of the member-states; this function hides the non-democratic vision of this institution as well as all member-states involved at least one or more issue-areas in the bargaining processes. The bargaining process in the Council, with the help of working groups of national experts, often become a place of competition and that situation makes the decisions be focused not on the big ideas of collective action, but be presented with the nuanced points on which the individual governments have won

a concession from others in the council instead of presenting the core idea of common policy development (Wallace, 2001:60).

## 2.4 The Commission

The Commission is the main institution responsible for initiating the legislation procedure in the institutional structure of the EU. According to Treaty of Maastricht, its members are appointed by the member-states and the whole body is approved by the European Parliament. The members are responsible for taking into consideration the European Union's interests, not those of their own national governments. This feature of the Commission places it as the most independent body within the Union theory, but in practice, the members of the Commission always keep the potential of acting according to the interest of their own states.

The Commission is generally accepted as the "government" of the EU, at least theoretically if one defines the Union as a type of "state", the governance duties of this state are seen to be parallel within those of the Commission. However, its initiative power is not so remarkable, as the Council is more powerful in the process of legislation. This situation still provides the member-states be effective on the destiny of the EU.

## 2.5 Comitology: A New Decision-Making System

Comitology can be defined as a system in which "national and Community actors pool their respective source of legitimacy, including their functional and technocratic

reputation, to make the system acceptable to both the involved and concerned groups and the population at large" (Wessels, 1999 in Eriksen and Fossum, 2002:15).

Hundreds of committees in the EU work within the borders of authority of the Commission and the Council; they are made up of representatives from the member-states and are chaired by Commission officials (*ibid*:16). This system was designed to provide a way for the member-states to control and observe the decision-making processes, their members are experts, representatives from interest groups and national civil servants. Today, it can be said that Comitology covers areas like agriculture, trade and custom policies, research and development, environmental affairs and telecommunications (*ibid*:16).

Comitology is a network, not a hierarchical government; its difference from other international committee working system is that these committees are involved in decision-making that has direct and binding effect on national governments (Eriksen and Fossum, 2002). After the Treaty of Maastricht and the development of the Common Foreign and Security Policy (CFSP) and increased judicial cooperation (Justice and Home Affairs-JHA), its tasks became more complex and the negotiation environment enlarged. With the participation of interest groups which are present in Brussels and the representatives of European-level political parties, it can be said that comitology helps to legitimate the European governance; so, well-informed problem-solving and efficient decision-making become easier as Comitology prevails (*ibid*:16).

As in the modern nation-states, delegation of authority is a part of the legislation process according to knowledge and information which are needed for solving

complex problems in a practical way; so what is delegated is mainly the problem-solving capacity as a matter of fact. In the European Union, Comitology does not only involve technocratic administration, but also it is responsible for finding adequate answers to politically sensitive questions (*ibid*:16). This peculiarity of the Comitology indicates it as a solution to the problem of vast sum of political decision-making issues, in view of the fact that every issue cannot be solved by voting or by bargaining, Comitology creates a balance between the supranational institutions and the member-states, keeping them away from "deep and infinite vicious circles of decision-making processes" (*ibid*:16).

Comitology is subject to a criticism that it is not properly authorised and subject to public control; especially the European Parliament is quite critical of decisions originating from Comitology because of the lack of transparency and the lack of ordinary procedures (Eriksen and Fossum, 2002:18). From a democratic perspective, Comitology may be seen as undemocratic due to the absence of national control over the committees. But in terms of the special case of the European Union, these committees are legal and they act as the agents of the supranational institutions. According to Eriksen and Fossum, this system complies with the criteria of government as it decides on the basis of a legal order and participation of representatives of affected groups, despite their participation is not adequately developed in an accountable manner (*ibid*:18)

To sum up, Comitology is a part of the system of governance in the EU, handling complex problems in a rational way; it is not constitutional when one examines its

place in terms of the regular organisation of a nation-state, but it can be regarded as constitutional, as far as the EU has the founding treaties.

## 2.6 The European Parliament

Since the first direct elections in 1979, the decision-making powers of the European Parliament have grown and its dependence to national parliaments have become less significant. The role of the European Parliament is still weaker than that of national parliaments; according to the treaties, within the two pillars (CFSP and JHA), it has only consultative power. Further, the European Parliament has no power in the constitutional amendment procedures, which can be seen as a deficit in terms of democracy in comparison with a national parliament. However, the European Parliament became partner of the Council in legislation of all policy areas except agriculture; it has also the right to approve or reject the Commission.

In a multiparty parliamentary system, the issues are discussed in a consensus-oriented manner, but in the European Union, there is more of it; the reason is, in the EU's system, there is not a clear-cut division between government and opposition (Eriksen and Fossum, 2002:22). Because the EU is not based on a party democracy, so the European Parliament cannot provide a regular basis for democratic governance within the EU.

On the other hand, the European Parliament enjoys a great deal of autonomy in making its own agenda; it is quite free to examine the issues which it finds important, using the tools of debates, reports, hearings and resolutions (Eriksen and Fossum,

2002:23). It is one of the most multilingual parliament in the world, there are eleven working languages, a situation which either causes difficulties and time-wasting procedures of translation or foster more universalistic interactions between the MEP's who have different cultural backgrounds (Eriksen and Fossum, 2002:23).

According to Corbett, the empowered role of the European Parliament within the institutional structure of the EU is also important in terms of democratic deficit: "the existence of a body of full time representatives in Brussels, asking questions, knocking at doors, bringing the spotlight to shine in dark corners in dialogue with their constituents back home, makes the EU system more open, transparent and democratic than otherwise would be the case" (Corbet et al., 2000:6).

In addition, the European Parliament, in spite of all its weaknesses in the system of the EU, helps to create a European public sphere, where the Europeans from each member-state interact for common purposes in internal and external issues and that may help, in the future, to harmonize opinions and interests without any fragmentation in terms of national aspects.

## 2.7 The European Court of Justice

The European Court of Justice consists of 15 judges and 8 Advocates General. They work for six years and they can be re-elected. They are appointed upon common agreement of the member-state governments, the president of the Court is elected by the judges for three years.

The European Court of Justice is responsible for the interpretation and the application of the EU law on the member-states and on every European citizen regardless of his or her national citizenship. Therefore, the ECJ has two main powers; its direct effect and its right of use of jurisprudence by which it produce laws when there is not sufficient base in the treaties for a particular case. These powers give the ECJ an important role in the integration process by its enforcement right of the EU law; thus, its structure and place within the EU is quite comparable with a supreme court of an ordinary state.

But according to Wallace, there has always been legal and political resistance to the ECJ. The courts of member-states have not always accepted easily either the supremacy of EU law or the judgements made by the ECJ on particular cases. Also, national politicians do not always welcome the restrictions that the ECJ sets on them as well as even the Commission has often create conflicts in providing its general interpretations on specific cases. So, some member-state governments might want to limit the influence of the ECJ by some amendments on the treaties in order to alternate the balance between the institutions (Wallace, 2001:61)

Also, the role of the European Court of Justice in the constitutionalisation of the European Union law created a tension in terms of inter-branch power and authority (Council versus Commission versus European Parliament versus individual member-states); this tension is the main result of the successful functioning of the ECJ in establishing the supremacy of the European law (Hine, 2001:135).

To sum up, the institutional structure of the EU is linguistically, culturally and procedurally remote and unfamiliar to the ordinary citizens (Hine, 2001:136). This feature cause a lack of contact with the citizens and as a result of this, very few people understand exactly what is happening in Bruxelles. The complexity of the procedures and the lack of coherence between the institutions make the efficiency of forthcoming constitutional arrangements rather weak. And it is obvious that nation-states will continue to play their effective roles for along period of time in the direction of the Union.

### 3 .EUROPEAN INTEGRATION PROCESS AND ITS EFFECTS ON THE MEMBER-STATES THROUGH THE PROCESS OF EUROPEANISATION

The emergence of European policies in almost every issue area ultimately brought the decision-making mechanisms to the European level. This feature of Europeanisation “originally strengthened the national executives and disempowered the regions which then had to regain their competences” (Cowles and Risse, 1999:218). Because, the main political responsible against the EU institutions for national subjects are the national representatives and not the subnational ones.

In their work “Transforming Europe”, Thomas Risse, Maria Green Cowles and James Caporaso examine “the goodness of fit” between the EU institutions and domestic institutions through some emprical studies on different issues in different countries. In

some cases, they found several misfits between EU policies and regulations with domestic practices; upon these empirical studies, they claim that the effects of Europeanisation result with adaptational pressures. The example they use is German citizenship understanding which challenges that of the EU. Also, it is examined by Conant in the same work that the difference between domestic institutions with legal norms and the legal structure of the EU creates an adaptational pressure. She demonstrates France as the policy misfit case with its centralisation and Germany as the misfit case with its horizontal and vertical dispersal of political power (Risse et al., 2001:219).

In the case of responding to these adaptational pressures, Cowles and Risse bring the term "mediating factors" which explain the reason of negative adaptational results. They examine the adaptational results occurred in the misfit issue areas in the biggest five member-states including the mediating factors that bring a brief reason to the case of resistance to change; so, they point out that every member-states more or less some positive reactions to the adaptational pressures made through the Europeanisation, especially in the field of economics (*ibid*:227). One tentative point might be that, the existence of multiple veto points in Germany and Italy create a resistance to change in terms of Europeanisation in the subject of environment in Germany and railways and road haulage in Italy (*ibid*:227). According to Cowles and Risse, the reasons are different, because of the differing state structures in both countries but they argue that this factor, multiple veto points can be overcome as they demonstrate the issue of telecommunications and public finance cases in Italy and German transport policies cases in each of which there had been a change through Europeanisation (*ibid*:227).

This point, the factors that affect the adaptation of member-states to the European norms is particularly relevant to some questions that should be asked for the purpose of analysing them carefully:

1. What is the nature and reason of different reactions to the adaptational pressures made by the member-states?
2. How can it be pointed out that the domestic institutions still be able to carry on ignoring or changing the nature of changes created by the Europeanisation?

In order to bring adequate answers to these questions, Olsen suggests two basic frameworks named "experiential learning" and "competitive selection" (Olsen, 2001:15). From experiential learning, he stress the experiences with these changes in the past and the production of alternative forms by every domestic institution. Thus, the adaptational pressures for changes in domestic issues are evaluated by the domestic institutions and successful ones are adapted, others are avoided. This also depends on the other aspects of the member-states' state structures and cultural aspects. He explains the other framework competitive selection as: "...in models of competitive selection, environmental imperatives are seen<sup>3</sup> as driving the change process, and there is a need to understand mechanism of variation, selection and retention. Institutions and actors are fixed and their survival and growth rates depend on their performance, comparative advantages and how well they 'match' their changing functional and normative environments. Only the most efficient institutions survive, the others disappear" (Olsen, 2001:16).

Support for this point of view comes from Börzel, who studied the member-states' responses to the Europeanisation. She focuses on the role of national governments as "shapers and takers of EU policies" (Börzel, 2003:1). She differs carefully the roles of EU institutions (like the Council, the Commission and the European Parliament) from that of member-state governments but takes attention to the position of national executives who hold a key role "in the decision-making and the implementation of European policies and thus influence the way in which member-states shape European policies and institutions and adapt to them" (Börzel, 2003:1).

In conclusion, the Europeanisation process creates a pressure on the member nation-states in order to modernize them in the specific issue areas. This pressure is generally faced by domestic reactions at first, but as far as it becomes a "EU policy" on the specified area, national institutions adapt themselves slowly or rapidly to the change according to the importance of the subject, and find the best ways to make the adaptations domestically acceptable. By this way, it can be said that Europeanisation policies not only bring common standards and norms in many issue areas but also serve to the survival of initiative powers of member nation-states in both policy-making and adaptation processes within the European Union.

## CHAPTER III : THE FATE OF NATION-STATE WITHIN THE EUROPEAN UNION

### 1. THE POSSIBILITY OF PROVIDING LEGITIMACY AND DEMOCRACY BEYOND THE THE NATION-STATE IN THE EU

#### 1.1 The Dilemma Between “Democracy For The People” and “Democracy of the People”

Today, there is a consensus that the European Union suffers from a democratic deficit. The perspectives and understandings about this problem differ widely between scholars who study the European Integration; hereby the main difference will be briefly presented between intergovernmentalist and federalist ideas on the European Union's democratic accountability. In general, intergovernmentalists say that the European Union does not represent a European nation, so, a limitation to the powers of supranational institutions is necessary for the assurance of democratic legitimacy; it must be obtained through the intergovernmentalist institutions that represent the member-states. Federalists say that this democratic legitimacy can be assured through the full democratisation of the supranational institutions.

Hayward describe this problem as a “crisis of representation” (Hayward, 1995) within the European Union; it can be said that there is a lack of transparency or an adequate communication between the Union and its people. But, according to Hansen and Williams, these thoughts based on the notion that there is a citizenship who demands to be represented directly in the institutions of the European Union and who wants to exercise democratic rights within it; this argument of bringing the

European Union closer to its "citizens" by strengthening the power of the European Parliament, firstly supposes that there already exist a European citizenship or that it should be created. The other difficulties are the structural and procedural problems for to the representation of these citizens within the institutions of the European Union. But if there were no such European people or citizens to bring the European Union closer to, then the crisis and its solution would be placed in the relationship between the European Union and member-state governments, not between the European Union and "its people" (Hansen and Williams, 1999:237).

In order to find the different aspects of the dynamics of the democratic deficit within the European Union, it is better to focus firstly on the nation-state's democratic accountability. Upon this subject, David Miller notes that although globalisation and multiculturalism challenge the nation-state democracy, this challenge increases the need for protection of democratic institutions within the borders of sovereign nation-states. So, the democratic self-government is only possible with a pre-political national identity (Miller, 2000:93). According to Miller, this national identity can be characterised within a nation, which he defines as a community "constituted by shared belief and mutual commitment, extended in history, active in character, connected to a particular territory and marked off from other communities by its distinctive public culture" (Miller,1995:150). So, Miller's perspective of nationality depends on three basic ideas:

1. National identities are in general an important part of people's personal identities.
2. A common national identity is obligation-generating and therefore creates communities which exercise special duties for other nationals.

3. These communities should have the right at least some level of self-determination, and maybe establish a sovereign state (*ibid*:150).

He also notes that, " if a nation is to be self-determining, its members should aim as far as possible to achieve consensus about the policies they wish to pursue, and the only way to achieve this is through an open dialogue in which all points of view are represented" (*ibid*:150).

In the light of this "nationality" perspective, it can be said that Miller's approach to the democratic deficit within the European Union sources from the lack of a European people. He argues that there is no European nation or people that are the basis for democratic institutions to be established within the European Union. Furthermore, there is no European national character and political identity connecting Europeans through historical, cultural, linguistic and religious "we feeling", just as those within a nation-state. So, the European Union lacks the main element by which loyalty, trust and solidarity (the preconditions of democracy), form a European people (Miller, 2000:86).

By this perspective, consequently, Miller's thoughts strongly determine that the traditional nation-state will remain as the main framework for citizenship at least in the foreseeable future because there is no foundation for sustaining citizenship obligations as a result of the absence of trust and solidarity at the European level. So, the other absence, a European nation or people makes impossible the complete emergence of democracy within the European Union; democratic governance will remain the basic aspect of member nation-states as well as the European Union will

remain as an intergovernmental organisation legitimated through international treaties (Miller, 2000:81).

As another perspective to the democratic deficit within the EU, Habermas, in agreement with Miller in the subject of the lack of a European people, sees its source in the absence of "European citizenship-based solidarity" (Habermas, 2001:15). According to him, the supranational institutions of the European Union do not work upon the will of a democratically constituted European citizenship because there is no European civil society nor a public sphere that can obtain a common political culture (Habermas, 2001:15).

Habermas finds the deficit at that point: the binding character of the decisions made at the Union level and the lack of public discussion's influence on these processes. So, the undemocratically implementation of these laws and policies through the democratically organised member-states produce the democratic deficit and create discrepancy between the economic and bureaucratic integration and weak political integration (Habermas, 2001:16).

However, according to Habermas, this deficit is not only the Union's problem, it is also a national problem. This is so, because despite the nation-states own a civil society, and a common political culture (obtained through a public sphere), another deep impact, the globalisation of world market decrease their action-capabilities; so, there is "a gap between the nation-state's increasingly limited manoeuvrability and the imperative of mode of production interwoven worldwide" (Habermas, 1998:157). To sum up, Habermas brings a solution that does not require a turn-back from

delegation of sovereignty powers to the Union, but legitimizing the European Union by a European constitution which should federalise the Union (Habermas, 2001:17).

A practical view to the case was brought by Eriksen and Fossum, who claim that there is a consensus among the scholars and policy-makers that the European Union faces the problem of democratic deficit. This deficit was identified as a multifaceted problem which includes deficits in representation, accountability, transparency and legitimacy; so, Eriksen and Fossum argue that the process of the European Union remain largely unchecked (Eriksen and Fossum, 1999:16). Decisions are undemocratically removed from the citizens to supranational institutions and experts as the executives of international cooperation. These institutions have a weaker political and popular support than those of ordinary nation-states (Eriksen and Fossum, 1999:17).

Another political assessment of democratic deficit within the European Union can be seen in the work of Wolfgang Merkel. He evaluates the deficit on three fundamental levels; an imbalance of power and legitimacy, the absence of checks and balances, and the lack of intermediate structures and organisations between social and political interests (Merkel, 1999:49).

According to Merkel, the imbalance of powers is the result of the domination of the Council of European Union in the legislative process. From an intergovernmentalist view, Council's democratic legitimacy comes from the member-states' democratically elected ministers, but from a supranational point of view, this legitimacy is indirect and weak. Also, it is fragile because of the voting system, if the decisions are taken

unanimously, then this indirect legitimacy in some ways can be claimed, but if there is qualified majority voting in a decision-making procedure (which was brought by Single European Act of 1986) then this legitimacy becomes rather weak. So, the “veto power” remains “the single most legitimating element” of the decision-making process in terms of democracy. The Commission, whose members are appointed by the member-states according to their populations, need only the approval of the European Parliament; its democratic foundation is weak. The same case is valid for the European Court of Justice which hold the power to interpret the European Union law: the local courts voluntarily accept its decisions although it has no binding power to force them. It has also an impact on the producing and exercising the Union law which remains problematic from the democratic perspective (Merkel, 1999:49).

In the fifty years of integration period, the decision-making process in the European Union has become more and more independent from the control of national parliaments. This situation has resulted from the transfer of authority from the nation-states to the European Union. But this independency has not been supported by a real empowerment of the European Parliament. The European Parliament has only increased its powers within the co-decision procedure; thus neither the European nor the national parliaments are not able to check all the decisions made in a complex manner, a situation which reflects the dilemma between democracy and efficiency within the European Union (*ibid*:51).

In Western liberal democratic nation-states, the aggregation and integration of social interests are obtained by political parties, interest groups, social movements and mass media; they are essential in democratic order for mediating between social

interests and government decisions (Merkel, 1999:52). Also, the first place for the performance of these interests and mediating factors is ultimately a parliament in an ordinary democratic system (*ibid*:53). As far as the European Union lacks this aspect (despite the existence of European Parliament), an integrated party system could not be emerged. The campaigns for the European Parliament elections are undertaken by national political parties in each member-state and are only seen as an approval or disapproval for the national government by the people before or after the national elections (*ibid*:53). To sum up, "a fundamental component of civil society's infrastructure, one that is essential to every democratic community, does not exist in the European Union" (*ibid*:53).

As Merkel notes, since the Maastricht Treaty, the integration process has been "the domain of political elites" (Merkel, 1999:55). This situation, however helped to deepen the European Integration with the exclusion of European Parliament, insufficient and indirect control by the national parliaments and little informed citizens. Merkel points out that, if these factors were included in the decision-making processes, the result would be a complex and time-wasting negotiation procedure at different levels. Instead of such large complexity, the Council of Ministers represent the national governments (as well as the citizens). But this situation produces a strong demand for checks by national and regional political entities; this feature of today's system becomes a more problematic issue for the foreseeable future of the European Union (Merkel, 1999:55). In addition, Merkel describes the dilemma as "until now, efficiency rather than democracy has been the most important source of specific support in the European Community" and he adds "the deficits and citizens' identification with their own nation-states have rendered the European democracy

unable to build diffuse citizen support for the European Union. When the democratic deficit is removed at the expense of decision-making efficiency, however, a traditional source of legitimacy will dry up. Thus, the conflict between European efficiency and European democracy resembles a zero-sum game, if not a classical dilemma. At this time and under the present institutional configuration of the European Union, each gain in democratic legitimacy threatens losses in political decision-making efficiency" (Merkel, 1999:56).

Is there a way out from this dilemma? To answer to this question, Merkel puts forward a scenario named "institutional reforms for a democratic union" (Merkel, 1999:56). He notes that as a polity of an extremely segmented society, the European Union is in need of consensual democratic institutions. So, he in some way changes Arend Lijphart's definition of consensus democracy (better known as consociationalism) principles and creates four points of proposal:

1. Interelite accommodation: Political elites should engage in consensual decision-making that resolves conflicts through inclusive compromises rather than majority decisions that exclude relevant minorities.
2. Federalism: A federal order with subsidiarity decision-making structures should be established; this is the most appropriate institutional answer to territorially distinct subcultures and segmented societies.
3. Symmetrical bicameralism: A bicameral legislature should be realised in which national minorities are granted sufficient representation in the second chamber.
4. Minority veto: Such a veto allows each structural minority to protect its essential interests" (Merkel, 1999:57).

## 1.2 The Legitimacy Deficit of the European Union

The Method of integration in the European Union is far different than classical nation-state formation. Today's nation-state finds its roots in the religious and monarchic structures that legitimated themselves "from above", but the European Union, on the other hand, legitimated "from below", as it can be seen in the role of the member-states in its legal and policy-making procedures (Eriksen, Fossum, 2000:18). As Eriksen and Fossum note, even the European Court of Justice legitimates the EU law with reference to the fundamental constitutional principles of the national constitutions of member-states (*ibid*:2). So, the EU's process of political integration is shaped by the willingness to find the best solutions to common problems, to which one single member-state cannot find itself. Its structure, that has very weak sanctioning capabilities, also depends on two basic principles: legality and proportionality; so, no single member-state can dominate the others (*ibid*.5).

The European Union is generally believed to be a functional organisation that rescues the European nation-states from difficult tasks. So, superficially, its legitimacy has its basis in its capability of solving the member-states' problems and providing a secure space for the survival of their welfare. However, this kind of indirect legitimation is not sufficient for explaining the current situation, because its growth and rapidity causes it to have a far more profound effect on the member states than, for example, the intergovernmentalists argued (*ibid*:19). As well as on the nation-states, the impact of the EU is also deep on the citizens, workers, producers or the clients; by the taken measures for regulation of social, environmental and health problems, and by police and judicial co-operation, the EU affects the daily lives

of Englishmen, Germans, Belgians and Danes and increasingly Central and East Europeans. The 'direct effect' principle of EC law, based on the acceptance of EU law as 'higher' European law, deeply affects the member-states and the European Court of Justice (ECJ) claims competence-competence" (Eriksen, Fossum, 2000:19).

This point is particularly relevant to the political structure of the EU; it is not a federation neither a confederation yet, it is more than an international regime, but less than a supranational state (Merkel, 1999:46). According to Merkel, the difficulty in the definition of the EU in terms of constitutional and international law is related to a question: "what kind of authority sources does this sui generis structure need to legitimately demand subordination to its sovereign power?" (*ibid*:47). Merkel states that, the answer would be easy if the EU were purely an international organisation or an international regime of sovereign states, because the decision-making would be merely intergovernmental and it would be legitimized by the ratification of national parliaments (*ibid*:47). The current situation seems so, but the products of this intergovernmental decision-making, the supranational institutions (The European Commission, The Council of the EU, The European Court of Justice and others) have created a tension between the EU and member-states that generate the problem of legitimacy of authority within the Union (*ibid*:47). At this point, Merkel accepts the classical argument of Hans Ipsen "that the member states are fully in command of the treaties is valid for the original EC law", but he claims beyond this argument as the secondary EC law (produced by EU institutions) and its legal effects cannot be legitimized by the EU, so, he comes to the conclusion that the EU lacks legitimacy (*ibid*:47).

This lack of legitimacy, according to Eriksen and Fossum, has three main characteristics:

1. The EU is inadequate with regard to its rights basis. This situation applies to the range of rights as well as the legal status of EU rights. The fact that EU citizenship is still derived from national citizenship, precludes the EU from adopting a uniform citizenship. It means that non-nationals are excluded and they have no opportunity to apply to the European Court of Justice in case of violations.
2. The citizens have no way of learning which institutional practices the EU officials will adopt and how well these will correspond with the fundamental rights of the citizens.
3. The European Parliament and the national parliaments are weak and inadequate in terms of ensuring popular support and in terms of holding the executive accountable. Despite the European Parliament has gained the power in co-decision process in the EU law-making, its role in Treaty making is marginal which limits the popular inputs into the process. The weakness of the European Parliament is seen in the underdeveloped nature of intermediary bodies as European parties and the absence of a European public sphere (Eriksen, Fossum, 2000:20).

However, this argument can be discussed through the classical political science approaches to the sovereignty of nation-state. The member-states have partially transferred their sovereignty powers to the EU and this sovereignty is used by the EU in such a way that it can affect the internal affairs of the member-states. So, the EU,

which has almost all the powers of a traditional state, exercise a political power that cannot be explained by classical nation-state concept for legitimacy. Therefore, as Merkel notes, what is needed is “a concept of legitimacy that is not based on the nation-state, one that is abstract and open enough to describe the specific legitimacy requirements of this complex, sui generis political system” (Merkel, 1999:48).

This may become clear when one examines the formal legitimacy of the European Union. The treaties that established the EU were approved by the parliaments of the member-states, as well as by their citizens. This approval forced the dynamics of the political powers of each member-state to establish the essential norms and procedures to transfer sovereignty to the EU, so, the execution of this sovereignty by the supranational institutions became independent of national law. The question here is, whether this legitimate procedure can generate the European Union's supranational character as “the last and undoubtedly legitimate authority” on the member-states or not.

One pessimistic outlook to the question of legitimacy can be the absence of European public sphere or effective European political parties. The absence of such entities that are the basic requirements of democracy makes one leg of the legitimacy rather weak. Also, the complexity of institutional arrangements among the member-states within the EU, the differences among the languages and cultural aspects support the pessimistic outlook for the legitimacy of the EU. Representative institutions and parliamentary majority rule function better and provide a democratic legitimacy for government only when they are supported by a collective identity called ‘the people’ or ‘the nation’, with a common language, a common culture and common

traditions. Such a 'collective identity' does not exist in Europe yet, and will not exist for a long time (Eriksen, Fossum, 2000:25).

However, Fritz Scharpf, in order to bring another perspective to this problem, argues that veto-power of all member-states in intergovernmental relations makes for legitimation in itself. Scharpf thinks that the EU has its legitimacy as it is a government "for people" not "by the people" and it is based on interest rather than identity (Scharpf, 1999:6). The European Union, from this perspective, is described as a problem-solving agency which itself and by its outputs creates legitimacy (Eriksen, Fossum, 2000:5). According to Scharpf: "What is required is no more than the perception of a range of common interests that is sufficiently broad and stable to justify institutional arrangements for collective action" (Scharpf, 1998:12). These common interests to locate the legitimacy of the EU can be seen as the values which were described in the Treaty of Amsterdam: peace, democracy, freedom, human rights, the rule of law, social justice, equality, non-discrimination, cohesion, security, efficiency and cultural diversity. So, the legitimacy of the EU would rather be based on the practice of these values, as they were recently became the subjects of constitutional arrangements within the EU.

At this point, it can be said that the EU as an entity with strong supranational institutions is in a process that its legal structure becomes ever more efficient: the effect of its law on the member-states become increasingly binding with the support and enhancement of European Court of Justice. Furthermore, the institutional structure of the EU which has been changed dramatically in the last fifteen years, successfully harmonised supranational, transnational, intergovernmental and

international elements, in order to construct a “non-hierarchical consensus” and “deliberative supranationalism” (Eriksen, Fossum, 2000:7).

This change began with the Treaty of Maastricht and the problem of legitimacy became a discussion subject as the institutional structure transformed into a system of “separation of powers” as in an ordinary state. This system ensured the member-states a strong right to vote in the decision-making processes of the EU. In this process, the Amsterdam Treaty remarkably arranged the above mentioned values which were accepted as the principle of legitimation.

In conclusion, the legitimacy deficit of the European Union which is merely a result of lack of “collective identity” has one negative and one positive impact on the European nation-state. The negative one is the paradoxical situation of transfer of sovereignty to an “illegitimate” supranational authority. This transfer is made by the “legitimate” national governments and ratified by national parliaments. So, this paradox, in some cases like Common Foreign and Security Policy may erode the popular support of national governments. And the positive impact is originated by the efforts to overcome this legitimacy deficit. These efforts ultimately drive the EU to a new and advanced type of federation in which nation-states would guarantee their survival and regenerate themselves. By being so, the Union may provide a legitimacy for itself practically, which would be based on interest and collective action rather than collective identity. In the following section, such a structure will be evaluated.

## 2. THE ACCOUNTABILITY OF FEDERATION OF NATION-STATES CONCEPT FOR THE FUTURE PERSPECTIVE OF THE EU

### 2.1 Classical Federalism And EU Experiment

The on-going process of the EU, by many perspectives, evolves into a new form of federation which would be a specific case for federalism as an integration theory. It would be specific, because there is no example of a federation which emerged like the European Union in the history. This process, began on intergovernmental economic cooperation, evolved into a union of states, and about to transform into a federation by powerful mechanisms of decision and policy-making, cannot be explained through the classical arguments of federalism theory because of some reasons:

1. Federations are, in general, the political structures which are based through the service for a single nation and the federal government has direct contact with the people (Elazar, 1998:40). In the EU's case, the "state" is more pluralist, more complex and less-centralised than the bureaucratic modern nation-state. So, it becomes less dominating and state interests become less determining in policy making processes. Also, the media, popular opinions and regions come into play. As the process of European integration proceeds, the processes of individualisation, regionalisation and privatisation become more important.

2. Federations usually aim to build a nation (Elazar, 1998:44), but in the EU, the central authority does not act like a federal government to create a "nation"; rather, its actions will be involved in creating "a supranational identity". The national identities will remain under this umbrella. It is different from nation-building because there is no effort to create common language or common myths or history, but some common values that are already shared, like democracy and respect to human rights. They can be the corner-stones of transformation of these values to a common culture, that can be the basis of this supranational identity.
3. "In federations, all the regimes must be similar in form" (Elazar, 1998:47), but in the EU, the states differ in form of governance. Actually this difference has never caused a conflict among the member-states. While there is parliamentary monarchy in the United Kingdom, Sweden, Belgium, Spain, Netherlands and Denmark, there is also loosened presidency system in France or parliamentary democratic system in Italy, Greece or Ireland. So, in the EU, as a result of individualisation, regionalisation and the decrease of dominance of central authority, the form of governance became less important.
4. "In federations, the basic legal document is constitution and this constitution stipulates the establishment of basic institutions which can one day tend to create and develop more responsiveness for themselves and to the electorate as a whole. This leads to a tendency of the federal state to steadily reduce the powers of federative states. Also, in a multi-communal federation where one of the communities is numerically bigger and economically stronger, this problem can become particularly acute"

(Elazar, 1998:50). In the EU, as an obstacle for these tendencies, the decision and policy-making mechanisms are formatted on a consensual basis. In fact, this is according to Roderick Pace, the most urgent task of the current debate: what decision-making powers should be left in the level of member-states and what should be decided at the level of the EU (Pace, 2001:1). This point is particularly relevant to the question of nation-state's position, which is after all accepted generally as the "recognised as an essential element in the organisation of political life in Europe" (Pace, 2001:1).

## 2.2 "New Federalism" or "Federation of Nation-States"

The concept of "United States of Europe" which was recently transformed into the phrase "Federation of Nation-States" was firstly used by Victor Hugo in the nineteenth century and by Winston Churchill, after the Second World War. At that times, the concept was utopic and reflected only an ideal for the future but the definition came from Jacques Delors about a century later, after all the bloody wars, destructions, recovery and stabilisation of peace in the continent. "...if I turn to the principles of federalism in a bid to find workable solutions, it is precisely because they provide all the necessary guarantees on pluralism and the efficiency of the emergent institutional machinery. Here, there are two essential rules: (1) the rule of autonomy, which preserves the identity of each member-state and removes any

temptation to pursue unification regardless; (2) the rule of participation which does not allow one entity to be subordinated to another, but on the contrary, promotes cooperation and synergy on the basis of clear and well defined provisions contained in the Treaty” (Pace, 2001:1).

The popularisation of the argument “federation of nation-states” was made by German Foreign Minister Joschka Fischer in his famous speech at Humboldt University in Berlin on May 12th 2000. He remarkably stressed the European Parliament which would be the basis of the transition from a union of states to a European Federation by exercising legislative powers and a European Government with real executive powers; from his words, it is understood that a constitutionalisation is needed in order to achieve this goal. He related this success to the endurance of nation-state as: “...if European integration takes the nation-states along with it into such a federation, only if their institutions are not devalued or even made to disappear” (*ibid*:2). He added that, “the completion of European integration can only be successfully conceived if it is done on the basis of the division of sovereignty between Europe and the nation-state”. From this emphasis, Fischer argues that Europe should always represent the two phenomenon: a Europe of nation-states and a Europe of the citizens. So, a constitution is needed because it would help better defining the sharing of sovereignty (*ibid*:2).

Supporting this argument, French President Jacques Chirac, when addressing to German Bundestag in June 2000 noted that the nation-state was the basis of the EU by saying. “...for the peoples who come after us, the nations will remain the first reference points” (*ibid*:4). Chirac, in his speech, called for a greater effort to improve

the democratic legitimacy and efficient decision-making powers of the institutions before trying to create new ones. Also, his former Prime Minister Lionel Jospin, rejecting the German and USA models because of their strong federal executive powers over the federative states, emphasised on the concept of “federation of nation-states” as originally defined by Jacques Delors by saying “...Europe is an original political structure, a unique precipitate of an indissoluble mixture of two different elements: the federalist ideal and the reality of the European nation-state” (*ibid.*4).

On the other hand, the United Kingdom who has always suspiciously approached to the European Union made its contribution to the current debate by Prime Minister Tony Blair who, as other UK spokesmen, avoid speaking about concepts like “federation” or “federation of nation-states”. He identified three main processes in Europe that the federalisation must be intensified. Monetary union, the European defence policy and enlargement. Thus, he, rejecting classical federalist approaches, brings “issue-area intensification” concept in terms of a closer integration (*ibid.*4). From his own words, there are four different competencies on the different decision-making actors in the EU:

- “1. In a Europe with a single market and single currency there will inevitably be a need for closer economic co-ordination.
2. In negotiations over world trade and global finance, Europe is stronger if it speaks with one voice.
3. In areas like the environment and organised crime, in policing our borders, Europe needs to work together.

4. In foreign and security policy, though nations will guard jealously their own national interests, there are times when it will be clear benefit to all that Europe acts and speaks together" (*ibid*:4).

Therefore, it is understood from the UK approach that the EU will remain as a combination of intergovernmental and supranational features. Blair noted as a conclusive proposal for the future of the European Union that:

"1. The Council of the EU should set the agenda of the Union.

2. The Commission President will continue to share in the Council's work and in drawing up the agenda, while the Commission should continue with its role of acting as the guardian of the treaties.

3. A charter of competencies should be established. However, sub-national levels of decision-making should be determined at the individual nation-state level.

4. A second chamber of the European Parliament composed of representatives of the national parliaments should be established.

5. Stringently 'bounded' flexibility that prevents the member-states participating in such schemes from forming a 'core Europe'" (*ibid*.4).

### 3. THE REGENERATION OF THE NATION-STATE WITHIN THE EU

As far as the nation-state within the EU loses its powers and its being of basic framework for political life weakens, a paradoxical situation emerges. At first sight, this declining may be seen as an advantage for the achievement of political integration in Europe, because the drivers of this integration process need not

powerful and strict states, but more flexible and open-minded sub-authorities who should easily accept all the outcomes of the EU process. On the other hand, the EU was born in the hands of individual nation-states, it legitimizes itself through the free will of its member-states. Therefore, the main support for the EU always comes from the central governments which are still functioning within the classical organisation of nation-state model. This weakening may erode the basic support for the integration process and also may cause a chaotic period in which different authorities with different approaches may complicate the management of the EU's multilateral and multi-level government. More basically, the integration process in Europe is ultimately nation-state driven, a weakening of nation-state cannot be so optimistically resulted like "after the nation-state, the EU will replace it by undertaking all its functions and responsibilities". As Hoffmann argues, when the nation-states have weak governments and their policies become inefficient and divergent, negative solidarity between the nation-state and EU occurs, they both suffer; when the governments are strong and their policies are effective and convergent, the impact on the EU is always positive (Hoffmann, 1995:224). Hoffmann also argues that the nation-state which co-exist with the EU has limited but real powers, and in contradiction of "zero-sum game theory" which is assumed to be played between the EU and its member-states, the EU helps to preserve the nation-states far more than it forces them to wither away (Hoffmann, 1995:222).

So, Hoffmann offers the way of analysing the current situation of European nation-state within the European integration process not by traditional terms of integration theories which assume that the members are engaged in the creation of a new supranational political entity passing beyond old nation-states, but by looking to the

EU as an international regime (Hoffmann, 1995:222). This regime is a set of norms of behaviour, rules and policies in a broad range of issue-areas and facilitating agreements among the members; it has both limits and opportunities, as it limits the nation-state's freedom of unilateral actions and brings financial responsibilities as it provides share-burdens and external supports in individual states' weak areas (Hoffmann, 1995:222).

According to Hoffmann, such an analysis allows one to see better the paradox within the integration theories, that this kind of regime serves to preserve the nation-state as the basic unit in world affairs and help the governments undertake easier their domestic issues: "although the traditional model of sovereignty is clearly obsolete, the nation-state today survives even though many apparently sovereign decisions are seriously constrained, or made ineffective, by the decisions of others as well as by economic trends uncontrolled by anyone. International regimes help the state survive, by providing a modicum of predictability and a variety of rewards" (Hoffmann, 1995:222). From this point of view, Hoffmann comes to the conclusion that, as a unique type of regime, the EU, serve not only to preserve the nation-states, but as the above mentioned paradox, regenerate them and adapt them to the world of today; as an example, it (like in the Europeanisation process) puts pressures on the economies of member-states in order to modernize them for world competition (Hoffmann, 1995:223). Also, the EU serve as an "alibi" for governments when they are too weak to take some decisions their own which are not popular, and strengthens the governments against protectionist and inflationary pressures. So, the EU despite all its supranational features, strengthens the nation-state's capacity of action both domestically and internationally (Hoffmann, 1995:224).

As another point, Richard Münch argues that the difference between the nation-states is intensified in the process of European Integration as the nation-states use their remaining sovereign rights more consciously when introducing them into the supranational decision-making processes (Münch, 1996:2). But these rights are slowly and in favor of the regions which demand more autonomy under the umbrella of supranational authority, decreased by the EU's regional policies. So, this process fosters the differentiation between the regions in terms of public consciousness and prepare the "European Society" by the dialectic of unity and diversity (Münch, 1996:2). But the emergence of such a European society could not still be achieved despite the efforts made by the EU; there is no consensus of nation-states and it would be too optimistic to expect it in the near future.

## CONCLUSION

The European nation-state shows no signs of disappearance. Neither the outcomes of globalisation, nor the European Union could not achieve to place something concrete instead of the nation-state in the minds of people.

The recent history of Europe is full of conflicts, wars and disasters. Firstly empires and then the nation-states have been formed and both politically and economically complex types of co-operation emerged among the political entities within the continent. So, the concept of nation-state has played an important role in the history of Europe: there can be no political evaluation of the last two century of the continent independent from this concept. Regarding the fact that nation-states survive despite all the negative impacts of globalisation, integration movements and increasing interdependence, it can be said that nation-states reproduce themselves coherently according to all changes in the world. Global economic relations, rapidly changing technology, telecommunications and other developments outside the borders of nation-state, at first sight, appear as a threat to its survival, but in fact, all these developments originate from the existence and free-will of nation-states.

With the emergence of information society which replaced the industrial culture as the main element of nation-state for the last two hundred years, the traditional dynamics of nation-state concept lost their importance relatively. They were: language, religion, history, culture and an image of enemy. As a result of increased political and social interactions, these traditional corner-stones have become insufficient for a nation-state to provide enough conditions and opportunities to its

citizens in terms of security and welfare. But they are still important for the formation of "national identity": we can see that in the case of the European Union. As formed by different nation-states, in the European Union, there is no common language, ethnic group or nation that can provide a majority. As a result of this, there is not a concrete and politically and socially based European identity.

The importance and rapid transformation of nation-state became clear and concrete in the second half of the twentieth century. It is generally accepted that, with the two world wars, nations, because of security, defence and economic problems, seek alternatives to revitalise their economies and provide secure areas for their own survival. So, the foundation of the European Union, as the most successful alternative among the other international organisations, based on the fear of re-emerging nationalism in Europe after the two-wars period. In order to protect the difficultly achieved peace within the region, the EU emerged with the desire to formate a new form of economic and political association. Firstly the EEC emerged, then the Common Market and finally after the Treaty of Maastricht, the process evolved into a political integration.

This desire has costed a relative erosion in terms of sovereign powers to the nation-states. However, this erosion, from different perspectives, compensated by some ways like bargaining and veto powers. State-centrics claim on this subject that despite the greatness of transfer of sovereignty powers from nation-states to the European Union's institutions, the nation-states are strengthened by the EU in terms of domestic influences, because the whole business of interaction between the EU and nation-states is driven by the state executives. Basically, this interaction provides

an opportunity for the state-executives who have the willingness to throw the ball into the EU's court for the subjects which are not supported by their people.

Here, the Europeanisation process plays the most important role. In order to create authoritative European rules for solving the economic, political and social problems, the European Union formalizes the interaction among the actors. This formalization by the tools of political, legal and social institutions not only limits the initiative powers of nation-states' decision-making in vast sum of subjects but also reflects in the daily life of people by the EU's actions and legislations. So, Europeanisation can be seen as a political project; this project is one of the most important components of the European Integration process. It is the main instrument of maintaining the internal adaptations of member-states.

One of the most important outcomes of Europeanisation is its aim of building a strong political entity in the continent of Europe: it can be seen in the inclination of the European Union in the enlargement processes. It puts forward criteria, values and prerequisites for the candidate states and these circumstances are changed and improves rapidly according to current conditions. By this way, the EU becomes a political entity who exports its values, governing system, culture and many other aspects throughout the continent in order to achieve a coherent system in Europe.

However, the institutional structure of the European Union is too complex and elite-driven: it is incomprehensible for an ordinary citizen in Europe. This remoteness and unfamiliarity prevent the institutions from being subject to direct popular support; at this point, governments of member-states play the role of public sphere in Europe.

They ultimately become the intermediators of the application of European laws, decisions and policies, and this situation causes a democratic deficit at the European Union level. Today, there is a consensus about this deficit: the lack of “a European people” who would be the source of a common political culture is the basic reason of it. One of the most obvious consequences of this deficit is that the process remains unchecked. The democratic foundation of the European Parliament and the Commission which is established upon the approval of the Parliament is weak. The reality that the European Parliament does not hold the legislation power weakens the basic principle of democracy: popular control. The same situation arises in the question of legitimacy of the European Union. As the impact of the EU on the segments of the society deepens, its indirect legitimacy, which is provided by the member-state governments becomes a serious problem.

In fact, both two concepts, democracy and legitimacy are seen as “deficits” in the case of the EU, because both of them are the principal fortresses of the nation-state concept. As a multinational and multilingual political entity, the EU deserves different identifications in terms of these two concepts. So, it can be said that this situation drives the EU to define itself politically and formally in the near future. The most striking definition for this purpose is “federation of nation-states” model. This model, proclaimed by key leaders of the Union will be settled on a concrete basis with the acceptance of a constitution. So, the European nation-states, being preserved and regenerated by the European Union will remain as the basic corner-stones.

This analysis through the process of European integration since the its foundation comes to the conclusion that the aim of this process is to form a federal state, but the

phenomenon of nation-state as the remaining circumstance despite all the efforts like symbolic ones (i.e. a common flag) or empowerment of institutions against its powers, will give its direction to this this integration movement.



## REFERENCES

Ağaoğulları, M. (2000) "*Kral Devlet ya da Ölümlü Tanrı*" 2.Basım Ankara: İmge Yayınevi

Anderson, J.J. "*Regional Integration and Democracy- Expanding on the European Experience*" Rowman&Littlefield Publishers Inc. 1999

Biersteker, T.J. (1999) "*Locating the Emerging European Polity: Beyond States or State?*" in Anderson, J.J. '*Regional Integration and Democracy- Expanding on the European Experience*' Rowman&Littlefield Publishers Inc.

Börzel, T. A. (2003) "*Shaping And Taking EU Policies: Member State Responses to Europeanisation*" Queen's Papers on Europeanisation No 2/2003

Brzezinski, Z. (1996) "*Kontrolde Çıkmış Dünya*" translated by Haluk Menemencioğlu, Ankara: İş Bankası Yayınları

Caporasso, J.A. (1996) "*The European Union and Forms of State: Westphalian, Regulatory or Post-Modern?*" Journal of Common Market Studies, Vol.34, No.1, pp.29-52

Connor, W. (1992) "*Ethnonationalism in the First world: The Present in Historical Perspective*", *Ethnonationalism, The Quest For Understanding*, Princeton University Press, Princeton, New Jersey. pp.166-191

Corbet, R.J., F.and Shackleton, M. (2000) "*The European Parliament*" Fourth Edition London: John Harper

Coşkun, İ. (1997) "*Modern Devletin Doğuşu*" İstanbul: Der Yayınları

Cowles, M.G., Caporaso J. And Risse, T. (2001) "*Transforming Europe: Conclusions*" in *Transforming Europe*, London: Cornell University Press

Dehousse, R. *'European Integration and the Nation-State' Developments in West European Politics*, Rhodes, M., Haywood, P. Macmillan, 1997

Elazar, D.J. (1998) *"The Postmodern Revival of Confederal Arrangements"* Rowman&Littlefield Publishers, Inc.

Eralp, A. *'Devlet, Sistem ve Kimlik' İletişim Yay., 2.Bs., İstanbul, 1997*

Eriksen, O.E. and Fossum, J.E. (1999) *'The European Integration and Post-National Integration' ARENA Working Papers WP 99/9 [www.arena.nfr.no](http://www.arena.nfr.no)*

Eriksen, E.O. and Fossum, J.E. (2000) *"The EU and Post-National Legitimacy" ARENA Working Papers WP 00/26 [www.arena.nfr.no](http://www.arena.nfr.no)*

Eriksen, E.O. and Fossum, J.E. (2002) *"Europe at a Crossroads- Government or Transnational Governance?" ARENA Working Papers WP 01/02 [www.arena.nfr.no](http://www.arena.nfr.no)*

Erözden O. (1997) *"Ulus-Devlet"* Ankara: Dost Yayınevi

Fossum, J.E., (2001) *"The Transformation of the Nation-State- Why Compare the EU and Canada?" ARENA Working Papers WP 01/19 [www.arena.nfr.no](http://www.arena.nfr.no)*

Geuhenno, J.M. (1993) *"The End of Nation-State"* translated by Victoria Elliott, Minneapolis

Giddens, A. (2000) (The Third Way) *"Üçüncü Yol, Sosyal Demokrasinin Yeniden Dirilişi"* translated by Mehmet Özay İstanbul: Birey Yayıncılık

Habermas, J. (1998) *"The Inclusion of the Other. Studies in Political Theory"* edited by Cronin, C. And De Greiff, P. Cambridge, Massachusetts: The MIT Press)

Habermas, J. (2001) *"The Postnational Constellation. Political Essays"* translated and edited by Max Pensky, Cambridge University Press

Hall, J.-I. (2000) "*Devlet*" translated by Yeşeren Olgu Alibeygil-Murat Şipal  
İstanbul: Doruk Yayınları

Hansen, L. and Williams, MC (1999) '*The Myths of Europe: Legitimacy, Community and the 'Crisis' of the EU*' Journal of Common Market Studies Vol.37 June, pp.233-249

Hayward, J.E.S. and Page, E. (1995) "*Governing the New Europe*" London: Polity

Hine, D. (2001) '*Constitutional Reform and Treaty Reform in Europe*' Essays in Honour of Jack Hayward, Edited by Menon, A. And Wright, V. London: Oxford University Press

Hobsbawn, E. (1995) "*1780'den Günümüze Milletler ve Milliyetçilik-Program, Mit, Gerçeklik*" Translated by Osman Akinhoy, İstanbul: Ayrıntı Yay. 2.Bas.

Hoffmann S. (1995) "*Obstinate or Obsolete? France, European Integration, and the Fate of the Nation-State*" in *The European Sisyphus: Essays on Europe 1964-1994*" USA: Westview Press

Hoffmann S. (1995) "*Reflections on the Nation-State in Western Europe Today*" in "*The European Sisyphus: Essays on Europe 1964-1994*" USA: Westview Press

Holton, R.J. (1998) "*Globalisation and the Nation-State*" London-New York: Macmillian Press

Jorbert, B. (2001) "*Interacting States*" in '*From Nation-States to Europe?*' Essays in Honour of Jack Hayward, Edited by Menon, A. And Wright, V. London: Oxford University Press

Keane, J. (1994) "*Nations, Nationalism and Citizens in Europe*" International Social Science Journal Vol.140, June

Keohane, R.O and Nye, J.S. (2001) "*Realism and Complex Interdependence*" in *Globalisation Reader*, London: Blackwell Publishers

Kohn.H. (1967) "*Prelude to Nation-states, The French&German Experience, 1789-1815*", D. Van Nostrand Comp.Inc., USA

Kostakopoulou, T. (2000) '*The 'Protective Union': Change and Continuity in Migration Law and Policy in Post-Amsterdam Europe*', *Journal of Common Market Studies*, Vol.38 No.3 pp.497-518)

Krüger, P. (1993) "*Ethnicity, Nation-State&European Integration in Historical Perspective*" Marburry

Laffan,B. (1996) '*The Politics of Identity and Political Identity in Europe*' *Journal of Common Market Studies* Vol.34, No.1, pp.81-101

Leca, J. (1998) "*Uluslar ve Milliyetçilikler*" (Articles) translated by Meral Alakuş  
İstanbul: Sarmal Yayınevi

Marks, G., Hooghe, L., Blank, K. (1996) '*European Integration From The 1980's: State-Centric v. Multi-Level Governance*' . *Journal of Common Market Studies*, Vol.34, No.3, pp.347-377.

Meehan, E. (1993) "*Citizenship and the European Community*" *Political Quarterly* (April-June): 172-186

Merkel, W. (1999) "*Legitimacy and Democracy: Endogenous Limits of European Integration*" in Anderson, J.J. *Regional Integration and Democracy- Expanding on the European Experience*' Rowman&Littlefield Publishers Inc.

Mikkelsen, J.T. (1991) '*Neo-Functionalism: Obstinate or Obsolete? A Reappraisal in the Light of the New Dynamism of the EC*'. *Millenium*, Vol.20, No.1

Miller, D. (2000) "*Citizenship and National Identity*" Cambridge: Polity Press

Moravcsik, A. (1993) "*A Liberal Intergovernmental Approach to the EC*" *Journal of Common Market Studies* Vol.31 pp.473-524

Moravcsik, A. (1998) "*The Choice For Europe*" London:UCL Press

Münch, R. (1996) "*Between Nation-State, Regionalism and World Society: The European Integration Process*" *Journal of Common Market Studies* Vol.34 No.3

O'Dowd, L. '*Borders, Nations and States- Frontiers of Sovereignty in the New Europe*', Avebury, England, 1996

Olsen, J.P. (2001) "*The Many Faces of Europeanisation*" *ARENA Working Papers* WP 01/02 [www.arena.nfr.no](http://www.arena.nfr.no)

Pace, R. (2001) "*Conference on the Future Of EU: Convergence or Divergence: An Overview of the Positions of the EU Member-States*" in [http://europa.eu.int/futurum/documents/contrib/cont181001\\_5\\_en.htm](http://europa.eu.int/futurum/documents/contrib/cont181001_5_en.htm)

Praeger J.L. (1991) '*The Federal Principle*' *Political Stability in Federal Governments*. pp.6-15

Richardson, J. (2001) "Policy-Making in the EU: Familiar Ambitions in Unfamiliar Settings" in '*From Nation-States to Europe?*' *Essays in Honour of Jack Hayward*, Edited by Menon, A. And Wright, V. London: Oxford University Press

Risse, T. (2001) "*A European Identity? Europeanisation and the Evolution of Nation-State Identities*" in *Transforming Europe*, London: Cornell University Press

Rokkan, S. (1975) "*Dimensions of state formation and nation building: a possible paradigm for research on variations within Europe*" In "*The Formation Of National States in Western Europe*" Edited by Tilly, C. Princeton. Princeton University Press pp. 562-600

Rupnik, J. 'The Reawakening of European Nationalisms' *Social Research*, Vol.63, No.1 Spring 1990, pp.277-311

Scharpf, F. (1999) "Governing in Europe-effective and democratic?" Oxford: Oxford University Press

Schild, J. (2001) 'National v. European Identities? French and Germans in the European Multi-Level System' *Journal of Common Market Studies* Vol.39, No.2, pp.331-351

Schnapper, D. (1994) 'The European Debate on Citizenship' Translated by Mireille M. Dedios.

Seton-Watson, H. 'What is Europe, Where is Europe?-From Mystique to Politique' *Encounter*, 1985, pp.9-17

Smith, A. (1995) 'The Nations of Europe After the Cold War', *Governing The New Europe*, J. Hayward, Cambridge Polity Press, pp.44-65

Smith, A.D. (1999) "Milli Kimlik" translated by Bahadır Sina Şener, İstanbul: İletişim Yayınları

Spencer, P.-Wollman, H. (2002) 'Nationalism, A Critical Introduction', London: Sage Publications

Tilly, C. 'Revolutions, 1492-1992', Blackwell, Oxford, 1993

Van Ham, P. (2000) "Identity Beyond the State: The Case of the European Union" George C. Marshall European Center for Security Studies

Wallace, H. and Wallace, W. 'Policy-Making in the European Union' Oxford University Press, Oxford, 2001

Wallace, W. (1990) *'The Dynamics of European Integration'* London: Pinter Publishers.

Wallace,W. (1997) *"Rescue or Retreat? The Nation-State in western Europe; 1945-93"* The Question of Europe, P.Gowan&P.Anderson eds. London, 1997

Ward, I. (1997) *'Law and Other Europeans'* . *Journal of Common Market Studies* Vol.35, No. 1 pp.79-95

Weber, M. (1996) *"Sosyoloji Yazıları"*, translated by Taha Parla İstanbul: İletişim Yayınları

Weiler, J. (1999) *"The Constitution of Europe, 'Do the New Clothes Have an Emperor?' and other Essays on European Integration"* London: Cambridge University Press

Westlake, M. (1998) *'European Federalism-Opportunity or Utopia?'*. *The European Union Beyond Amsterdam: New Concepts of European Integration*. London, Routledge.