

**Jonathan White**

## Rethinking transnational solidarity in the EU

**Article (Accepted version)  
(Refereed)**

**Original citation:**

White, Jonathan (2003) Rethinking transnational solidarity in the EU. [Perspectives: The Review of International Affairs](#), 20 . pp. 40-57. ISSN 1210-762X

© 2003 Institute of International Relations

This version available at: <http://eprints.lse.ac.uk/65116/>

Available in LSE Research Online: February 2016

LSE has developed LSE Research Online so that users may access research output of the School. Copyright © and Moral Rights for the papers on this site are retained by the individual authors and/or other copyright owners. Users may download and/or print one copy of any article(s) in LSE Research Online to facilitate their private study or for non-commercial research. You may not engage in further distribution of the material or use it for any profit-making activities or any commercial gain. You may freely distribute the URL (<http://eprints.lse.ac.uk>) of the LSE Research Online website.

This document is the author's final accepted version of the journal article. There may be differences between this version and the published version. You are advised to consult the publisher's version if you wish to cite from it.

# Rethinking Transnational Solidarity in the EU

*Jonathan P. J. White*

*Perspectives: the Central European Review of International Affairs* 20 (2003), pp.40-57.

## Abstract

Most contemporary analysis of popular attitudes in the European Union takes identity as the explanatory idea, and posits a hierarchy of totalising identities – national, supranational, regional and so forth. This ‘horizontal’ approach has arguably resulted in unproductive debate concerning the normative basis on which the Union’s future should be built. More useful is to focus on how popular attitudes differ according to different areas of transnational concern. This paper seeks to outline a theoretical framework for such a ‘vertical’ approach, and to sketch its application using the environmental and judicial fields as case-studies.

## Horizontal and Vertical Modes of Analysis

There are at least two perspectives from which one can consider popular feelings of solidarity towards others.<sup>1</sup> One is to posit a coherence in people’s attitudes across a range of different issues and to define this perspective as ‘identity’. Discussions of national identity, European identity, regional identity and the like all make the basic assumption that there is a certain unity to people’s beliefs, that, for example, the way people view issues as diverse as immigration, foreign policy or development aid is a function of whatever overarching identities they ascribe to themselves. This emphasis on broad identities – albeit none of them exclusive, and often considered in a hierarchical relationship (‘Catalan first, European second, Spanish third’, for example) – can be described as the *horizontal* approach to popular feelings of solidarity.

---

<sup>1</sup> For comments on an earlier draft of this article I am very grateful to Dr. Petr Drulák (Institute of International Relations, Prague).

A second approach rejects this cross-issue coherence and argues that the way people regard others depends considerably on the particular problem at hand. So, for example, an inhabitant of Barcelona may feel a high degree of solidarity towards strangers in environmental matters (advocating, for example, emergency financial aid to flood victims in Central Europe), but may be hostile to the prospect of an open-door migration policy that gives outsiders equal job opportunities to locals. To interpret his attitudes with reference to horizontal identities ('how European does the man feel?') is of little explanatory worth, for his loyalties are issue-specific. This approach, which emphasises the discrepancies between popular feelings of solidarity from one issue-area to the next, can be described as the *vertical* approach.

In most discussions of the European Union it is the first of these two approaches that is taken. This is visible in various contexts, notably in the public discourse to be found in the Convention on the Future of Europe. Consider the latest draft text for the Treaty establishing an EU constitution (June 2003): the Preamble runs 'convinced that, while remaining proud of their own national identities and history, the peoples of Europe are determined to transcend their ancient divisions, and, united ever more closely, to forge a common destiny', it talks of Europe being 'united in its diversity', and in Article I-5(1) states firmly that 'the Union shall respect the national identities of its Member States.'<sup>2</sup> The goal is clearly seen as both reconciling and preserving a series of deep-seated identities, and the implication is that the citizens of Europe should constitute an amalgam of 'European values' and 'national essence'. It is a tiered, horizontal approach.

---

<sup>2</sup> Draft Text of the Treaty establishing the Constitution, p.3 / p.7.

One finds similar assumptions in the research that the European Commission undertakes to investigate the attitudes of its citizens. One of the questions regularly asked in its Eurobarometer opinion polls is as follows: ‘In the near future do you see yourself as: a) (respondent’s nationality) only; b) (respondent’s nationality) and European; c) European and (respondent’s nationality), or d) European only?’<sup>3</sup> Even though the question clearly allows for some degree of complex interaction between plural identities, nonetheless it is a series of monolithic identities which is suggested, and these existing in an abstract decontextualised fashion (‘in the near future’).

This is also the approach taken by the majority of academic scholars. Representative is a piece by Henrik Lesaar titled ‘Semper Idem? The Relationship of European and National Identities’ – in itself a suggestive title. Lesaar notes different layers of identity (town / village, region, country, Europe), emphasises that popular attachments may change over time, and towards the end of his piece acknowledges the importance of context in determining when certain loyalties are prioritised over others.<sup>4</sup> But despite this emphasis on the shifting nature of the hierarchy, the assumption of a series of horizontal, monolithic identities persists.

There is a clear problem however with this horizontal approach to popular attitudes. It projects a coherence onto its subject matter, a unity of purpose, the existence of which is unverifiable. Individual expressions of transnational loyalty are likely to be

---

<sup>3</sup> Eurobarometer Main Trend Questions, referenced by the German Social Science Infrastructure Services at: [http://www.gesis.org/en/data\\_service/eurobarometer/standard\\_eb\\_trend/indexframe\\_trend.htm](http://www.gesis.org/en/data_service/eurobarometer/standard_eb_trend/indexframe_trend.htm).

<sup>4</sup> ‘People will feel more attached to their nation states if matters of only national interest are concerned. In the same sense, they will feel more attached to the European Union if matters of European interest are concerned (e.g. consumer or environmental interest). *The actual form of their identity is not based upon a given hierarchy of identities but depends on the actual context of the people’s ascription to either the European Union or their nation state.*’ (my ital.) – H. Lesaar, ‘Semper Idem? The Relationship of European and National Identities’, in *National and European Identities in EU Enlargement: Views from Central and Eastern Europe*, ed. Petr Drulák, Institute of International Relations, Prague, 2001, p. 192.

read anachronistically as indications of a ‘European identity’ when in fact they may be highly contingent; similarly, expressions of scepticism are likely to be noted as indications of ‘persistent nationalism’ when in fact their explanation may be more complex. In the policy-making field meanwhile, the result can be the rather redundant debates which feature prominently in discussion of the EU’s future. Arguably the most fundamental flaw in debating whether to base ‘European identity’ on cultural-historical similitude or on shared values (‘civic nationalism’ or ‘constitutional patriotism’) is the fact that both approaches expect the individual to be ‘systematic’ in his identity, to be able to declare in some abstract sense what it is that he is or that he stands for.<sup>5</sup>

Clifford Geertz provides an appropriate warning of the inadequacies of such an approach in his essay ‘The World in Pieces: Culture and Politics at the End of the Century’: ‘In cultural terms,’ he writes, ‘as in political, ‘Europe’ say, or ‘Russia’, or ‘Vienna’ must be understood not as a unity of spirit and value, set off against other such supposed unities – the Middle East, Africa, Asia, Latin America, the United States, or London – but as a conglomerate of differences, deep, radical, and resistant to summary.’ With regard to the terminology of ‘identity’, ‘values’, and ‘nation’ he argues that ‘what we need, it seems, are not enormous ideas, nor the abandonment of synthesising notions altogether. What we need are ways of thinking that are responsive to particularities, to individualities, oddities, discontinuities, contrasts, and singularities, responsive to what Charles Taylor has called “deep diversity”, a plurality of ways of belonging and being,

---

<sup>5</sup> For an overview of the debate, see J. Lacroix, ‘Constitutionalism, Democracy and Europe: Is a European political identity possible?’, paper for the 51<sup>st</sup> Political Studies Association Conference, 10-12 April 2001, Manchester ([www.psa.ac.uk/cps/2001/Lacroix%20Justine.pdf](http://www.psa.ac.uk/cps/2001/Lacroix%20Justine.pdf)). See also Veit Bader, ‘The Cultural Conditions of Transnational Citizenship: On the Interpretation of Political and Ethnic Cultures’, *Political Theory* 25(6), pp.771-813.

and that yet can draw from them – from it – a sense of connectedness, a connectedness that is neither comprehensive nor uniform, primal nor changeless, but nonetheless real.’<sup>6</sup>

In the paper that follows, it will be argued that popular feelings of solidarity in the EU are best studied by moving away from the horizontal approach that has been described and by focusing instead on the loyalties that are held with regard to particular issues and in the face of particular problems. Such a shift in focus is particularly apposite in the context of the institutional-reform process initiated by the Nice Summit, since arguably Europe’s system of governance will work best if it is designed to be responsive to the pluralistic attitudes of its citizens rather than if it assumes (or seeks to create) an identity which describes them in their entirety.

Immediately it should be noted that some basic things can nonetheless be said about identities in the horizontal sense. It is a frequent and credible claim made by various studies of popular perceptions in the EU that a North-South divide exists with regard to how citizens understand the essence of the Union and their place within it. According to the OPTEM report ‘Perceptions of the European Union’ (2001), populations such as the British, Dutch, Danish, and Swedish, and amongst the accession countries also the Czechs and Estonians, are said to feel a considerably weaker attachment to their fellow Europeans than those in other parts of Central Europe and the Mediterranean, who hold a much stronger sense of shared culture and humanistic values. Such differences can be seen as grounded in historical experience – it is those populations with a collective memory of living side-by-side as subjects of a larger empire (be it

---

<sup>6</sup> C. Geertz, ‘The World in Pieces: Culture and Politics at the End of the Century’, in *Available Light*, pp.221-4.

Roman, Byzantine, Habsburg or Napoleonic) that tend to be, at some basic level, the most Europhilic.<sup>7</sup>

But the significance of historical experience and this associated ‘sense of belonging’ (as the OPTEM study refers to it) should not be overstated. Firstly, as the study points out, ‘the feeling of closeness or distance between European nations may, of course, vary over time.’<sup>8</sup> It is responsive to events. This implies that, amongst the factors that influence popular attitudes on particular issues at any given time, an inherited general ‘sense of belonging’ is only one. Normative standpoints may also, therefore, differ according to the subject in hand – hence the possibility of wider loyalties on environmental questions than on immigration issues. Indeed, whilst on some issues the adoption of such standpoints may be unavoidable (e.g. these two above-mentioned issues, also issues of competing jurisdiction, of social legislation and consumer protection), in other more technocratic areas of EU politics there may be considerably less scope for their development (in transport-related issues for example). Jacques Delors’ comment that ‘you don’t fall in love with an internal market without borders’ can be read as a recognition that the development of transnational solidarity in the EU generally is dependent upon the potential of individual policy-areas to generate a normative response.<sup>9</sup>

In shifting focus from a horizontal to a vertical approach, the introduction of new descriptive terminology is likely to be necessary. Those currently-existing theoretical

---

<sup>7</sup> OPTEM study ‘Perceptions of the European Union: a qualitative study of the public’s attitudes to and expectations of the European Union in the 15 member states and in 9 candidate countries’, June 2001 ([europa.eu.int/comm/governance/areas/studies/optem-report\\_en.pdf](http://europa.eu.int/comm/governance/areas/studies/optem-report_en.pdf)).

frameworks which do adopt a pluralistic understanding of identity tend to focus on elite attitudes, and to extend their terminology to EU citizens generally would seem problematic, given the lack of an organisational structure from which individuals can be said to derive roles and rules of behaviour.<sup>10</sup> A tentatively sketched conceptual framework for investigating mass attitudes might look as follows: expressions of loyalties (collectively termed *normative discourse*) are looked for in the statements (explicit or implicit) made by a group or individual which indicate the size of the social group whose welfare it prioritises over others. These loyalties, as suggested, are investigated with regard to particular issue-areas (e.g. environmental security) known as *normative discursive domains*. The normative discourse in some of these domains is expected to be more transnationally extensive than in others (i.e. transnational loyalties are strong in some issue-areas, weaker in others), and individuals are presumed to participate in multiple domains according to their spheres of interest and activity. A *community* is defined loosely as the stage reached when there is a high level of consistency between the normative discursive domains (i.e. when loyalties are equally wide and inclusive on a range of issues). Community in this sense could be likened to the often-mentioned 'European demos', but would be understood as a political ideal towards which progress was by no means clear.

With the problem defined in these terms, the relevant questions to be tackled (and only some of them will be investigated here) are likely to be these: which are the domains in which transnational loyalties are most extensive; who participates in them (i.e. in what

---

<sup>8</sup> *Ibid*, p.6.

<sup>9</sup> Cit in *The European*, 3<sup>rd</sup> November 1994, p.13.



activity-areas do social groups seem to situate themselves in an EU-wide normative context, and which social groups in particular seem most willing to do this); how do these domains seem to be developing over time, and to what extent should one link the development of these domains to growing interdependence between populations?<sup>11</sup> How does discourse in one domain seem to affect discourse in another? And is there any overall inter-domain coherence emerging (i.e. is a Community or demos really in prospect)?

### Loyalties and the European Union

An exploration of people's normative standpoints requires illuminating their hierarchy of value preferences. How large is the group whose welfare they prioritise over others? If loyalties are said to emerge only in the face of the challenges presented in a particular domain, clearly the most effective methodological approach is likely to be the analysis of individual case-studies which exhibit identifiable choices being made between competing attachments. The danger of course, anticipated by Geertz, is that of becoming immersed in the detail of a particular episode with little capacity for drawing general conclusions from it. One way to overcome this problem might be to investigate not just the popular loyalties to other *peoples* indicated by a particular episode, but also the loyalties to *institutions* which are implied. For the willingness to seek solutions to a particular problem within a certain institutional context is likely to indicate normative standpoints

---

<sup>10</sup> E.g. the work of institutionalist scholars such as Morten Egeberg ('Transcending Intergovernmentalism? Identity and Role Perceptions of National Officials in EU Decision-Making', ARENA Working Papers 98/24).

<sup>11</sup> Here one might follow those who see citizenship as a set of colleague-type relationships, some of them transnational, that individuals engage in in the course of their daily activities. See e.g. I. Honohan, 'Friends, strangers or countrymen? The ties between citizens as colleagues', *Political Studies* 49(1) 2001.

which are more enduring than the episode itself (though naturally any particular episode may well have consequences for longer-term popular attitudes in the domain).

In an age of globalisation, the loyalties of EU citizens towards institutions are likely to be complex. Today's 'displaced citizens' are likely to make appeal to different institutions in different contexts – sometimes to national governments, sometimes to EU- or regional-level governance, in other situations to institutions which do not conventionally form part of the political sphere – to NGOs and social movements, or to value structures such as religion and universal human rights. As Zygmunt Bauman writes in *Modernity and Ambivalence*, the individual 'cannot be fully subsumed under any of the numerous subsystems which only in their combination constitute the fullness of his life process.'<sup>12</sup> In the context of this paper however, and at risk of oversimplification, it is on loyalties to national and European political institutions that we shall focus, given that these are likely to be most relevant to the future development of the Union.

If our concern when investigating normative domains of loyalty is with the institutional context in which people are willing to tackle problems, it seems reasonable to attach significance to the following question: in what policy areas should power be delegated to the EU institutions so that they are competent to act independently of, or at least in conjunction with, the member-state governments?<sup>13</sup> If, for example, people advocate immigration policy being conducted at an EU level, it would seem that they are implicitly stating that the national (or subnational) group to which they belong does not

---

<sup>12</sup> Bauman, *Modernity and Ambivalence*, Cambridge: Polity Press, 1991, p.95.

<sup>13</sup> Mervyn Frost poses the essential normative question to be asked in international relations as this: 'what in general is a good reason for action by or with regard to states?' (*Ethics in International Relations*,

claim favoured treatment over its neighbours, that the relevant issues should be dealt with in an impartial manner at the supranational level so that common supranational solutions may be found. This acceptance of impartial treatment as opposed to preferential is what signifies the acceptance of a wider set of normative attachments – and, importantly, also the belief that other groups reciprocate these.

Of course, this method of analysis may be unable to discern every domain of loyalty, since, as suggested above, it will not always be the case that people seek governmental expression for their normative attachments (they may place more emphasis on the capabilities of NGOs than on either national or EU-level government). The answers to this test question should therefore be treated primarily as an aid to establishing well-founded hypotheses about the distribution of normative domains. A different criticism might be that this approach is likely to overestimate popular loyalties – that willingness to see a policy conducted at EU-level may be the result either of indifference or a sense of pragmatism. To this one might respond that indifference would itself seem to be significant (if an individual ‘couldn’t care less’ where a policy is conducted then he is implying the absence of exclusive loyalties), whilst the idea that an individual might advocate EU-level policy-making as the most effective way of protecting his national group (i.e. as a result of the very fact that his loyalties do *not* cross borders) would require a very strictly rational-actor model of popular attitudes. It would seem reasonable to assume that whilst belief in added policy effectiveness may be a *necessary* condition of calls for EU-level action, it is not a sufficient one. Acceptance of a common European foreign policy, for example, requires a belief that it can work, but also a belief that the

---

Cambridge, CUP 1996, p.79). Likewise the question that is put here is taken to be the essential normative question to be asked in the context of the EU.

interests of all European citizens are intertwined. The normative judgement, in other words, is crucial.

Which, then, are the predicaments for which people advocate EU-level action, and which are those for which they are reluctant to see it? The OPTEM qualitative study cited above examines the expectations of the EU held by populations in the member states and nine of the candidate countries and divides the policy issues according to how much EU involvement is desired. The areas of policy most commonly cited across all the populations as requiring EU-level action are these: health and consumer protection, environmental protection, and the fight against crime and trafficking. In each, the study reports, it is expected that there be common rules and controls, and joint action at the global level.<sup>14</sup> A series of fields that are ‘frequently cited’ as requiring EU-level action include social legislation (mainly workers’ rights) and immigration control. Although a certain reluctance is expressed in some Scandinavian countries on the question of legislative harmonisation, this can be attributed to a fear of falling standards (i.e. to a pragmatic rather than to a normative concern). By contrast, in competition policy EU involvement is treated considerably less favourably (regarded most often as exposing local businesses and employees to unwelcome transborder economic forces).

The study also suggests that certain normative domains are more developed in some regions of Europe than in others. For example, in the accession countries there tends to be particular emphasis put on labour mobility and the free movement of peoples, also on the mutual recognition of qualifications.<sup>15</sup> Those countries affected heavily by

---

<sup>14</sup> *Op cit.*, p.126.

<sup>15</sup> *Ibid.*, p.136.

illegal migration (such as Spain, the Netherlands, Britain and Austria) tend to want increased EU-level activity in this field. And furthermore, comparison with other studies indicates that priorities may change in response to events: in a Eurobarometer poll conducted at the beginning of 2002 (i.e. in the months following the attacks of September 11<sup>th</sup>), ‘maintaining peace and security in Europe’ was cited as the highest priority.<sup>16</sup>

These are all findings which are consistent with the idea that interest in supranational decision-making is inspired by transnational loyalties. Desire for common rules in some areas does suggest acceptance of the existence of a predicament before which all are fundamentally equal (albeit some, as in the case of illegal immigration, may be more affected than others). Reluctance to see further integration in competition policy suggests that in the macro-economic sphere there remains a desire to protect local interests even at the expense of overall economic productivity (i.e. that loyalties are rather narrower here). Likewise, that labour mobility is regarded more favourably amongst some populations than amongst others is logical: populations in the established member states, as the ones most likely to face increased competition from outside as a result, are naturally likely to be more wary on such a matter and less willing to view their potential competitors as equals. Those who expect their own populations to benefit will be more enthusiastic about greater freedom of movement – although here too the loyalties to certain groups are stronger than to others: Czech attitudes towards immigrants from the EU and towards Slovaks from the Slovak Republic tend to be considerably more positive than towards Slovak Roma and those from the former Soviet Union.<sup>17</sup> Meanwhile, the

---

<sup>16</sup> Eurobarometer 56.3: ‘Getting Information on Europe, the Enlargement of the EU, Support for European Integration’, May 2002. ([europa.eu.int/comm/public\\_opinion/archives/eb/ebs\\_166\\_summ\\_eu15\\_en.pdf](http://europa.eu.int/comm/public_opinion/archives/eb/ebs_166_summ_eu15_en.pdf))

<sup>17</sup> See I. Gabal and L. Václavíková Helšusová in *Migration in an Enlarged Europe: Prague Castle Conference 12-14 September 2002*, Institute of International Relations, Prague, 2002.

increased emphasis placed on the EU as a guarantor of security in the months after September 11<sup>th</sup> also suggests an increased sense of solidarity in the face of a newly apparent threat from outside.

Given the discrepancies these findings indicate between popular willingness to be governed supranationally in some policy fields and not others, the shift in focus from overarching identities to issue-specific loyalties seems justified. ‘Europeanness’ does seem dependent upon the issue at hand. To understand in more detail how and why these normative domains evolve over time will require the investigation of case-studies. The two domains that are chosen here are those of the environment and justice – the first being ostensibly one of the most developed areas of transnational loyalty in the EU, the second being one of the areas in which it has traditionally been difficult to overcome public hostility to EU-level policy-making.

### The Environmental Domain

Last summer 260 tons of mercury were spilt at the chemical factory Spolana Neratovice, 25km north of Prague, when the Elbe overflowed its banks during the heavy floods that hit Central Europe. Such an incident was naturally likely to provoke some kind of international reaction: for the Germans living downstream in Saxony there would be clear environmental implications, and one could expect the local newspapers there to take a strong interest in the story. What was perhaps less predictable was the degree of attention received further afield. National German publications such as *Spiegel*, *Focus*, *Die Frankfurter Allgemeine*, *Die Süddeutsche Zeitung*, *Die Berliner Zeitung* and

*Tageszeitung* all covered the story, as did a wide range of west-European newspapers.

Jan Haverkamp, Campaign Director for Greenpeace in the Czech Republic, recalls that:

‘During the flood we had contact with a very large group of international media ... French, German, British (*The Independent*, *The Times*) and Dutch media – *NRC Handelsblad*, but also *TROUW* wrote extensively about Spolana and the flood as did several Dutch weeklies. Besides that it was featured three times at least (with a live interview with me) in the Dutch radio programme “Vroege Vogels” (Early Birds), which has one of the highest amounts of listeners (very extraordinary for a programme about nature and environment on Sunday morning!). Then there were several TV interviews as well in the very famous *Jeugdjournaal* (*Youth News*) and main news... I had one interview with the Spanish *El Pais* also.’<sup>18</sup>

The significance of this press coverage is highlighted by an anecdote that Haverkamp tells: ‘when the Dutch Dance Theatre III (NDT III) came to Prague to play at the *Divadlo na Vinohradech* on 22 November 2002, they declared that all the proceeds of the performance would go to the “chemical victims of the flood”, i.e. that they were would be spent on the repairs of the culture houses in Mělník and Neratovice.’<sup>19</sup> That these brief-stay visitors should be aware of the damage caused by the flood and of its cultural significance, indeed that they should be aware of the Spolana incident at all, is, argues Haverkamp, testament to the transborder loyalties which are emerging in today’s Europe in the environmental domain.

These loyalties do not, it is true, translate into unambiguous support for EU-wide environmental action directed from Brussels. A recent Eurobarometer poll suggests that popular ‘trust’ in the EU is not high (only 13%, compared to 48% for environmental protection associations, 35% for scientists, 23% for consumer associations and other citizens’ organisations, 18% for television, 12% for national governments, 9% for

---

<sup>18</sup> Interview with the author, 29<sup>th</sup> May 2003, Prague.

<sup>19</sup> *Ibid.*

newspapers, 1% for business).<sup>20</sup> But when it comes to decision-making, it is still the EU which is generally seen as the optimal instrument for action: 33% say the EU is ‘the best level for taking decisions about protecting the environment’, compared to 30% for national government, 27% for local government, and interestingly only 21% for the UN (emphasising the European rather than global character of the domain).<sup>21</sup> People may trust NGOs, but only 24% of respondents recommend giving them a greater say in decision-making.<sup>22</sup>

The popularity of the Green Party in European Parliamentary elections is a further indication of the extent to which the EU populations treat environmental protection as a common predicament in which their fortunes cannot be separated. The mean vote across the EU member-states for the Greens in the 1999 European Parliamentary elections was 7.4%, notably higher than the 4.4% mean vote for national Green parties in national elections in the period 1999-2003.<sup>23</sup> This translates into healthy representation at the EU level: the Greens’ total of 38 MEPs out of 626 (6.1%) compares favourably with the mean level of representation in member-state national parliaments (5.0%).<sup>24</sup> In the current European Parliament, only Spain, Portugal, Greece and Denmark are without Green representation. A similarly strong degree of support can be expected in the new member states after 2004: Haverkamp argues that if the Green movement in the Czech

---

<sup>20</sup> Eurobarometer 58.0, ‘The attitudes of Europeans towards the environment’, December 2002. The meaning of ‘trust’ is left rather unclear, the question asked simply being ‘who do you trust when it comes to environmental issues?’, p.26.

<sup>21</sup> *Ibid.*, p.29. Some important exceptions to this should be noted: the French and the Greeks attribute greater importance to local government, whilst the British, Spanish, Finish, Swedish and Danish all see the national level as the most appropriate one for action (albeit in several of these cases this is likely, once again, to be due to strictly practical fears of a downward harmonisation of standards).

<sup>22</sup> *Ibid.*, p.32.

<sup>23</sup> Calculated on the basis of data provided by the European Federation of Green Parties, [www.europeangreens.org/peopleandparties/results.html](http://www.europeangreens.org/peopleandparties/results.html). Only in Germany, Italy and (marginally) Austria was the percentage higher in the national than in the European elections.



Republic organises itself successfully over the coming months it can claim perhaps two out of the 24 Czech seats in the European Parliament. Votes are likely to come not only from traditionally polluted areas such as North Bohemia but also from relatively prosperous urban districts such as Karlovy Vary and Brno, suggesting an increasingly ‘post-materialist’ support base which takes an explicitly normative stance on environmental issues rather than viewing these simply as another dimension of their personal well-being.<sup>25</sup>

In the OPTEM study mentioned above it is reported that ‘everyone understands that this [environmental protection] is a problem that goes beyond the national level and requires resolute joint action.’<sup>26</sup> Even so, the success of the Greens at EU-level is often attributed to people’s supposed willingness to take a more idealistic stance when they perceive the stakes to be lower: elections to a parliament that has no direct tax-raising powers probably invite rather less circumspection than elections to national assemblies. But just as important is surely the experience of specific problems which have raised environmental issues up the agenda: as the study states, ‘citizens’ feelings have changed radically in all countries in recent years. The new-found awareness of the fact of climate change has been a major factor in this together with issues germane to public health such as the BSE crisis, the increasingly controversial debate over GMOs etc.’<sup>27</sup> It may be hard to imagine the Green Party extending its European Parliamentary powers dramatically in the future, given that when Green ideas start to gain currency they tend to be incorporated into the programmes of other parties, thereby depriving the Party of the most solid

---

<sup>24</sup> Calculated on the basis of figures provided in Ferdinand Müller-Rommel, ‘The Lifespan and the Political Performance of Green Parties in Western Europe’, Special Issue of *Environmental Politics* 11(1), pp.15-6.

<sup>25</sup> For recent voting patterns see Petr Jehlička and Tomáš Kostelecký, ‘Czech Greens in the 2002 General Election: A New Lease of Life?’, *Environmental Politics* 12(2), pp.134 and 136.

elements of its campaign platform. Nonetheless, this serves merely to underline that, in the right forum, the green vote is one that political parties cannot afford not to chase, and thus that the transnational loyalties engendered by the predicaments of environmental protection are an important component of the way EU citizens regard the Union's purpose.

So far it may appear that environmental issues tend to draw people together, that the normative discourse in this domain is increasingly well-established and inclusive. This, however, would be a simplification. The challenges of environmental security can narrow loyalties as well as enlarge them. One example of this may be found in the negative attitudes towards the Czech Republic engendered by the dispute over the Temelín nuclear reactor that began operation in 2001.

Situated ninety miles to the south of Prague, thirty miles north of Austria and thirty-eight miles east of Germany, the power-plant is in a provocative location. Its combination of western and Soviet technology has made it an easy target for portrayal in the west as an engineering relic, 'another Chernobyl waiting to happen'. The handling of the Czech government has also done little to ease international concerns: as the scholar Regina Axelrod argues,

'The public has been unable to challenge government pronouncements about safety at the Temelín plant.... Public activity is considered an impediment to decisions... Even the parliament never debated the decision to complete Temelín... Local authorities' opinions were not considered. The decision to grant a construction licence was approved by the state office, which evaluated only the building plans and not the environmental impact of the plant.'<sup>28</sup>

---

<sup>26</sup> *Op cit.* p.126.

<sup>27</sup> *Ibid.*, p.126.

Over the course of several months, an Austrian opposition alliance emerged composed of political groups (notably Jörg Haider's Freedom Party), NGOs (in particular the Upper Austrian Anti-Nuclear Movement) and newspapers (most prominently the tabloid *Die Kronenzeitung*). These sought vigorously to raise popular opposition to the nuclear reactor, culminating in a petition in January 2002 in which 915,220 Austrians (a sixth of those eligible) signed a petition calling for Czech entry to the EU to be dependent upon the closure of the plant. Actual levels of opposition to the reactor are likely to have been near-universal – as the Viennese Mayor Michael Haeupl pointed out, many did not sign the petition because ‘they recognised that this petition drive was not about preventing Temelín but preventing Czech entry into the EU.’<sup>29</sup> The slogan “Temelín is unnecessary, Temelín is uneconomical, Temelín is unsafe” is to be found on most streets leading into Austria from the South Bohemian border.

Was this degree of opposition due purely to environmental concerns, or was the nuclear-reactor issue merely an opportunity for deeper hostilities to be unveiled towards the Czechs? It is clearly a crucial question in the context of this study: if the issue were merely a pretext for confrontation then one would be justified in reverting to the horizontal mode of analysis, in emphasising that the overarching perspective is prior to the event interpreted. If, on the other hand, it is the issue itself which leads the discourse, then the emphasis on domain-based loyalties would be more appropriate. Loyalties in one domain (environmental security) would be seen as affecting loyalties more generally, constitutive of any overarching outlook rather than dependent upon it.

---

<sup>28</sup> Regina S. Axelrod, ‘Temelín: Nuclear Power and Building Democracy’, *Perspectives* 15 Winter 2000/1, p.39.

<sup>29</sup> Quoted by Jolyon Naegele, Radio Free Europe, 22 January 2002 ([www.rferl.org/nca/features/2002/01/22012002084025.asp](http://www.rferl.org/nca/features/2002/01/22012002084025.asp)).

It is clear that more than one issue was at stake in Austrian public opposition to Temelín. There were economic issues (fears of a distortion of the Central European energy market due to a sudden surplus of power generated by the reactor), there was the background of other disputes between the two populations (hostility regarding the Beneš decrees was at its peak in this period), there were also what one might refer to as a series of ‘rhetorical aggravations’ (Czech Premier Miloš Zeman subsequently referred to Haider as a ‘populist pro-Nazi’ and suggested that only idiots would sign the petition, something which the commentator Robert Schuster concedes may in itself have added around 100,000 names to the list<sup>30</sup>). It is clear also that the general ‘sense of belonging’ between populations discussed above is relevant here: Haverkamp acknowledges that ‘there is a considerable amount of Austrians that look at Temelín with a foreign-unfriendly look - Temelín is bad because it is East.’<sup>31</sup> There is, in other words, a ‘horizontal’ dimension to the episode.

Nonetheless, the consensus seems to be that environmental concerns were the crucial element in the dispute, whether in the form of a direct assessment of Temelín itself or, perhaps more commonly, with reference to historical experience of the environmental implications of nuclear power. Axelrod makes clear that ‘the debate moved to the international level when the Temelín opposition raised issues of safety and environment,’<sup>32</sup> whilst Schuster estimates that at least 70-80% of those signing the petition did so specifically to oppose nuclear power.<sup>33</sup> Haverkamp likewise emphasises that ‘the fact that the petition got so much support was because of genuine fears about

---

<sup>30</sup> Robert Schuster, Institute of International Relations, Prague, quoted by Naegele, Radio Free Europe, 22 January 2002.

<sup>31</sup> Interview, *op cit.*

<sup>32</sup> *Op cit.*, p.42.

Temelín. Only on an FPÖ [Freedom Party] ticket it would not have gotten the necessary 100,000 votes at all. People did not receive it as an FPÖ referendum, unfortunately...<sup>34</sup>

Debate over the safety of nuclear power has been part of public discourse in Austria for a long time – a referendum was held on the subject in 1978, resulting in the abandonment of the country’s only nuclear power-plant. Haverkamp also reminds that ‘Chernobyl has been a traumatic experience for Austria - it increased the opposition against nuclear power from somewhere in the 70s to the high 90 percents.’<sup>35</sup> Without the resonance of this comparison it is hard to imagine the Temelín issue becoming such a crucial normative issue in Austro-Czech relations.

From this brief analysis and from our investigation of the environmental domain generally one can draw the following conclusions. Firstly, to repeat, it seems fair to say that it is the normative discourse in the particular domain, rather than abstract feelings of ‘identity’, which are the key to understanding popular feelings of solidarity here, whether in the positive sense (Spolana) or the negative sense (Temelín). Secondly, whilst it is true that the environmental domain is one in which transnational loyalties are generally well-developed, there is no unidirectional expansion of loyalties here. Individual episodes can be strongly divisive. Thirdly, it can be suggested that these normative domains should not be considered in isolation: in the case of the Temelín episode, conflict in the environmental domain can be said to have contributed to weakened loyalties in other domains such as the socio-economic. To the extent that the issue may be said to have increased Austrian popular scepticism towards Czech membership of the European Union, it increased unwillingness to extend the socio-economic benefits of

---

<sup>33</sup> Schuster, *op cit.*

<sup>34</sup> Interview, *op cit.*

membership to the citizens of another country. Transnational solidarity as a whole was weakened.

### The Judicial Domain

Our second case-study looks at Justice and Home Affairs (JHA), the policy area in which EU integration is currently moving fastest. Since the 1997 Treaty of Amsterdam, several competences have been transferred to the EU-level, accelerated recently following the events of September 11<sup>th</sup> 2001 as politicians and members of the Commission seek to peg a range of policies to general concerns about security.<sup>36</sup> Nonetheless, it is also an area where governments and populations have been traditionally unwilling to see sovereignty pooled to any substantial degree. It is a domain in which normative issues are to the fore – how far are citizens in one country willing to trust judicial systems beyond their borders, whether in other EU member states or at the European level? And yet the normative significance of the challenge faced – ensuring respect for the rule of law – may be quite different from that of maintaining environmental security. By examining an incident that received a high level of public interest in Britain in the winter of 2001/2 it should be possible to reach some understanding of how loyalties are evolving in this domain and what the effect of individual episodes can be.

In early November 2001, eleven British men and one woman were arrested at a military airbase in Kalamata, Greece, on charges of spying. The group claimed,

---

<sup>35</sup> *Ibid.*

<sup>36</sup> C.f. Romano Prodi addressing the European Parliament, 12 June 2002: ‘In the eyes of most of our citizens, immigration is becoming increasingly linked with the issue of their protection ... There are a

plausibly, that they were in fact ‘planespotters’, who by recording the details of military aircraft were merely pursuing a hobby. Less common as a pursuit than ‘trainspotting’, planespotting was nonetheless a familiar enough activity for the British press to cast this group as a kind of national mascot; when the Greek authorities insisted on processing the arrested in the usual judicial manner, retaining them in custody for a period of several weeks, the response of the British press ranged from that of irritation that the Greek judicial system could be so inflexible to that of fundamental doubt about the viability of a European Union containing such a perceived gulf in institutional standards and cultural understanding. How was it possible to take Tony Blair seriously when he argued that Britain’s ‘true destiny’ lay with partners such as these?<sup>37</sup> The *Daily Mail* newspaper culminated its coverage by running a campaign to boycott Greek goods. Feta cheese was targeted. Holidays to Athens were presented as a health hazard: ‘if the muggers don’t get you, the heat may well do.’<sup>38</sup>

One of the reasons this makes a useful case-study of British attitudes is the extent to which the reaction diverged from the facts of the case. The planespotters were clearly breaking Greek law by taking photographs at the airbase, and it seems fairly evident that they were aware of this: an earlier message on the Touchdown Tours website (the company which organised the trip) written by Paul Coppin, the group leader, made a telling reference to a previous trip: ‘I would warn that spotting in Greece is still not particularly liked by the authorities and without our contacts at the Greek Ministry of Defence, which helped on a number of occasions, the trip might have been a little longer

---

variety of reasons for this, but they have been triggered to some extent by the events of September 11.’ ([http://www.ecdel.org.au/whatsnew/Speech\\_Prodi\\_immigration.htm](http://www.ecdel.org.au/whatsnew/Speech_Prodi_immigration.htm))

<sup>37</sup> *Daily Mail*, Comment, 22 November 2001, p.12.

<sup>38</sup> *Daily Mail*, 30 November 2001, pp.8-9.

than anticipated!’<sup>39</sup> In the light of Greece’s ongoing security concerns vis-à-vis Turkey, and in the light of heightened military sensitivity post-September 11<sup>th</sup>, the immediate response of the Greeks could hardly have been surprising, and so British support for the planespotters need hardly have been automatic. Likewise, as the episode unfolded, there was no genuine reason to expect the Greek government to intervene in the Greek judicial process, however controversial the case. There is also reason to suppose that the prison conditions in which the group was held were not quite as unfavourable as frequently described.<sup>40</sup>

If the reaction of the British press was rather distorted then, one naturally might ask why this should be. At first glance the episode seems to fit most neatly with a conventional horizontal-type analysis: a generally Eurosceptic country was taking a welcome opportunity to enjoy a little xenophobia. How could we British be so misunderstood? – ‘a dozen middle-aged eccentrics set off to pursue their hobby ... they end up where they shouldn’t be ... police intervene, convinced they have stumbled on a nest of spies .. these could be ingredients for one of those old Ealing comedies.’<sup>41</sup> ‘One can forgive the Greeks for a certain initial mystification. What one cannot forgive, three weeks later, when the quaint English habit of plane-spotting has been explained, is the way our harmless nerds have been treated.’<sup>42</sup> Nor was it only the right-wing Eurosceptic press that was tempted to philosophise: *The Guardian* felt that ‘a cultural gulf seems to

---

<sup>39</sup> Cit. on BBC News Online, 26<sup>th</sup> April 2002 ([news.bbc.co.uk/2/low/uk\\_news/1953654.stm](http://news.bbc.co.uk/2/low/uk_news/1953654.stm))

<sup>40</sup> See *The Guardian*, 14<sup>th</sup> December 2001, reporting the view of British embassy officials that prison conditions were ‘satisfactory’.

<sup>41</sup> *Daily Mail*, Comment, 22<sup>nd</sup> November 2001, p.12.

<sup>42</sup> Boris Johnson, *The Daily Telegraph*, 29<sup>th</sup> November 2001

([www.telegraph.co.uk/core/Content/display/Printable.jhtml?x.../do2902.xml&site=1](http://www.telegraph.co.uk/core/Content/display/Printable.jhtml?x.../do2902.xml&site=1)).



lie at the heart of the detention of 12 British planespotters in Greece ... There are, it seems, some things that EU harmonisation can never reconcile.<sup>43</sup>

Whilst this sense of cultural gap is certainly of significance, it is worth remembering at the outset that newspaper discourse is likely to exaggerate it. Firstly it provides a convenient way of framing the story so as to make it meaningful to the reader – the fate of twelve planespotters was not ‘pure news’ in the way that an accident or a military conflict might be, it required a narrative to go with it. Secondly, newspapers usually seek coherence of message. Unlike citizens, whose attitudes, we have argued, tend to vary according to particular issues, newspapers are likely to have a political or ideological stance from which they derive, far more deductively, their views on particular issues. Their approach is a deliberately horizontal one. In this case, those newspapers that took the greatest interest in the story (the *Daily Mail* and the *Daily Telegraph*) were right-wing newspapers seeking to make use of it to justify their own Eurosceptic positions. To understand where popular loyalties lie on the issue certainly requires studying newspaper discourse, since this largely sets the terms of the debate, but it also requires looking beyond the superficial coherence which is deliberately sought by newspaper editors.

Considering first the newspaper discourse itself, the case of the planespotters illustrates how one particular episode can have consequences for a range of separate issues within the domain. Several of the newspapers link the issue of mutual recognition of jurisdictions thrown up by the planespotters case to another JHA issue that was under discussion at the time, the European Arrest Warrant, by which any EU citizen might be arrested, extradited or held in custody in any other EU country, whether or not the

---

<sup>43</sup> *The Guardian*, 23<sup>rd</sup> November 2001 (<http://www.guardian.co.uk/g2/story/0,3604,604117,00.html>).

offences were considered a crime in the host country. *The Telegraph* makes the link, as does *The Times* – despite the fact that there was no direct connection to the planespotters (who, arrested in Greece, would not have needed to be extradited).<sup>44</sup> The *Daily Mail* makes the connection most dramatically: ‘there are wider issues in this perversion of justice [the planespotters case]. At this moment, Britain and the rest of the EU are cooperating as never before on matters of law, the courts and extradition. In future, any British citizen could be hauled off to stand trial in Greece, on an arrest warrant issued in that country. But who in his senses would trust the Greek courts now?’<sup>45</sup> The climax comes during the Laeken summit, when the *Mail’s* front-page headline reads: ‘Surrender: Yesterday Britain gave up 1000 years of legal sovereignty to Europe’s judges and police’, with the text continuing ‘critics point to Greece – the country that has held 12 British planespotters in jail for more than a month on questionable spying charges – as an example of the legal systems to which the Government is handing unprecedented powers over Britons.’<sup>46</sup> The Conservative MP David Cameron emphasises a week later in *The Guardian* the impact that the planespotters case has had on discussion of the Arrest Warrant: ‘what might have been a side issue, of interest only to the eurosceptic wing of the Conservative party ... has become a matter of national debate.’<sup>47</sup> The single high-profile case seems to have an immediate effect on levels of trust generally in non-British justice.

It also leads to renewed discussion, in the Eurosceptic press at least, about the extent to which Britain should be involved in a Union with countries such as Greece at

---

<sup>44</sup> *The Telegraph*, 27<sup>th</sup> November 2001, 27<sup>th</sup> April 2002; 9<sup>th</sup> January 2003; *The Times*, 29<sup>th</sup> April 2002.

<sup>45</sup> *Daily Mail*, 29<sup>th</sup> November 2001, p.11.

<sup>46</sup> *Daily Mail*, 12<sup>th</sup> December 2001, p.1.

all: ‘what is even more shocking about this situation,’ believes the *Daily Mail*, ‘is that it has taken place in Greece, a supposedly modern democracy that is not only a member of the European Union but is apparently fit to join the single currency. When Tony Blair said earlier this week that our ‘true destiny’ lies as a full partner in a united Europe, he means that we will be sharing our sovereignty, our money and our army with countries such as Greece. Does Greece deserve such trust? Its actions in locking up these plane spotters suggest a mentality more akin to a paranoid African dictatorship...’<sup>48</sup>

However, for all the talk of ‘cultural gaps’ and disdain for Greek judicial standards, even the *Daily Mail* itself, which seeks a consistently Eurosceptic message, resists simple classification as ‘anti-European’. On the same page that it sardonically concludes a Comment section on the planespotters case with the words ‘welcome to the brave new Europe, where Mr. Blair says our ‘true destiny’ lies’, one finds it seeking EU-level solutions to the upheaval in Robert Mugabe’s Zimbabwe: ‘so far the European Union has contemplated sanctions ... but has been reluctant to employ them. It must think again. They might not finish him off, but they would sting him and, no less important, show the Zimbabwean people, black and white, that we were at least doing something.’<sup>49</sup> Noticeable, meanwhile, in its coverage of the planespotters case is the interest it takes in the views and actions of MEPs. Several are repeatedly quoted, in particular Conservative MEP Geoffrey Van Orden<sup>50</sup> and Labour MEP Richard Howitt,<sup>51</sup>

---

<sup>47</sup> *The Guardian*, 19<sup>th</sup> December 2001

(<http://politics.guardian.co.uk/columnist/story/0,9321,621020,00.html>).

<sup>48</sup> *Daily Mail*, 22<sup>nd</sup> November 2001, p.31.

<sup>49</sup> *Daily Mail*, 22 November 2001, p.12.

<sup>50</sup> Two quotations in one article, 22<sup>nd</sup> November 2001 (pp.30-1), also 30<sup>th</sup> November 2001 ([www.femail.co.uk/pages/standard/print.html?in\\_article\\_id=87038&in\\_page\\_id=2](http://www.femail.co.uk/pages/standard/print.html?in_article_id=87038&in_page_id=2)).

<sup>51</sup> A whole series of quotations, 1<sup>st</sup> December 2001 (pp.22-3), plus further mentions on 3<sup>rd</sup> December 2001 (p.16), 8<sup>th</sup> December 2001 (p.39), 10<sup>th</sup> December 2001 (p.27), 11<sup>th</sup> December 2001 (p.2) and 15<sup>th</sup> December 2001 (p.2).

though also Conservative MEP Timothy Kirkhope.<sup>52</sup> The style in which they are presented suggests one should not write this off simply as hungry journalists relying on rent-a-quote politicians: Richard Howitt comes to be presented as something of a crusader ('Labour Euro MP Richard Howitt was flying to Athens last night for a face-to-face meeting with some of the prisoners. He plans to challenge the authorities to either charge the 12 Britons or let them go;'<sup>53</sup> likewise 'Mr. Howitt is pressing for the intervention of the European Court of Human Rights over their conditions and treatment ... "European law states that people are innocent until proven guilty, not guilty until proven innocent as appears to be the case here. I shall be raising the matter with the European Parliament. I shall be pressing for the case to be taken to the European Court of Human Rights."'')<sup>54</sup> The *Daily Mail's* views are, one might say, paradoxical: whilst the 'idea' of the EU is habitually ridiculed, its mechanisms are accorded some value.

If this complexity can be true of a consciously Eurosceptic newspaper, it is likely to be even more true of citizens themselves. Consider the conduct of two of the planespotters: after their acquittal Paul and Lesley Coppin decide to travel with their MEP Richard Howitt to Strasbourg to discuss their experiences with various MEPs and with Antonio Vittorino, the Commissioner for JHA.<sup>55</sup> The statements which they release are interesting: 'This case has brought home to us that different countries throughout the European Union do not have common standards,' says Mrs. Coppin. 'We want a level playing field with common rules throughout the continent.'<sup>56</sup> 'Without the intervention

---

<sup>52</sup> *Daily Mail*, 12<sup>th</sup> December 2001, p.6. EP president Nicole Fontaine is also given brief mention (30<sup>th</sup> November 2001, *op cit.*) when calling for 'a swift end to "this unfortunate episode".'

<sup>53</sup> 30<sup>th</sup> November 2001, *op cit.*.

<sup>54</sup> 3<sup>rd</sup> December 2001, p.16.

<sup>55</sup> 'News from Labour in the European Parliament', 20<sup>th</sup> November 2002 ([www.eplp.org.uk/PRPlanespottersV201102.html](http://www.eplp.org.uk/PRPlanespottersV201102.html)).

<sup>56</sup> Cit. in the *East Anglian Daily Times*, 19<sup>th</sup> November 2002.

of the European Parliament, we would have been in prison for longer, meaning the loss of our jobs, homes and the destruction of our lives. Now Euro MPs must support the new EU legislation – we can do no more.’<sup>57</sup> Mr. Coppin’s line is similar: preparing for the meeting, he says ‘we will be doing a bit of lobbying about common judicial standards and the different systems across Europe. We will see how it all works and keep up the campaigning so this doesn’t happen to anyone else.’<sup>58</sup> Then, the next day: ‘I very much welcome that Europe is recognising the wider implications of our case, and that new European law will guarantee that what we experienced should never happen to anyone else.’<sup>59</sup> The message in each of these statements seems to be this: the need to bring the realities of the EU in line with expectations, to ensure that common EU standards are upheld. Thus, though one might initially assume that the case weakens enthusiasm for non-British justice (weakens transnational loyalties in this domain, in other words), those at the very centre of the affair seem to be seeking equality with their fellow EU citizens under common rules (so long as these work effectively) and, more generally, seem to regard themselves, the European Parliament, the Commission and its representatives as meaningful components of a wider political space.<sup>60</sup>

This analysis of the judicial domain points to a number of conclusions. Firstly, despite this last point, it does seem clear that transnational loyalties are less developed

---

<sup>57</sup> ‘News from Labour ...’, 20<sup>th</sup> November 2002.

<sup>58</sup> Cit on BBC News Online, 19<sup>th</sup> November 2002 ([news.bbc.co.uk/2/low/uk\\_news/2491395.stm](http://news.bbc.co.uk/2/low/uk_news/2491395.stm)).

<sup>59</sup> ‘News from Labour ...’, 20<sup>th</sup> November 2002.

<sup>60</sup> A similar stance is suggested by the words of Heather Saunders, the widow of the British military attache shot dead in Athens in 2000 and whose killers, assumed to be affiliated to the November 17 group, the Greek authorities had proved unable to arrest: though the *Daily Mail* headlines her article ‘I’m still waiting for justice from Greece’, she remarks ‘only recently, as a result of its membership of the EU, is it [Greece] even beginning to adopt what might be called West European ways.’ (30<sup>th</sup> November 2001, p.8) It is the individual country, Greece, which is seen as diverging from the norms of the transnational political space.

here than in the environmental domain. There is an instinctive scepticism towards all forms of foreign justice – perhaps more so than average in Britain, given the country’s high regard for its own common law system. As in the environmental domain, the development of individual episodes can have significant normative consequences, both within the domain (concern about another proposed feature of JHA, the Arrest Warrant) and beyond it (renewed doubt generally about Britain’s ability to coexist with countries perceived to have quite different institutional standards and cultural norms). And as with the environmental domain, the case-study indicates the extent to which discussion of monolithic identities is problematic: the *Daily Mail*’s position is more ambiguous than it seems, whilst that of the planespotters, contemptuous of the Greek judicial system, nonetheless cannot fairly be described as ‘anti-European’ since they are willing to invest time in seeking EU-level solutions.

#### Normative Domains and the Future of Europe

It has been the argument of this paper that popular loyalties (and their absence) towards institutions and peoples are best considered according to issue-area – the *vertical* approach – rather than presented in such broad and decontextualised categories as ‘European identity’, ‘national identity’ etc – this being referred to as the *horizontal* approach. Loyalties in each ‘domain’ of activity have been regarded as evolving gradually and somewhat incoherently, guided by the transnational challenges articulated in the domain, and with implications for loyalties outside the domain. Scepticism has been expressed, on the basis of a brief study of the environmental domain, regarding the idea of a unidirectional process of widening loyalties.

As suggested in the introduction, this discussion has some implications for the events which are currently taking place in Brussels. There is much talk of a deficit of legitimacy in the EU. Whilst the problem may perhaps better be reframed as a that of a deficit of popular consent,<sup>61</sup> the need to engender a greater collective sense of popular solidarity across borders is the same.<sup>62</sup> It is the creation of a Community, as defined at the beginning of this paper (where loyalties in different domains are consistently pan-European in breadth), which is felt to be the key to making the EU a meaningful political space. The kind of issue-based politics pursued by MEPs in the European Parliament needs to be replicated across the European populations at large, something for which popular loyalties will need to be commensurate with the size of the decision-making sphere. How normative discourse is evolving in the various domains of EU activity is clearly therefore one of the crucial indicators of the viability of the integration process.

And yet the approach being taken at the Convention on the Future of the EU is, as we have said, the horizontal one: a Constitutional Treaty has been drafted which seeks to bundle popular loyalties into a single package of national identity and European values. The structures are being designed with a view to creating symbolic unity rather than reflecting multiple affiliation (consider, for instance, the proposal for a long-term elected President of the European Council<sup>63</sup>). Whilst observation suggests that transnational

---

<sup>61</sup> On this, see M. Leonard and J. P. J. White, 'Can Brussels Earn the Right to Act?', Foreign Policy Centre London, 2003.

<sup>62</sup> A recent policy brief by two MEPs neatly links current debate about the redesign of the Union's institutions with the question of where popular loyalties lie: 'Despite its manifest achievements, the European Parliament remains fairly invisible to voters, indistinguishable from the vague conception most citizens have of 'Brussels'. In large part, this is a reflection of the misfit between the local, regional and national political loyalties of voters and the pan-European aspirations of the European Parliament. MEPs are suspended between the two: elected to legislate on a federal EU level by voters whose loyalties remain trapped in subsidiary political boundaries. It is as if MEPs aspire to exercise federal political authority on the basis of a confederal political mandate.' ('Reforming the European Parliament', Nick Clegg and Michiel van Hulten, Foreign Policy Centre, London, 2003, p.8.)

<sup>63</sup> Draft Constitution, Article I-21(1)

loyalties emerge (or retreat) as a result of the normative impact of individual episodes in individual domains of activity, the current process of institutional reform appears to be an attempt to win them wholesale.

Such a project is grounded in good intentions. The mechanisms and competences of the Union require clarification. There is a need for such a ‘reference guide’ to the Union. Conceivably indeed, the result may be the very thing which frees us from the horizontal approach: by defining the role and the goals of the EU with some finality, one could envisage an end to barren debate of the ‘pro-EU’ / ‘anti-EU’ kind in countries such as Britain, Ireland, Denmark and some of the accession countries, replaced instead by the very issue-based politics that might encourage normative discourse in the various domains to coalesce in the form of a Community. Unfortunately this does seem to be an implausible hope however – current experience in Britain suggests that the project may have the opposite effect of galvanising opposition to the Union.

Ultimately what this discussion of transnational solidarity invites us to remember is that the final Convention document is to be a Constitutional Treaty, not a Constitution, with the implication that it should concern the *relationships* between actors rather than attempt to define and nurture the ‘identity’ of one of them in particular, the citizenry. To expect the latter achievement from such a document would be to risk misunderstanding the nature of the Union – to mistake it for an emergent federal structure as opposed to the space in which a network of plural transnational loyalties continues to evolve.