

Sciences Po in China
Working Paper Series

2, November 2007

**EUROPE AND WORLD GOVERNANCE:
NORMS OVER POWER¹**

Dr. Zaki Laidi,
Senior Research Fellow, Centre for European Studies,
Sciences Po

¹ This paper was presented at the *School of International Public Affairs, Fudan University*, on October 30, 2007.

It is generally acknowledged that Europe will not be a super power in the sense of a political-military ensemble on an equal footing with the United States or China. Europeans reject this possibility across the board. Moreover, even if they wanted to go that route, wouldn't it expose them to reproducing on a European scale what they have struggled to combat amongst themselves: the idea of becoming a great power with all the attributes of force and supremacy that such a project implies?²

So if Europe will not be a super power, how can it be a power at all? Probably by reinforcing what remains its major political resource: its capacity to produce and set up at the global level a system of norms as broad-sweeping as possible that can organize the world, discipline the interplay of its actors, introduce predictability in their behavior, develop among them a sense of collective responsibility, and offer those who engage on this path, particularly the weakest, at least the partial possibility to use these norms as an argument/force* against all, including the world's most powerful.

The task may seem colossal, even outrageous. It probably is, but does Europe have any other choice but to assume its responsibility as a normative power? Probably not.

Normative Power: The Genealogy of a Concept

The academic debate on European power has been and remains closely indexed on common sense representations of this power as well as on the dominant interpretations or those in vogue in the international system. From the time of the abortive attempt of the EDC (European Defense Community) in the early 1950s and the early 1970s, this question was virtually absent from the debate simply because the instruments for action outside of Europe were limited to its trade policy and its development aid policy. These instruments were not yet

² Johan Galtung, *The European Community: Superpower in the Making*, London, George Allen & Unwin, 1973.

perceived as a palpable source of decline in state sovereignty and even less so as a source of internal social debates, as trade policy has become since the creation of the WTO. The issue didn't reemerge until the early 1970s with the writing of François Duchêne and Johan Galtung.³ Several explanations contribute to understanding this relative resurgence of interest:

The first is a result of the first enlargement in which the major European powers (France, Great Britain) would coexist in a common political framework. The second is the opening of the East-West corset in the wake of détente and the Chinese-American rapprochement. And lastly, the energy crisis confronted Europe with its first major test of cohesion reflected in the difficulty Europeans had in defining a common strategy, but also in the United States' irritation at seeing one emerge. This was the context in which Kissinger made his famous complaint about the lack of a "telephone number for Europe," and this is still this image that is used symbolically every time the definition of a common European policy crops up again. These empirical facts of the changing international system are confirmed on an academic level by the emergence of a whole body of interdependentist literature that emphasizes the retreat of interstate dynamics giving way to economic interactions and insists on the growing obsolescence of military tools.⁴

Even if Duchêne's and Galtung's definitions rest on very different premises, they agree on two essential points: Europe is destined to be a power, but it can only achieve this via means that differ from those used historically by European nation-states and on different terms than of the two superpowers of the period.

³ François Duchêne, "Europe's Role in World Peace" in R. Mayne (ed.), *Europe Tomorrow: Sixteen Europeans Look Ahead*, London, Fontana, 1972; "The European Community and the Uncertainties of Interdependence" in M. Kohnstamen and W. Hager, *A Nation Writ Large? Foreign Policy Problems before the European Community*, Basingstoke, MacMillan, 1973; John Galtung, *The European Community. A Superpower in the Making*, London, Allen & Unwin, 1973 and Andrew Shonfield, *Europe: Journey to an Unknown Destination*, London, Allen Lane, 1973.

⁴ On interdependence, the starting point is Joseph Nye and Robert Keohane's book, *Transnational Relations and World Politics*, 1972; on the decline of war, Alastair Buchan, *Change without War: The Shifting Structures of World Power*, London, Chatto & Windus, 1973.

According to Duchêne, the axis of European power can only be one of a civil power, in other words an actor capable of contractualizing world relations on the basis of treaties and conventions that would reduce the benefit of resorting to force. According to him, Europe's contribution to international politics should be a sense of shared responsibility and structures of political contractualization.⁵ In his mind, Europe can not be a military power because such a perspective is so entirely antithetical to the project of its founders. He sees in what was not yet called the European Union a driving idea, the "power over opinion," oddly borrowed from Edwar Carr, the father of realism in international relations theory, but who already in 1962 placed this form of power on the same lines as military or economic power.⁶ The power of ideas is also very present in Galtung's writing, in which the underlying Marxist idealism leads this scholar to conceptualize the power of ideas through ideology. In Galtung's mind, Europe is not inclined either to reward or punish (classic attributes of power) but to influence the world with its ideas. Europe would thus constitute a third way between the United States and the USSR. The possibility of becoming a power by taking another route than the Westphalian path it usually has usually followed thus fueled early discussion on Europe's place in the world.

In the early 1980s, it was an article by Hedley Bull – father of the British really school and Carr's successor – that rekindled the debate, this time on more Manichean bases. In Bull's mind, to talk about civilian power is a contradiction in terms, for there can be no power without military power.⁷ But this verdict needs to be contextualized. In the early 1980s, Europe once again became a sensitive issue in East-West rivalry due to the deployment of Euromissiles. Bull argued in favor of a European military power that would be capable of

⁵ F. Duchêne, "The European Community," in M. Kohnstamen and W. Hager, *A Nation Writ Large?* op. cit., p. 20.

⁶ Edwar Carr, *The Twenty Years' Crisis, 1919-1939: An Introduction to the Study of International Relations*, London, MacMillan, 1962.

⁷ H. Bull, "Civilian Power Europe: A Contradiction in Terms?," *Journal of Common Market Studies* 21 (2), 1982, pp. 149-164.

preventing an American withdrawal and neutralizing the continent. But he did not at all discuss the issue of the communitarization of this policy. For Bull, the priority was to make way for a middle road between Atlanticism and neutralism.⁸

This return to Europe's geopolitical realities was not to last. The gradual weakening followed by the collapse of the USSR on the contrary reinvigorated interdependentist and post-Westphalian interpretations of the international system and Europe's place in this new process.⁹

In 1990, Maull reintroduced the concept of civilian power in the debate, using a comparison between Germany and Japan.¹⁰ In not only Maull, but also in Twichett, who picked up on Duchêne's idea in 1976,¹¹ the definition of civilian power however remains very classical: a preference for peaceful conflict settlement and the use of a binding multilateral framework to organize the international system.

It wasn't really until after the Maastricht Treaty was signed that the question of a community actor in international politics was again raised, this time with an intention to consider the way in which a *sui generis* actor that is less than a state but much more than an interstate organization can act on the world scene. It was Christopher Hill who paved the way to reconsider this in clear opposition to Bull's remarks when, 10 years earlier, he indicated that Europe "is not an actor in international affairs, and does not seem likely to become one."¹² Christopher Hill primarily set out to take the then European Community seriously by identifying the areas in which it could become a power as an actor in its own right, different from the member states. There is of course nothing original about the areas in which Hill

⁸ *Ibid.*, p. 157.

⁹ In the internationalist literature a whole series of essays have appeared on the emergence of international regimes inspired by institutionalism. Cf. Stephen Krasner (ed.), *International Regimes*, Cornell University Press, 1991.

¹⁰ H. Maull, "Germany and Japan. The New Civilian Powers," *Foreign Affairs* 69 (5), 1990, pp. 91-106.

¹¹ K. Twichett (ed.), *Europe and the World: The External Relations of the Common Market*, Saint Martin Press, 1976.

¹² Hedley Bull, art. cit. p. 151 and Christopher Hill, "The capability-expectations gap, or conceptualizing Europe's international role," *Journal of Common Market Studies* 31 (3), September 1993, p. 309.

imagined a specific action on the part of the European Community, all the more so since they were dealt with too succinctly to be assessed properly.¹³ This attempt at formalization, however, contains two new ideas. The first, an unusual position for a British academic to hold, is to view Europe as a counterweight to the United States after the collapse of the USSR. The second is to conceive of the then European Community as a specific actor toward which strong demands converge emanating from countries outside of it and which, by this very fact, finds itself confronted with the challenge of a disproportion between these demands and the means at its disposal.¹⁴ Thus we clearly enter into a phase in which Europe is now seen as a specific actor, even if this specific actor is not perceived, rightly so, as a state in its holistic form, but as a system that for a long time to come will combine national policies, intergovernmental policies and common policies.¹⁵

Nonetheless, for a long time fairly little research was done on external EU action weak and in any case it remained incomparably weak with regard to the immense body of literature devoted to the political integration of Europe. Moreover, even when it exists, it seems much more interested in the procedural dimensions of Europe's external action than in its content or its finalities.¹⁶

Finally, it wasn't until Ian Manners' article on normative power published in 2002 that the academic debate got rolling again.¹⁷ Manners in fact takes as a starting point a definition given a few years earlier by Rosencrance, who defined Europe as a normative rather than an empirical power. For Rosencrance, *normative power* refers to the idea of setting world

¹³ Hill sees Europe as a regional peace-maker, mediator of conflicts, global actor, bridge between the rich and poor and co-supervisor of the world economy.

¹⁴ *Ibid.*, p. 315.

¹⁵ *Ibid.*, p. 322.

¹⁶ Cf. for example Michael E. Smith, *Europe Foreign and Security Policy. The Institutionalization of Cooperation*, Cambridge, Cambridge University Press, 2004.

¹⁷ Ian Manners, "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies*, 40 (2), 2002.

standards, in contrast to *empirical power*, which imposes itself by conquest or physical domination.¹⁸

Manners thus starts with the assumption that the specificity of the European Union rests on post-Westphalian norms, in other words to shift the focus for assessing and interpreting Europe's role beyond the usual focus on means of power.¹⁹ What Manners suggests, and therein lies his originality, is that Europe's role in the world cannot be understood by simply comparing it to other states. As it is assumed to be post-Westphalian, it makes no sense to compare Europe to Westphalian states. Manners considers this preference for norms with respect to the principles on which the political integration of Europe has been based since 1950: peace, freedom, defense of human rights, to which he adds, on a more minor note, social solidarity, the rejection of discrimination and sustainable development.²⁰ Prior to Manners, Christiansen had also mentioned the normative foundations of Europe, while Weiler referred to its founding ideals and Laffan to its normative pillar.²¹ How are these values placed in the service of European Union external action and how do they manage to become performative, in other words capable of exerting a concrete effect on global political processes beyond national frameworks? In other words, the question Manners poses is to know how a post-Westphalian actor can actually promote post-Westphalian norms. Manners then tries to resolve this general question empirically by showing how the fight against the death penalty widely promoted by the European Union, ended up emerging as a global standard.²²

¹⁸ R. Rosencrance, "The European Union: a New Type of International Action" in Jan Zielonka (ed.), *Paradoxes of European Foreign Policy*, The Hague, Kluwer Law International, 1998, pp. 15-23.

¹⁹ Ian Manners, "Normative Power Europe," art. cit., p. 239.

²⁰ Idem.

²¹ Thomas Christiansen, "Legitimacy Dilemmas of Supranational Governance: The European Commission between Accountability and Independence" in M. Nentwich and A. Weale (eds), *Political Theory and the European Union*, London, Routledge, 1997; J.H.H. Weiler, *The Constitution of Europe*. Cambridge University Press, 1999; Brigid Laffan, "The European Union Polity: A Union of Regulative, Normative and Cognitive Pillars," *Journal of European Public Policy* 8 (5), pp. 709-727.

²² I. Manners, "Normative Power Europe," art. cit.

The set of issues surrounding normative power provided a means of rekindling the debate on the role of the European Union in the world by shifting the grounds of analysis. And present research places itself on these new grounds. However, I believe that Manners' approach – confirmed by other research – has revealed its true limits in that it simply leads to equating Europe's normative action on the global scene with the ideals on which Europe integration is based.

The Conceptual Foundations of Normative Power

Whatever its limits may be, I find the concept of normative power very valuable, for it indeed corresponds to a certain vision of the world. This vision is inspired by what is known as the "constructivist" school of thought. Given the extent to which it conditions Europe's view of the world, it is useful to say a few words about it here. Constructivism is based on the Weberian idea that human beings are cultural beings that have the capacity and desire to give meaning to the world. Unlike facts of nature (water, mountains, population or the law of gravity) that exist independently from the meaning given to them, social facts (such as money, property rights, sovereignty, marriage, sports scores, celebrations, processions or rituals) only exist with respect to the meaning conferred on them and the shared social significations regarding these facts. Thus they are by definition "constructed," not natural. Behind all these facts there is a sort of collective intentionality.

Applied to the international system, constructivism naturally conceives international reality as being constructed on the basis of material facts (wealth, strength) as well as values that reflect a collective intentionality. Such that from a constructivist perspective the very purpose of studying international relations involves analyzing state identities and interests by trying to determine how these identities and interests are socially constructed.²³

²³ My analysis of constructivism owes much to John Ruggie's article, "What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivism Challenge," *International Organization*, 52 (4), Autumn 1988.

Constructivism for instance would have a great deal of difficulty accepting the fact that *realpolitik* constitutes a sort of natural law of international relations. It would instead see them as the effect of shared beliefs.²⁴ Because it believes that social reality is manufactured, constructivism naturally ends up attaching a particular importance to the institutions in which social norms are devised. Through socialization, negotiation and consultation, institutions produce norms, rules and procedures which constrain the behavior of states toward convergence. Constructivism and institutionalism thus quite naturally overlap.²⁵ For constructivists, states are "social actors" and not "cold monsters." Realists naturally don't share this interpretation precisely because they do view states as "cold monsters" whose behaviors and identities are supposedly stable over time.²⁶

Realists consider the world order as an anarchic order that it is pointless to seek to tame via norms due to the radical discontinuity between internal order and external order. In this perspective, the focal element is not the underlying norms and institutional processes but the distributions of capacities among dominant actors.²⁷ They attach only secondary importance to the way in which state interests are constructed or altered. These are assumed to be stable, even intangible as a result.

However summary, this overview of the contrasting theories shows which direction Europe leans toward. Europe by definition cannot see itself in the 'realist' terms of power politics because it is not a state. It is itself a highly institutionalized political construct which from the start has rejected realistic determinism. In fact, a realist view of Europe in the

Cf. also Jeffrey T. Checkel, "Social Constructivism in Global and European Politics." (A Review Essay) in ARENA, Working Papers WP/15/03.

²⁴ Stefano Guzzini, *Constructivism and the Role of Institutions in International Relations*, Copenhagen, CPRI, available at <http://www.ciaonet.org/wps/gus06/>

²⁵ Joseph Nye, "Neorealism and Neoliberalism," *World Politics*, 40 (2), p. 240.

²⁶ *Ibid.*, p. 241.

²⁷ Kenneth Waltz, *Theory of International Politics*, Reading (Mass.), Addison-Wesley, 1979.

aftermath of the Second World War would have led to supposing that the Franco-German antagonism would one day be revived because the interests of the two states were mechanically opposed. Now it is precisely to counter this deterministic and realistic mechanism that Jean Monnet envisaged an economic and institutional system capable of releasing France and Germany from this "inevitable polarization." There was nothing idealistic and even less so unrealistic about Monnet's constructivism, because it functioned on very concrete bases. But it provided proof that there was nothing intangible about the supposed realism of states. Even when they are "realist," states can conceive of "realism" in different ways.

At this stage in my reasoning, it is as easy to understand that European power draws its meaning in a constructivist view of the world order, an order in which processes matter as much as structures.

Behind the idea of process, there is a close association between norms and institutions. This association is highly understandable. Institutions are real or symbolic spaces in which rules and practices common to all actors involved in a given game (WTO rules for instance) will be manufactured and legitimated, that will produce norms. I define norms here as the basis for standards of behavior admitted by the actors of the game. International relations theorists, always fond of subtle categorizations, tend to distinguish three types of norms: *regulating norms*, those that generate collective discipline (trade rules or respect for procedures in the areas of nuclear proliferation, for instance); *constitutive norms*, those that create new categories of actors or action (greenhouse gas emission permits as provided by the Kyoto Protocol); and *prescriptive norms* that indicate what should be done in the name of admitted principles.²⁸ This formalism is not necessarily pointless. But in reality, these three types of norms overlap considerably. All international social norms have a prescriptive

²⁸ Martha Finnemore and Kathryn Sikkink, "International norm dynamics and political change," *International Organization*, 52 (4), Autumn 1998, p. 891.

dimension. In recommending what should be done, they implicitly define what should not be done. Moreover, as soon as a norm tries to discipline actors in a new area, it performs generates new actors, new interests or new categories of action. If one adheres to the Kyoto Protocol, then one adheres to prescriptive norms (reduce greenhouse gas emissions), regulating norms (states are bound to a certain discipline) and constitutive norms (a market for greenhouse gas emissions will be created).

This is not the only way of distinguishing between norms. A distinction can also be introduced between procedural norms – those that indicate steps to take – and behavioral norms – those that are concerned with the content of action. Lastly, we can distinguish between norms that are binding or not. From the viewpoint of a norm's effectiveness, that is a criterion decisive. In a highly norm-based world system in which the production of norms moreover leads to setting up implementation mechanisms and sanctions, norms can make a difference. On the other hand, in a world system in which the control and sanction mechanisms are weak, the value of norms is reduced. This naturally poses the crucial question of a norm's legitimacy.²⁹ In evaluating Europe's performance as a normative power, this point is essential. I shall return to it.

What Is a Normative Power?

The notion of normative power, popularized by Ian Manners, is actually not very far from the notion of civilian power defined by François Duchêne.³⁰ The first to talk about normative power is Robert Rosenzweig, for whom Europe, after having been imperialist, has

²⁹ Martha Finnemore, "Norms, Culture and World Politics: Insights from Sociology's Institutionalism," *International Organization*, 325, 1996.

³⁰ Ian Manners, "Normative Power Europe: A Contradiction in Terms," *Journal of Common Market Studies*, vol. 40, no. 2, 2002.

sought to influence the world through a certain number of driving ideas.³¹ A normative power is therefore a power of which the identity and strategy is grounded on a preference for overarching rules of behavior applicable – largely but not exclusively – to states and which has three essential characteristics: to have been negotiated and not imposed; to have been legitimated equally by representative international bodies; and to be enforceable on all actors of the international system notwithstanding their rank within it. Normative power thus seeks the integration of a world order based on the legitimacy of rules, the predictability of behavior and especially the enforceability of accepted principles. Naturally, European power is not a de facto power able to achieve these three aims, but it is by reference to this ideal type that it situates itself as a power. What are these norms? They are constructed on the principles of democracy, the rule of law, social justice and human rights. These principles are said to have been laid down in 1973 during the European summit in Copenhagen, which was one of the first to take an interest in the international identity of what was not yet called the European Union.³² They were added to again in Copenhagen but this time in 1993. At that time, the issue was to define accession criteria to the European Union, which still today are the primary features of Europe's international identity, with the only caveat being that they have no geographic limitation: market economy, democracy, respect for human rights and minorities, respect for the rule of law. In addition to these principles, Ian Manners adds social solidarity, the fight against all forms of discrimination and sustainable development.³³

In a way, Romano Prodi truly summarized the idea of normative power when he said, "It is not imperialism to want to spread these principles and to share our model of society with the peoples of Southern and Eastern Europe who aspire to peace, justice and freedom. Indeed,

³¹ Robert Rosencrance, *The Rise of the Trading State: Commerce and Conquest in the Modern World*, New York, Basic Books, 1986

³² Ian Manners, "Normative Power Europe," art. cit. p. 241.

³³ *Ibid.*, p. 243

Europe must go further. We must aim to become a global civil power at the service of sustainable global development."³⁴

It is obvious that all these ideas and all these discourses are important to understand the power of Europe. Speech is constitutive of reality and that should be taken seriously into account. The risk, and it is a real one, is nevertheless to confuse "normative power" with the power of an idea, in other words "ideal power," in which everything would be a matter of values and principles and never one of interests.

Ian Manners, for instance, presents sustainable development as a normative reference for Europe – which is hardly debatable – but never questions the whys and wherefores of this preference. European norms are seen as transcendental values overarching European societies. As a consequence there is a considerable risk of idealizing Europe, all the most so since the question of the effectiveness of norms has not really been posed. Manners dwells on the influence of Europe on the movement to abolish the death penalty throughout the world.³⁵ But although the issue is symbolically powerful, it is admittedly perhaps not the best illustration of what could be called a normative power.

For this reason, while I consider the relationship to norms essential to understanding the enigma of European power, I believe it is indispensable to qualify this preference over and above any sort of idealization. To do so, I will proceed in two stages. The first involves exploring why Europe prefers norms. The second, understanding what concrete social preferences these norms reflect.

³⁴ Romano Prodi, "2000-2005: Shaping the New Europe," Speech before the European Parliament in Strasbourg, February 15, 2000.

³⁵ Ian Manners, "Normative Power Europe," art. cit. p. 245 and ff.

Why Does Europe Prefer Norms?

Norms are a core feature of European integration because they constitute the main resource constitutional states have to join in association by making creative use of sovereignty. Norms are what enable Europe to go beyond individual state sovereignty without abolishing it.³⁶ In this regard, there is an indissociable relationship between norm and sovereignty. The more a European norm is binding, the more state sovereignty is weakened, even it is the states themselves that have manufactured this norm and they have no qualms about releasing themselves from its bonds if they become too constricting. The various metamorphoses of the Stability Pact demonstrate this.

In building Europe, the preeminence of norms answers three concerns. The first has to do with neutralizing the most conflictual aspects of state political sovereignty to replace them with a stable, and lasting, predictable cooperative model that should gradually lead these very European states to stop thinking of their interests in terms of a zero-sum game. Already starting with the ECSC (European Coal and Steel Community), the European project was a model of decentering the honor of European nations. At first, the point was to destroy the bellicose instinct that had torn apart European nations. But the disappearance of this instinct did not for all that anesthetize state self-centeredness. Such that with each new stage of European integration, new norms had to be invented to discipline states, without making them formally give up their sovereignty. Norms in Europe have always tried to circumvent state sovereignty. The example of the euro illustrates this rather well.

When the ECB (European Central Bank) was set up, the countries in the euro zone deliberately gave it a very narrow mandate: ensure price stability. This narrow mandate contrasts with the United States Federal Reserve for which the fight against inflation has

³⁶ “L’Union européenne [...] tend à imposer aux acteurs nationaux une convergence de leurs politiques publiques nationales par le biais de normes,” Christian Lequesne, “Comment penser l’Union Européenne,” in Marie-Claude Smouts, *Les nouvelles relations internationales. Pratiques et théories*, Paris, Presses de Sciences Po, 1998, p. 126.

never been an end in itself, but the condition for growth.³⁷ Thus on one hand, there is the ECB, dogmatically attached to enforcing a norm imposed by the member states: no more than 2% inflation per year; on the other hand, an American Fed for which the main thing is not to enforce a norm but to achieve a balance between expected results and risks taken.³⁸

Why then do we have on one hand an American monetary policy based on weighing risks and on the other, and a European policy constructed on the scrupulous respect for norms? The answer is simple. The case of the United States involves an independent institution of a single state. In the case of the ECB, there is a single currency but that comes under several sovereign states. The latter only agreed to give up their monetary sovereignty on condition that the ensuing loss was closely framed. A central bank that would fight against inflation was acceptable, but not a central bank that might end up supervising the economic policy of all the countries in the euro zone. Thus the norm here aims to limit the ECB's authority to prevent it from intruding in budgetary policies, which have remained national.

However it was quickly realized that a monetary policy that didn't take budgetary policies into account contained a threat of economic paralysis, even more so since controlling inflation without controlling budgetary overspending is a very delicate exercise. So what did Europe do? It could have broadened the ECB's mandate following the Fed model. But the European states wouldn't hear of it. How could they reconcile budgetary sovereignty and budgetary discipline? By creating a new norm, enshrined in the Stability and Growth Pact. This pact prohibits states from exceeding a budgetary deficit of 3% save in "exceptional circumstances." In a unified state, these circumstances would be submitted to deliberation. But in Europe, such an approach is hardly possible because either the responsibility would be entrusted to the Commission, for instance, at the risk of dispossessing states, or the states

³⁷ Patrick Artus and Charles Wyplosz, *La Banque Centrale Européenne*, Paris, Conseil d'Analyse économique, La Documentation Française, 2002, 181 p.

³⁸ Jean Pisani-Ferry and Elie Cohen, "Les paradoxes de l'Europe-puissance," *Esprit*, Aug.-Sept. 2002.

would be allowed to discuss the matter, which is obviously not without risk. So it was decided to circumvent the political problem by creating a new norm, one that would define what exceptional circumstances meant in budgetary matters.³⁹ Here we can clearly see that every time Europe comes up against a policy that is uncertain, unpredictable and touches on sovereignty, it manufactures a norm. Such an exercise obviously carries certain risks and has already demonstrated its real limits. For although it generates collective discipline, it also produces political rigidity and especially pits norms against politics. Norms thus appear as a sort of meta-value aimed to tame undisciplined states. Taken to its logical conclusion, this reasoning leads to considering that policy constraints – including national ones – are unhealthy constraints that one must break free of in order to enable a supposedly superior European rationality to triumph. The whole question is to know what legitimacy principle this supposedly superior rationality obeys, especially if it implicitly aims to devalue national legitimacies which nevertheless have the benefit of having been approved by democratic vote.

The desire to circumvent politics, or more precisely the constraints of politics, largely explains the decisive role that norms play in the political integration of Europe. But this essential factor does not explain everything. It also has to do with the way in which Europe has been built as a legal construction. Indeed, right from the start, implementation of the four freedoms (free circulation of goods, capital, services and workers) has given rise to a body of rules laid down by the Commission, themselves complemented by a sizable body of European Community case law.⁴⁰ Furthermore, in a process built on chain-type model, norms beget norms, either to specify what wasn't made explicit in the first place, or to solve a problem that didn't exist previously, or to deal with a related sector. Moreover, as states gradually agreed to extend the Union's competences, Europe's normative provisions naturally had to be extended as well.

³⁹ For the details of the normative system of “exceptional circumstances,” see Richard Baldwin and Charles Wyplosz, “The Economics of European Integration,” Chap. 14, available at www.unige.ch/wyplosz/, p. 11.

⁴⁰ Jean-Louis Quermonne, *Le système politique de l'Union européenne*, Paris, Montchrestien, 2002, p. 70.

European Governance and World Governance

European governance is thus dominated by the centrality of norms. But it is not reduced to that. Added to that is a three-tiered method of governance. First are "communitarized" policies, in other words those placed under the Commission's responsibility. Then come harmonized policies that obligate European Union member states to harmonize but not unify their norms, which are designed on the state's initiative. It is especially the stock of harmonized norms that makes up the bulk of the *acquis communautaire*. Lastly, there is the strategy invented at the Lisbon conference, the open method of coordination (OMC). The level of constraint imposed on member states is much lower than in the preceding two levels. It involves simply setting common policy goals in the areas of research or employment for instance, it being up to each state to implement them with the means at its disposal.

The central question of sovereignty can be found at each of the three levels. At the level of common policies state subordination to the Commission is accepted; at the harmonization level, we are in the realm of shared competencies; and in the open method of coordination, states remain in control of the game. Moreover, the fact that the OMC was invented in Europe shows plainly that the European member states have no desire to go any further in economic or political integration, which explains the rough-and-ready settlement between a European "benchmarking" that is supposed to stimulate "laggards" and the freedom of initiative left to the states to achieve it.

This European construction is in fairly close symbiosis with systems of world governance in which basically the same configuration can be found: global public goods subject to the establishment of supranational and not only intergovernmental systems, the whole array of areas affected by world regulation that requires intense cooperation between

states in order to produce common and harmonized rules, such as the WTO, and lastly areas of action in which states commit to common objectives but where there is no one to control them, monitor them and even less punish them. Europe's way of seeking to "sell" the idea of governments on the world scale contains all the arguments that are precisely at the heart of European governance: the first of them involves saying that norms are negotiated among political actors having different degrees of power (Luxembourg is not Germany) and which thus serves as an equalizer in terms of power. The second is to insist on the fact that they are negotiated within the framework of international bodies which thereby have a certain degree of legitimacy. Lastly, that these norms are enforceable on all, including the most powerful, which should incite the weakest ones to support them. The whole European discourse at the WTO thus aims to convince developing countries that it is in their interest to participate in a norm-based rationale of governance which alone can protect them from market and deregulation excesses.⁴¹

⁴¹ "Setting development as a goal means instituting new rules [...]. These rules must be adapted to the situations experienced in developing countries. For if they are expected play on an equal footing with developed countries such as the US or the EU, they are likely to be swept aside." Pascal Lamy, "L'Europe: le développement pour objectif, le commerce pour instrument," International Conference on Globalization, November 26, 2002.

European governance and world governance

European governance	Modalities	World governance
Common policies (agriculture, competition, external trade)	Mobilization of common resources managed by superstate bodies	Management of global public goods (the environment, water, health, education, etc.)
Policy harmonization (health, the environment, taxation)	Increase policy convergence without doing away with national differences	Policy harmonization (taxation, intellectual property, trade policy)
Open Method of Coordination (employment, social policy, research etc...),	Collective commitments made to achieve common goals while respecting each country's sovereignty	Tangible public commitments (public aid, fight against poverty, debt reduction, etc.)

There is obviously a certain degree of porosity between European governance and world governance, simply because both of them seek to solve problems that states can no longer solve on their own. But states can hardly be said to submit to the principle of responsibility – as opposed to the principle of sovereignty – harmoniously and even less so naturally. But in both cases can be found this attempt to manufacture collective norms to make progress in decision-making by going beyond traditional intergovernmental agreements. The most fundamental consequence of globalization is to have highlighted problems that traditional intergovernmental cooperation can no longer handle. And on this level, Europe undeniably has considerable experience.⁴²

⁴² “Europe has developed an innovative technique for governance that goes radically beyond the nation-state paradigm by inaugurating elements of transnational governance.” Pascal Lamy, *La démocratie-monde. Pour une autre gouvernance globale*, Paris, Le Seuil, 2004, p. 56.

Certainly the European model of governance cannot simply be transposed to the world scale. However, certain European collective methods of action might well prove useful for world governance. For this reason it seems more apt to talk about a European toolbox or laboratory rather than a European model.⁴³ This laboratory has three distinctive features that help understand why the European Union manages perhaps better than other regionalized areas to assert its citizens' social preferences over and above the channels offered by nation-states.

Europe first of all has at its disposal fragments of a public space, one of the most important of which is perhaps the European Parliament. It is after all the only transnational parliament that exists in the world, and it has limited but not marginal prerogatives. It is in any event at least an echo chamber that is particularly receptive to interests that do not directly involve states, whether they are economic, environmental or cultural groups. The European Parliament acts as a counterweight to the Council and thus to state power, even if the two institutions are disproportionate in strength.

The second factor likely to explain the porosity between European societal and political preferences has to do with the need European institutions – particularly the Commission – have to constantly find resources to legitimate themselves in order to alleviate what is commonly called the "democratic deficit." Since it does not derive its power from the "European people," the Commission needs to demonstrate in concrete terms that it is acting in the general interest and that it is able to do so in areas in which the social demand for

⁴³ Kalypso Nicolaïdis and Robert Howse, "This is my EUtopia... Narrative as Power," *Journal of Common Market Studies*, 2002, vol. 40 (4), p. 771. Regarding the importance of the discourse on power in general, see Karoline Postel-Vinay, *L'Occident et sa bonne parole. Nos représentations du monde de l'Europe coloniale à l'Amérique hégémonique*, Paris, Flammarion, 2005.

regulation through norms is strong, such as environmental protection, food safety or the precautionary principle, etc.⁴⁴

The third European specificity has to do with the way its public action is financed. For some 20 years now, most or nearly all the European member states have chosen to fund political parties out of the public coffers. This has not entirely eliminated political party dependence on sponsors, but has decreased it. The United States has basically taken the opposite route. The dependence of central political figures on financial powers has increased considerably. This is very apparent, for instance, in US policy choices and in its trade priorities. Europe as an international actor in fact better reflects the societal concerns of its inhabitants on the world level than does the United States.

⁴⁴ There is nothing automatic, however, about this reality. In the case of GMOs, 22 states out of the Union's 25 recently refused to lift the safeguard clauses against introducing GM rapeseed and corn, contrary to the Commission's opinion recommending states to condemn recourse to safeguard clauses. Finding itself at odds not only with European member states but also European public opinion on such a sensitive subject, the Commission is taking the risk of seeing its legitimacy weakened. *Le Monde*, June 26-27, 2005.