

## Book reviews – Comptes rendus – Buchbesprechungen

**Volker EBERT; Phillip-Alexander HARTER**, – *Europa ohne Fahrplan? Anfänge und Entwicklung der gemeinsamen Verkehrspolitik in der Europäischen Wirtschaftsgemeinschaft (1957-1985)*, Franz Steiner Verlag, Stuttgart, 2010, 280 S. – ISBN 978-3-515-09693-5 – 52,00 €.

The story about the history of the Common Transport Policy (CTP) has not been told very often, yet. The CTP is a topic, which for a long time has been ignored by the research on the history of European Integration. This is, on the one hand, not astonishing. Who is motivated in telling a story of failures and setbacks? On the other hand, this is remarkable considering the great hopes many protagonists of European Integration had placed in the transport sector to be a forerunner in the uniting of Europe. Volker Ebert and Phillip-Alexander Harter have in their volume ‘Europa ohne Fahrplan?’ accepted the challenging task of telling that story about a rather unsuccessful element of European Integration after the Second World War. They are part of a recent discovery of the topic by a number of historians across Europe, which currently move the CTP into the foreground of historical research.<sup>1</sup> The volume discussed here stands out because it is the first comprehensive historical study with a longitudinal perspective.

Already the Treaties of Rome had imposed the European Economic Community (EEC) with the difficult task to formulate and implement a CTP. The Community in the following decades, however, failed in fulfilling its task. Especially the 1960s proved to be a period of euphoria and setbacks. The EEC-Commission in 1961 forwarded a master plan for a CTP, which should be based on market principles. The ultimate ambition was free competition between and within the transport modes on the basis of equal competitive conditions and similar regulations. The master plan aimed at a gradual replacement of national transport policies by a single European one. If one considers the high degree of state regulation in the transport sector and the different national styles of transport regulation at that time, this was an ambitious intention.

In June 1965 a realization of the CTP came into reach for the first time. The EEC-Council passed the ‘Agreement on the Organization of the Transport Market’, which included (moderate) liberal principles, measures to regulate the conditions of com-

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1. For example: M. DUMOULIN, *Les transports: Bastion des nationalismes*, in: M. DUMOULIN (Hrsg.), *La Commission Européenne 1958-1972*, Office des publications des Communautés européennes, Luxembourg, 2007, S.457-470; F. SCHIPPER, J. SCHOT, *Experts and European Transport Integration*, in: *Journal of European Public Policy*, 1(2011); C. HENRICH-FRANKE, *Gescheiterte Integration: Die Europäische Wirtschaftsgemeinschaft und die Formulierung der gemeinsamen Verkehrspolitik (1958-1967)*, in: *Journal of European Integration History*, 2(2009), pp. 127-150; J. FRERICH, G.MÜLLER, *Europäische Verkehrspolitik. Landverkehrspolitik*, Oldenbourg, München, 2004.

petition, multilateral quotas and a system of forked tariffs. Just a few days later the ‘Crisis of the Empty Chair’ brought the CTP’s triumphal march to a halt. When the crisis was resolved the agreement was off the agenda and the CTP back to square one. The Ministers of Transport in the EEC-Council stopped the liberal approach pursued by the EEC-Commission and its Directorate General for Transportation. They had to give up their overall master plan and turn their focus on partial agreements, especially for road transportation. The first enlargement in 1972 did not regain the liberal master plan. On the contrary, the EEC for more than a decade sank into a pragmatic policy of small steps and isolated measures. For a number of reasons – like the positive general atmosphere of European integration and the Commissions’ groundbreaking paper on ‘Complementing the Internal Market’ – the CTP finally took shape after the launching of the Single European Act. A judgment by the EC-Court, which in 1985 accused the EC-Council of idleness in formulating the CTP, is often considered as the key element in this turning point.

The judgment by the EC-Court also delineates the study by Ebert and Harter. The authors intend to examine in how far the EEC-Commission was able to draw up and implement a CTP that was consistent in itself. In how far succeeded the EEC-Commission to combine the different national styles of transport regulation? Special focus is laid on the questions: Which priorities put the EEC-Commission and the member states on cooperative or liberal economic approaches to the CTP and on the conflict between rail and road transportation? How did these priorities change over time? While answering these questions the authors aim at reflecting the different national and international solutions for the increasing economic problems of the railways against the background of their practicability and sustainability. In their study Ebert and Harter place special emphasis on railway and road transportation, whereas inland navigation plays – according to the authors – a secondary role for the CTP’s development that allows a partial disregarding of this transport mode. The authors tell their story with an economic history perspective and a clear focus on policy whereas politics and polity are just considered at second rate.

After an introducing part on the CTP’s point of departure at the national and international level in 1958 the authors follow a clear chronological structure subdividing the book into five periods and chapters: (1) ambitious goals and first setbacks, 1958-1966; (2) from a master plan to partial agreements 1967-1970; (3) the CTP under the signs of the first enlargement, 1971-1972; (4) ‘pragmatism’ in the Community of nine, 1973-1982 and (5) resignation and realism – the path towards the EC judgment, 1983-1985. Each chapter is further subdivided into a part A focusing on the EEC-Commission’s initiatives, proposals and their subsequent revisions and a part B focusing on the negotiations within the EEC-Council. At the end, the authors draw the conclusion that the EEC’s difficulties in the realization of a CTP according to a liberal master plan depended on a complex mixture of diverging national interests and historically grown regulatory styles that caused a particular dynamic. The authors determine strong interdependencies between the missing realization of the CTP and the increasing (political) conflict between rail and road transportation. Finally, Ebert and Harter underline the importance of the first three decades of negotiations on the

CTP. To them these negotiations have laid “the conceptional foundations of the present liberalized transport market” (p.256).

The study is pioneering in the way that it for the first time gives an in-depth description of the CTP over the long period of three decades that is based on an analysis of archival resources. It structures a field of historical research and gives a convincing explanation of the developments. Ebert and Harter succeed in getting to the heart of the conflicts that impeded the CTP’s successful passing. The reader gets a profound description of the CTP between 1958 and 1985.

The longitudinal examination is at the same time the study’s major weakness. It requires a number of delineations that limit the study’s force of expression in many ways. (1) First, the strong focus on (economic) policy aspects conceals important aspects like competition for decision-making power and competence between the EEC-Commission, the different nation-states and other international organizations. Other studies have already revealed some more factors than just a complex mixture of diverging national interests and historically grown regulatory styles, which caused the missing realization of the CTP.<sup>2</sup> That the EEC was a newcomer in an established international regime for the regulation of transborder traffic flows, in which it had difficulties to fit in, is, for example, hardly mentioned. The importance of the polity dimension, especially with regard to the ‘Crisis of the Empty Chair’ which maintained the veto in the EEC-Council and took away the pressure on the member states to agree on a CTP, should have been elaborated more thorough. (2) Second, the story is too much focused on the transport sector itself. Interdependencies with other EEC-policies like competition or agriculture or references to the general climate of European Integration should have strengthened the argumentation. (3) Third, the archival basis seems to be a little bit one-sided with its clear emphasis on the sources of the EEC-Council and the German Ministry of Transport. The authors have used neither the sources of the German Ministry of Foreign Affairs nor those of other EEC member states. Further national archives would, however, have revealed more information on bilateral negotiations, which – as we know from the literature of EEC policy making – are important aspects for decision-making within the EEC. The 1965 ‘Agreement on the Organization of the Transport Market’, for example, was to a large extent the result of bilateral negotiations between the French presidency of the EEC-Council and the Dutch Ministry of Foreign Affairs, which are not mentioned by Ebert and Harter. Besides, the Commission’s archives in Brussels offer a lot more sources on the topic than the authors have actually used. These would have allowed a more detailed determination of the internal calculations within the Directorate General for Transportation. (4) Fourth, the disregardance of inland navigation appears to be questionable considering that Rhine navigation was an important obstacle for the realization of the CTP at least in the 1960s.

The authors could, of course, not have met all the criticism within their longitudinal research design. Therefore, the criticisms can also be taken as proposals for

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2. Ibid.

further research that expand our knowledge on European Integration and the transport sector.

All in all, the volume by Volker Ebert and Phillip Alexander Harter “Europa ohne Fahrplan?” enriches the historical research on European Integration by highlighting a hitherto neglected policy field. It once again reminds us of the fact that European Integration (after World War II) had a long prehistory that shaped the post-war conditions. Last but not least it offers an excellent point of departure from which further studies might explore this fascinating field of European Integration.

*PD Dr. Christian Henrich-Franke*  
*Institut für Europäische Regionalforschungen/Wirtschafts- und Sozialgeschichte*  
*Universität Siegen*

**Robert JABLON, Laure QUENNOÛLLE-CORRE, André STRAUS, *Politique et finance à travers l'Europe du XX<sup>e</sup> siècle. Entretiens avec Robert Jablon*, Presses Interuniversitaires Européennes/Peter Lang, coll. "Enjeux internationaux", n°7, Bruxelles, 2009, 399 p. – ISBN 978-90-5201-543-9 – 47,50 €.**

La vie de Robert Jablon (1909-2008) fut comme un roman qui traverse l'histoire de l'Europe du XX<sup>e</sup> siècle. Né Jablonski en 1909, de parents juifs allemands installés à Paris, il se retrouve au début de la Première Guerre mondiale à Darmstadt, tandis que son père est mobilisé dans l'armée allemande. Dès son plus jeune âge, Robert Jablon est confronté à sa double identité française et allemande, et à l'école il est considéré comme l'ennemi. Dans les années 1920, il fait partie des étudiants socialistes, puis est élu président de l'Union pacifiste des étudiants allemands. Déçu par l'attitude frileuse du SPD, il adhère en 1932 à une organisation clandestine d'extrême gauche antinazie, "Neu Beginnen" (Nouveau début). Pendant la Seconde Guerre mondiale, Jablon se bat dans la résistance, mais il est obligé de s'enfuir en Suisse. A Genève, à l'Institut des hautes études internationales, il est en contact avec des personnalités comme William Rappart et Paul Mantoux. Progressivement, il va abandonner les thèses socialistes de sa jeunesse.

À la fin des années 1930, Robert Jablon rencontre les Rothschild à Paris. Il effectuera la majeure partie de sa carrière à la banque Rothschild, de 1944 à 1975. Il devient un "grand financier", responsable des affaires financières de la banque et du groupe Rothschild. Durant la période qu'on a appelée les Trente Glorieuses, Robert Jablon va contribuer à créer et développer l'activité financière de la banque. Les initiatives de Jablon nous emmènent non seulement en France, mais aussi à travers l'Europe et l'Afrique, dans le développement des nouveaux secteurs industriels tels que le pétrole ou la chimie, tout autant que dans l'assurance et la finance. À sa retraite de la banque, en 1975, il créera une maison de titres qui deviendra la société Invesco France.

Le livre se compose de deux grandes parties. La première est le «Témoignage de Robert Jablon» (190 pages), la deuxième s'intitule «Eclairages d'historiens» (175 pages). Le témoignage repose sur dix entretiens, constitués sous forme de récit biographique. Les auteurs défendent vivement le choix du récit biographique, le présentant comme une "méthode qui permet de comprendre le parcours personnel d'un témoin, les lignes de rupture ou bien les continuités tout au long d'une vie. Le récit biographique confère également au témoignage sa dimension proprement historique, le témoin apparaissant alors comme le produit d'une époque et d'un milieu. Son histoire se comprend mieux en s'insérant dans «l'Histoire»; inversement, celle-ci, dans ses aspects empiriques, se nourrit de récits d'une réalité de chair et de sang, de faits vécus, d'anecdotes qui émaillent un parcours, des rencontres (p.11). En l'occurrence, le récit est passionnant. Dans la deuxième partie, les contributions des deux historiens situent le témoignage de Robert Jablon dans un contexte plus large.

Le livre brosse un vaste tableau de l'Europe du XX<sup>e</sup> siècle. Il présente une trajectoire personnelle de la mobilité en Europe avant la Grande Guerre et de la rupture que celle-ci a constitué. Il traite aussi de la montée du nazisme et des divisions de ses adversaires, ainsi que de la reconstruction de l'économie française après la Seconde Guerre mondiale. Il offre une vision pénétrante des interconnexions de la finance, de l'industrie et de l'État dans la France de l'après-guerre. Un exemple en est cette description du marché financier: «À l'époque, la technique de fonctionnement du marché financier était une technique très ancienne, largement dominée par le contrôle de l'État et par le monopole des agents de change ou des courtiers en valeurs mobilières. Les opérations étaient longues, difficiles, lourdes, coûteuses et l'intérêt des particuliers [...] n'était pas essentiellement porté vers des actions, [...] mais toujours sur la protection du patrimoine et cette notion, dans la bonne tradition française qui remonte au XIX<sup>e</sup> siècle, était constituée par des valeurs mobilières à revenu fixe. Rien d'autre [...]. Toute émission nouvelle était une grande aventure» (p.156). On peut aussi noter que, au fil de l'interview, le livre devient de plus en plus focalisé sur la vie publique de Jablon. À l'exception de la collection de gravures, le livre devient assez silencieux sur sa vie privée.

Initialement, j'étais un peu sceptique sur la formule du livre, sa structure en deux grandes parties (le témoignage de Robert Jablon et les éclairages des historiens), craignant des ruptures et des redites importantes. Cette crainte ne s'est pas avérée fondée. Les deux parties sont bien complémentaires: le témoignage est direct et passionnant tandis que les éclairages mettent bien l'interview dans un contexte plus large (même s'il y a une hétérogénéité assez importante dans les essais et une tendance à donner beaucoup trop d'informations détaillées et pas vraiment nécessaires, certainement dans les tableaux).

Les historiens se livrent aussi à une défense convaincante de l'apport de l'histoire orale: «Pour qui sait l'utiliser à bon escient, la source orale livre des informations utiles à plusieurs étapes de la recherche historique. Elle permet tout d'abord à l'historien contemporanéiste, souvent confronté à une masse de documents écrits impressionnante, de défricher l'information importante dans le maquis documentaire qui

s'offre à lui, en quelque sorte de baliser ses recherches futures. En amont d'une recherche, la source orale est utile à l'historien pour cadrer ses hypothèses de travail, dénicher de nouveaux aspects d'un sujet, de nouvelles problématiques. Ou bien encore, elle peut remédier en partie à des archives lacunaires ou non classées, [...]. En lui apportant des informations sur une époque, sur 'l'air du temps', elle peut aussi lui éviter de faire des anachronismes ou des interprétations erronées» (p.11). Ce qui me frappe cependant c'est que les historiens ont assez peu utilisé le témoignage dans leurs essais.

Un point plus faible du livre sont les illustrations qui, à l'exception des gravures (merveilleuses!), m'ont plutôt déçu. Par exemple, une lettre de Siegmund Warburg à Robert Jablon est reproduite, alors que Warburg n'est pas mentionné dans le texte.

Au total, c'est un livre passionnant, qui ne met pas seulement le lecteur face à Robert Jablon en chair et os, mais qui, en retraçant sa vie, apporte des éclairages lucides sur l'Europe du XX<sup>e</sup> siècle.

Ivo Maes

*Banque nationale de Belgique et Chaire Robert Triffin  
Université catholique de Louvain*

**Christophe BOUNEAU, David BURIGANA, Antonio VARSORI (dir./eds.),** *Les trajectoires de l'innovation technologique et la construction européenne. Des voies de structuration durable? – Trends in Technological Innovation and the European Construction. The Emerging of Enduring Dynamics?*, Euroclio, Bruxelles e.a., 2010, 259 p. - ISBN 978-90-5201-605-4 br – 48,00 SFR.

Bien que le rôle de la technologie dans l'histoire de la construction européenne ait été le sujet de quelques ouvrages importants se concentrant sur des secteurs technologiques spécifiques, les études adoptant une approche globale sur les intersections entre la technologie et l'intégration européenne sont restées rares. C'est pourquoi la publication dirigée par Christophe Bouneau, David Burigana et Antonio Varsori, qui contient onze aperçus différents sur les façons dont la technologie s'est inscrite dans le développement d'un espace européen de plus en plus interconnecté, est bienvenue. Fruit d'une coopération franco-italienne et basé sur les contributions d'un colloque organisé à Padoue en 2008, l'ouvrage fait ressortir l'idée de la dimension technologique comme un «côté caché» essentiel de la construction européenne. En plus, le processus de l'intégration est examiné comme un phénomène vaste allant au-delà des structures institutionnelles et politiques des différentes Communautés européennes (Communauté européenne du Charbon et de l'Acier, Euratom, Communauté Economique Européenne, voire Communauté européenne et Union européenne).

Par son ambition innovatrice, cet ouvrage collectif arrive à offrir une interprétation riche et alternative de la construction européenne. C'est le cas surtout à trois égards: Premièrement, plusieurs contributions soulignent la multiplicité des asymétries entre

des trajectoires technologiques, économiques, politiques et institutionnelles de l'intégration. Comme l'affirment par exemple Johan Schot dans son article sur la création des infrastructures européennes technologiques, et Christophe Bouneau dans son étude sur la construction des réseaux électriques, perçus d'un point de vue technologique et comme une forme de la gouvernance transnationale traversant le contexte de la CE/UE, l'intégration européenne s'avère un processus non seulement hautement fragmenté, mais aussi plus long, car il dure depuis XIX<sup>e</sup> siècle. Ces contributions démontrent que le développement d'un espace européen technologique ne concorde pas toujours avec la formation d'une Europe politique et économique.

En outre, ce livre montre que dans la construction technologique de l'Europe des acteurs autres que ceux des gouvernements nationaux et des institutions communautaires, ont joué un rôle essentiel. L'émergence constante des régimes européens transnationaux a impliqué des individus puissants occupant des positions très différentes et souvent capables de mettre en cause des desseins nationaux ou communautaires. Ces tensions multiples sont bien illustrées dans l'article de Sigfrido Ramirez Pérez sur la standardisation des automobiles en Europe; sous la pression des producteurs européens d'automobiles les tentatives de la Commission européenne pour promouvoir l'harmonisation des régulations techniques ont de nouveau échoué, tandis que d'autres forums internationaux ont été choisis pour discuter des standards communs. Des tendances similaires peuvent être observées dans l'industrie de l'aviation européenne. David Burigana décrit comment des grandes entreprises européennes, soucieuses de préserver leur liberté d'action, ont décliné des solutions communautaires en favorisant la coopération avec des firmes américaines.

Enfin, en soulignant des décalages, découplages et discontinuités dans les trajectoires de la coopération technologique européenne, ce livre est amené à redresser les récits simplistes et téléologiques de l'intégration. C'est notamment le cas dans les articles portant sur le développement des politiques de la CE/UE dans les domaines tels que l'environnement et l'urbanisme (Laura Grazi et Laura Scichilone), la recherche (Arthe Van Laer), la conquête de l'espace (Filippo Pigliacelli) et l'information et télécommunications (Pascal Griset). Dans ces secteurs l'établissement des politiques communautaires fut un processus particulièrement complexe. Par exemple la politique de la recherche scientifique, en dépit des desseins ambitieux des années 1960 et 1970, n'est devenue une activité officielle qu'après l'Acte unique de 1986. Aussi, dans la politique énergétique, la Communauté est-elle longtemps restée un acteur assez marginal, comme le montre Francesco Petrini dans son étude sur les réactions de l'Europe de l'Ouest face au choc pétrolier au début des années 1970, et Yves Bouvier, qui offre un aperçu intéressant sur les orientations de l'industrie énergétique européenne après la Deuxième Guerre mondiale. Même dans l'énergie nucléaire, où le Traité de Rome (1958) a donné à la Communauté des compétences juridiques, des projets européens ont souvent été réalisés dans le cadre intergouvernemental. Ce fut le cas par exemple du réacteur Halden, examiné dans cet ouvrage par Mauro Elli.

Si le livre a le mérite d'être un des premiers essais ambitieux (bien que moins profondément international et interdisciplinaire que ne le déclarent les rédacteurs; la majorité des auteurs sont des historiens de nationalité française ou italienne) de croiser ces deux dynamiques et deux champs de recherches, importants pour la compréhension des trajectoires multiformes et différenciées de la construction européenne, l'impression générale reste incomplète. C'est vrai particulièrement en ce qui concerne le multilatéralisme affirmé et la conceptualisation de l'intégration comme un processus ample recouvrant différentes formes de coopération et surpassant les institutions de la CE/UE. En se limitant aux sources communautaires, un certain nombre des contributions échoue à offrir une analyse subtile sur les raisons pour lesquelles la Communauté a été (ou n'a pas été) choisie comme cadre principal pour l'effort européen. De plus, l'argument central selon lequel les années 1970 représentent un tournant dans les relations internationales européennes du fait tant des problèmes économiques dans plusieurs pays de l'Europe de l'Ouest que de la perception générale du défi technologique américain, n'est pas pleinement élaboré. La faiblesse des références aux contextes globaux et transatlantiques (à quelques exceptions près) est regrettable, car la construction scientifique et technologique européenne de la fin du XX<sup>e</sup> siècle était souvent une réponse aux transformations mondiales. D'ailleurs, la façon dont les États-Unis ont été présentés comme l'image de «l'autre» a permis la construction de la catégorie mentale indépendante de «l'Europe». Il est intéressant de constater que ce concept n'a pas toujours été limité à l'Europe de l'Ouest; notamment dans le champ de la technologie, des échanges européens ont traversé les frontières politiques de la guerre froide et impliqué un dialogue Est-Ouest fort important mais malheureusement presque entièrement ignoré des auteurs de cet ouvrage.

*Veera Nisonen*

*European University Institute, Florence*

**Peter L. LINDSETH**, *Power and Legitimacy, Reconciling Europe and the Nation-State*, Oxford University Press, Oxford and New York, 2010, 338 p. – ISBN978-0-19-539014-8 – 50,00 £.

The historiography of European integration has for long neglected the history of European law leaving it to legal scholars and social scientists to account for the rise of the European Court of Justice to become one of the most important institutions of the European Union (EU). This has led to two serious flaws in existing historical scholarship on European integration. Firstly, the role of the Court of Justice in the institutional setup of the ECSC/EC/EU has been ignored, except for a few recent studies published in this Journal in 2(2008). Secondly, and perhaps most seriously, the legal nature of the integration process has generally been overlooked leading to distorted analyses of policies, policy processes and institutional development. To scholars interested in addressing this lacuna in existing historiography, this is the first serious legal history of European integration. To the general reader here is a book that by the

means of legal history addresses some of the most pertinent problems related to the apparent lack of democratic legitimacy of the European institutions.

To Peter Lindseth, European governance is ‘a new stage in the diffusion and fragmentation of regulatory power away from the constituted bodies of representative government on the national level, to an administrative sphere that now operates both within and beyond the state’ (p.251). The historical roots of this process are found in the immediate post-war years when most Western European countries formulated constitutional reforms that reconciled the deep-seated conflicts between, on the one hand, parliamentary normative power along the ideals of the late 19<sup>th</sup> century, and on the other hand, the functional needs of the state to deal with the regulatory requirements of the modern economy and the welfare state. The solution was found in the delegation of comprehensive regulatory competences from parliament to the executive and to specialised administrative agencies. However, this drift of power away from parliament was counterbalanced by parliamentary oversight and constitutional guarantee. The purpose of these checks were to define and uphold the normative responsibilities that parliament could not surrender to the executive or administrative agencies; a domain reserved to legislation, in German legal terminology the *Vorbehalt des Gesetzes* and in Italian *riserva di legge*. Moreover, it was the existence of these mechanisms of mediated legitimacy that ensured democratic legitimacy to the administrative state in the post-war period (Chapter 2).

The central components of the compromise over the administrative state were, Lindseth argues, reutilized in the design of the founding Treaties of Paris (1951) and Rome (1957) and thus fundamentally shaped the legal nature of European integration. Legally speaking, European integration was created through the delegation by member state parliaments of administrative competences to the combined executives (in the Council) and the administrative agents (Commission, Court of Justice and European Parliament). This delegation offered in particular the executives sweeping powers at the European level, thus following the domestic trend of the administrative state closely, but also included mechanisms of oversight by the European Parliament and in particular by the Court of Justice, which originally in the ECSC were designed mainly to control the legality of the acts and decisions of the High Authority. Linking his interpretation explicitly to the work of Alan S. Milward, Lindseth argues that the history of European integration essentially constituted another stage in the evolution of the European state. Milward convincingly, in his view, demonstrated that the European states delegated specific competences to European institutions in order to increase economic growth and secure the welfare state. What Lindseth provides is the constitutional, legal and administrative element of that story, which Milward for various reasons ignored. The nature of European integration is thus administrative but in the widest sense of the word, as the implications of the administrative delegation at the core of institutional set up of the EC/EU has wide-reaching and manifest political consequences (Chapter 3, first half).

In chapter 3 (second half), 4 and 5, Lindseth analyses what he finds is a convergence of the institutional development of the European integration from 1958 to the

present day around the legitimating structures and normative principles of the postwar constitutional settlement of administrative governance. In chapter 3 (second half), the increasingly important role of the Council, strengthened in turn by the emergence of COREPER and the empty chair crisis of the 1960s and the European Council in the mid-1970s, is explained as a development whereby the national executives collectively increase their oversight over the Commission. Essentially, the entire history of European integration from the negotiations on the Treaty of Paris beginning in the summer of 1950 is one continuous story of how the High Authority/Commission gradually has had its autonomy limited by the member states.

Chapter 4 traces the legal history of the EC/EU from the vantage point of the national courts. This is not a denial of how the Court of Justice from the *Van Gend en Loos* and *Costa v. ENEL* judgments in 1963-1964 onwards established what Joseph Weiler has termed ‘a constitutional practice’ and a European legal order with autonomous aspirations. By analysing the response by national High Courts to the case law of the Court of Justice, Lindseth is able to demonstrate how national High Courts persistently, and culminating with the two famous judgments of the *Bundesverfassungsgericht* in 1993 (Maastricht) and 2009 (Lisbon), defended not only the basic rights of its citizens, but even more importantly the constitutional balance implicit in the administrative state between parliament on the one hand, and the executive and administrative agencies on the other. This has happened against the encroachments of a Court of Justice that had the audacity to claim the supremacy of European law above national constitutions and has completely ignored the principle of subsidiarity in a thrust of ever-increasing centralisation of competences in Brussels.

Finally, chapter 5 traces the history of how national parliaments increasingly have begun to establish oversight mechanisms to control the executives at the European level. Two developments became intertwined, reflecting a general mobilisation of national parliaments in European politics in the wake of the Single European Act. On the one hand, mechanisms of scrutiny by national parliaments of the executive, which initially were launched by Denmark and Britain after their entrance into the EC in 1973, became commonplace in most member states from the late 1980s onwards, although methods often differed substantially. On the other hand, calls for subsidiarity became increasingly intense from the late 1980s onwards resulting in a special protocol in the Amsterdam Treaty, which was recently strengthened in article 263 in the Lisbon Treaty. While the latter development potentially was a question for the Court of Justice, at least with regard to the procedural aspect, the Court did such a bad job, that national parliaments increasingly would be considered instrumental to the development of the principle. The result has been the introduction of the so-called yellow and orange card procedures, introduced by the Lisbon Treaty, which allows national parliaments extended oversight over the legislative process of the Commission and Council with regard to the question of subsidiarity. In total these intertwined developments according to Lindseth reflect how national parliaments, increasingly have established oversight mechanisms over the executives and administrative agencies of the EU similar to the ones existing in the administrative state at national level.

Concluding, Lindseth questions whether the constitutional understanding of European law and the usual calls for strengthening the European parliament can really solve the democratic deficit. Since, European governance historically is mainly administrative in nature with no autonomous source of legitimacy beyond the mediated legitimacy provided by national institutions (legislative, executive and judicial) attempts to federalise the EU cannot according to Lindseth provide the solution. This does not mean that Lindseth would oppose a characterisation of European governance as partly autonomous in regulatory terms; merely that it does not have any autonomous constitutional legitimacy. Rather legitimacy has to flow from the national institutions, which as a result of a long national history where they have been the primary vehicles of democratic and constitutional legitimation, still commands the normative power. Thus, the increased federalization of the EU does not solve the obvious legitimacy crisis from which the European institutions suffer today. Rather, it is in the mediated legitimacy developed in the constitutional settlement of the administrative state that potential solutions are found, solutions that according to Lindseth reflect the history of European integration much more accurately.

Lindseth's book is a well-argued inter-disciplinary, informed history of European law, which offers a wholly original understanding of the nature of European integration. Crucially, it delivers a refreshing and much needed revision of the standard legal and social science interpretation of the history of European law as one of progressive constitutionalization by the Court of Justice, triumphantly establishing the rule of law in the EU. In addition, Lindseth's careful reading of the historiography of European integration means that his argument is much better grounded empirically than most legal and social scientists writing about the origins of European law. Thus, Lindseth demonstrates convincingly how core elements of the administrative state can be found in the institutional solutions adopted at the European level. He also documents how the institutional development and to some degree also European public law, as pronounced by national High Courts, have converged around the legitimating structures and normative principles of the administrative state. These are extremely important insights because they fundamentally reframe how we might discuss the so-called 'democratic deficit', or rephrased on basis of Lindseth's book how we might address the lack of autonomous sources of legitimacy for the European institutions. Indeed, Lindseth convincingly points out, mediated legitimacy has to flow from the historical institutions of the member states, not from the federalising of the EU.

However, the important normative contribution of the book is arguably the source of its major weakness. By emphasising how the administrative elements in European integration constitutes the true nature of the process and by characterising the constitutional aspirations of the Court of Justice as a serious mistake in contradiction hereto, Lindseth stretch his argument beyond the empirical record. This is perhaps most obvious in his analysis of the negotiations on the Treaties of Paris and Rome. While he does show that certain elements in particular mechanisms of oversight and the role of the Court of Justice had found inspiration in the administrative state, the Treaties of Paris and Rome were at the same time shaped by traditions of international law and even included clear constitutional and federal elements, most importantly a

system of judicial review in respectively article 41 (Treaty of Paris) and article 177 (EEC Treaty). The nature and result of the Treaties negotiated from 1950-51 and 1956-57 were ambivalent enough to withstand any clear generalisation concerning their legal nature. The Court of Justice could arguably find significant support in the Treaties, and in the nature of the Community founded by them, for a constitutional interpretation of European law, even if it did require some selective reading. This in turn means that the history of European law should perhaps not be conceived as either administrative, as proposed by Lindseth, or constitutional as claimed by mainstream legal and social science research. Instead, the ambiguities of the Treaties and the nature of the Community suggest that the history of European law has played out as a broad and open-ended legal and political struggle over what particular shape European public law should take. Thus, the establishment of the constitutional practise by the Court of Justice; supported and legitimised by a host of legal and social science scholars, constituted merely one position in an ongoing conflict that historically has also involved national governments, administrations and particularly national courts. This more complex interpretation of the history of European law probably lends itself less easily to the normative argument Lindseth wants to make. However, it does not retract from the crucial contribution Lindseth has made to our understanding of the broader history of European law. In particular his offering of a new historically interpretative framework within which to understand the increasing convergence of mediated legitimacy, which we can detect with regard to the Council/European Council, the increased role of national parliaments and the much debated and misunderstood behaviour of a number of national High Courts.

Concluding, this book is a major contribution to the history of European integration. Any critique by this reviewer does not retract from what is a major accomplishment of historical literature, well written, original and thought provoking. This is simply mandatory reading for any scholar of European integration history.

*Morten Rasmussen*  
*University of Copenhagen*

**Wolfram KAISER, Antonio VARSORI (eds.),** *European Union History. Themes and Debates*, Palgrave Macmillan, Chippenham, 2010, 268 p. – ISBN 978-0-230-23269-3 – 88,00 \$.

With more than 30 years of serious historical research in several countries, European integration history is now a mature field of study, and the time is now ripe for historiographical assessments. Whereas the collection of articles in *Experiencing Europe* sought to present a coherent summary of the various researches undertaken in this field,<sup>3</sup> this book, which is edited by Wolfram Kaiser and Antonio Varsori and is more

3. LOTH W. (ed.), *Experiencing Europe*, Nomos, Baden-Baden, 2009, with the exception of the articles of Jost Düllfer and Piers Ludlow, which are historiographical and self-critical.

limited in size (ca. 270 pages instead of 500), has a more self-critical ambition. Its threefold interest lies in the emphasis placed on the challenge facing this field, the assessment of its strengths and its weaknesses, and its proposal of new developments.

The problems confronting European integration history are clearly set out in the first article by Antonio Varsori. In an original and stimulating contribution blending personal experience and wider analysis, he stresses this field's paradoxical nature: whereas European integration historians are sometimes discredited as being "court historians" because of the support they used to receive from the EEC Commission in the 1980s, they now find themselves abandoned by the Brussels institution, which prefers to secure the services of jurists, economists, and lawyers through the Jean Monnet programme. In addition to this institutional challenge, European integration history is often considered, as Wolfram Kaiser reminds us, as being too descriptive and inward-looking, and it has difficulty in dealing with the fashionable new developments of cultural and global history. Indeed, Katja Seidel, in her study of publishing trends, confirms that there has been no "cultural turn" in European integration history, whereas Giuliano Garavini argues for the need to take more account of non-Western European countries because, as Mark Gilbert shows, the USA is the only non-European country which is already the subject of extensive research study.

These challenges are being addressed by European integration historians, and with its mix of historians from a variety of backgrounds, the book provides an interesting and welcome overview of the field. The sheer diversity of works included in it proves that European integration history has already evolved from its origins, when the main debates opposed three camps. These latter consisted of the federalist historians (who were mainly German and Italian, but also British, as Daniele Pasquinucci reminds us), the diplomatic historians (who were often more flexible in their approaches than they are usually portrayed), and the provocative and stimulating Alan S. Milward. Since then, many different approaches have been developed, including not only those of the study of international relations, of ideas, of political parties and the political arena, and of economic and social policies, but also of cultural subjects such as identities or public spheres. Many different actors are taken into consideration. The vantage points have evolved from nation-centred studies to research encompassing multinational, supranational and transnational perspectives, as well as public and private actors. However, this work is often frustrated by practical difficulties. Piers Ludlow, for example, highlights the difficulties, in addition to the obvious language problems, encountered when using supranational archives. Lastly, as Wolfram Kaiser demonstrates, these developments are still not enough in themselves to enhance the status of European integration history, which remains an isolated sub-field both as regards modern European history and European studies.

New developments have therefore been called for by several scholars. Cross-disciplinarity is advocated by Wolfram Kaiser in his numerous historiographical publications. In this book, he sets out the advantages of the use of political science concepts by historians (in factor prioritisation and the production of less descriptive narratives), but he also warns them against any inappropriate use and alerts them of

the presence of potential pitfalls, including that of focusing on too narrow a period of time. In his studies of the economic field, Morten Rasmussen argues for stimulating development between the historical and the comparative approaches.

A lively debate emerges in this book when the various actors are discussed. Wolfram Kaiser argues convincingly for the need to take transnational networks into account; a task which has already been undertaken by some historians, particularly those studying economic, social, and cultural issues, as Morten Rasmussen and Lorenzo Mechi remind us. However, other historians argue for the necessity to keep a nation-state focus. Michael Gehler focuses on the renewal of nation-centred studies, which now consider the heterogeneity of the state and the interrelations between national, supranational and transnational actors. Lorenzo Mechi states that it is essential to take nation-states into account, especially when studying the years between 1945 and 1975, a period during which European states became much stronger as a result of the introduction of the welfare state. Arguably, Wolfram Kaiser tries to get the better of this debate by recommending the use of historical institutionalist and constructivist tools, which might indeed be relevant to the task of untangling the complex web of interactions created by all the various actors.

European integration has now shed its former prejudices to become more diverse both in its methodologies and its subjects. It seems that its most important remaining problem is, quite simply, its name, as the term “European integration” conveys a sense of teleological bias even though the vast majority of historians do not share this view today. With the exception of Wolfram Kaiser, who calls for a “history of the integrated Europe”, this problem has not been dealt with here. On the other hand, this book confirms the liveliness of this field, including its self-critical capacity. European integration historians should not hesitate to be positive and confident as their experience gives them the tools to contribute to new academic debates, particularly on the role of transnational non-governmental actors, the regulation of globalization, and the combination of multiple identities.

*Laurent Warlouzet*  
*Université d’Artois (France)*

**Kerstin POEHLS**, *Europa backstage. Expertenwissen, Habitus und kulturelle Codes im Machtfeld der EU*, Bielefeld, transcript Verlag, 2009, 272 S. – ISBN 978-3-8376-1037-6 – 28,80 €.

The „College of Europe“, located in two campuses – one since 1949 in Bruges (Belgium) and the other since 1992/93 in Natolin (Poland) –, is engaged in the “making” of “Europeans” in a truly international environment. And these “Europeans”, Kerstin Poehls emphasizes in her innovative book, are ideally expected to belong to a European élite some day. The College of Europe therefore has built up a reputation as some sort of “outer room” of the EU power field of Brussels or as a European “Kaderschmiede” (p.12). It thus seems reasonable to examine this biotope of post-

graduate students meticulously. Poehls, who is a member of the Institute of European Ethnology at the Humboldt University at Berlin, made this experiment employing the instruments and the eyes of a cultural anthropologist and an ethnologist. Although she was not very much interested in connecting her research with the findings of the historiography of the European integration and did ignore the respective literature to a great extent, her unconventional perspective is able to supply historians of European integration with new and interesting insights.

For her doctoral thesis, written under the supervision of Wolfgang Kaschuba and sometimes exaggerating the name dropping of scholarly references a little bit, Poehls carried out field research in the way of “participating observation”. She interviewed students of the college years 2003/04 and 2004/05, members and lecturers of the college – most of whom were men, whereas amongst the students about 60 percent were women – and some EU officials. The result is a “thick description” of everyday life at the college covering its habits and rituals, the dining hall as the centre of social contacts, and the festive balls and “national parties”, the latter paradoxically often sponsored by companies working on a multinational level. Compared to the findings concerning everyday social life, less information is offered about the subjects of the lectures and courses. This may come as a surprise, since the college, co-sponsored by the EU, is expected to supply future “experts” with knowledge about Europe.

The first chapter deals with the origins and development of the College of Europe, the various myths and founding fathers accompanying this process, and the institutionalization of a certain “idea of Europe”. Since its foundation the College understands its role as some sort of “European microcosm”, which contributes to the progress of European unification. Since 1950/51 each academic year is named after a patron – a personality representing “European” values and ideas. Among 57 names up to the year 2006/07 one can find only three women – a fact that throws not a very complimentary light on the consciousness of a “European” tradition dominating at the College. In the second chapter Poehls discusses the new “configurations of life style” emerging at the College of Europe, characterized at the same time by “cultural diversity” and “social homogeneity” (p.240). The third chapter analyses the efforts undertaken by Bruges and Natolin to be perceived as “European” places, and the course of events during an academic year. Here Poehls also addresses the power divide between Western and Eastern Europe blocking the realization of the idea of a “transfer of culture” between old and new EU members.

Starting with only 22 students in 1949 the College of Europe became an institution of high reputation, in the meantime hosting more than 400 students from about 40 countries. It remains an open question whether the ideas of Europe and the European habit taught and learned at the College during these decades are in some way responsible for the problems of the EU of today. To answer this question at least in part it seems necessary to examine by research of similar calibre to what extent the knowledge acquired at the College endured in the administrations of Brussels and of the EU member states. But already nowadays Poehls’ very stimulating book offers a lot

of reflections and material to think about the situation and the future of European integration.

*Prof. Dr. Werner Bühner  
TU München, School of Education*