

A European “Model” Defined by Public Policies

Laurent WARLOUZET

ABSTRACT

Since its beginnings in 1948, the construction of Europe has been expressed through the central role of public policies, in the economic sector in particular, but also with respect to human rights. They have imposed themselves in the face of a nascent European public space and a poorly defined European society. Although public policies have had a central role, they nevertheless are not unequivocal. The eurozone crisis has demonstrated the great tensions associated with their implementation.



Strasbourg- European Court of Human Rights

“Si c’était à refaire, je commencerais par la culture” [If it were to be done anew, I would begin with culture]. When it comes to apocryphal quotations, this phrase attributed to Jean Monnet is right up there with “l’intendance suit” [the rank and file follows], which was wrongly attributed to General de Gaulle. The phrase associated with Jean Monnet makes it possible to better delineate a European construction process entirely driven by technical policies rather than by a cultural reality or popular momentum. In fact, although public policies are at the heart of the process of European construction, they are also part of attempts to create a “European society” and a “European public space.”

Public Policies at the Heart of European Construction

European construction is a multifaceted process of European states coming together, one that began to materialize in 1948 with the creation of the Organisation for European Economic Cooperation (OEEC). Its primary mission involved distributing Marshall Plan credits and gradually reestablishing trade flows in Western Europe.

This choice of a European construction process taking place first and foremost through economic public policies was reinforced with the arrival of the European Community, which was born with the famous Schuman Declaration of 9 May 1950. According to Robert Schuman, France's Minister of Foreign Affairs, "Europe will not come about in one stroke, nor through an overall construction: it will be produced through concrete achievements creating first a *de facto* solidarity." He had, thus, drawn conclusions from earlier failures. The way forward for a political Europe was taken up at the Hague Congress of 1948, and materialized in the birth of the Council of Europe in 1949, although this body was largely deprived of real influence (with the exception of certain provisions mentioned below). The Schuman Declaration also made indirect reference to the Briand Plan of September 1929, which was presented at the League of Nations (LN). The French leader's ambitious but vague speech served as a counter-example, as did the powerlessness of a League of Nations with weak powers. On the contrary, the Schuman Declaration proposed action "on a limited but decisive point," in this instance "the pooling of coal and steel between France and Germany." The remainder of the text is dedicated to sometimes highly technical economic clauses (production, productivity, exports, agreements, etc.). The goal remained a political one—that of establishing a "European Federation," mentioned twice in the Schuman Declaration—yet the process selected was gradual economic cooperation, with the establishment of partially federal institutions for the first time (unlike the OEEC). This approach was embodied in the European Coal and Steel Community (ECSC) of 1951, and the European Economic Community (EEC) of 1957, which was the predecessor of the current European Union (EU) of 1992.

All of the alternative projects either failed to come about, such as the European Defence Community (EDC, 1954), or quickly collapsed, such as the OEEC (1948), which soon transformed into an organization for global study, the Organization for Economic Co-operation and Development (OECD, 1960).

The justification for this central position of economic policies in the process of European construction is thus a pragmatic one: it is the only approach that can translate the project of bringing together European countries that began in 1919 into reality. Another reason can be found in the painful experience of the 1930s, which served as a counter-model for many members of the postwar pro-European elite. That decade was characterized by very weak international cooperation, which accentuated the crisis of 1929 and the nationalist withdrawal of states into themselves. The 1930s were also marked by the corruption of democratic procedures, particularly in Germany, where the electoral process led to the nomination of Adolf Hitler as Chancellor in January 1933. All of these elements were on the minds of the pro-European elite during the 1950s. Liberal democracy thus appeared as a system to be defended, especially in the context of a Cold War characterized at the time by the fading reign of Stalin (Czech coup in 1948, the Berlin Blockade in 1948-1949); but it was also one that needed a framework. In order to bring together democracy, in the sense of popular sovereignty, with political liberalism, that is to say the preservation of personal freedoms, it appeared necessary to provide the former with a framework of inviolable norms, such as human rights. This movement manifested itself through European public policies, particularly in the economic domain with the ECSC-EEC-EU, and in the area of human rights, with the Council of Europe's European Court of Human Rights. Although the latter had a minor role during its first decades, the Strasbourg-based court acquired a growing role in the late twentieth century, as an increasing number of states recognized its full competence (France did so in two phases, in 1974 and 1981). European construction can thus be analyzed as a manifestation of this political liberalism that developed in reaction to the deviations of the 1930s and 1940s.

The methods for implementing these policies are quite diverse, with some remaining fully in the hands of states, such as in the area of diplomacy and armament, while others have largely been made federal, such as the

Common Agricultural Policy (CAP). The technocratic dimension of public policies raises problems of democratic legitimacy on both the national and European levels. Of course the European Commission is composed of members designated by member states, who are themselves elected, and the European Parliament plays a growing role in its composition. However, the judges of various European courts, whether the Court of Justice of the European Union in Luxembourg (EU) or the European Court of Human Rights in Strasbourg (Council of Europe), are just as independent as national judges. Moreover, the technical nature of European debates, the diversity of European institutions, the often indirect character of their legitimacy, along with the complexity of procedures make the decision-making process difficult to understand.

There is a great diversity among these public policies, but three approaches can be distinguished, the most evident being a market-based logic. In 1919, Keynes proposed, in his *The Economic Consequences of Peace*, creating a “free trade union” in Europe, to facilitate reconstruction and increase productivity through the establishment of more efficient industrial organizations. The model of the large American market subsequently imposed itself as a reference. The OEEC, ECSC or EEC are based on this logic of trade liberalism. This approach is of neoclassical inspiration, but does not entail unbridled liberalization. On the European scale, it is combined with policies for overseeing competition (cartels and monopolies), or with industrial policies (notably in strategic sectors with Airbus or Ariane). On the national scale, it does not prevent the development of national welfare states, and even contributes to their expansion according to certain historians, who attribute a part of the high growth rates in the 1960s to opening up to international trade. Later, beginning in the 1980s, a second and more neoliberal perspective appeared, which considers the welfare state as an obstacle to gradually be eliminated. Certain developments in competition policy, or certain clauses of the Economic and Monetary Union (EMU) that were developed beginning with the Maastricht Treaty of 1992, fall within this line of thinking, which is opposed to the third orientation of European public policy, that of a more social and societal approach. It includes developments such as the preservation of human rights or the ecology, the establishing of minimal social norms, subsidies for specific activities (such as agriculture through the CAP), aid for poor regions and countries, and the encouragement of mobility among students. In addition to these oppositions between socio-economic models, there is the confrontation between different institutional visions, of an intergovernmental Europe or a Federal Europe. Even so, Europe has an existence beyond just its institutions.

European Society and European Public Space

If public policies, particularly economic ones, have had such an important role in European construction, it is due to challenges in the emergence of alternative foundations for European construction, whether it be a “European society” or a “European public space.”

In his book *A Social History of Western Europe, 1880-1980*, Hartmut Kaelble asked “Is there an emergent society that may be termed truly European? Are its structures and ways of life different from those of industrial countries in America and Asia? ...is there a latent, covert process of social integration that implies a host of consequences?” Among the characteristics mentioned, Kaelble emphasized demographic (a more important role of the nuclear family) and social behaviour, geographical characteristics (earlier urbanization), and specific public policies (the welfare state). Aside from certain aspects of the study that are quite dated today, his observation of the specificity of European society has often been taken up again. All EU countries thus share certain public policy choices that contrast with the United States, such as a rejection of the death penalty or tight control over firearms. Citing George Steiner, Robert Frank identifies more cultural factors, such as the presence of cafés, the human scale of the landscape—making it possible to circulate on foot—the weight of memory in city planning, and finally the double heritage of Greek and Jewish Antiquity. A European society endowed with its own characteristics therefore exists, although it is difficult to define beyond generalities. The very borders of Europe are variable.

Although it may seem difficult to base international cooperation on the continent on the sole notion of “European

society," certain European public policies aim precisely to fill this gap. The standardization of legislation on the EU level indeed involves a growing number of areas, such as legislation involving the environment or food. The European Court of Human Rights has issued rulings in fields as varied as a prisoner's right to vote and the ban on wearing the veil in France (accepted by the court). Finally, the European Union seeks to promote the circulation of Europeans, whether they be students (Erasmus program), teachers, researchers, or workers seeking employment (European Social Fund). Financing is also available to encourage cross-border cooperation. In 2014, for instance, programs known as "Interreg" flourished to promote commemorations of the First World War that were shared by different neighbouring countries. Although public policies contribute to the formation of a European society, this process also prompts a defensive reaction with regard to national specificities. The case of a prisoner's right to vote, for instance, which is forbidden in the United Kingdom but promoted by the European Court of Human Rights, is thus emblematic. Within the European Union, legislation regarding GMOs has prompted very different reactions from member countries. European public policies thus come up against a poorly defined European society.

The concept of a European public space, on the other hand, designates a more precise phenomenon. It refers to a citizen's ability to discuss, on an egalitarian basis, subjects of public interest. The question of whether a European public space exists or not is notably discussed by the philosopher Jürgen Habermas and the historians Hartmut Kaelble and Robert Frank. A three-part answer can be provided. Firstly, the European public space is elitist, and has been for a long time. During the Middle Ages, nobles and clerics lived in a European public space marked by common values, a widely shared language of communication (Latin), and matrimonial exchange. University scholars circulated easily among the continent's various institutions. During the modern era the process became more complex. The new industrial, financial, and commercial elites sometimes adopted a more global vision than a European one. Political elites, with rare exceptions, limited themselves to the national or colonial space, and did so until the process of European construction developed. This process made it possible to establish a space of socialization supported by institutions with growing powers and budgets.

This general dynamic can be illustrated, for instance, by the example of European Christian Democratic networks beginning in the late nineteenth century, which have been studied by Wolfram Kaiser. He cannot help but point out their submission to the logic of the all-powerful nation state until 1945, and this despite sharing common Christian values that were supposed to help them to surpass this horizon. It was the tragedy of World War Two that broke the nation state as an absolute reference, and allowed for a relaunching of Christian Democratic values founded on the promotion of solidarity in addition to the central state (family, religious community, local community). Kaiser goes on to show how Christian Democrats committed themselves to European construction, whether in France (Robert Schuman), the FRG (Konrad Adenauer), or Italy (Alcide de Gasperi), among others. The development of Europe was seen as a complement to the renovation of European nation states on a democratic and liberal basis. A European public space driven largely by Christian Democratic elites was created at the time. It grew more complex with time, when power relations changed during the 1960s with the decline of the Christian Democrats.

From this political perspective, the European public space was thus limited to a fringe of national politicians, European civil servants, and associated actors (members of representative organizations to European institutions, lawyers working with the European courts, etc.). These groups were joined by members of the public interested in these subjects, themselves generally belonging to an elite or to people living near borders. The degree of interest and support for European construction is in fact directly proportional not to revenue, but to level of education. European parties exist of course, the European People's Party on the right and the Party of European Socialists on the left being the oldest, although they are simply an alliance of national parties. Beyond certain common values, they struggle to develop specific common programs given the considerable degree of national differences. The same situation applies for European unions and employer associations, despite the existence of the European Trade Union Confederation (ETUC) and Business Europe. Top-down institutionalization is not sufficient.

The elitist character of the European public space can be explained by powerful structural characteristics. The first

is the absence of a common language. European institutions work primarily in English, even if French is resisting, yet these languages are not mastered by all. The second factor is the absence of European figures. Even when a European subject emerges, such as the eurozone crisis, the central protagonists are national leaders, Nicolas Sarkozy and later François Hollande in Paris, and Angela Merkel in Berlin. The presidents of the European Commission, the Council of Europe, and Eurogroup are forgotten. Only the presidents of the European Central Bank, Jean-Claude Trichet and later Mario Draghi, have stood out, although this situation is very recent. In France, only Simone Veil, the first president of the European Parliament (1979-1982), and then Jacques Delors, president of the Commission (1985-1995), were known in the past as European personalities. European institutions are striving to change this situation through a voluntarist public policy: the 2014 European elections, for instance, saw different candidates vie for the presidency of the European Commission. The victory of the right in the elections forced heads of government to accept the nomination of Jean-Claude Juncker, the candidate for the right in the parliamentary election. However, the debates attracted a very limited public, even those held in French. No retransmission by major French channels was planned, not even by public ones. Likewise, institutional attempts to create a European public space through a public media policy, whether through Eurovision (1955) or the creation of ARTE (1986 for La Sept), have had a limited impact.

Finally, the last argument explaining the absence of a European public space beyond an elite is the absence of a shared memory. Here once again, European public policies try to bring forth shared symbols able to create a sense of belonging and identification. For instance, the Festival of Europe has been set for 9 May to commemorate the Schuman Declaration of 9 May 1950. Yet this date does not have major significance for those Europeans who were prisoners behind the Iron Curtain, and did not join the EU until 2004. It even left behind a bitter taste for the British, who were at the centre of negotiations surrounding the organization of Europe, before refusing the offer on 9 May 1950. More generally, there is a lack of positive European memorial sites. Only the tragedies, such as the First World War in 2014, or especially the Battle of Verdun in 1984 within a Franco-Germanic context, were the subject of truly European commemorations. Although a European identity founded on reason and attachment to general values (peace, human rights) can exist, a European patriotism appealing to people's feelings does not exist, despite the efforts of European public policies. Even though Habermas speaks of a European "constitutional patriotism," no one would accept dying for Europe.

The construction of Europe has thus been embodied since 1948, and especially since the birth of the European Community in 1950-1951, by the central role of public policies. These policies are partially federal, and largely economic in origin. This orientation can be explained above all by the failure of alternative approaches, and by the memory of the 1930s, which serves as a counter-model. European states must therefore be integrated into strong public policies in order to avoid falling into the same errors. In the absence of a well-defined "European society" and a broad-based "European public space," the only concrete option to develop European cooperation is to make use of public policies.

Their domain of activity is very large today, even encompassing human rights, handled in particular by the Council of Europe. These public policies are even used to translate such highly impressionistic concepts as "European society" or "European public space" into reality. More generally, these institutional developments are not unequivocal. On the contrary, the eurozone crisis has demonstrated, if proof were needed, the great tensions involved in the definition and implementation of European public policies.

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