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LETTER FROM THE EDITORS

Welcome to the new electronic version of the *CESAA Review*. We have made several changes to the *Review* that we feel make it more scholarly as well accessible to students, established academics, and policy makers interested in contemporary European issues. Foremost among these changes has been the establishment of an editorial advisory board made up of leaders in their field and early-career scholars who will advise on content and review the *Review* as appropriate. In addition to this the editorial board has approved the Editors' decision to publish the *Review* electronically rather than in the traditional hardback form. We would like to stress that this move does not deter from the academic integrity of the journal as it continues to be peer-reviewed by scholars in the field.

We are particularly pleased to have received so many submissions from postgraduates and early-career researchers who show such enormous potential in the field of European studies. Indeed, this bodes well for the future of European studies in Australia. As this edition illustrates the wealth and breadth of research in Australian institutions is testament to the extensive interest in Europe and European studies.

We are sure you will enjoy reading this edition of the *CESAA Review* and we look forward to receiving your submissions for future editions.

The Editors

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THE BALKANS IN THE BRITISH IMAGINATION: PERCEPTIONS OF SOUTH EASTERN EUROPE IN REBECCA WEST'S *BLACK LAMB GREY FALCON* AND EDITH DURHAM'S *HIGH ALBANIA*

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Nations, like narratives, lose their origins in the myths of time and only fully realise their horizons in the mind's eye.

H. K. Bhabha (1993, 1)

Lux Balcanica est umbra Orientis.

Maria Todorova (1994, 15)

In *High Albania* and *Black Lamb Grey Falcon*, both Edith Durham and Rebecca West provide perceptions of South Eastern Europe that are at once eloquent, detailed, confounding, confused, percipient, sagacious, and profoundly ignorant. They are both polemicists who write in order to make the case for their favoured South Eastern European nation to an audience principally in Britain. At the same time they lay claim to an expertise that enables them to see into the so-called 'Balkan mentality'. This expertise enables them both to write the 'real truth' about Yugoslavia, in particular Serbia, for West, and Albania for Durham, and to claim a deep insight and personal affinity with the countries whose causes they both espouse. Both books are a combination of travel, voyeurism, political polemic, personal observation/exploration, and history. *Black Lamb*, in particular, is noted for being rebarbative. It is, as Brian Hall notes, a meditation, *inter alia*, on "empire, nationalism, relations between the sexes, heroism, Evil, predestination, original sin, Roman Catholicism, Orthodoxy, doctrines of atonement, St Augustine, Manichaeism, good/bad art, the importance of trivia, embroidery, and well roasted pig" (Hall 1996, 74).

In the 1990s, both Rebecca West and Edith Durham were republished to almost universal acclaim as both writers were thought to provide a 'deep' exploration for the contemporary politics of South Eastern Europe. Just as the Carnegie Endowment for International Peace republished in 1993 their 1913 enquiry into the "causes and conduct of Balkan Wars" to explain the disintegration of Yugoslavia, so vintage texts like *Black Lamb* (first published in 1941) and *High Albania* (first published in 1909) were resuscitated. Part of the attraction seems to have been the view, expressed in George Kennan's introduction to the Carnegie report, that the reasons for the recent conflicts "drew on deeper traits of character inherited, presumably, from a distant tribal past" (Todorova 1994, 5). Such a view gives license to understand and interpret political events, not by analysing them through the disciplines of history or political science, but by reaching further into the intangible, and almost certainly mythical pasts; "traits of character" and "distant tribal past" do not readily lend themselves to reasonably objective, rational explication. Reason, it seems, has no place in our understanding of South East European politics, for they recur endlessly in a pattern of repetition that goes

back to the beginnings of time, or so Kennan would seem to suggest. The significance of *High Albania*, which is subtitled “The Land of the Living Past”, and of *Black Lamb*, which attempts to penetrate Yugoslav, and especially Serbian ‘mentality’, suddenly becomes apparent. They are seen as being able to produce a ‘deep’ analysis of the Balkan past and mindset through which present realities and modes of behaviour can be understood. West is blessed with “near perfect clairvoyance” (Kaplan 1993, 4), while Durham is “highly prescient”.¹ Similarly ecstatic treatment of Durham can be found in nearly all the major newspapers in Britain and the US, as well as, surprisingly, the *Moscow Times*, while far reaching analyses of West’s work appeared in more intellectual journals such as *TLS*, the *New York Review* and the *New Yorker* fifty years after they first reviewed her magnum opus. *Black Lamb* and *High Albania*, therefore, play an important role in the development of both political and public opinion and understandings of South Eastern Europe (Hall 1996, 76).

The enormous scope of *Black Lamb* and *High Albania*, combined with the strength of the views they express, is by no means new to writing about South Eastern Europe. One of the principal mediaeval texts describing the area, written in the fifth or sixth centuries AD, claims that:

In this part of the world ... are to be found the Slavs and the Phisonites, also called the Danubians. The former take pleasure in eating women’s breasts filled with milk, and they break new-born babies against rocks like mice. The latter on the other hand, avoid consuming even meat which can be eaten lawfully and without reproach. The one are insubordinate, independent, reckon no master and frequently kill their chieftan when at table or travelling; they eat foxes, wild cats and bear and call out to each other with wolf-cries. Do not the others refrain from excessive eating, and do they not submit to the authority of the newcomer? (in Bracewell & Drace Francis 1998, 48).

While this association with violence and tendency to overt and extreme ethical judgement has, as Bracewell and Drace-Francis note, by no means disappeared, it is perhaps exacerbated in writings about South Eastern Europe as a result of what K. E. Fleming has called their “liminal status” (2000, 1232). The South Eastern Europe is at the interstices worlds, histories and continents and, as a result of this ambiguous location, the region is at once within Europe without being considered fully European (Fleming 2000, 1230).

Consequently, there is wild variance between interpretations about the nature of South East European cultures, traditions, significance, and even location. Larry Wolff, for example, argues that the region is Europe’s “internal other” and that perceptions of

¹Abdela, L.: “My Friends’ train to Paddock Woods is delayed by the wrong sort of Kosovans on the line”, *New Statesman*, 26/10/95. Other examples are: Greenslade, R.: “A Chip off the Old Zog”, *Guardian*, 2/4/97; *New York Times* Editorial “Why Exclude Balkan Peacemakers?” 26/10/95; D. Doder: “Edith Durham prophetically warned that the Albanian question would inevitably come to haunt European politics” *Moscow Times*, 24/3/98, etc.. See also my references for examples of reviews of *Black Lamb* in the *TLS*, the *New York Review* and the *New Yorker*.

violence, backwardness and general underdevelopment are a necessary apposition to Western claims to advancement and sophistication. South Eastern Europe, he writes, “mediate between the poles of civilisation and backwardness” (Fleming 2000, 1229-1230). Maria Todorova has seen the region as a legacy of the Ottoman Empire, and so reflects historical and cultural experiences that are quite different from those of Western Europe. She writes that “it is preposterous to look for an Ottoman legacy *in* the Balkans. The Balkans *are* the Ottoman legacy” (Todorova 1996, 48). By seeing them as the consequence of a non-European, and thus Asiatic, imperial legacy, she is able to add substance to her argument that there is a distinct Orientalist discourse that has developed concerning perceptions of the region. Such a view draws upon Edward Said’s major works *Orientalism* and *Culture and Imperialism* in which he argues that Western literary, journalistic, academic and political treatments of the Orient, in particular the Middle East, are ultimately reductivist. Using institutions that bestow intellectual authority, Said argues that commentators have constructed popularly accepted discourse which posits the ‘Orient’ as an ‘exotic other’. Writings about the Orient are, therefore, artificial: they do not reveal the truth about a particular society, but construct a self-perpetuating body of received ideas that serve as a mirror image to the West’s own advanced and civilised self-perception. As Said writes, ‘Orientalism’ is the “corporate institution for dealing with the Orient – dealing with it by making statements about it, authorising views of it, describing it, by teaching it, settling it, ruling over it: in short Orientalism can be described and analysed as a Western style for dominating, restructuring, and having authority over the Orient” (Said in Todorova 1994, 453). In Todorova’s view, parallel structures for producing understandings of the ‘Orient’ exist for South Eastern Europe, not least because of the regions’ Ottoman, and thus Oriental, heritage.

This view is, however, contested by Milica Bakic-Hayden and R. M. Hayden who conclude that writings about the Balkans do not constitute a “specific rhetorical paradigm”. Instead, they advocate the term “nesting orientalisms”. Rather than subjecting South Eastern Europe to a totalising Orientalist discourse, “nesting orientalisms” is “a pattern of reproduction of the original dichotomy upon which Orientalism is premised. In this pattern, Asia is more ‘East’ or ‘other’ than Eastern Europe; within Eastern Europe itself this gradation is reproduced and the Balkans perceived as most ‘eastern’; within the Balkans there are similarly constructed hierarchies” (Bakic-Hayden 1995, 518). Against both Todorova and Bakic-Hayden/Hayden, P. M. Kitromilides has argued that South Eastern Europe is not simply an Ottoman legacy and therefore merely a subspecies of Orientalism, nor is the region as fissile as Bakic-Hayden/Hayden suggest. Rather, there is an independent South East European ‘mentality’ that includes the Ottoman legacy, but as only one of several “zones of civilisation” that constitute a unified and distinctive mentality (Kitromilides, 1996, 167). Finally, there seems to be a deep seated view, generally held in Western Europe and the US, that the Balkans, perhaps because of their ‘eastern’ influences, are somehow the source of inherent violence, prejudice and hatred. They became, to borrow Todorova’s phrase, “a repository of negative characteristics against which a positive image of the ‘European’ and ‘the West’ has been constructed” (Todorova 1994, 455). Thus, for John Gunther whose book, *Inside Europe*, written only four years before *Black Lamb*, “it is an unhappy affront” that “some hundred and fifty thousand young Americans died because of an event in 1914 in a mud-caked, primitive

village, Sarajevo” (Fleming 2000, 1229). More recently, Robert Kaplan’s *Balkan Ghosts*, has, however speciously, added to the litany of ills perpetrated upon the world by South Eastern Europe: “Nazism, for instance, can claim Balkan origins. Among the flophouses of Vienna, a breeding ground of ethnic resentments close to the southeastern Slavic world, Hitler learned how to hate so infectiously” (in Todorova 1997, 119).

The renewed interest in West and Durham in the 1990s arose from the view that the Balkans had reverted to “more natural forms of expression” which communism had put in “cold storage” (Allcock 2000, 311). Both *High Albania* and *Black Lamb* sought to examine intangible ancient tribal traits of character and more natural forms of expression as a means of ascertaining the truth about Balkan politics and of establishing a moral incitement for British government and public action.

Despite their respective strong moral stances and political opinions, both West’s interest in Yugoslavia and Durham’s interest in Albania were equally fortuitous. West somewhat disingenuously described herself as simply an “ordinary Englishwoman” recording her views on current events in the interests of posterity. She was an “exasperated critic” of empire and had been searching for a suitable case study of a small nation resisting an imperialist power (Goldsworthy 1996, 219). Originally intending to write about Finland, West found an emotive connection with the South Slav lands: “there is a coincidence between the natural parts of Yugoslavia and the innate forms and colours of my imagination” (Donnell & Polkey 2000, 13). Durham was similarly fortuitous in her championing of the Albanians. Driven from London by her doctor’s orders that she have an exotic holiday, Durham found herself observing Albanian market traders in Podgorica. There, she discovered “half-wild natives of the Albanian mountains passing from the world of the Middle Ages to a place which feels, however faintly, the forces of the twentieth century” (Goldsworthy 1996, 208). In both cases, West and Durham thought they saw in their respective adopted nations a pre-rational, pre-modern reflection of themselves. For Durham, especially, Albania contained “vague memories of the cradle of [our] race”. Published at the height of World War II, West used her analysis of what she saw as Yugoslav, and especially Serbian, traits of character and distant and mythologised past as a means of advocating a spirit of independence and resistance to an imperial threat. In her treatment of the medieval Serbian kingdom’s resistance to the Ottoman Empire, West saw a parallel with Britain’s resistance to Germany.

Durham uses her analysis of what she persistently calls the Albanian ‘child-nation’ to call for a paternalistic intervention to aid the Albanians in the establishment of the own independent state in the face of late Ottoman, Italian and Habsburg imperial interests. While West is highly critical of empire, be it British, Ottoman or growing German ultranationalism, Durham’s opinions are more contradictory. The title of the ‘last Victorian’ has been liberally applied to any twentieth century traveller whose attitudes seem antiquated. Durham is a patriotic representative of empire both in her capacity as a member of the British and Foreign Bible Society, and in her clear-eyed belief in the superior benevolence of Britain. Compared to Britain, Albania has “the charm of childhood ... and plays its mysterious games, that no grown up can hope to understand” (Durham 2000, 118). While such pre-industrial, pre-modern juvenilia may have attracted

her, in contemporary Europe, it could be a considerable disadvantage. “I looked at them in awe”, Durham adds, “for I saw them through a vista of a thousand years. The river of evolution had left them stranded - waifs of a day when men had not yet learned to form a nation” (2000, 205). While she is especially sceptical about Italian, Habsburg, Russian, and Bulgarian claims on Albanian territory, she views any attempts at reform as inherently hopeless. In her view, Albanians place a naïve and undue faith in Ottoman political reform, in the guise of a “Konstitutzioon”. Rather than guaranteeing stable rule and independent government, the Young Turk reforms and the return of the Albanian leader Prenk Pasha from Constantinople is only an indication, for Durham, of the threat of strengthened Ottoman control. On the day the new constitution is announced, Durham wrote amid the celebrations, that “I was filled with sorrow for this child-people, helpless before the problems of grown-up life” (Durham 2000, 238).

For Durham, the immediate contradiction appears to be that while the Albanians, whose ancient language has preserved, despite differences in religion and imperial influence, “a fierce race instinct” (2000, 4), deserve the right of self-determination, it is for another imperial power to guarantee that right. Throughout the book, Durham enjoys status and access to significant political figures on the basis that she is held to be a representative, however vicariously, of British power. She is taken, among other things, for being the sister of the King of England, and a recurrent theme is the request for her to use her imagined influence to enact political change. She claims that her popularity among the Albanians becomes so great that she is popularly known as ‘Kraljica e Maltsorevet’ – Queen of the Highlanders (Durham 2000, ix). It would appear, then, that High Albania conforms to Said’s vision of Orientalism: “the Orient is irrational, depraved (fallen), childlike, ‘different’; thus the European is rational, virtuous, mature, ‘normal’” (Said 1978, 40).

Paradoxically, however, *Black Lamb* and *High Albania* both reinforce and confound Orientalist stereotypes. Both books indulge in common Orientalist fantasies about the inherent violence, distant mythical pasts, civilisation and barbarism. Neither, however, are totalising: there is reciprocity to their writings about the Balkans that is lacking in both Said and Todorova’s analyses. For West, Yugoslavia became a model for wartime Britain, while for Durham, there is something more real, immediate and essential, about Albania than there is about Britain. For Durham, whereas London presented her with the prospect of “endless years of grey monotony” (Durham in Goldsworthy 1998, 162), Albania attracted her with its “raw, primitive ideas, which date from the world’s well-springs, its passionate strivings, its disastrous failures, grip the mind; its blaze of colour, its wildly magnificent scenery hold the eye” (Durham in Todorova 1997, 120). Perhaps because of the South Eastern Europe’s place as Europe’s “internal other”, in West’s and Durham’s writing the region is allowed to be part of a dialogue which is used to develop an understanding of both the South Eastern Europe and the West. Despite their obvious Orientalist leanings, neither *Black Lamb* nor *High Albania* provide the totalising Orientalist discourse, in which nothing good can be said about the subject and where the subject is deprived of an independent voice, that Said envisaged (Allcock & Young 2000, 223). Both are as much a description of Yugoslavia and Albania as they are an engagement with current British and European politics.

The extent to which, for West and Durham, the inhabitants of present day South Eastern Europe reflect their origins in the beginnings of time becomes apparent in their use of animal and nature imagery to evoke their perceptions of 'Balkan' mentalities. As Durham writes, "in the breast of every human being there is a wolf. It may sleep for several generations. But it wakes at last and howls for blood. In the breast of every South Slav, both Serb and Montenegrin, it has not yet even thought of slumbering" (Allcock & Young 2000, 236). It is this apparent connection with a pre-rational past, without what Max Weber has termed the "disenchantment" of the enlightenment, that informs the political and moral stance of both books, especially *Black Lamb* (Allcock & Young 2000, 238).

While both felt some ancient connection between themselves and their adopted lands, their political outlooks differed. Durham's political motivations were purely technical. She considered that the "vexed question" of Balkan politics could be solved "by studying the manners and customs of each district, and so learning to whom each place should really belong" (Goldsworthy 1998, 169). Writing in the shadow of the rise of Nazi Germany, however, West saw Yugoslavia as a metaphor for Britain. Unlike Durham, she was not interested in nation building by attributing ownership of land through the establishment of an ethnographic connection. West was concerned primarily with an analysis of the spirit of resistance, as exemplified, so she thought, by the Serbs. At the end of *Black Lamb Grey Falcon*, Serbia has figuratively become Britain. Faced with the Battle of Britain, West wrote that "now we in England stood alone. Now we, who had been masters of the world, were poor and beset like the South Slavs". In these circumstances, West hoped that she would be able to "behave like a Serb" (in Wolff 1991, 30). This may be a consequence, in part, of Said's observation that Orientalists travel in order to prove maxims. It would appear to be unusual, however, for such maxims to be turned back upon the metropolitan power and used as a model for her future political conduct (Said 1978, 52).

Like Durham's somnolent wolf, the imagery of the black lamb and the grey falcon of West's title symbolises the core ideological concerns of her book. They represent West's personal convictions and experiences as well as a meditation on the nature of Christianity (and its effects upon Western culture) and politics. Where Durham finds sees lupine traces in Albanians and in herself, West finds geological ones. At the site of a fertility rite on the Kosovo plain, West is horrified by the sacrifice of defenceless black lambs against a rock:

The right of the Sheep's Field was purely shameful. It was a huge and dirty lie. There is a possibility that barrenness due to the mind could be aided by a rite that evoked love and broke down peevish desires to be separate and alone, or that animated a fatigued nature by refreshment from its hidden sources. But this could do nothing that it promised. Women do not get children by adding to the normal act of copulation the slaughter of a lamb, the breaking of a jar, the decapitating of a cock, the stretching of wool through blood and grease (West 1977, 691).

Rather than continuing with her condemnation, however, West continues “it would have been pleasant to turn round and run back to the car and drive away as quickly as possible, but the place had enormous authority. It was the body of our death, it was the seed of the sin that is in us, it was the forge where the sword was wrought that shall slay us. I knew this rock well. I had lived under the shadow of it all of my life” West 1977, 692). The image of the black lamb recurs at strategic points throughout the book and West uses it as a compound metaphor. In its first appearance, it is in an up market hotel in Belgrade where, interrupting the businessmen in mid-conversation, a peasant holding a black lamb in his arms enters and stands “still as a Byzantine king in a fresco” (in Wolff 1991, 9). The black lamb thus nurtured becomes a symbol of a ‘real’, peasant Serbia in all its Orthodox splendour. Through the sacrifice of the lamb— integral to West’s picture of peasant, Orthodox Serbia - on the site of the Serb Kingdom’s 1389 defeat by the Ottoman Empire at Kosovo Field, the ritual becomes, by extension, a metaphor for the sacrifice of Serbia at the hands of Ottoman and looming Nazi power.

The metaphor is further complicated, however, by the biblical imagery of ovine sacrifice: the sacrifice of Isaac is an entirely pointless test of the strength of Abraham’s faith. While Abraham’s faith proved strong enough to warrant the exchange of his son for a lamb, West realised that in contemporary European politics, such exchanges are impossible. Christianity’s fault, and its insidious effects upon Western civilisation are, according to West, the willingness to view sacrifice as having high moral worth: “it is a perfect myth for a fundamental and foul disposition of the mind” (West 1977, 696). Viewed as an inherent good, the desire to be sacrificed for an idea, rather than to defend it, is analogous to Tsar Lazar’s acceptance of a heavenly kingdom, rather than victory in the Battle of Kosovo, or to the Munich Agreement between Chamberlain and Hitler. In a neat reversal of Kennan’s views about the imperative of deep character traits in determining the actions of Balkan states, West condemns the insidious effects of such character traits upon the Western mind.

None of us, my kind as little as any others, could resist the temptation of accepting this sacrifice as a valid symbol. We believed in our heart of hearts that life was simply this and nothing more, a man cutting the throat of a lamb on a rock to please God and obtain happiness; and when our intelligence told us that the man was performing a disgusting and meaningless act, our response was not to dismiss the idea as a nightmare, but to say, ‘since it is wrong to be the priest and sacrifice the lamb, I will be the lamb and be sacrificed by the priest’. We thereby set up a principle that doom was honourable for innocent things, and concealed that if we spoke kindness and recommended peace it was fitting that afterwards the knife should be passed across our throats (West 722).

The black lamb and the grey falcon work in conjunction. The first incarnation of Chamberlain, not to speak of the right-thinking but politically impotent liberals, including herself, whom West lambasts in the above passage, was the mediaeval Serbian ruler, Tsar Lazar. On the eve of the Battle of Kosovo against the advancing

Ottoman army in 1389,² Elijah, in the form of a grey falcon, comes to Tsar Lazar and offers him a heavenly kingdom in return for the construction of a church, rather than vital defences, on the field of battle. Consequently, the battle is lost, and Tsar Lazar gains his heavenly kingdom at the expense of his earthly one and five hundred years of Ottoman subjugation. On hearing this tale, West revealingly comments “so that was what happened, Lazar was a member of the Peace Pledge Union” (West 1977, 718).

It is no coincidence, therefore, that West begins *Black Lamb Grey Falcon* with a description of a group of particularly ugly, prejudiced Germans on the train from Vienna to Zagreb and ends it with a dedication to “to my friends in Yugoslavia, who are now all dead or enslaved” (West 1977, 757). “These were”, she wrote, “exactly like all Aryan Germans I had ever known; and there were sixty millions of them living in the middle of Europe” (Orel, 1986, 167). The book allies mediaeval Serbia’s defeat at the hands of the Ottoman Empire with Yugoslavia’s impending defeat at the hands of the Third Reich. This theme is played out most horrifically in West’s portrayal of the relationship between her guide, Constantine, and his German wife Gerda.

Constantine is everything Gerda is not, and is for West the embodiment of both the height and the impotence of Western civilisation. He is multi-ethnic, intellectual polyglot. He is both Jewish and Orthodox, a Serbian war hero during the WWI, and a devoted supporter of Yugoslavia. He studied under Henri Bergson at the Sorbonne and is a significant politician as well as an accomplished minor poet (Goldsworthy, 1996, 228). Yet, as the book progresses, his energy and vivacity are dimmed by Gerda’s stultifying prejudices and opinions. She dislikes, Jews and Serbs, and regards anything not German as beneath contempt. One of her most insensitive outbursts occurs at a French war cemetery, a place West herself finds deeply moving; “think of all these people”, says Gerda, “dying for a lot of Slavs” (in Tillinghast 1992, 16). Gerda, however, is not alone in thinking in this way: “this is the conqueror’s viewpoint. It was the Turk’s point of view in all their aggressive periods. Everybody who is not Gerda is to Gerda ‘a dog of an infidel’, to be treated without mercy” (in Tillinghast 1992, 16). Constantine’s self-abnegating emotional attachment to the conqueror can only be explained in West’s view by those received intellectual traits that cause him to choose sacrifice over freedom: “the grey falcon had visited him also. He had bared his throat to Gerda’s knife” (West 1977, 723).

The compound metaphor of the black lamb and grey falcon at the heart of West’s book is an engagement with British and European politics, an exhortation to action, and a rejection of appeasement. In her Epilogue, West describes walking through Regent’s Park during the Blitz and recognising in the strained and pale faces of those

² Both Durham and West persistently, wilfully, and erroneously refer to the Ottoman empire, and its arms, as the Turks. As Allcock, J. B., *Explaining Yugoslavia*, notes, the word ‘Turk’ was itself a term of abuse in Turkish until the twentieth century. In addition, Ottoman armies were by no means Turkish: they were feudal armies that relied upon Janisaries, mercenaries, and alliances with other rulers, not least of all other Serbian princes opposed to Lazar. (p. 316)

around her the same spirit of resistance and defiance that she so admired in the Serbs. “The difference”, she wrote, “between Kosovo in 1389 and England in 1939 lay in time and place and not in the events experienced. Defeat, moreover, must mean to England the same squalor that it had meant to Serbia” (Woods 1941, 40). It is perhaps ironic that West’s philosophy of action should have found its initial anti-religious expression in fascism itself. In his 1941 review, Nigel Dennis makes this observation and comments on the contemporary importance of West’s work: “until this work appeared the doctrine that the meek shall inherit the earth had found its foes in the fascist ranks alone; it has been for Miss West, in a partisan review of rigour and bitterness, to face the enemy by sharing his contempt and turning it against him. That alone is a measure of this book’s importance” (Dennis 1941, 738).

Despite the vividness, energy, and engagement of both *Black Lamb Grey Falcon* and *High Albania*, there are many criticisms that can be levelled at them, or at least at those, like George Kennan and R. D. Kaplan, who consider that the books speak equally for our time as they did for their own. There is as much simplistic judgement and prejudice in each book as there is intriguing complexity. West’s portrayal of all Germans, reaching its apogee in the hideous Gerda, is one of untiring hatred and philistinism. The ‘Turks’ as she calls the Ottoman Empire are similarly treated. Thus we learn that “the Turks ruined the Balkans, with a ruin so great that it has not yet been repaired and may prove irreparable”, and that there is no Turkish word “to express the idea of being interested in anything” (In Tillinghast 1992, 16).³ Such anti-German/ anti Turkish rhetoric is also prevalent in *High Albania*.

Similarly, Durham’s view that the Albanians were somehow childlike is not one that is readily defended today. On the contrary, in her eagerness to prove her own worth as Queen of the Highlanders, it might be argued that Durham deliberately ignores the sophisticated political awareness and developments in Albanian nationalism, so that the country might conform to a ‘noble savage’ image. Surprisingly, for one who espouses Albania statehood, there is no mention of important political leaders such as Fan Noli, nor is there any reference to the League of Prizren, in which the Albanian delegation declared that “just as we are not and don’t want to be Turks, so we shall oppose with all our might anyone who would like to turn us into Slavs or Austrians or Greeks. We want to be Albanians” (Logoreci, 1977, 40). The movement to establish a unified state religion in Bektashism, to overcome the divide between the Catholic north and Muslim south is also ignored.

Both books are, as L. Stec has observed, highly ‘gendered’. Despite Orientalist rhetoric about the ‘femininity’ of the Orient, *Black Lamb* and *High Albania* portray a man’s world. The latter dwells at length on the intricacies of the blood feud and its implications for Albanian honour. The only women Durham encounters are the ‘Albanian virgins’: women who decide not to marry, who dress and behave like men, and who are regarded as being de facto males (with the exception that they do not carry guns). Similarly, West is strongly attracted by Yugoslav machismo. While

³ *Ilgilenmek* (vb) and *ilginc* (adj.) apparently do not suffice.

condemning women as “idiots” in the literal meaning of the word, a private person, she equally condemns men for being “lunatics” – overly obsessed with politics and the external world (Hall 1996, 76). This initial observation, however, does not lead to any substantial reassessment of gender relations. For West, “it is strange, it is heartrending, to stray into a world where men are still men and women are still women” (Stec, 1997, 146). It is significant that where Constantine, a polyglot, cosmopolitan intellectual, starts as the male hero of the book, by the end, it is Dragutin, their chauffeur, who is the object of West’s admiration. Constantine is rendered dithering and ineffective by his submission to Gerda, while Dragutin embodies a peasant wisdom, kindness, and ferocity that West sees as the real spirit of Serbia (Rollyson, 1995, 181).

The ultimate criticism of West and Durham, however, is perhaps that of ‘fixity’. By seeing the Albanians and the Yugoslavs, especially the Serbs, as somehow connected with an ancient past that goes back to the “cradle of civilisation”, both authors see national self-determination as the ultimate form of individual expression. The nation, in this view, gives political form to the inherent attributes and characteristics of its inhabitants. This undermines West’s entire defence of Yugoslavia which she associates with Serbia and Orthodoxy. What future would Muslim and Catholic Slavs have in West’s Yugoslavia, and what would be the position of the country’s considerable German, Hungarian, Albanian minorities? Constantine’s position as a Jewish/Orthodox Serb/Pole/Yugoslav with a French education and a German wife thus becomes problematic. Unwittingly, both West and Durham, by advocating what Durham has called a “fierce racial instinct”, have in fact made a case for a *jus sanguinis* version of nationalism that, albeit in opposition, is much the same as that which informed the ultranationalism that West, in particular, so deplors.

It is extremely difficult to classify *Black Lamb Grey Falcon* and *High Albania*. They are both more than travel literature. It might be argued critically that both books, especially West’s, fall short in several genres. Both were substantial contributions to Western knowledge about Yugoslavia and Albania in their day, and, unlike more typical Orientalist literature, the countries written about are allowed to engage polemically with metropolitan politics. There is little doubt, however, that West and Durham sought ‘exotic’ backdrops for the arguments they wished to advance, and that while West rejected Croatia as being too imbued with a Germanic mind-set, Durham rejected Serbia for much the same reason. Significantly, in *Twenty Years of Balkan Tangle*, she quotes Byron that “where rougher climes a nobler race displayed” (Durham 1920, 100). There is, consequently, a case for Larry Wolff’s view that the Balkans constitute a European “internal other” and for the Bakic-Hayden/Hayden thesis of “nesting orientalisms”. What seems clear in the context of both books, however, is that both Said and Todorova’s analyses have to be altered to take into account the epistemological proximity of the Balkans to Western Europe. As West and Durham use Yugoslavia and Albania to comment on British politics, it is perhaps that the Balkans are not as ‘other’ or as defined by a distinct Orientalist discourse as Said/Todorova would imagine. Most importantly, however, it is necessary to view *High Albania* and *Black Lamb Grey Falcon* or what they are: intriguing, problematic,

engaged works that speak to and for the world in 1908 and 1941 respectively, rather than an indispensable guide to the Balkans of today.

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A POLICY COMMUNITY UNDER THREAT?: CAP REFORM AND THE EUROPEAN FARM LOBBY¹

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For Australian negotiators frustrated with the slow pace of agricultural policy change in the European Union (EU), the strength of the farm lobby in Europe appears to be a major obstacle to reform. In 2003 a reform package was introduced which made some fundamental changes to the operation of the Common Agricultural Policy (CAP)—notably the ‘decoupling’ of farm support from production through the introduction of the Single Farm Payment. This policy shift raises some interesting questions concerning the capacity of the farm lobby in Europe to place a brake on reform and suggests that this power has diminished in some way. Using the insights provided by the policy networks literature, this paper looks at recent reforms of the CAP and draws some conclusions about the apparently reduced influence of the farm lobby over agricultural policy in the EU.

The concept of policy networks provides an heuristically useful framework for understanding policy development processes. For practitioners, students and scholars it provides an intuitively appealing picture of the interaction of officials and interest groups in the development of public policy. As a descriptive device, it has advantages over other models of the policy process (see for example Kassim 1994 on this point). It recognises the importance of non-government actors in the development of policy without discounting the role of the state and acknowledges the differing levels of influence and the networks of mutual advantage that are built up among individuals and organisations with an interest in a common policy area. Agricultural policy is often cited as a policy area which is characterised by tight networks, or policy communities, resulting in considerable policy stability. The peak EU farm lobby group, the Comité des Organisations Professionnelles Agricoles (COPA), has been involved in the development of the Common Agricultural Policy since the 1950s and is widely considered to have been central to the slow pace of reform of the CAP (see for example Anderson *et al* 2001, p193; Duchêne *et al* 1985, p103; George 1996, p191; Keeler 1996). However, first in 1992 and then again in 2003, the CAP has undergone major reform and, in terms of the policy networks literature, this raises questions about how reform occurred in an archetypal stable policy community.

There were both endogenous and exogenous drivers of the 1992 and 2003 reforms of the Common Agricultural Policy. In both cases multilateral trade negotiations were putting considerable pressure on the European Union to reform the CAP and internally budgetary pressures were of increasing concern. In the case of 2003 the imminent enlargement from 15 to 25 members also focused policy makers on the future of the CAP. These pressures were sufficiently powerful to result in a policy reform process being driven by

¹ The author would like to thank Dave Marsh and David Adams for comments on earlier drafts of this paper.

the European Commission in the face of quite considerable opposition from the key farm lobby group, COPA.

The Common Agricultural Policy is frequently cited as an example of the result of the operations of a classic closed policy community (see for example Daugbjerg 1999; Peterson and Bomberg 1999, p138-141). Until very recently, it demonstrated many of the features that Marsh (1998a) identifies as indicative of a tight policy community, including a limited number of participants, consensus among participants about ideology, values and policy outcomes and frequent interaction between members of the community. At the policy development stage, the policy community consists essentially of COPA and the European Commission's Directorate-General for Agriculture (DG Agriculture). National farming organisations are also involved and the role of some of these bodies became increasingly important in the lead up to the 2003 reforms as COPA dealt itself out of the policy negotiations. The absence of non-farm groups from the agricultural policy community has meant that issues such as consumer prices and the environmental consequences of intensive agriculture have had little impact on the policy process, at least until recently. In addition, the sheer complexity of the policy has constituted a high entry barrier to groups wishing to engage in agricultural policy debate. A further important characteristic of policy communities is their continuity, acting as 'a major constraint upon the degree of policy change' (Marsh and Rhodes 1992, p262). The structure of the EU agricultural policy community has been stable for nearly half a century and, until 1992, changes to the CAP occurred at a snail's pace. It is therefore instructive to consider the two major reforms to the Common Agricultural Policy that have occurred since 1992 and to explore whether the policy communities approach can explain the policy change.

There has been extensive debate in the policy communities and networks literature about whether these concepts are most useful heuristically, as metaphors, or whether they have theoretical value (for example Dowding 1995; Marsh and Rhodes 1992; Rhodes 1990). Dowding (1995) raises concerns that the model cannot explain policy transformation while Peters questions the capacity of the network approach to predict policy outcomes (Peters 1998, p22). Marsh has suggested that there is a need for 'more dynamic studies, which look at the development of the network, and especially its formation and, perhaps, termination' (Marsh 1998b, p189). Atkinson and Coleman have argued that 'If policy network approaches are to make a more lasting contribution to comparative public policy, they must first explain how policy networks change, and then determine the relationship between network change and policy change' (Atkinson and Coleman 1992, p172).

The case study which follows is presented in an attempt to determine these relationships by examining a previously stable and secure policy network in the throes of major policy change and to consider whether threats to the structure of a policy community can help predict policy change or whether policy change in fact predicts changes within the policy community. To use Marsh and Rhodes's distinction between policy communities and looser policy networks (Marsh and Rhodes 1992), there is little doubt that the EU agricultural policy community was (at least initially) a strong, closed network with a shared ideology and stable institutional structures. However, in 1992 and then again in 2003, the CAP was subject to reform which was described on both occasions as 'radical'

(Daugbjerg 1999, p409; Interview) and which was apparently inconsistent with the policy stability conventionally associated with tight policy communities. This policy change suggested a number of possible explanations: that political will is critical in achieving policy change and that policy communities exist at the state's pleasure; that policy communities must 'mutate' (Richardson 2000) to stay relevant in the face of ideological and institutional challenges; and that policy communities become looser policy networks as new ideas and new players gain importance in the policy process. The case study in this paper suggests that when a policy community is faced with both institutional and ideological challenges, there is greater potential for policy change. Smith identified these two important internal structures, the ideological and the institutional, in the British agricultural policy community (Smith 1992, p28) and they appear to have broader explanatory power.

The policy network literature has proliferated in recent years and there have emerged several clear research approaches which, while overlapping in some senses, differ in important ways. The European literature has discussed the emergence of networks in terms of a new form of governance in which 'the democratic system is losing part of its political functions to other—more elusive—institutions in society' (Godfroij 1995, p182). This gives networks a 'much broader significance' (Marsh 1998a, p8) than accorded them in the British tradition, placing network-based governance structures 'somewhere in the grey area between both extremes of hierarchy and markets' (Bekke *et al* 1995, p199). This approach sees network analysis as an important part of the study of public management (Kickert 1997). At this higher level of abstraction the European approach to networks is perhaps further developed as a theoretical approach than the British literature.

This paper is based on the British tradition, viewing policy networks as a useful means for examining the workings of the policy process, rather than examining networks as a higher order issue representing shifting forms of governance. The term policy *community* as used in this paper is consistent with the end of the Marsh and Rhodes continuum which describes a network with a very limited number of participants, frequent, high-quality interaction of all groups on all matters related to the policy issue; continuity of membership, values and outcomes; shared basic values and so on (Marsh and Rhodes 1992, p251). This has been adopted in preference to Coleman and Skogstad's description of policy communities as including '*all actors or potential actors with a direct or indirect interest in a policy area or function who share a common "policy focus", and who "with varying degrees of influence shape policy outcomes over the long run"*' (Coleman and Skogstad 1990, p25—emphasis in original). The concept of a continuum between tight policy communities and looser issue networks seems a useful one in capturing the complexity of government-interest group interaction and also allows for the possibility that networks can move along the continuum in the face of new policy issues. The distinction offered by Coleman and Skogstad between the sub-government and attentive publics (Coleman and Skogstad 1990, p25) is similar to the distinction between policy communities and issue networks but this typology has not been adopted as extensively in the literature as the Marsh-Rhodes model.

This paper focuses its analysis on the peak organisation COPA, arguably the key non-State actor in the development of the CAP, and one of the national farm lobby groups, the UK National Farmers' Union (NFU). The NFU is of particular interest as it took a different policy stance in the lead up to the 2003 reforms from many other members of COPA, it shows evidence of adaptation to the changing policy approach as a result of the 1992 reforms, it was prepared to engage with the Commission in the face of COPA intransigence, and it may become increasingly important in the lobby at the EU level as the previously-dominant French farmers appear to be losing their influence. The NFU also provides a neat story within a story as it has been part of an extremely stable policy community in its own right in the UK (Smith 1992). Not all EU members have similarly strong farmer organisations, with Spain, Portugal and Greece, among others, having 'no historical continuity in the articulation of agricultural interests' (Estrada 1995, p350). Estrada suggests in the case of Spanish farmers, 'they are still in the phase of a policy network without having been able so far to create a policy community' (Estrada 1995, p357).

COPA and the CAP

COPA was established in a particular institutional and ideological context which set the scene for decades of influence over the direction of European agricultural policy. The founders of the Common Agricultural Policy were 'seeking to formulate a policy which would safeguard the family farm and support farm incomes while simultaneously avoiding surpluses and maintain trade links with third countries' (Fearne 1997, p17). COPA is essentially a creature of the European Union. It was established in 1958 to provide a single voice for European farmers in dealing with the Commission and, as the CAP developed, it established itself as an important player in the policy process. Averyt points out that 'COPA's institutional development has responded to the growth of the Community's agricultural policy. As the common agricultural policy expanded, COPA's structure evolved to permit it to follow the complexities of Community farm policy' (Averyt 1977, p78). It was a highly effective lobby, having regular access to officials in DG Agriculture. Its power was closely related to that of its constituent organisations: 'the clout of COPA in the EC largely reflects and derives from the extraordinary organizational capacity of farmers' unions in the member states' (Keeler 1996, p134). It grew out of national organisations which had in many cases also established themselves as part of tight policy communities and which continue to be important, lobbying at the national level and influencing EU policy through their representatives on the Council of Ministers. In 1962, COPA merged its Secretariat with that of the umbrella organisation of the agricultural cooperatives of the EU, the Comité Général de la Coopération Agricole de l'Union Européenne (COGECA). COPA and COGECA work very closely together, with their respective Presidencies comprising a Coordination Committee which 'tries to reach an agreement as far as the activities and positions of COPA and COGECA are concerned' (COPA undated).

Structurally, COPA is a peak organisation with a federal structure comprised of separate farm organisations to which farmers belong—it does not have direct members. COPA's members are farm organisations in EU member States. Within the EU, COPA and the

European national farm lobbies have different responsibilities and operate at different levels to influence policy. The structure of decision making in the EU means that national level groups are particularly important in influencing their representatives on the Council of Agriculture Ministers. While COPA can attempt to influence the development of Commission proposals, the national farm groups are important in lobbying at the key decision point in the Council. In the past a number of writers has argued that COPA has considerable influence over agricultural policy (Fennell 1987, p57; Howarth 1990, p106; Keane and Lucey 1997, p235). Gorges argues that ‘COPA’s participation is a *sine qua non* of agricultural policy making.’ (Gorges 1996, p169). Based on these assessments, the policy communities literature would suggest that radical reform of the CAP could not occur in the face of opposition from COPA.

In order to understand how policy change was occurring in the presence of a reportedly tight EU agricultural policy community, research was undertaken in September 2003, only a few months after the latest package of major reforms to the CAP². Twelve semi-structured interviews were conducted in Brussels and London with representatives of COPA, the UK National Farmers’ Union (NFU), Bureau de l’Agriculture Britannique, the Directorate General for Agriculture of the European Commission (DG Agriculture), the Directorate General for the Environment of the European Commission, the Bureau Européen des Unions de Consommateurs (BEUC), WWF, Eurogroup for Animal Welfare, the UK Department for Environment, Food and Rural Affairs and a former Deputy Director-General for Agriculture. This group was selected to cover members of the agricultural policy community, groups with an interest in agricultural policy from outside the policy community, and members of the policy community with differing policy positions.

Although anxious to present themselves as the voice of *all* farmers, COPA is dominated in reality by the ‘elite of elites’ (Averyt 1977, p75). The nature of the support offered by the CAP has meant that the elites in control of COPA have seen their interests in continuation of the policy approach. Although big cereal producers like France and the UK would hold their own in a free market agricultural economy (Grant 1997, p116), they benefited to such an extent from existing policies that it was in their interests to support the *status quo*. As Averyt notes, the larger farmers ‘profit from a farm policy that relies mainly on high prices to ensure a decent farm income. In order to ensure a decent income for the marginal farmer, the price must be high enough for the extremely efficient farmer to reap a handsome profit’ (Averyt 1977, p91). The CAP built on a tradition of agricultural support in EU member countries. Averyt argues that ‘Community agricultural policy was formulated not on a *tabula rasa*, but, rather against a backdrop of long traditions, entrenched interests, established national farm groups, and powerful government marketing arrangements’ (Averyt 1977, p114).

² The research would not have been possible without the support of the Australian Universities Europe Network, for which the author is very grateful

CAP reform

These policy settings have been challenged on a number of occasions over the life of the CAP, starting with the first attempted review of the policy by Agriculture Commissioner, Dr Sicco Mansholt in the 1960s. Howarth argued in 2000 that ‘All subsequent reform plans, and there have been many over the past 30 years...have met bitter resistance from the farming lobbies and have therefore been rapidly dropped or neutered’ (Howarth 2000, p8). This view is consistent with the picture of a tight knit agricultural policy community excluding policy options which are inconsistent with the prevailing approach. However, in the early 1990s there was evidence of some fracturing in the policy community as the Commission, led by Agriculture Commissioner Ray MacSharry pushed through a package of reforms of the CAP in 1992. This was also the case in the lead up to the June 2003 reforms initiated by Commissioner Franz Fischler. Rieger notes that ‘the agrarian interest groups did not have the power or the means to influence the terms of the 1992 CAP reforms significantly. Their representational monopoly enabled them to shape some aspects of agricultural policy-making ... but they found it harder to influence the overall parameters of policy’ (Rieger 2000, p198). In 2003, the agrarian interest groups were arguably even less influential as the peak body COPA expressed its opposition to the reform process by opting out of discussions with the Commission altogether.

Problems with the operation of the CAP were identified relatively early in the life of the policy. In 1968, then Agriculture Commissioner Dr Sicco Mansholt developed *Agriculture 80*, a plan which was aimed at encouraging farmers to ‘get bigger or get out’ (Hubbard and Ritson 1997). It set out to reduce the number of farmers significantly and increase farm size (Fearne 1997, p33). However, as Grant notes, ‘Structural adjustment might make good sense, but it was not good politics’ (Grant 1997, p70). The proposal was ‘violently opposed by the Community’s farmers’ (Fearne 1997, p34) and it was argued that it would signal ‘the death of the family farm’ (George 1996, p179). None of the member states was prepared to support the plan and a much watered-down proposal was agreed in 1971 (Fearne 1997, p34).

In light of budgetary pressures and the complexity of the agrimonetary system, the Agriculture Directorate within the European Commission continued to raise the issue of CAP reform from the 1970s, for example with the 1975 ‘Stocktaking the CAP’ (Fearne 1997, p43), the 1988 ‘Rural World’ green paper (Grant 1997, p76) and the 1991 ‘Reflections’ paper. The introduction of milk quotas in 1984 was followed by ‘a time of almost continuous policy review, debate and further rounds of reform’ (Winter 1996, p129) with the introduction over this period of quotas, set asides and farm diversification strategies to address the problems of over production and the spiralling cost of the policy.

However, the real opportunity for reform came with the Uruguay Round of multilateral trade negotiations. Although Moyer and Josling argued in 1990 that ‘international political pressures do not play a major role in domestic agricultural policy reform’ (Moyer and Josling 1990, p211), the 1992 MacSharry reforms were largely generated by forces exogenous to the agricultural policy community—namely the Uruguay Round (George 1996, p192; Grant 1997, p75; Peterson 1989, p466). By 1990 the Round was in

trouble with the major obstacle to concluding the negotiations being the failure to arrive at an agreement on disciplines on agricultural trade. The Cairns Group, led by Australia, and the US were putting increasing pressure on the EU to reform its domestic support policies which were considered to be distorting world agricultural markets and in 1992, the US entered into bilateral discussions with the EU to break the deadlock (George 1996, p188). The successful outcome of these discussions was facilitated by the agreement within the EU in May 1992 to a series of reforms to the CAP, which were clearly made with the international trade negotiations in mind. Coleman and Tangermann argue that ‘the very content of reforms to the CAP was shaped by interpretations of what policies might be successfully enshrined in a GATT agreement’ (Coleman and Tangermann 1999, p400).

The MacSharry policy changes were the first clear challenge to the ideological stability of the European agricultural policy community and constituted ‘the most far-reaching reform in the history of EC agricultural politics’ (Daugbjerg 1999, p409). Within the policy community the reform had differing impacts. While COPA continued to pursue its traditional policy approach, one of its constituent members, the UK’s National Farmers’ Union (NFU) underwent an important policy review. Convinced by the outcomes of the Uruguay Round that its earlier policy positions were unsustainable, the NFU moved from its opposition to the MacSharry reforms to a position which accepted the inevitability of reform. As a result of this policy review, the NFU changed its policy approach ‘quite radically’ (Interview). This change then set the scene for the NFU’s engagement with the Commission in the lead up to the 2003 CAP reforms.

The 2003 Fischler reforms

The 2003 reforms began as a Mid Term Review of the *Agenda 2000* program. This plan was aimed at adapting agricultural and other policies in preparation for enlargement and the next round of international trade talks (Howarth 2000, p9). It set out to address challenges facing the EU in the period 2000-2006. The purpose of the Mid Term Review was to undertake ‘a stocktaking and improvement of the Agenda 2000 reform process’ (Commission of the European Communities 2002, p11). However the Commission saw the review as a ‘unique opportunity’ to go further (Commission of the European Communities 2002, p11) and it proposed ‘a set of substantial adjustments’ to the CAP in order to enhance the competitiveness of European agriculture, promote a market oriented, sustainable agriculture and strengthen rural development (Commission of the European Communities 2002, p2-3). When Agriculture Commissioner Fischler released the Commission’s proposals in July 2002, he appears to have caught the policy community by surprise with the extent of the changes being contemplated. COPA had already foreshadowed a negative response to any change by stating that ‘further reform [to the CAP] before 2006 is not only unwarranted but unwise’ (COPA 2001). After the Commission released its position, COPA’s sister organisation, COGECA, argued that

given that there is no external pressure on the international scene to justify the changes proposed, just as there are no major internal factors either, ... the moment chosen by the

Commission to present a reform proposal under the title “Mid-term Review” is inappropriate and therefore undesirable. (COGECA 2002)

By contrast, the NFU engaged with the reform debate early on, being the first farm group to support the decoupling of support from farm production (Interview). The NFU’s Brussels representatives saw COPA’s tactics as ‘odd’ as it dealt itself out of the reform debate. As a consequence they lost an opportunity to have any influence over the reform package (Interview).

Policy change and the agricultural policy community

Although the literature suggested that COPA’s strength has been diminishing steadily for some time (Grant 1997, p169), the research found that COPA’s position in the policy process in 2003 was considerably weaker than expected. During the lead up to the 2003 reforms, COPA was virtually irrelevant to the debate—a position largely of its own making. Its approach to the reform of the CAP was to reject the proposal outright (for example COPA 2003, p5), sustaining its argument that there was no need for reform (COPA 2001). It argued that the CAP was in a favourable budgetary position so there were no internal EU imperatives for reform. By contrast, one of COPA’s constituent organisations, the UK’s National Farmers’ Union (NFU), favoured the decoupling of farm support and would have liked to have seen the implementation date for reform brought forward from 2005 to 2004 (NFU 2003). A representative of COPA acknowledged that it has not had much influence over policy since the MacSharry reforms (Interview). A number of interviewees confirmed this, indicating that since that time, COPA has not had a serious role in the policy process. Its policy positions were variously described as ‘hopelessly unpragmatic’ and suffering from ‘a high degree of self delusion’. The organisation’s views were seen as twenty years out of date. Although COPA was considered by several interviewees to have an important networking role, questions were raised about its chances of regaining its influence over the policy agenda. It is generally seen as a conservative organisation dominated by French and German interests. COPA members from these countries saw the Fischler reforms as politically unfeasible and pilloried groups like the NFU which thought the reforms would succeed. COPA was therefore badly fractured by the 2003 reform process and its internal dynamic changed.

Jordan has argued that ‘the policy community is a statement of shared interests in a policy problem: a policy community exists where there are effective shared ‘community’ views on the problem. *Where there are no such shared attitudes no policy community exists*’ (Jordan 1990, p327- emphasis in original). On this definition, it is arguable that, from about the mid-1990s, the agricultural policy network at the EU level no longer qualified for the description of policy community. The policy rethink that had been undertaken by the NFU meant that there was no longer a shared understanding of the policy problems facing agriculture and certainly no agreement on the appropriate solutions. The 2003 policy process brought these differences to a head as the NFU engaged with the Commission in consideration of reform while other members of the network rejected the process outright.

A number of writers has suggested that the policy network approach needs to take account of the power of the state and that governments can break up previously influential policy communities (see for example Marsh 1998b, p196; Richardson 2000, p1021). This case study suggests that political will can override the views of important players and bring about change even in an environment in which a tight policy community has been influential for many years. The CAP example also suggests that exogenous pressures are important in influencing political players providing them with the impetus to 'take on' previously entrenched interests. The MacSharry reforms were driven by pressures from outside the agricultural policy community to reach agreement on agriculture so that other sectoral benefits could be realised from the Uruguay Round of multilateral trade negotiations. The involvement of trade officials and heads of government, rather than agriculture ministers, in the policy debate broadened the issue beyond the confines of the traditional policy community (Grant 1997, p81). Similarly in 2002-03, the impending enlargement of the EU and a new round of WTO negotiations prompted further reform of the CAP. In both cases, budgetary pressures were also important. This finding confirms the view that policy change can occur in an area dominated by a tight policy community but that the impetus for that change is likely to be from outside the network. It also reinforces the view that these networks are not comprised of equals—power matters, and political players prepared to challenge the view of the policy community can bring about policy change.

From the perspective of the policy community itself, this case study suggests that such exogenously-induced policy change can threaten the structure and functioning of the network. This threat is particularly strong if both the ideological and institutional underpinnings of the community are challenged. Ideologically, the MacSharry and Fischler reforms threatened the policy community in a couple of important ways. First, the reforms signalled the end of the delivery of farm income support through measures which support production. This decoupling of payments challenged long standing beliefs about the appropriate means for delivering income support to farmers—many of which are anchored in agrarian sentiments about the intrinsic value of farming which date back to Aristotle and earlier (Montmarquet 1989, p26). From this perspective direct payments to farmers have been opposed 'because many see it as a denial of the basic function of farming' (Ockenden and Franklin 1995, p35). Second, the reforms caused the NFU to rethink its policy position and consider alternative approaches to farm policy, introducing new policy ideas into the policy community and the fracturing of the policy consensus.

In addition to changes in the ideological mix as environmental, food safety, animal welfare and other concerns increase in influence, COPA faces institutional challenges. The change from unanimous to qualified majority voting within the Council of Ministers presented COPA with a new lobbying environment, one which saw 'an increasing tendency for national lobby groups to develop direct lines of communication with Commission Officials rather than attempt to seek an acceptable policy through COPA' (Winter 1996, p127); this was the avenue pursued by the NFU in 2002-03. One of the interviewees observed that COPA 'never really came to grips with' this change and could

have gained more power in the policy debate by focusing its attention on the Commission as its point of contact in the policy process.

A second institutional challenge to COPA comes with enlargement which takes its membership from 29 to 71 organisations. Along with the considerable increase in the size of its membership, it will undergo major cultural change (Interview) and significant challenges in terms of its internal structure and systems, its policy approach and its capacity to influence the direction of the CAP.. Moyer and Josling argue that ‘evidence exists of fragmentation of the farm lobby in individual nations and in COPA. COPA’s incoherence has been aggravated by the expansion of the Community from nine to twelve members which has added a whole new range of divergent national farm interests into the bargaining process’ (Moyer and Josling 1990, p47). The 2004 enlargement from 15 to 25 member states

Thirdly, COPA’s constituent organisations in several countries are facing departmental restructures which appear to give a voice to interests previously excluded from the agricultural policy community, such as the transformation of the UK Ministry of Agriculture, Fisheries and Food into the Department of Environment, Food and Rural Affairs. The increasing importance of the European Parliament in policy debate has provided an opportunity for interests not traditionally involved in agricultural policy to gain a voice. As Smith has noted, more than one decision-making centre, new issues and the existence of an entry point can facilitate the opening up of previously closed policy communities (Smith 1991, p254). The increasing importance of issues such as animal welfare, food safety and environmental sustainability suggest that the agricultural policy community is becoming a more open network encompassing a wider range of interests.

The findings of this case study are consistent with Dudley’s conclusion that ‘the survival of a policy community depends on its ability to re-create itself by visualizing a new future’ (Dudley 2003, p433). Both the 1992 and 2003 reforms increased the importance of environmental issues in European agriculture. Although the 1992 environmental measures have been described as ‘an adornment to the CAP rather than a more far-reaching attempt to integrate environmental concerns into the heart of the policy’ (Lowe and Whitby 1997, p300), the introduction of cross-compliance in 2003 suggests that environmental issues are being taken seriously. Grant has pointed out that the current Agriculture Commissioner, Franz Fischler ‘has placed a greater emphasis on the environmental dimensions of the CAP’ (Grant 1997, p208) and this became clear in the 2003 reform package with the linking of environmental obligations to receipt of the new decoupled Single Farm Payment. The wording of the Commission’s 2002 Mid Term Review document was explicit, referring to ‘the introduction of a decoupled system of payments per farm, based on historical references and *conditional* upon cross-compliance to environmental, animal welfare and food quality criteria’ (Commission of the European Communities 2002, p3—emphasis added).

The interesting question arising from the plight of COPA is whether it has the capacity to bounce back and re-engage in the debate over CAP reform. As Daugbjerg noted before the 2003 reforms, ‘the decline of COPA’s influence did not pave the way for the

influence of non-agricultural interests.’ (Daugbjerg 1999, p417). Consumers remain weak on agricultural policy, engaging very little in discussions over CAP reform (Interview) and other interests such as animal welfare and environmental groups tend to work through the European Parliament rather than directly with DG Agriculture. If another policy community does not establish itself, there is the possibility that the former relationships could be re-established, as was the case in Richardson *et al*’s study of water privatisation in the UK (Richardson *et al* 1992).

Conclusion

COPA enjoyed several decades as a powerful player in a closed policy community, being particularly strong in the 1960s before the first round of enlargements and before budgetary constraints became an important issue for the CAP. However, a number of emerging issues has challenged the institutional and ideological structures of that community resulting in policy change. Pressure has been building on agricultural policy from interest groups reflecting the emergence of post materialist values in the broader community. Non-farm lobbies, for example consumer and environmental interests, are becoming more active in agricultural policy (Marsh and Smith 2000). Moyer and Josling argue that COPA’s legitimacy rests on its ability to deliver economic rents to its membership and that price cuts would undermine this legitimacy (Moyer and Josling 1990, p45). As pressure for change to agricultural policy increases from non-farm groups, COPA is faced with the challenge of coping with change without losing its legitimacy. As Meester notes ‘Traditional agricultural price and income support policies are losing their importance. Food safety, animal welfare and other so-called consumer concerns, as well as the protection of the natural environment and the countryside are increasingly the central issues, even in the Council of Ministers of Agriculture’ (Meester 2000, p51). He suggests that changes are occurring in the CAP decision-making process which reflect a shift. In the face of these changes, COPA will need to develop policy responses that ensure its continued relevance to the policy process—it will need to mutate or die. Richardson’s analysis may be apposite: ‘exogenous changes in policy fashion, ideas or policy frames present a very serious challenge to existing policy communities and networks. New ideas have a virus-like quality and have an ability to disrupt existing policy systems, power relationships and policies’ (Richardson 2000, p1017).

Analysing the 2003 CAP reform by reference to the policy communities literature suggests that this approach to public policy research is more than a mere metaphor. The concept in its most basic form provides a useful explanation for the slow pace of agricultural policy reform prior to the Uruguay Round of multilateral trade negotiations by drawing attention to the existence of a closed policy network with shared values and the capacity to exclude other interests from the policy debate. Smith’s refinement of the approach, through the identification of the structures underpinning policy communities, can provide the basis for predicting policy change. A policy community under both ideological and institutional challenges seems to be particularly vulnerable to the pressures for change.

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**THE PROBLEM OF LEGITIMACY IN THE EUROPEAN UNION:
RETHINKING THE DYNAMICS OF RECOGNITION AND REPRESENTATION**

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Introduction

The idea of a ‘legitimacy deficit’ or a ‘crisis of legitimacy’ has gained salience with politicians, academics and the wider public in the European Union (EU) following the increased pace of European integration over the past two decades. The successful conclusion of the treaties of the Single Market and the European Union deepened political integration, launched European Monetary Union (EMU) and the Common Foreign and Security Policy (CFSP) and, importantly, promoted ideas of EU citizenship and identity so that an increasing number of citizens in the Member States became aware that the decisions of the Community influenced their daily lives. These developments heralded a breakdown in the widespread passive approval of European integration that had been enough to signify public consent of elite decision-making in the first thirty years of the European Community (EC).

The first cracks in this ‘permissive consensus’ became evident during the Maastricht ratification debates. The initial Danish rejection of the Treaty, the French ‘*petit oui*,’ and the divisive debates that delayed ratification in Britain produced a realization that some governments might be significantly out of touch with their electorates on the question of Europe (Norris, 1997, p. 276) and forced European elites to accept that public support for further integration could not be taken for granted (Wallace and Smith, 1995, pp. 150-1). In the post-Maastricht environment visible opposition to the EU increased, and with the resignation of the European Commission’s College of Commissioners in March 1999, questions of legitimacy were pushed to the forefront of public debate. By the turn of the century, with eyes fixed on the EU’s impending eastern enlargement, questions of legitimacy and the perception of a ‘legitimacy crisis’ had become central themes in EU politics.

As a consequence, scholars have devoted an increasing amount of attention to the problem of legitimacy in the European Union. There is now an extensive body of literature concerning the ‘democratic deficit’ and legitimacy of EU institutions¹; the relationship between legitimacy and EU citizenship and identity²; empirical approaches that attempt to measure public support for the EU³; as well as an array of theoretical approaches that attempt to reconceptualise legitimacy in the context of a multi-level polity.⁴ In general, three reasons can be identified for this literature’s emphasis on the importance of legitimacy in the context of European integration. First, legitimacy is important because EU law impacts directly on citizens and thus requires the recognition

¹ For example, see Moravcsik (2002).

² For example, see Koslowski (1999).

³ For example, see Blondel et al. (1998).

⁴ For example, see Beetham and Lord (1998b).

of the EU as the rightful source of valid law (Beetham and Lord, 1998a, pp. 17-18). Second, it is now generally accepted that the further extension of EU powers requires legitimacy derived directly from EU citizens. The growing awareness among EU publics that the EU fashions the constitutional framework of European governance has highlighted the need for legitimacy that encompasses more than just elite consensus. Third, having evolved from ‘policy to polity’, it is now recognized that ‘[t]he legitimacy of political authority in Europe is now a “two-level process”’ (Beetham and Lord, 1998a, p. 18). For these reasons, legitimacy is seen as central to the evolution of European governance at all levels.

This paper examines Banchoff and Smith’s contribution to the growing scholarship on EU legitimacy. In their edited volume, *Legitimacy and the European Union: The contested polity*, they advance a framework for conceptualising EU legitimacy based on recognition and representation, defining a legitimate polity as a ‘broadly recognized framework for politics with representative institutions’ (Banchoff and Smith, 1999, pp. 1-2). Despite highlighting important elements of EU legitimacy, this paper argues that their reconceptualisations of recognition and representation are narrow and obscure other actual and potential sources of legitimacy. The paper begins by introducing and problematising the concept of legitimacy in the EU context. It then discusses the concept of recognition and argues that Banchoff and Smith’s limited emphasis on political activity obscures and diminishes other ‘subjective’ elements of EU legitimacy. The next section examines the concept of representation and argues that a focus on statist parliamentary models ignores broader norms of governance that must be incorporated into any reconceptualisation of democracy for a multi-level polity. The paper will then conclude with some final thoughts on the salience of legitimacy in a deepening and widening European Union.

Theorising legitimacy in the European Union

In a broad sense, legitimacy or the rightfulness of political authority can be viewed as both *empirical* and *normative* concepts. The *empirical* or ‘belief’ notion sees legitimacy as an empirically-verifiable social fact measuring the belief in the validity of a political order without concern for the specific values on which this acceptance is established. Consistent with this approach, empirical political science has traditionally used measures of public support, public trust and affective attachment to establish the legitimacy of a political order. The *normative* conception of legitimacy, on the other hand, views political authority in terms of normative justifiableness according to certain rules and principles under which domination over others could be called legitimate (Steffek cited in Longo, 2003, p. 4). This notion sees legitimacy as a normative quality attributed to certain political arrangements. In this sense, legitimacy is viewed as a property of governance.

Max Weber’s conceptualisation of legitimate domination is the best-known example of the ‘belief theory of legitimacy’. According to this view, legitimacy connotes a broad societal acceptance (empirically determined) of a political order (Weiler, 1992, p. 19). Consistent with his empirical, value-free approach to social science, Weber argued that

the existence of a legitimate order amounts to the probability of a (collective) belief in its validity (Merquior, 1980, p. 90). In other words, if political subjects believe the political order to be valid, then it is legitimate. Weber (1978, p. 36) hypothesised that actors ascribe legitimacy to a social order through: *tradition* (valid is that which has always been); *affectual*, especially emotional, *faith* (valid is that which is newly revealed or exemplary); *value-rational faith* (valid is that which has been deduced as absolute); and *positive enactment* which is believed to be legal (belief in legality). Thus legitimation is grounded in a ‘conviction of the ruled’ that entails a subjective recognition of, and belief in, the validity of a political order based on traditional, affectual, value-rational and legal dimensions. As will be demonstrated below, these considerations are important when conceptualising legitimacy at the EU level.

In normative approaches to legitimacy the justifiableness of political authority is based on socially accepted norms and values. In contemporary debates, democratic norms have become the dominant foundation of political legitimacy, but the idea of democratic legitimacy dates back to the work of Jean-Jacques Rousseau. Rousseau believed that the core of political legitimacy is derived from the ‘general will’ of subjects expressed in an egalitarian participatory democracy. He argued that political legitimacy is acquired when free and equal citizens enter into a social contract and together determine the collective interest. For Rousseau, the ideal *demos* consisted of a small city-state, so naturally his interpretation of ideal democracy is rather state-centred and ill fitted to the complexities of modern liberal democracies. For instance, Rousseau (1994, p. 127) believed that the representative institutions of 18th century England constituted a system of slavery punctuated by brief moments of liberty during elections. Nevertheless, the work of Rousseau is important because (among other things) it highlights the centrality of norms like participation in notions of democratic legitimacy. In contemporary democratic theory, the extent of participation and the nature of representation in a legitimate polity are still contested, but it is generally accepted that these are essential requirements for democratic legitimacy.

In an attempt to move beyond the traditional conceptions of legitimacy outlined above, David Beetham and Christopher Lord have developed a theory that highlights the multi-dimensional nature of legitimacy. Beetham and Lord (1998a, p. 15) argue that political power is legitimate to the extent that:

- It is acquired and exercised according to established rules (legality); and
- The rules are justifiable according to socially accepted beliefs about (1) the rightful source of authority and (2) the proper ends and standards of government (normative justifiability); and
- Positions of authority are confirmed by the expressed consent or affirmation on the part of appropriate subordinates, and by the recognition from other legitimate authorities (legitimation).

From this theoretical framework it is not difficult to identify both the ‘belief’ and normative elements of legitimacy. When it is applied to liberal democracy, this becomes even clearer.

In a liberal democracy, legality resides in the constitutional rule of law. The rightful source of political authority lies in the principle of popular sovereignty and from this derives democratic aspects of legitimacy such as the electoral authorisation of government, representation and accountability. The acknowledged ends of government are the protection of basic rights – encompassing freedom, welfare and security – and these provide a normative basis (or performance criteria) against which liberal democratic regimes can be judged to be legitimate. Legitimation involves the public recognition of authority by those qualified to provide it, and in a liberal democracy this takes place during elections (Beetham and Lord, 1998a, pp. 16-17). Clearly identifiable are the recognition and representation aspects of legitimacy, but another important element of this theory (distinguishing it from earlier theories) is that it recognises sources of legitimation from outside of the nation-state. These ‘other legitimate authorities’ may be other states or global governance institutions, which become important sources of legitimacy in the EU context.

When attempting to conceptualise legitimacy in the EU, it becomes apparent that applying state-centred theories to the complex, multi-level EU system presents a number of problems. Foremost among these is the contested nature of the EU itself. For decades, state-centric vs. multi-level governance approaches have informed debates about EU governance and they remain the subject of much contestation⁵. This controversy is important because the way in which the EU is viewed will determine its sources of legitimacy. For liberal intergovernmentalists like Andrew Moravcsik, legitimacy is very much viewed in statist terms. In his defence of the EU’s democratic deficit, Moravcsik (2001, pp. 611–14) argues that in certain areas EU structures reflect legitimate practices at the state level. Interestingly, federalists who envisage a European super-state may also have a state-centred view of legitimacy, but unlike intergovernmentalists, the legitimacy of the EU is seen as being strengthened by the development of stronger, democratic supranational institutions in conjunction with a European identity (Wallace, 1993, p. 101). In contrast, those who approach the EU as a multi-level polity recognise that the EU has gone beyond a simple intergovernmental organisation and is not (or at least is not yet) a super-state. From this perspective, conceptions of legitimacy are decoupled from the dominant statist approaches and what follows is a recognition that the EU’s membership consists of Member States *and* citizens, with many actual and potential sources of legitimacy.

Another problem is that the ongoing evolution of European integration renders static, state-based approaches inadequate. Constitutional structures in the nation-states of the European Union are predominantly stable and in many cases have existed for centuries. Clearly this is not the case at the EU-level: the signing of new treaties at sporadic intervals can dramatically alter the competencies and arrangements of European governance. This means that the legitimation of European integration is an ongoing dynamic process that responds to, and dictates, the trajectory of the EU’s evolution.

⁵ See Chryssochoou (2001, pp. 104-12).

Another conceptual problem for the EU theorist is that this dynamism is also reflected in the connectedness and interactivity of legitimacy between EU institutions and Member States. As noted above, the legitimacy of European governance is now a two-level process in which the legitimacy of the EU and the Member States can impact on each other. Importantly, this interaction manifests itself in different ways in the Member States according to their respective size, character and distinctive legitimation problems (Beetham and Lord, 1998a, p. 19). For example, high levels of support for the EU in smaller states like Belgium, Ireland and Luxembourg may reflect an awareness of their limited capacity to ensure physical protection, economic performance and welfare entitlements. Divided national communities in which the state has not captured all sentiments of political loyalty – like Belgium and Italy – may help to explain stronger feelings of European identity (Beetham and Lord, 1998a, p. 20). Clearly state-centred theories of legitimacy cannot hope to capture the variable, interactive nature of legitimacy manifested differentially across the EU's Member States and regions.

The problematic nature of legitimacy in the EU context has prompted reconceptualisations of legitimacy based on a multi-level polity. This work reflects the paradigm shift from 'policy to polity' in EU integration studies in which the EU is increasingly seen as an institutionalised system of shared rule (Chrysochoou, 2001, pp. 96-104). For example, Beetham and Lord (1998a, p. 19) emphasise the multi-dimensional nature of legitimacy in the EU and argue that the extension of EU powers requires more direct legitimacy to supplement the procedural legitimacy derived from the treaties, and the indirect legitimation provided by Member States. Another prominent contribution, and the focus of the remainder of this paper, is Banchoff and Smith's framework for understanding EU legitimacy. Using the notion of a 'contested polity' as their point of departure, they base this framework on ideas of recognition and representation. Having provided a brief grounding in theoretical approaches to legitimacy, the following sections will examine these concepts in depth.

The concept of recognition in the European Union

The concept of recognition in the context of legitimacy derives from the Weberian notion of 'belief' in the sense that a belief in legitimate authority requires recognition. A political order can hardly be *believed* to be legitimate unless it is *recognised* as such. Traditional statist forms of recognition predominantly centre on issues of identity and electoral participation. However, these indicators are problematic in the EU context and inevitably point to a 'crisis of legitimacy' by highlighting the dominance of national identities and low participation rates in European Parliament elections.⁶ Banchoff and Smith (1999, pp. 8-9) have challenged the 'crisis thesis' by questioning the body of work that attempted to measure support for the EU. They argue that public opinion surveys pointing to an overall drop in support are misleading because the meaning of European integration has changed over time, and disapproval may represent dissatisfaction with particular EU policies, not the integration process as a whole. Importantly, Banchoff and Smith also argue that recognition is revealed not only through the subjective orientation of citizens, but also through patterns of activity. Observers should not concentrate on

⁶ See Blondel, et al. (1998, pp. 55-84).

European Parliament elections, they argue, because this diverts attention away from the increasing mobilisation of interest groups and political parties at the EU-level. Legitimacy, in this sense, is observed through patterns of activity in which EU is recognised as a legitimate arena of political contestation.

There is little doubt that new patterns of activity that centre on EU policies and institutions contribute to the legitimacy of the EU. Interest groups have coalesced around key policies like the Common Agricultural Policy (CAP), and the European Parliament and Commission have increasingly become sites where a broad range of social actors contest political issues. As a result, policy-making in the EU now involves networks of interdependent actors, including European and national officials, technocrats, representatives of non-governmental organizations and other interest groups, journalists and academics (Schneider cited in Banchoff and Smith, 1999, p. 12). The presence of foreign officials, businesspeople and representatives from global governance institutions and civil society groups also represents an external formal recognition of the EU that has internal and external legitimising effects. These patterns of activity indicate that there is a growing recognition of the EU and its legitimacy. However, by focusing on these patterns of activity as evidence of recognition, Banchoff and Smith downplay the significance of the more subjective orientations of citizens that are crucial to the legitimacy of the EU. More specifically, Banchoff and Smith's view of recognition obscures three main sources of subjective legitimacy: *identity, the belief in Community law and performance perceptions*.

Identity remains important in discussions of EU legitimacy. Despite the fact that national identities are dominant in the EU context, identification with European integration represents an actual and potential source of legitimacy if it is perceived to complement existing identities. During the 1990s, the development of EU citizenship encouraged the articulation of multiple and compatible identities within Europe (Koslowski, 1999, p. 173). By redefining the relationship between nationality and citizenship in a way that does not threaten 'thick' national identities, EU citizenship has gained social acceptance and has become an important 'thin' source of identification and legitimacy. Indeed, polls from the mid-1990s show that, apart from the UK, the majority of respondents in the Member States indicated that they either see themselves as wholly European, or have both a national and European identity (the majorities ranged from 51 percent in Denmark to 76 percent in Luxembourg).⁷ Also promoting the compatibility of European and national identities is the EU's cultural policy of 'unity-in-diversity', which emphasises commonalities through the use of symbols – a flag, an anthem and a holiday – but also celebrates diversity and reinforces national and sub-national identities (Pantel, 1999, pp. 47-56). Other prospects for European identity formation include the legitimating norms of peace and reconciliation⁸ and a shared commitment to democratic principles. From this perspective, the evident existence and compatibility of dual national and European identities can be seen as legitimating European integration. Banchoff and Smith (1999, p. 13), however, choose to emphasise the importance of participation in binding civil servants, parties and interest groups to EU integration, while preserving their national

⁷ See Table 2.1 in Beetham and Lord (1998a, p. 21).

⁸ See Gardner Feldman (1999).

identities. This conception of recognition limits identification to an attachment created by engagement in conventional political activity. A broader conception of recognition, on the other hand, acknowledges the legitimacy that can be engendered by a compatible ‘thin’ EU identity that is based on common citizenship and shared norms. The contribution of this kind of European identity to the legitimacy of the EU should not be underemphasised by limiting the concept of recognition to the activity of a small group of political actors engaged in the conventional politics surrounding EU institutions.

The recognition of Community law is another source of legitimacy in the EU. Here the Weberian notion of legal positivism or ‘belief in legality’ is important. Community law plays a central role in underpinning EU legitimacy in three distinct ways.⁹ First, the recognition of the scope of competence of the European Court of Justice (ECJ) by national courts and state legal actors – including its legitimate right to resolve disputes between Community and national law – promotes a legitimising perception of an agreed scope of competence, fairness of procedures and justice of outcomes. Secondly, the universality of Community law creates a legitimising expectation of equal treatment throughout the EU. Finally, the right of *individuals* to seek redress in the ECJ has significant legitimating potential if the Court is viewed as a protector of individual rights and producer of just outcomes. In this context, the development of a constitutional discourse that seeks to entrench individual rights within an agreed polity promotes legitimacy by breaking down state monopolies on rights and stimulating public awareness and participation in the ongoing development of the EU polity. It is unfortunate, however, that the current process of elite-led constitution making limits the legitimating potential of popular constitutionalism.

Legitimacy based on citizens’ perceptions of the political system’s performance – known as eudemonic legitimacy¹⁰ – is also important in the EU context. Beetham and Lord (1998b, pp. 98-114) have argued that the performance of European governance is generally judged against socially constructed expectations towards the provision of personal security, economic and welfare rights, and civil and legal rights. Since the Treaty of Rome, the fulfilment of these economic and social needs has featured in justifications for power transfers to the European Union (Beetham and Lord, 1998b, pp. 104-5). The EU has also been active in highlighting the benefits of its policies. For example, when driving around Ireland it is difficult not to notice the road signs declaring the EU’s involvement in funding road construction. Clearly the argument that increased transnational cooperation promotes efficacy, efficiency and economic growth to the benefit of all citizens is an important utilitarian justification for European integration. However, this form of legitimation is especially vulnerable to conditions of economic stagnation and may vary dramatically according to different and evolving perceptions across the EU about what constitutes satisfactory performance. Nevertheless, it remains an important element in the recognition and legitimacy of the EU.

The three sources of legitimacy outlined above broadly reflect the Weberian rational-legal mode of legitimation. This mode relies on modern, rational (liberal, utilitarian,

⁹ These are taken and adapted from Longo (2003).

¹⁰ See Holmes (1997, p. 44).

economistic) considerations and claims to authority. Some authors have argued that this type of legitimacy is inadequate at the EU level without an accompanying ‘myth of origin’ that embraces collective remembrance and destiny.¹¹ However, as Hanson and Williams (1999, p. 243) counter, the concept of rationalisation is itself a myth: the EU has continually used myth to present European integration as a natural, rational extension of the nation-state and to stress the importance of the future by promoting an optimistic vision of European peace and prosperity. Thus the sources of legitimacy described above – *identity*, *belief in Community law* and *performance perceptions* - remain salient at the EU-level. They are the three main types of subjective legitimacy that are obscured by an emphasis on recognition through political activity.

Representation and Democracy in the European Union

In contemporary scholarship, democratic norms constitute the dominant foundation of normative legitimacy. Democratic legitimacy is generally grounded in notions of popular sovereignty and representation, which become problematic in the EU context with its complex, multi-level system of governance. In the EU context, the European Parliament is just one of a variety of institutions involved in policy-making, yet it is the only one directly elected by and accountable to EU citizens. This institutional focus inevitably leads to a diagnosis of a ‘democratic deficit’. Banchoff and Smith challenge this ‘deficit thesis’ by arguing that statist models of representation based on parliamentary systems of law-making and accountability set an inappropriate benchmark for EU governance. They reconceptualise the idea of representation for a multi-level polity by highlighting the existence of new plural and informal practices of representation. However, Banchoff and Smith’s notion of representation, while useful for highlighting these new patterns of representative activity at the EU level, is based on a somewhat narrow view of democracy that obscures other potential sources of democratic legitimacy.

In an effort to reconceptualise representation, Banchoff and Smith (1999, p. 14) point to the development of direct interactive relationships between national and transnational interest groups and parties, European institutions, and European citizens as signs of new patterns of representation. They note that since the 1980s political parties, regional actors and ‘new social movements’ have become increasingly active at the EU level. They do not, however, question the democratic credentials of these actors? Whom do they represent? To whom are they accountable? Are they transparent and accessible to EU citizens? The answers to these questions are important if these new forms of representation are to contribute to the democratic legitimacy of the EU. The mere presence of these groups in Brussels is not enough evidence of their contribution to democratic legitimacy; they need to be examined to establish how and to what degree these groups are representative of EU citizens.

Many commentators *have* questioned the democratic credentials of EU institutions and have often diagnosed a ‘democratic deficit’. The body of literature discussing the many deficits of EU institutions is extensive, but in general it points to the complex nature of EU governance in which there is a lack of open political debate and where key policy-

¹¹ See Obradovic and Smith cited in Hanson and Williams (1999, pp. 236-39).

and law-making bodies are unelected and therefore unaccountable to EU citizens. Furthermore, a lack of transparency, combined with the complexity of the EU treaties and governance procedures renders the EU largely incoherent and distant in the lives of many citizens (Dehousse, 1995, pp. 119-25).

Perhaps the most prominent institution in ‘deficit theory’ is the European Parliament (EP), featuring heavily in remedial prescriptions for the EU’s democratic deficit. With its increased powers following the Maastricht and Amsterdam treaties, the EP has received growing attention from the media, interest groups and academia, largely due to its increased legislative and budgetary powers, and its role in political oversight and scrutiny of the Commission.¹² These powers, combined with its direct form of accountability to EU citizens, make the EP an important source of democratic legitimacy. The increased powers of the EP have also significantly affected citizen awareness of the institution: more people have heard about the EP than about any other EU institution and many want it to have a more important role in the future (Neunreither, 1999, p. 71). This reflects the fact that in national democratic systems parliaments are ‘the strongholds and symbols of legitimacy’ (Wessels and Deidrichs, 1999, p. 134).

The role of the European Parliament is the central plank in Banchoff and Smith’s conception of representation. Its role as an effective representative institution and a locus of intensified political activity makes it an important source of legitimacy (Banchoff and Smith, 1999, pp. 14-15). However, while this institution remains crucial for the legitimacy of the EU, a focus on the EP (despite the emphasis on its relationship with new representative groups) inevitably privileges statist models of parliamentary representation and accountability. This is highlighted by an increasing number of scholars that have challenged the notion that representation is the sole determinant of democratic legitimacy. Moravcsik (2002, p. 613), for instance, has pointed out that: ‘the late twentieth century has seen a “decline of parliaments” and the rise of courts, public administrations and the “core executive” and in this context accountability increasingly takes the form of ‘complex systems of indirect representation, selection of representatives, professional socialisation, *ex post* review, and balances between branches of government.’ On the basis, ‘the widespread criticism of the EU as democratically illegitimate is unsupported’ (Moravcsik, 2002, p. 605). Moravcsik’s analysis is useful insofar as it highlights that *institutions of governance without direct electoral accountability can be legitimate*, but considering his intergovernmental perspective it is not surprising that he inappropriately compares the EU to the nation-state. Nevertheless, he succeeds in shifting the focus from majoritarian parliamentary systems to issues of transparency, indirect accountability, efficiency, and coherence in discussion of EU legitimacy.

These issues have also caught the attention of the European Commission, particularly in relation to its own activities, which have come under increasing scrutiny over the past decade. With powers of agenda-setting, policy initiation and management of Community programs, the Commission plays an important role in the EU, but has been criticised (both by other EU institutions and in Member States) for being unaccountable, overly

¹² For a detailed analysis of these increased powers see Neunreither (1999).

technocratic and secretive. It has also been investigated for mismanagement, inefficiency and nepotism, culminating in the Parliament's attempted censure in January 1999 and the eventual resignation of the entire Santer Commission later that year. In addition to the damage the resignation inflicted on the reputation of the Commission, the uncovering of general and pervasive weaknesses in management, organization and administrative culture has threatened the legitimacy of the EU as a whole.¹³ In the years after the Santer Commission, Romano Prodi was more vocally committed to reform, not just within the Commission, but across all instruments of EU governance. In 2001, the Commission produced a White Paper on Governance advocating norms of openness, accountability, efficacy, and coherence by which civic participation may be stimulated in European governance (Longo, 2003, p. 12). These norms of governance represent potential sources of democratic legitimacy in the complex EU system in which accountability is maintained through inter-institutional scrutiny (in the case of the Commission), or indirectly through national representatives (as in the Council of Ministers).

Broadening notions of democracy to encompass broader norms of governance allows us to envisage many different forms of democratic legitimacy in the EU context. For example, increased transparency can assist in holding EU institutions accountable, helping to legitimise institutions that require independence like the ECJ and the European Central Bank. Increasing the number and quality of channels of communication can help to increase citizens' influence on decision-making by making issues visible before decisions are made (Meyer, 1999, p. 662). These sources of legitimacy must be balanced against the need for efficiency and efficacy in EU decision-making, but the lack of a 'permissive consensus' to sanction elite-led policy development has increased pressure for these types of reforms. Furthermore, the EU is increasingly gaining control of activities that have traditionally been associated with states – citizenship, border control, defence and security are some examples – resulting in more pressure for democratic input into EU policy-making. In this context, an ongoing balance must be struck between democratic control and policy performance considerations, but clearly a purely regulatory model of decision-making is inappropriate for a deepening EU. Within EU institutions, the rule of law ideal must prevail – *norms*, not *people*, should rule (La Torre, 2002, p. 79). The European Parliament is likely to have a central role in legitimising a deepening EU, but parliamentary representation, even if networked with plural and informal interest groups, is only one source (albeit a very important source) of the EU's democratic legitimacy.

Conclusion

The 1992 Maastricht ratification crisis heralded the breakdown of the permissive consensus that sustained elite-led European integration for over thirty years. Following the crisis, increased media attention was focussed on the so-called democratic deficit of EU institutions and the perception of a legitimacy crisis gained currency among EU publics, Member States and academia. In this context, Banchoff and Smith have attempted to reconceptualise EU legitimacy from the perspective of a 'multi-level polity'

¹³ These weaknesses were uncovered by The Committee of Independent Experts after an inquiry into allegations of fraud, mismanagement and nepotism in the Commission. See Cini (2002, p. 50).

in order to challenge the notion of a crisis of legitimacy. They have established a conceptual framework incorporating recognition and representation based on increasing political activity, new patterns of representation and the growing prominence of the European Parliament in the EU. This framework effectively highlights the EU's legitimacy as a broadly recognised arena for political contestation.

These findings are important for an understanding of legitimacy in the EU context. However, this paper has argued that Banchoff and Smith's conceptions of recognition and representation are narrow, institution-centred, and are too reliant on statist models of parliamentary democracy. This focus obscures other sources of legitimacy and diminishes the EU's potential to legitimate itself by other means. The European Parliament is a central source of legitimacy in a deepening EU, but identity, the belief in EU law, performance perceptions and democratic norms of governance also represent important sources of legitimacy. With its recent expansion to Central and Eastern Europe, and with the spread of the Euro, the EU has become more visible across Europe and beyond, and it is now increasingly difficult to ignore the EU's influence on the lives of European citizens. In this context, the legitimacy of the EU is likely to remain at the forefront of public debate.

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THE GEOPOLITICS OF FRENCH LANGUAGE AND CULTURE AND “LA FRANCOPHONIE”

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In the referendum it held on 29 May this year, France rejected ratification of the proposed European Constitution. In the lead-up to the ballot, intense debate had taken place within the country on questions of sovereignty and France’s relation to a wider trans-national or supra-national association. The complexity of the issue for the French was highlighted by the fact that it straddled traditional political divisions between the left and the right. At opposite ends of the political spectrum, the National Front and the Communist Party were in agreement in campaigning against the proposed European Constitution. Conversely, strains within the Socialist Party meant that its leader, François Hollande, advocated a vote in favour of ratification, whilst his deputy, Laurent Fabius, a former Prime Minister, called for a rejection of what he saw as “l’Europe à l’anglo-saxonne”.

Some of these tensions may be connected to internal French politics, which for many turned the referendum into a “raffarindum”, in protest against the increasingly unpopular government of Prime Minister Jean-Pierre Raffarin and as an expression of dissatisfaction with President Jacques Chirac. Yet, they also clearly reveal a deep ambivalence among the French about their country’s place in the world. This is all the more complex in that France is one of the founding members of the European Community and that it was a former president of the country, Valéry Giscard d’Estaing, who was one of the principal architects of the proposed Constitution that the French have resoundingly rejected in their referendum. Furthermore, France is far from being ‘isolationist’. It still has territories in all parts of the world, from the Indian Ocean (the Reunion island) to the North and South Atlantic (Saint-Pierre-et-Miquelon and French Guyana, respectively) and the Pacific (French Polynesia and New Caledonia), even Antarctica. Indeed, it has been able to negotiate special arrangements with the European Union to ensure continued support for these far-flung extra-continental territories. On the other hand, the French constitution has been making provision over the past few years for regional particularities, something that has not been a feature of France’s traditional ‘universalist’ perspective and of its view of the ‘indivisible’ nature of the Republic.

Creating different ways of accommodating regional differences within an assumed shared universalism is also a feature of “la Francophonie”, an umbrella movement that is sometimes likened to a French Commonwealth. The Organisation of Francophone states, originally made up of former French colonial possessions, has evolved to the point where the supposed shared universal, the French language, itself covers a great variety of practices; indeed, some countries, particularly from the former Eastern Europe, that are also new members of the European Union, are not usually thought of as French-speaking at all (e.g. Poland, Hungary, the Czech Republic).

In fact, it is increasingly in the name of ‘diversity’ that the Organisation promotes its values, as an alternative, albeit a French-specific alternative, to the spread of English as the world’s new *lingua franca*, and to Anglo-Saxon, particularly American, political, economic and cultural ‘hegemony’. Indeed, some French Europeanists, who are also supporters of “la Francophonie”, see parallels between the EU and the Francophone movement in a certain “philosophie du rassemblement”¹ (Minault, 2004, 325), that is, the pursuit of a common project by a multi-faceted organisation, despite its internal diversity. Recent developments in the francophone movement have brought out some of these features, most notably in the context of the biennial Heads of State Summit meetings, as France tries to square the philosophical circle. These Summits have also revealed the vicissitudes of geopolitics, from the success of Beirut in 2002 to the difficulties experienced by France and institutional *francophonie* at the Ouagadougou Summit in 2004. It is the attempted reconfiguration provided by the Beirut Summit that, in particular, is explored by this article, in the context of the evolution of “la Francophonie” over the past forty years.

La Francophonie and its Organisation

The origin of the term “francophonie”, with a lower case “f”, is commonly attributed to Onésime Reclus, (*L'Année Francophone Internationale 2005*, 8) a French geographer writing at the end of the 19th century, who used it to describe the peoples of the French-speaking world.² Since the second half of the 20th century, this has curiously often come to mean the cultures of the francophone world outside metropolitan France. These are not always well represented in the curricula of French educational institutions, a fact that may show a certain ambivalence, or even indifference to the cultures of the former colonies scattered across the globe. The distinction between French and francophone has also tended to prevail abroad in the non-francophone world, concerned perhaps to recognize the very distinctness of the ex-colonial cultures.³

But *la Francophonie* with a capital “F” also has an institutional sense, being a politically based movement, known since 1997 as the Organisation Internationale de la Francophonie (OIF), grouping together states and governments whose heads or delegates meet in a biennial Summit and determine aid and educational programs. It is this latter, institutional, sense of *la Francophonie* and its implications that I am going to discuss in this paper.

¹This writer projects a parallel sharing of common values, supposedly associated with with being European on the other hand and with the French language on the other: ‘Nous voulons garder notre langue vivante et la faire rayonner, car elle est faite de valeurs qui lui sont propres.’ (*Ibid.*).

²In the context of the classificatory fury of the 19th century, where racial taxonomy was the driving anthropological force, having recourse to linguistic categories as a means of defining or grouping peoples, as Reclus did, was at least innovative.

³In an academic context, for example, the designation “Francophone Studies”, has typically excluded *l'Hexagone* itself. Quebec’s sensitivities to its own “difference” (inscribed even on the vehicles of the former “belle province”), both with respect to France and anglophone North America, have no doubt played a significant part in this. On the other hand, the Senegalese Léopold Sédar Senghor, one of the promoters of the *la Francophonie*, did not see the need for such a radical separation, despite having been also one of the chief proponents of “la négritude”.

Following decolonization of the former French possessions in the 1960s and 1970s, a number of bodies - administrative, cultural and political - were created as a way of maintaining formal links between the former *patrie mère* and the newly independent states, as well as giving impetus to Quebec's cultural renaissance, e.g. the AUELF (Association des universités partiellement ou entièrement de langue française) in 1961; the Francophone Parliamentarians Group in 1967. However, the real, institutional existence of *la Francophonie* began at the Niamey Convention of 1970. Under the impulse of Léopold Sédar Senghor, Habib Bourguiba and Hamani Diori, then respectively presidents of Senegal, Tunisia and Niger, this Convention gave birth to the aid-assistance body, the Agence de coopération culturelle et technique (ACCT) which in 1997 became the Agence intergouvernementale de la Francophonie (AIF). His agency is effectively the secretariat of the OIF and, as such, the main *opérateur* for undertaking multilateral programs among francophone countries.⁴

A noticeable trend over the years has been the increasing integration of these various francophone bodies into a formal over-arching political and administrative structure to direct development programs via regular inter-governmental ministerial meetings and a biennial Summit of Heads of State. The first of these Summits was held in 1986, at Versailles, with 42 participants. There followed Quebec (1987),⁵ Dakar (Senegal, 1989), Paris (Chaillot, 1991),⁶ Mauritius (1993),⁷ Cotonou (1995),⁸ Hanoi (1997),⁹ Moncton (1999), Beirut (2002)¹⁰ and, most recently, Ouagadougou (2004)¹¹.

⁴ The "administrateur général" of this Agency has since its inception been Roger Dehaybe, former "Commissaire général des relations internationales" of the Communauté Française de Belgique (see <http://agence.francophonie.org>).

⁵ It was the Quebec Summit that decided on the biennial Summit framework.

⁶ This 4th Summit was scheduled to take place in Kinshasha, but due to international pressure resulting from human rights abuses under the Mobutu regime, notably following the bloody repression of student protests at the Lubumbashi campus, the venue was hastily changed to Paris.

⁷ It was at this Summit that the definition of members of the Movement changed from being those "ayant en commun l'usage du français to ayant le français en partage". This justified, for instance, the admission of the three countries that had had observer status at the previous Summit - Bulgaria, Cambodia and Romania -, just as Moldavia was now present as an "invité spécial".

⁸ Moldavia was now admitted as a full member, as too was Sao Tomé and Príncipe, bringing the total membership to 49. This was a sign of the widening political outreach of *la Francophonie*, a further indication of which was the presence, as guest, for the second consecutive Summit, of Boutros Boutros-Ghali, then Secretary General of the United Nations. In the post-Cold War world, the francophone movement was looking to play an increased political role.

⁹ It was at the Hanoi Summit that the organization made concrete its desire to forge a new political identity on the world stage by appointing Boutros Boutros-Ghali, become ex-Secretary General of the UN, as the first head of its newly designated Organisation Internationale de la Francophonie.

¹⁰ It was in Beirut that Boutros Boutros-Ghali stepped down as the Francophone Movement's Secretary-General, to be succeeded by Abdou Diouf, the former president of Cameroon.

¹¹ At Ouagadougou, Secretary-General Diouf formally announced the creation of a "Maison de la Francophonie" in Paris to house, literally under one roof, the various parts of the organization that have hitherto been scattered across the city: the General Secretariat of the Organisation, the l'Agence intergouvernementale de la Francophonie (AIF), the Agence universitaire de la Francophonie (AUF), the Association internationale des maires et responsables de métropoles francophones, the Assemblée parlementaire de la Francophonie.

Bringing together twenty-two states at its inception in 1970, the francophone movement now has fifty-seven members, fifty-one of which are full members, whilst the other six have associate or observer status.¹² The member countries of the OIF make up about 11% of the world's population, over 10% of its GDP and 13% of its trade, although just six of the Movement's members account for over two-fifths of such trade¹³. Not all members are independent states. Canada, for instance, is represented thrice over - by the Federal State as well as by the Provinces of Quebec and New Brunswick. Belgium is another country to have more than one representative - both the Federal State and the French Community of Belgium are members, making up an even unlikelier duo than the Canadian trio.¹⁴ (Tétu, 1997, 108-110).

The internal antagonisms of bicephalous Belgium are not, however, the only anomalies to which one could point. Countries like Albania, Bulgaria, Greece, Guinea-Bissau, Hungary, Lithuania, Macedonia, Moldavia, Poland, Sao Tomé and Príncipe etc., which are not normally thought of as French-speaking, have joined the Movement in recent years. This is something that will be expanded below. Suffice it to say *en passant* that the term “francophone” is taken in a very broad sense. As stated above, the Mauritius Summit of 1993 devised the notion of members having “le français en partage” i.e. French as a shared language rather than “le français en usage”, French as a language of use. This has given rise to the notion of *l'espace francophone* - a virtually boundless geography, emphasizing a certain kindred spirit of cultural endeavor, rather than an area circumscribed by colonial history or linguistic heritage narrowly defined.¹⁵

This paper intends to bring out some of the changing geopolitical features of the francophone movement arising, in particular, from the Beirut Summit of 2002 where the question of language and culture was given much greater prominence than was possible at the Ouagadougou Summit in November 2004¹⁶.

¹² These are Hungary, Lithuania, Poland, Slovenia, the Czech Republic and Slovakia.

¹³ Belgium, Canada, France, Luxembourg, Quebec, Switzerland.

¹⁴ As a Federal State, the Kingdom of Belgium participates in *La Francophonie* only in so far as it attends the biennial Summits. It makes no financial contribution to the francophone Movement. It is the Communauté Française de Belgique, one of the three “Communautés” of the country under the Belgian constitution, which both supports the Movement financially and is an active member of all its bodies.

¹⁵ As the frontispiece, “Au lecteur”, of *L'Année Francophone Internationale* puts it, “l'espace francophone” represents “une réalité non exclusivement géographique ni même linguistique mais aussi culturelle [qui] réunit tous ceux qui, de près ou de loin, éprouvent ou expriment une certaine appartenance à la langue française ou aux cultures francophones. Cette dénomination, bien qu'apparemment floue, est certainement la plus féconde. Elle recouvre des situations très variées.” It is worth noting that, for the first time since its creation in 1991, and commensurate with the growing importance of the extension of the francophone Movement, the 2003 edition of *L'Année Francophone Internationale* carried the subtitle, *Le point sur l'espace francophone*.

¹⁶ This recent Summit held in the capital of Burkina Faso was necessarily too preoccupied with the crisis in the neighbouring Ivory Coast, where the civil war that had been raging for a couple of years suddenly escalated in the weeks prior to the Summit. In the process, it embroiled France militarily and politically in a way which seriously undermined its influence in the region and showed some of the vicissitudes and pitfalls of the geo-political venture of *la Francophonie*. However, the repercussions of this situation, as significant as they may be for France's position in Africa over the coming years, fall outside of the scope of the present paper which is concerned to analyse the repositioning of the Francophone movement in the post-Cold War era of globalization. This repositioning, involving an ideological reconfiguration of the

The Context of the Beirut Summit

The Ninth Summit of Heads of State and Government of countries having French *en partage* took place in Beirut, Lebanon, in November 2002. Originally scheduled for October 2001, the gathering had to be postponed for a year, following the attacks of September 11 the previous month. The theme chosen for the Summit, “le dialogue des cultures”, promoted as one of the francophone Movement's goals in the first article of its charter,¹⁷ thus took on a much greater significance in Beirut than it might have otherwise done, particularly given the fact that this was the first francophone Summit to be held on Arab soil.¹⁸

Against the background of international concern for terrorism, the dangers of assimilating Islam to the latter, the escalation of the Israeli-Palestinian conflict and the possibility of an American-led war against Iraq, the Summit theme of the dialogue of cultures was in Beirut constantly contrasted, from French President Chirac's opening address onwards, with that of “the clash of civilizations”, (Huntington, 1996) identified with a supposed American position. The latter was deemed to postulate an inevitable conflict between, on the one hand, a radicalized Islam and, on the other, an uncaring or domineering West, and from this perspective September 11 could be seen as the most major recent and concrete instance of such a “clash”. The Summit was at pains to reject this seeming teleology, stressing rather the compatibility and “friendship” of French and other languages and cultures. In particular, French culture was thus portrayed as a model of a non-belligerent West with a “new vision” able to have an understanding of, and even a commonality of purpose with the Arab world.¹⁹

President Chirac made the most of the opportunity offered by the location and timing of the gathering to establish France's good credentials in the region - and beyond. On the eve of the Summit, before arriving in Beirut, he was in Egypt to inaugurate with President Mubarak and various other presidents, prime ministers and representatives of European and Arab royalty, the Bibliotheca Alexandrina. Erected on the supposed site of the great Ptolemaic Library of Antiquity, this library is the proclaimed heir to that famous building that housed the then known world's largest collection of books. Built at a cost of \$US220 million, the new UNESCO-sponsored Library was finally completed after

place of French culture and language, will continue despite the undoubted catastrophe of the situation in the Ivory Coast.

¹⁷ “La Francophonie, consciente des liens que crée entre ses membres le partage de la langue française et souhaitant les utiliser au service de la paix, de la coopération et du développement, a pour objectifs : [...] l'intensification du dialogue des cultures et des civilisations...” (see <http://agence.francophonie.org>).

¹⁸ It should be remembered that the Summit venue is proposed four years in advance. The theme is also selected at the preceding Summit. It was thus a fortuitous set of circumstances that gave this theme and venue a particular relevance in 2002.

¹⁹ In his opening speech, President Chirac referred to this dialogue as follows: “le dialogue des cultures, facilitant le partage des expériences humaines, est le meilleur antidote au risque d'un choc des civilisations. Il nous aidera à poser les fondements d'une paix durable. Mais il nous faut aussi agir pour mettre fin aux conflits actuels. A Beyrouth, réaffirmons ce crédo fondamental : dans le monde moderne, le recours à la force ne saurait être admis qu'en cas de légitime défense ou de décision des instances internationales compétentes.” (author's transcription).

fourteen years of construction. Symbolically, France was showing through this gesture its leading role in support of culture, dialogue, and peace,²⁰ by associating itself with the renewal of the intellectual legacy of Antiquity. This is a renewal that is all the closer to a French conception of culture and its place in society in that, located in the city that had until 1956 had a dynamic francophone presence, it is designed to be more of a great cultural centre or complex, complete with museums and art galleries, than a mere repository of books, although it will house up to eight million of these.

This project of naturalizing continuity is all the greater in that the Bibliotheca Alexandrina is located virtually next door to the francophone Université Senghor, named after the ex-Senegalese president, the great poet and first leader of his country after it gained independence from France in 1960, who was also a member of the Académie Française and a primary promoter of *la Francophonie*. Created by decision of the third Summit in Dakar in 1989, and inaugurated at the end of the following year, the Université Senghor is a postgraduate university for upper echelon cadres of francophone countries, notably African ones. It thus links the Arab world with the African continent, Islam with the West (the French *académicien* Senghor himself having been a Senegalese Christian), the Classical past with the future of developing countries. As such, it is a concrete instance of French cultural “largesse” - and influence - in action: a French-built, French-language university on Arab soil named after the Christian leader of an African Muslim country, whose Director, Fred Constant, is from the French Caribbean, as I discovered when I met him at a Conference in Noumea in July 2002.²¹

Iraq, French Diplomacy and Geopolitics

The Beirut Summit came at a propitious time for relations between France, *la francophonie* and the Arab world, and for French influence more generally. France was riding high on the success of its position at the UN, the US having been forced to back down on its proposal to have a single resolution on Iraq accepted by the Security Council, which would have provided an automatic mechanism for triggering force in the event of violation. These disputes in the United Nations highlighted the potential status and significance of the francophone organization - its evolution from a linguistic-based movement to a post-Cold War geopolitical one. In this context, it should be remembered that there are fifteen members of the Security Council, five of whom are permanent (China, US, Russia, France, Britain). Nine votes are required for a resolution to be passed. Of the ten other non-permanent members at the time, four belonged to the francophone movement (Bulgaria, Cameroon, Guinea, Mauritius).²²

²⁰ It should be remembered that the great Ptolemaic library was burned by Julius Caesar in 47 BC, in retaliation for an insurrection against Roman military intervention. Subsequently, Omar Ibn el-Ass ordered the destruction of what remained of the library, when he conquered Egypt in 640 AD.

²¹ Conference on *L'Etat pluriel et les droits aux différences*, 3-5 July 2002, organised by Professor Jean-Yves Faberon, Institut de Droit d'Outre-mer, Université de la Nouvelle-Calédonie. Professor Constant's paper was entitled, appropriately, “La Citoyenneté à l'épreuve du pluralisme culturel” which was highly relevant to New Caledonia's own situation following the 1998 Noumea Accord on its future. (see Constant, 2003).

²² The first three were still members in 2003 in the lead-up to the Iraq War (along with Angola, Chile, Germany, Mexico, Pakistan, Spain and Syria), but this membership is not necessarily any guarantee, of

It could thus be argued that *la Francophonie* is trying to appear as a better version of the non-aligned movement. Indeed, the fact that some members are rich industrialized nations such as France, Canada, Switzerland, Belgium, serves to indicate that the movement can provide links between rich and poor. Did not the Egyptian Boutros Boutros-Ghali proclaim years ago that French was the language of non-alignment? Moreover, on the very same weekend as the Summit was taking place, the Irish held a referendum on the Treaty of Nice II on enlargement of the European Union eastward. Ireland ratified the Treaty, the last member of the EU to do so. Six of the ten east European states who subsequently entered the EU in May 2004 are also members of *la Francophonie* (the Czech and Slovak Republics, Hungary, Lithuania, Poland, Slovenia). When you think that Romania, Albania and Bulgaria were already members of the francophone movement...

Whilst the state of the French language as such is not a topic of formal discussion at Francophone Summits, it is, of course, of interest to the OIF through its programs, in particular the Agence Intergouvernementale de la Francophonie (a budget of 83 million euros); the Agence Universitaire de la Francophonie (a budget of 50 million euros) and TV5 (a budget of 86 million euros)²³. The AIF and its partners have, for instance, been providing an annual budget of 1.5 million euros, under its “le français dans l’Union européenne” project, to make available French language classes to European bureaucrats, aimed particularly at those from the ten new member countries that joined the EU in 2004, a number of which are “Etats observateurs” of the OIF (The Czech Republic, Hungary, Lithuania, Poland, Slovakia, Slovenia). This is an understandable initiative, given that the arrival of these ten new member states, swelling the EU to twenty-five members, could threaten the previously strong place of French within the Union. The AIF has estimated that, out of the 25,000 functionaries in the new member states, half are

course, of support for French positions, as subsequent developments concerning Iraq proved, where Bulgaria came out in favour of the US stance, effectively signing up as a part of the “coalition of the willing”. Other ex-Eastern European members of the Francophone Movement, including Romania, which is to host the 2006 “Sommet de la Francophonie”, became part, at least for a while, of what the White House called the “New Europe” supporting, more or less overtly, the American position on Iraq. Indeed, whilst France may have been able to maintain the “moral high ground” in the crisis over Iraq at the UN, it suffered fallout even among some traditional African allies: Angola, Cameroon and Guinea (the latter, admittedly, a sort of “black sheep” of the francophone family ever since opting for independence in the 1958 referendum called by De Gaulle), which were at that time members of the UN Security Council, could not resist US pressure urging them to vote in favour of its proposed resolution regarding the use of force in Iraq.

²³ TV5 celebrated its 20th anniversary in 2004. It has undergone a vast restructuring program in recent years, and in June 2001 Paris took over control from the former conglomerate of France, Belgium, Switzerland and Canada, the latter having had hitherto a major influence over content and the network's ethos. In the station's own words, it has moved from being somewhat dispersed to become “une seule entité multilatérale”. One can sense here a willingness to see the network become more “français” than “francophone” and Paris's wish to reclaim its right to transmit a worldview to the world and to not lose out in the frenzied rush towards the digital future. Consistent with this is the statement made at the Ouagadougou Summit by TV5's managing director, Marie-Christine Saragossa, who said that the station's aim was to be an “anti-Fox News”. She estimated that the network has an average weekly audience today of some 70 million (an increase of 25% in the space of two years) and that, due to arrangements it has established with the hotel chain Accor and Starwood, it has the world's second most important distribution network, after MTV, but ahead of CNN.

trained in English, a quarter are German-speakers and only 16% French speakers. In 2005 the scheme will be extended to several hundred journalists posted to Brussels.

The French Language

Figures differ on the number of francophone speakers, depending on one's perspective. An official 1998 francophone report estimated that there were about 113 million people worldwide who use French fluently on a daily basis, with a further 60 million occasional users. (*Présentation du Haut Conseil de la Francophonie et Panorama de la Francophonie Internationale*, 2000, 14-15). These may not seem great numbers in today's world. But if one factors in all those who speak or understand (some) French in countries where it is the official language, this number rises to 400 million, and to well over 600 million if one takes into account the population of the combined Francophone movement countries. Similarly, one could say that French is in 11th place among the world's languages in terms of the number of speakers of the language. Or, as the official language of twenty-nine countries, it is second in the world after English, and it is the only language, apart from English, to be seriously taught on all five continents.

Against this, it is estimated that, in 2000, 55% of documents of the European Commission were initially drafted in English, as against only 33% in French - even if half of all documents finally produced are in French. On the world scene, the number of delegations choosing French as their means of expression at the United Nations has dropped from thirty-one in 1991 to twenty-six in 1999.²⁴ (*Le Journal de l'Agence intergouvernementale de la francophonie*, No. 27, 2002, 6). Furthermore, at the 2001 Johannesburg Summit on sustainable development, the Romanian delegate delivered his speech in English rather than French - and this on behalf of a country that has proposed to host the 11th Francophone Summit in 2006... Even at Francophone Summits themselves, French is not always the norm. In Ouagadougou, for example, the Cambodian representative delivered his speech in English. Earlier in the year, at the officially bilingual (French-English) Athens Olympics, the French delegate lobbying in favour of Paris's candidature for the 2012 Games, held a press conference in English. This seemed to bear out the point being made in a memorable cartoon that had been drawn by a Lebanese graphic artist during the "24 hours of caricature" at the Beirut Summit, which showed a French journalist/tourist asking directions from an Arab Lebanese farmer and gesticulating in vain to his local interlocutor as the latter stutters out "eehu... je ... comprendre...non".²⁵

²⁴In an article in *Le Figaro* of 18 Oct. 2002, entitled "Langue française : les raisons d'espérer", Sébastien Lapaque claims that the drop is even greater - down to twenty-one nations in 2000.

²⁵ In similar vein, the leading French-language weekly of Lebanon, *L'Hebdo Magazine*, carried a photograph on the first page of its edition of 25 Oct. 2002 showing members of the Lebanese parliament applauding Jacques Chirac who delivered a speech there on the eve of the Summit. A caption has one of the applauding "députés" asking or wondering "Est-ce que j'ai bien entendu ?"...

France and the Arab World

If some irony can surround certain aspects of the purported francophone nature of *la Francophonie*, it would have to be said that the political gamble of holding a Francophone Summit in Beirut, on Arab soil, paid off handsomely, particularly for France and President Chirac. A confirmation of this was the fact that the most striking participation, Arab or otherwise for that matter, was no doubt that of Algerian President, Abdelaziz Bouteflika. A former French colony, Algeria (with a population of nearly twenty-five million) is the largest French-speaking country after France itself, but has never been a member of the francophone movement. However, Bouteflika's presence, overcoming forty years of Algerian institutional mistrust of anything that might smack of French neo-colonialism, showed the evolution of the *la Francophonie* over the past few years. Whilst referring in his speech at the opening ceremony to the pain of the colonial period, the injustices inflicted upon his people, and the need for his country to recover its identity and regain its "arabité", as he put it, he also paid homage to the French language and its culture and announced that it was time for Algeria to open up to it again and to facilitate participation by the youth of his country in "l'évolution du monde moderne", in which process French could play an important role. This is something he subsequently put in practice, having made French a compulsory subject in schools in Algeria again.

The year 2002 was the 40th anniversary of the end of the Algerian war of independence. Although some issues still remain difficult,²⁶ relations between the two countries have finally begun to approach something like normality in recent times. During the Beirut Summit, the Algerian Minister of Foreign Affairs, Abdelaziz Belkhadem, announced his government's intention to apply for membership of the Organisation Internationale de la Francophonie. For Chirac, this is something already acquis, in spirit and principle if not in fact, as he made plain in his address: "L'Algérie est chez elle dans la francophonie, même si elle n'a pas rejoint l'organisation". 2003 was "l'année de l'Algérie" in France and, conversely, President Chirac made an official trip to Algeria. In Beirut, the Algerians paid homage to the Cotonou meeting of Culture Ministers of Francophone Nations in June 2001, whereby *la Francophonie* recognised the importance of national languages other than French within the *espace francophone*.

Whilst Algeria has not yet joined the francophone movement, such membership is clearly now only a matter of time. In Ouagadougou, where Bouteflika made the trip as an "invité spécial" of Burkina Faso's President Baraouké, after having been a "personal guest" in Beirut of the Lebanese President Emile Lahoud, Secretary-General Diouf expressed in Burkina Faso the hope that Algeria will one day become a member of the Movement, affirming that this development is "inscrit dans l'Histoire: l'Algérie est plus francophone que la plupart des membres actuels de la francophonie".

²⁶ For example, it was only in 1999 that the Algerian war of independence was officially recognized by the French government as a war rather than as simply "les événements d'Algérie"; then there is the situation of the "harkis", those Algerians who sided with France during the war, still a thorny issue, France belatedly calling them heroes while Algeria continues to regard them as simply traitors; and those responsible for the 1995 bombings in France masterminded by Algerian "intégristes" have only recently started to come before the courts.

France is certainly keen to consolidate relations with countries of the Maghrib. After all, it should not be forgotten that Islam is the second religion of France, approximately 10% of the population being Arab or of Arab descent, and the question of migration from North Africa has been a very thorny political and social issue over the past couple of decades in France. This was highlighted by the irony of President Chirac's own reelection as President in May 2002 on the back of the very good showing by the anti-immigration National Front candidate, Jean-Marie Le Pen, who outpolled the Socialist candidate Lionel Jospin in the "premier tour". With South-North migratory pressures likely to continue, there are some, including former Francophone Secretary-General Boutros-Ghali amongst them, who have estimated that there could be fifteen to twenty million North Africans in France in the coming decades, and that by about 2030 the population of the Arab world will be almost equal to that of Europe (minus Russia). (*Valeurs actuelles*, No. 3438, 2002, 38)

"La diversité culturelle", "l'exception culturelle"

As stated above, since the 1993 Mauritius Summit the Francophone formula has been that the Movement unites countries having "le français en partage". Reference to the meeting of Culture Ministers of Francophone Nations in Cotonou in June 2001 also sprang up regularly at the Beirut Summit. There they made a statement of policy stressing cultural diversity, something amplified later in the year by the UNESCO declaration on the same subject, which made diversity a precondition for the dialogue of cultures.

This stress on cultural diversity has been a double "coup" for the *la Francophonie* and, most notably, for France, allowing, as it does, for non-francophone countries and regions to join the Movement, at the same time as it gives French a privileged status as a language/culture of dialogue with the non-francophone world - shades, perhaps, of the first-among-equals approach, as De Gaulle saw France's role in the still fledgling European Community back in the 1960s. *La Francophonie* thus fosters the coexistence both of languages within real francophone countries themselves (e.g. African states) and of francophone countries within the wider international community of the movement covered by *l'espace francophone*. The final declaration of the Beirut Summit evoked the spirit of the Mauritius Summit in 1993, and the (2001) Cotonou conference, that is the movement's commitment to supporting and developing policies strengthening multilingualism "au sein des populations de l'espace francophone", maintaining a "partnership" between French and national languages.

At a time of increasing globalization, the stated aim of the francophone Movement is to propose an "alternative" (or at least to serve as a model for such), to uniformity of lifestyle and a single mode of thought with their consequent inevitable elimination of the specific personal contribution of individuals. The Beirut Summit implicitly brought into play the traditional French conception of culture²⁷ versus the Anglo-Germanic one.²⁸ In

²⁷ The self-assigned mission of the French Ministère de la Culture is, in André Malraux's famous foundational words, to "rendre accessibles les œuvres capitales de l'humanité, et d'abord de la France, au plus grand nombre possible de Français, d'assurer la plus vaste audience à notre patrimoine culturel et de

summary, one could say that the latter is more akin to an anthropological approach, i.e. culture as the sum of practices and procedures of a particular people, while the “Latin” approach to culture sees it as being embodied in ethical and aesthetic projects and works.

Michèle Gendreau-Massaloux, the Recteur of the Agence Universitaire de la Francophonie, the chief educational agency of the Francophone Movement, has identified three notions of culture, all with a French flavor: as heritage, what the French call “le patrimoine”, that is, how it relates to the past through monuments; as dynamic process of “métissage”, emphasizing the value of dialogue and debate; as relation, via a sense of “nation”, to other cultures similarly assimilated to a political project.²⁹

This is worthwhile pondering for a moment. The project of the Agence Universitaire de la Francophonie, as the major education *opérateur* of the Francophone Movement, has a mission to create a new image of French as a modern language adapted to each national culture, one capable of offering an opening onto the wider world - not to supplant but to supplement national languages and cultures. French, formerly associated with elites, is now being promoted as a pillar of pluralism, democracy and freedom. It is projected as providing universal value through respect for difference, “la capacité de la langue française à avoir des disponibilités multiples”. (*Le Journal de l'Agence intergouvernementale de la francophonie*, No. 27, 2002, 7). But otherwise, the French Enlightenment ideal, rationalist and universalist, is displaced from being one that is imposed from without towards a notion of absorption by others from within. French language and culture, and other languages and cultures, are thus portrayed as having equal and reciprocal needs. In the words of Boutros Boutros-Ghali in Beirut, “la défense de la langue française passe par la diversité culturelle”. (*Valeurs actuelles*, 3438, 2002, 39). Indeed, *la Francophonie* here casts itself as having an exemplary status, the very heterogeneous or disparate nature of the movement offering a lesson in tolerance.

This brings us to the notion of “exception culturelle” - a much-touted French phrase in recent years. In the protracted Uruguay Round of the GATT (General Agreement on Tariffs and Trade) negotiations on liberalizing world trade at the end of the 1980s and into the 1990s, France (and more generally continental Europe) managed to have this notion accepted against strong opposition, notably from the United States. The crux of this is that cultural products are not to be treated merely like any other kind of goods and

favoriser la création des œuvres de l'art et de l'esprit qui enrichissent l'humanité.” (www.cnrs.fr/Cnrspresse/n397/html/n397a04.htm). There is, of course, some philosophical tension between the notion of cultural diversity, that is culture as process, and this sense of culture as state of cultivation driven by a universal idea: an ethical and even spiritual value of culture expressing an ideal of human perfection. It is also true that the French (or at any rate a Socialist government) have in recent times extended this notion to include aspects of popular and local culture, such as the cobblestones along the road of the historic Paris-Roubaix bike race, declared a “monument historique” by Ségolène Royal in the early 1990s. Indeed, it is precisely these shifts or extensions that are interesting in their current geopolitical import as the French attempt to square the circle.

²⁸ In the German tradition, at least since Hegel, a distrust of the word “Kultur” even led in some contexts to its replacement by the word “Bildung”, involving a much greater process of reflexivity, willful determination and struggle.

²⁹ See the special supplement on the Beirut Summit published in French by the Lebanese daily *An-Nahar*, *Regards croisés sur la Francophonie*, 17 Oct. 2002, 1.

cannot be reduced to their purely commercial value governed by the laws of economic exchange. Accordingly, states must be able to sustain and support their creators and artists as they see fit, given that culture is fundamental to the identity, well-being and very existence of a society. It should therefore be given a special status. Economically, this would put a break on liberalist free-market attitudes and allow countries to impose tariffs and quotas and grant subsidies to local industries. This is being argued out in the current WTO (World Trade Organization) Doha round, as it was in the last Uruguay Round of the GATT which ended in 1994.

One can clearly see the interest here for France, one of the abiding “grandes cultures” of the world, whose cinema industry, for example, with up to 150 feature films a year, is second only to Hollywood in terms of export production. France seeks to help its filmmakers and producers as best it could in their efforts to have French films shown abroad. Conversely, the country wishes to have the capacity, through the imposition of tariffs and quotas, to support local production and consumption at home. The French are also increasingly preoccupied with Anglo-Saxon domination of new information technologies; consequently, the francophone Movement has been engaging with the World Summits on the information society (Geneva, 2003, and Tunis, 2005). The *Organisation Internationale de la Francophonie* (OIF) also participated in the UN-sponsored African Regional Conference on the information society held in Bamako, Mali in May 2002.³⁰ Is it by chance that the Francophone Movement should have wished to associate itself institutionally with this Conference, held in the same city as the one in which the francophone Movement chose to organize its conference on human rights in November 2000 (see above), thus marking the connection between human rights, North-South relations and freedom of expression understood in a broad political, economic, technical and cultural sense?

Notwithstanding this whole context, however, the Beirut Summit saw an interesting shift with regard to the expression “l'exception culturelle”, which was somewhat pushed into the background. On the one hand, in the term “exception culturelle”, “culture”, expressed adjectivally, can appear to be relegated to the rank of attribute. That is, it is one among many possible attributes. Furthermore, the noun “exception” suggests that it is just that, a peripheral category rather than being at the heart of things, thereby confirming the essential position of mercantile values that it otherwise seeks to question. “L'exception culturelle”, whilst it was still a term that could be heard, was not promoted, being replaced rather by the term “diversité culturelle” or even “culture de la diversité”. The term cultural exception now seems to be judged to be too defensive a stance, and one that is perhaps, and understandably, too closely identified with France itself.

The idea of diversity allows for association, even solidarity, with wider groupings of nations beyond the mere self-interested commercial strategies of a major economy such

³⁰ *Le Journal de l'Agence intergouvernementale de la francophonie*, No. 28, May-Aug. 2002, 20, states: “La Francophonie, dont les actions en matière de nouvelles technologies de l'information visent à réduire la fracture numérique entre le Nord et le Sud, s'est d'ores et déjà impliquée dans le processus préparatoire du Sommet mondial sur la société de l'information en agissant comme catalyseur des convergences francophones lors des concertations internationales”.

as that of France. This enables cultural diversity to be presented as one of the key issues and challenges of globalization: anti-uniformity; pro-(sustainable) development for countries of the South (with a stress also on the value of immaterial culture); and peace through dialogue, for which sustainable development is a pre-condition.

The movement has called for an international convention on cultural diversity, responsibility for which should be invested with UNESCO. This is no doubt a very clever move. The Secretary General of UNESCO, Koichiro Matsuura, himself delivered an address at the Beirut Summit's opening session on this very issue. The Paris-based organization went through a difficult time in the 1980s with then Secretary General M'bow being accused of corruption by President Reagan of the United States and Prime Minister Thatcher of the United Kingdom. They called for major reforms to the body, precisely at a time when its African leader had embarked on a program of a new world information order in favor of the developing world and in order to counteract the preponderance and domination of the media by the richest countries. President Reagan finally withdrew US membership and this remained the case until a couple of months before the Beirut Summit when the Bush administration suddenly announced that it was going to rejoin the UNESCO, where it has been finding itself in a body generally more sympathetic to the francophone than the Anglo-Saxon way. This will come to the fore in 2005, as UNESCO leads up to its Convention on Cultural Diversity scheduled to be adopted in October this year.

The Agence Universitaire de la Francophonie and Language teaching

This insistence on cultural diversity and multilingualism has implications for the teaching of French, particularly in non-francophone countries, including some that are members of the movement. It means, for example, a revamping and extension of the communicative approach to the post-structuralist era of foreign language instruction. Accordingly, the goal is for foreign students to feel that they are appropriating French as an element of their own cultural plurality and richness. The AUF (Agence Universitaire de la Francophonie) has changed its approach in response to its recognition of the changing role of university French departments, particularly in non-francophone countries, from being ones concerned with literature and the humanities to becoming an adjunct - although not necessarily a tool seen instrumentally - to other studies. That is French is being promoted as accompanying and facilitating a specialist formation: French in a particular field or fields for particular professional purposes.

This approach can be seen in regional projects that the AUF supports, such as in Vietnam, where there are intensive and highly selective French language programs for students of engineering, agronomy, technology and management. Indeed, we know something of this purpose even in Australia through the institution of the French government Baudin national scholarship scheme which offers advanced undergraduate students support to spend a semester abroad at a French university as part of their home degree and which, in particular, encourage students who are combining French with other subjects, notably Law, Engineering, Economics and Media Studies. In the words of Michèle Gendreau-Massaloux, the Agency "milite pour une véritable culture de la

diversité” (author’s notes, Beirut, 2002). As such, (French) culture is promoted as being anti-colonial, the supposed opposite of a (US-style) project of “cultural hegemony”. Translation as a problematic of appropriation-expropriation could be the new image of this approach, and, accordingly, it is not surprising to see “translation” promoted henceforth as one of the main foci of activities of the Agence in its current allocation of resources.

One must say that such developments, now being integrated into the official stance of *la Francophonie*, are a long way from the universalist, prescriptive and hierarchical role the Académie Française has traditionally had with respect to the French language, and from its own self-designated centrality as an arbiter and guardian of values. It is certainly a considerable move away from former elitist notions of the purity of French. This leads not only to the notion of linguistic plurality, where French has its place among other languages spoken in a particular society, but also to a toleration, and even promotion, of several French languages. An interesting perspective in this regard is that of the Congolese novelist, Henri Lopes, who was one of the final two candidates to be Boutros's successor at the head of the Francophone Movement. “Métissage”, both biological and linguistic, figures prominently in the work of Lopes for whom, quite simply - but this is a complex simplicity – “l'avenir du français est africain !”³¹

In the lead-up to Beirut, the OIF itself organized two significant conferences over the previous two years as part of its linguistic geopolitics. The first was in May 2000, at the Institut du Monde arabe in Paris on Francophonie-Arab relations, featuring the “nécessaire dialogue” between very different cultures. (*Actes du Colloque « Francophonie - Monde arabe », Paris 30-31 mai 2000*, 2001). The following year (March 2001), at the Sorbonne, Boutros brought together lusophones, hispanophones and francophones around the theme of the “solidarités naturelles” existing between these various linguistic spheres.³² (*Trois espaces linguistiques face aux défis de la mondialisation*, 2001). This is an interesting development, given that these spheres bring together seventy-nine States and governments and represent some 1,263 million people on five continents. (*Le Journal de l'Agence intergouvernementale de la francophonie*, No. 28, 2002, 2). Indeed, this was paralleled by an inter-American seminar held in Quebec City in August 2002 that was organized by the Canadian *Conseil de la langue française*, examining the possible place of French within the framework of inter-American institutions in the Free Trade Agreement zone after 2005. As French speakers constitute less than 2% of the total population of the Americas, (*Le Journal de l'Agence intergouvernementale de la francophonie*, No. 29, 2002, 16). the challenge for *la Francophonie* is how to link up with Portuguese and Spanish speakers, in order to try to

³¹ Personal communication.

³² A sign of the political significance of these proceedings was the fact that they were “solennellement ouverts” in three languages by three Presidents from three continents and three “worlds” (first, developing, under-developed): Presidents Jacques Chirac (France), Joaquim Alberto Chissano (Mozambique) and Gustavo Noboa Bejarano (Ecuador), all in the Grand Amphithéâtre of the Sorbonne. In the Preface to the *Actes*, one can read: “Ce dialogue institutionnel, sans précédent, entre trois grands espaces linguistiques de la latinité était destiné à intensifier les échanges culturels, mais aussi à développer des partenariats stratégiques au niveau international afin, notamment, de promouvoir la diversité linguistique et le dialogue des cultures”, VII. Despite its trilingual title, however, the work is entirely in French.

see French included as one of the four official languages of the American Free Trade Zone.³³ Language and trade, culture and geo-politics are, it is clear, inextricably interwoven in the reconfiguration, not to say the reinvention of the agenda and actions of the francophone movement that have are likely to have an ongoing import beyond the particular successes and failures of individual Summits.

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³³ For further details of this seminar and its recommendations, refer www.clf.gouv.qc.ca.

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ITALY REJECTS HER PAST: REVISIONISTS AND THE ANTI-FASCIST FOUNDATIONS OF THE ITALIAN REPUBLIC

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For half a century there was a widespread belief among Italians that the roots of their democratic, pluralist institutions lay in the Resistance struggle against Nazism and Fascism and in the anti-Fascist tradition. This tradition had spawned a patriotic war of national unity against Fascism and had given birth to a new democratic constitution. Yet in 2003 the Prime Minister of Italy, Silvio Berlusconi, claimed that Mussolini had been greatly misunderstood: 'Mussolini never killed anyone,' stated Berlusconi, and he had done nothing more than send his political opponents on holiday (*The Spectator*, 2003). Gianfranco Fini, leader of the neo-Fascist *Alleanza Nazionale* (or post-Fascist, as he prefers to say), and at the time Berlusconi's Deputy Prime Minister, had earlier, in a 1994 interview with the Italian paper *La Stampa*, hailed Mussolini as 'the greatest statesman of the century' (Statera, 1994). What had happened to the anti-Fascist foundation of the Republic? How was it that the two most powerful political figures in Italy could sing the praises of the discredited Fascist dictator only half a century after his demise at the hands of Italian partisans? The groundwork for this ideological about-face had been prepared by a group of revisionist historians, who, by the 1990s, had begun to undermine the importance of anti-Fascism as the foundation of Italian democracy. These historians argued that the anti-Fascist Resistance was better termed a 'civil war,' following which the anti-Fascists, led by the Communists (PCI), had destroyed Italian national identity by disseminating an anti-history of falsity and myth, thus preventing Italy's spiritual reconstruction. This revisionist view of Italian history and politics would rapidly come to dominate the cultural self-identity of many Italians and provide the framework for a new political consensus on the Italian right. This consensus served to discredit the Resistance and undermine the post-PCI left, while rehabilitating the far right and validating their position as a legitimate partner in the new centre-right governing coalition.

On 1 January 1948 things had been very different. This date saw the introduction of the new Italian Constitution and Republic, which in many ways marked the culmination of the Resistance victory over Fascism in 1945. Italy was now a democracy which repudiated Fascism: sovereignty belonged to the people, the Republic recognised the inviolable rights of man; all citizens had equal social dignity and were equal in front of the law; and war was rejected as an offence to the freedom of other peoples (ANPI, 1987, pp. 51-2). The Resistance struggle which had founded the Republic had been a bloody, unforgiving encounter between the two parties. Both sides comprised a minority of the Italian population but calculating exact numbers of activists on either side is a precarious task. Obviously there were the active combatants to consider, but also all levels of support groups, both of a military and political nature. Initially, immediately following September 1943, the partisan numbers were small. They were certainly less than ten thousand, although by the spring of 1944 the movement had grown to approximately 20,000-30,000 members (Ginsborg, 1990, 17). According to historian Charles O'Reilly,

this figure was in fact a more precise 35,980 (O'Reilly, 2001, 219). By the end of the war, the total number of participants in the Resistance, both men and women, was notable. If one considers active combatants alone, there were at least 100,000 engaged in the field (Ginsborg, 1990, 70), while some historians, such as Charles Delzell, claim as many as 150,000 by April 1945 and 200,000 in total throughout the war (Delzell, 1961, 296; 548). Evaluating the numbers of combatants who fought with the Fascist forces of the Italian Social Republic (RSI) is equally difficult. By early 1944 the RSI had 100,000 men in units under the command of German Marshal Albert Kesselring, 51,000 with the German air force in ground units, 25,000 to supplement the four new Italian divisions which were training in Germany and 140,000 in the Fascist Republican National Guard (GNR), which was destined for anti-partisan activities. These figures, however, existed only on paper (Deakin, 1962, 661). Actual numbers were lower, partly as these were estimates of *potential* recruitment through conscription. After the November 1943 draft, for example, only 87,000 of the 180,000 men called up actually presented themselves for duty (Deakin, 1962, 660). Numbers were further depleted by mass desertions to the partisans. It is unlikely that either side represented a majority of Italians, although this, like much else regarding the Resistance period, is rather contentious.

Almost immediately, in fact, historians and political commentators began to assess and debate the legacy of the anti-Fascist movement. Prominent among these were the liberals and the Marxists. In any evaluation of the liberal wing of Italian historiography, Benedetto Croce is the key writer.¹ One could define him as a self-interested liberal (along with others) who defended his own social grouping against charges of responsibility for the rise of Fascism (De Felice, 1983, pp. 29-30). Croce thus developed his theory of Fascism as a 'parenthesis' in Italian history, an anomaly which began in the 1920s and ended in 1943-44: a movement outside the 'normal,' healthy historical development of the nation, a movement ended by war and the Resistance (Bosworth, 1996, p. 507). A key element of this liberal vision was a distinct anti-Communism. It fed on internal politics and the developing Cold War in Europe.

Liberal writers, such as John Clarke Adams and Paolo Barile, were typical exponents of the liberal democratic outlook (See Adams and Barile, 1972, p. v). In their opinion, the Constitution was the core of the Republic. Its foundations lay in the Resistance, which gave Italy the moral purging necessary to place the nation once again among civilised nations (Adams and Barile, 1972, p. 13). This echoed Croce's vision of Fascism as a 'parenthesis' in Italian history: a parenthesis closed by the Resistance.

The legitimacy of the Resistance (and implicitly the new Republic) was founded on the 200,000 Italians who fought in the Resistance and the other 200,000 engaged in their support. This support, according to Adams and Barile, was spontaneous and more than one hundred thousand partisans and civilians died in the struggle, making their losses greater than Allied losses throughout the entire Italian campaign (Adams and Barile, 1972, p. 13). In the eyes of Adams and Barile, the Resistance was in effect the fulfillment of the *Risorgimento*—a struggle for liberty and justice—but unlike the *Risorgimento*, it

¹ See for example (Croce, 1917); (Croce, 1928); (Croce, 1938); (Croce, 1944a); (Croce, 1944b); and (Croce, 1963). See also (De Felice, 1979, p. 162).

was popular and a mass movement, not an elitist enterprise (Adams and Barile, 1972, p. 13).² The liberal notion of the Resistance as a truly national enterprise was restated. It was not limited to class war or civil war, but was part of the movement of the Italian national project, begun with the *Risorgimento* and continued by all progressive political forces.

Two further issues arose from the liberal interpretation of the Resistance, however, and both tended to undermine the legitimacy of the movement. The first concerned the memory of 'Resistance as civil war.' While the liberal tradition saw the Resistance as a patriotic venture, even a second *Risorgimento*, the notion of civil war implied that part of the nature of the Resistance was not one of liberation from foreign occupation, but rather of an internecine war between Italians. The second issue, an anti-Communist discourse, was closely linked to this memory. Liberal historians have suggested that the negative elements of the Resistance were linked to Communist abuses. Accusations have ranged from blaming the partisans for introducing violence into the Italian political landscape to more extreme accusations, including the charge that Communist partisans committed murder, rather than expediting justice during the purge of ex-Fascists (See Clark, 1984, p. 317). This memory of a primarily patriotic war, but with a Communist subplot of illegitimate, sectarian violence, naturally led to a belief in the post-war period that those on the far left of the Resistance movement were unfit for governance in a civilised, democratic republic. As will be seen, views such as this led to a coalescence of anti-Resistance rhetoric among later revisionist writers.

As early as 1959, Denis Mack Smith, then regarded as the pre-eminent foreign scholar of modern Italy, summarised the situation in his *Italy: a Modern History*. Foremost in Mack Smith's thinking, as with many liberal historians, was a pronounced anti-Communism and a propensity to see the war in Italy as a civil war (Mack Smith, 1959, p. 488). Mack Smith believed that the primary cause of the civil war that commenced with the fall of Fascism in 1943 was the rescue of Mussolini by German troops on 12 September 1943 (Mack Smith, 1959, p. 488). In conjunction with this rescue, Mack Smith believed that support amongst some Italians for a continued Fascist state 'launch[ed] their country into a civil war' (Mack Smith, 1959, p. 491). Mack Smith described this war between the Resistance and the newly-formed Republic of Salò as 'a growing fever of terroristic reprisal and counter-reprisal' (Mack Smith, 1959, p. 491).³

Overall Mack Smith, like many liberal writers, saw the partisans as a mixed blessing. They restored morale to Italy, but gave the Communists a disproportionate influence in local government and the electoral machinery. They also injected bitterness into Italian social relations, promoting disrespect for the law and increasing tensions in class relations. Mack Smith also accused the partisans of 'violent and summary measures.' In his opinion, 'liberation' was often simply an excuse for personal vendettas (Mack Smith, 1959, p. 493). Mack Smith however, like many liberals, was not entirely critical of the

² The *Risorgimento* was the nineteenth century movement of Italian unification.

³ The neo-Fascist Italian Social Republic, commonly known as the Republic of Salò, was constituted in late September 1943 following the collapse of Mussolini's regime in July 1943 and the subsequent Allied invasion of Italy. Most historians regard it as a puppet regime of the Germans.

Resistance, crediting the partisans with saving Italian industrial infrastructure from the Germans and thereby greatly assisting the post-war return to prosperity (Mack Smith, 1959, p. 493).

The second strand in the analysis of the Resistance and the foundation of the Republic was distinctly Marxist. One of the first of such works was Roberto Battaglia's 1953 publication, *Storia della resistenza italiana (History of the Italian Resistance)*.⁴ The proletariat, in Battaglia's opinion, was one of the key players in the Resistance. He also asserted that the Republic of Salò had no popular base (Battaglia, 1957, p. 169). He saw the pro-Resistance forces as generally united; Communists had played a major role in the Resistance, but the real driving force was patriotism (Battaglia, 1957, p. 147-49). The Resistance had redeemed lost Italian honour (Battaglia, 1957, p. 281). Ironically Battaglia mirrored the liberal position in certain ways: both stressed the patriotic, nationalist nature of the Resistance.

In this manner, Battaglia inaugurated what came to be known as the 'myth of the Resistance' which would dominate the 1960s (Bosworth, 1998, p. 186). Communist historians predominated in the propagation of the 'myth of the Resistance' throughout the decade: Paolo Spriano, Renato Zangheri, Giuliano Procacci and Giorgio Amendola all made key contributions. Anti-Fascism dominated their histories, emphasising the Italian Communists (PCI) as natural leaders of a Resistance with a genuine mass base that embraced other political factions.⁵

The 1970s and 1980s saw the PCI propose an image of the Resistance as a 'popular front' of all progressive forces united in the struggle against Fascism. By the mid-seventies the defence of anti-Fascism had become a northern Italian cause (particularly at the University of Turin with Guido Quazza and Nicola Tranfaglia as driving forces). Quazza and Tranfaglia rejected Croce's 'parenthesis' theory, noting the survival of Fascist forms into the new Republic (Quazza, 1976; Tranfaglia, 1996, p. 9).

From the mid-70s, however, the 'myth of the Resistance' was under constant attack from more conservative historians, primarily based in Rome and led by Renzo De Felice. In particular, the morality of the Resistance was itself under scrutiny.⁶ Renzo De Felice was the leading figure of conservative revisionism which attacked the Marxist position. De Felice argued that the Communists could make no claim to a useable anti-Fascist past: they could not claim to have led the Resistance (Bosworth, 1996, p. 508). In fact, De Felice, echoing earlier liberal writers, claimed that the Resistance was better termed a 'civil war,' following which the anti-Fascists, led by the Communists, had destroyed Italian national identity, disseminated an anti-history based on lies and myth, and thus prevented Italy's spiritual recovery (De Felice, 1995, pp. 31-3). De Felice and his school

⁴ A condensed version was translated into English in 1957. See (Battaglia, 1957).

⁵ See works by (Amendola, 1975); (Amendola, 1976a); (Amendola, 1976b); (Amendola, 1978); (Procacci, 1968; reprint, 1978); (Spriano, 1967); (Spriano, 1969); (Spriano, 1970); (Spriano, 1972); (Spriano, 1973); (Spriano, 1975); and (Zangheri, 1977).

⁶ See for example (Clark, 1984, pp. 312-13); (De Felice, 1998, p. 125); and (Galli della Loggia, 1996, pp. 125-61).

believed that the problem with modern Italy was a lack of positive nationalism, which had been evident since the fall of Fascism (Bosworth, 1998, p. 88). De Felice did not see his longing for this nationalism as an ideological position, but simply as a 'scientific' search for the 'truth.' In fact, in his own mind, De Felice was himself a 'scientific,' 'objective' historian. The implication was that other historians who challenged his interpretation of Fascism and anti-Fascism, particularly those of Marxist persuasions, were inferior, as they did not apply a 'scientific' or 'objective' analysis (De Felice, 1979, p. 175; De Felice, 1995, p. 7; Knox, 1995, p. 348).

De Felice's attack on the anti-Fascist interpretation of the past, particularly following his 1975 interview with Michael Ledeen '*Intervista sul Fascismo*' ('Interview on Fascism'), polarised the historiography of Fascism and anti-Fascism (See De Felice, 1976). Even moderates, such as Martin Clark, were drawn into this polarised debate: a debate which saw a greater emphasis on criticism of the Resistance, and in particular, the Communists. In 1984, Martin Clark published *Modern Italy, 1871-1982*. Clark stressed that of all the political groups of the Resistance, the Communists were the main motivators and beneficiaries. The *Garibaldini* (the Communist partisans) made up sixty percent of all partisans and Communists agitated for strikes, higher wages and threatened employers (Clark, 1984, pp. 312-13). The secretary of the Communist party, Palmiro Togliatti, was cautious. Not wanting to see a repetition in Italy of the British military action which was taking place in Greece against Communist partisans, and desirous of American economic aid, he decided not to use the Resistance as a force for revolution. He preferred to remain a part of the anti-Fascist establishment (Clark, 1984, p. 313). Clark maintained that while the Resistance made a far from negligible military contribution, the true effects of its work were political. The partisans prevented a unilateral, Allied-imposed, post-war political settlement, and achieved a new national unity based on anti-Fascist terms. The Communists benefited most, gaining legitimacy in Italy thanks to their major contribution to the Resistance (Clark, 1984, p. 315). The Resistance, however, had been a 'primitive' popular rebellion with no united political or social program and no outstanding leader. Clark saw the early partisan movement as a local, rather than national, spontaneous popular uprising that was often of an anti-state nature rather than specifically anti-Fascist (Clark, 1984, p. 311). In fact, according to Clark, some partisan groups, particularly the early bands, were outsiders who operated as outlaws and even terrorised the local peasants (Clark, 1984, p. 310). Nevertheless, the Resistance achieved surprising results (Clark, 1984, p. 316). There were, however, some unfortunate implications for the future in the victory of the Resistance: the movement had been far less revolutionary and united than later believed and certain unpleasant aspects of political violence could be attached to the 'values of the Resistance.' One such aspect concerned the purging of Fascists by the political wing of the Resistance, the Committees of National Liberation, an activity labeled 'murder' by Clark (Clark, 1984, p. 317).

By the early 1990s the criticism of the 'myth of the Resistance' had intensified. Journalistic campaigns such as the '*triangolo della morte*' ('triangle of death'), attacking the alleged crimes of Communist partisans against civilians in Emilia-Romagna, abounded in the Italian press (Ward, 1996, p. 211). At the same time, although unconnected to the 'triangle of death' campaign, historians such as Roger Absalom

continued to question the 'myth of the Resistance.' Absalom was among the first of the Anglo-Saxon scholars to claim that most Italians did not want to join the armed struggle, nor participate in political upheavals, but preferred simply an end to trouble (Absalom, 1991, p. 305). In contrast to the conventional historical interpretation, Absalom believed that the mass of the population supported the liberation movement only in the sense that to survive was itself to resist (Absalom, 1995, p. 180). This peasant ambivalence to the Resistance had several causes. First, Absalom suggested that relations between partisans and peasants were often bad following intensive military activity and the German reprisals which followed (Absalom, 1991, p. 80). Secondly, partisan behaviour towards peasant property increased tension between the two groups. Absalom claimed that by September 1944 there was widespread peasant ambivalence to the Resistance throughout the North owing to the indiscriminate requisitioning of produce by partisan groups (Absalom, 1991, p. 161). Finally, and with great insight, Absalom argued that although the peasants hated both Germans and Fascists, their relationship with the partisans was still problematic. While they gave symbolic support to the partisans, the interests and perceptions of the Resistance fighters and politicians had always clashed with those of the peasantry. The partisans, particularly the leadership, were generally urban orientated and did not reflect the peasants' concerns with the local milieu of village life (Absalom, 1991, p. 307). Absalom even saw the support of factory workers for the Resistance as problematic. The March 1943 strikes in Turin, Genoa and Milan of one million workers were spontaneous and although they quickly turned from being economically motivated to an anti-war statement, they were in no way inspired or controlled by the Communist precursor of the Resistance. The strike of June 1944 was, however, anti-German and that of April 1945 directed by the Resistance. Before 1945, however, the proletariat was not simply a tool of the Resistance (Absalom, 1995, p. 173).

In Absalom's view, the political failure of the Resistance was caused by several factors. He particularly stressed the existence of major divisions and tensions within the Resistance movement itself (Absalom, 1991, p. 79). The Resistance was profoundly divided ideologically, and this led to a fatal disunity of the innovative forces which hoped to reshape Italy's social and political order in the post-war period (Absalom, 1995, p. 169). This division occurred in conjunction with the polarisation of Italian politics as a result of anti-Communist fears. The result for Italy was the infiltration of intransigent conservatives into parties nominally committed to social and political reform on the basis of the 'values of the Resistance': the Christian Democrats are a case in point. Naturally these conservatives frustrated all efforts at such reform within their new parties (Absalom, 1995, p. 171).

From the beginning of 1947, therefore, the left was placed on the defensive, partly by the organisational success of the Christian Democrats, but especially by the external pressures of the Cold War, particularly the intervention of the United States in the campaign leading up to the 1948 elections (Absalom, 1995, p. 198). Moreover, events in foreign policy further isolated the left: the Truman Doctrine of containment of Communism, for example, was instigated as official policy in mid-1947 (Absalom, 1995, pp. 199-201).

Finally, Absalom saw the post-war political failure of the Resistance as a failure to attract the support of the majority of Italians during the war. In his opinion, the majority had been neither active in the Resistance, nor supported it, although a large minority had (Absalom, 1995, p. 186).

Absalom's work represented a clear critique of the 'myth of the Resistance,' although it was not an explicit condemnation of the movement overall. Instead, the '*triangolo della morte*' campaign developed into—what historian Richard Bosworth defined as—an 'anti-anti-Fascist' argument. The arguments of the '*triangolo della morte*' campaign were promoted and expanded in 1997 with the publication of De Felice's final section of his biography of Mussolini entitled *Mussolini l'alleato 1940-1945 II. La guerra civile 1943-1945* (*Mussolini the Ally 1940-1945 II. The Civil War 1943-1945*). De Felice advanced the case of the school of 'Resistance as civil war.' He argued that the competing parties in the 'civil war' could not be separated morally (De Felice, 1998, p. 125): in his opinion, the Communist partisans represented the USSR, not a popular Italian mass base, while the Salò militia represented German interests (De Felice, 1998, pp. 173-75). Ordinary Italians had remained uncommitted and wished simply for an end to the war (De Felice, 1998, p. 178). Thus, it seemed there was no moral distinction between the warring parties during the final stages of the Second World War in Italy, only vying sectional interests.

De Felice went on to emphasise the distinction between Fascism and Nazism. He claimed that the Italo-German alliance was tactical rather than ideological, and that Fascism bore no responsibility for the Holocaust or other Nazi crimes (Bosworth, 1998, p. 27). Finally, the commitment of De Felice and his heir apparent, Emilio Gentile,⁷ to a 'de-politicised' history (which was implicit in their 'scientific' method) had failed: it did not lead to a rational, apolitical examination of the past, but instead spawned only an 'anti-anti-Fascist' orthodoxy (Bosworth, 1998, p. 29).

De Felice's assault on the anti-Fascist vision of the past, beginning in 1975, led to an interpretation of the mid-1940s in which the Fascist forces of Salò and the Resistance became increasingly morally inseparable. This view in turn paved the way for a new revisionism. The radicalism of the right, which had always displayed contempt for the Resistance, gained new legitimacy. One of the most outspoken right-wing theorists in the field, Adriano Romualdi, for example, gained greater respect. His posthumous book, *Il fascismo come fenomeno europeo*, gained greater authority in the light of De Felice's theories. Romualdi judged the Resistance as little more than a fabricated 'myth' constructed by Communists and backed by a timid, fearful bourgeoisie. He insisted that the partisan war was in reality predominantly a Communist war, with Stalinist methods and aims. In the words of Romualdi, the bourgeoisie 'thus gave a badge of heroism to the Communist killers' (Romualdi, 1984, p. 138). Furthermore, in the 1990s books such as Gian Enrico Rusconi's *Resistenza e postfascismo* began to question the importance of anti-Fascism as the foundation of Italian democracy (Rusconi, 1995).

One key issue was the alleged atrocities committed by the 'Communist' partisans during the war, but especially in the immediate post-war period. Some historians, such as Hans

⁷ See for example Gentile's support of De Felice in (Gentile, 1986, pp. 183-84).

Woller, believed that the implementation of so-called 'people's tribunals' in northern Italy in 1945 meant that, in his words, 'Bologna, Milan, Turin and many smaller northern provincial towns were reigned by sheer, cruel arbitrariness for several weeks' following the liberation. 'It was not...unusual for innocent bystanders to become the casualties of these campaigns of revenge' he claimed (Woller, 1998, p. 540). Woller estimated that 12,000 people in total were killed in spontaneous acts of violence against Fascists, but he extended the period under examination to that between 1943 and 1946 rather than the immediate post-liberation period alone (Woller, 1998, p. 541). In the years following the war, neo-Fascists would claim the number killed was as high as 300,000 (Delzell, 1961, p. 545).⁸

Intellectuals on the left confronted the new revisionism with a defensive response. Within the Marxist historical school, Claudio Pavone's *Una guerra civile (A Civil War)* of 1991 was the first work to assert that the armed Resistance was at the same time a patriotic, civil and class war, thereby refuting the theories of the more conservative historians who attempted to portray the Resistance as a civil war in which the values of the competing forces were irrelevant (Pavone, 1991, p. xi). Pavone's book was a watershed in the study of the Resistance, as it was among the first books outside of the genre of memoirs to record the history of the Resistance from the point of view of the participants. It thus provided one of the most comprehensive examinations of the internal character of the partisan movement. Pavone used a vast array of sources, including diaries, memoirs, articles from the underground press and party political records, in order to reconstruct the motives underpinning the Resistance. Pavone argued that the Resistance was in fact three distinct, yet intertwined, wars. First it was a patriotic war of national liberation against the Germans; second, a class war for the attainment of social revolution; and finally, a civil war against the Fascists, in which the partisans fought for democracy and territorial control.

In his section on the patriotic war, Pavone reached back to the foundations of the Marxist school and Roberto Battaglia to argue that the industrial working class was the only social group to maintain cohesion during the collapse of the Italian state following 8 September 1943. While the military and political institutions crumbled, the workers remained united and it was they who led the way from passivity and impotence to a spirit of resistance (Pavone, 1991, p. 22). The workers were again depicted as the stoic, patriotic vanguard of the nation. This, however, was a nation in need of resurrection after the disaster of the collapse of army and state. Many anti-Fascists thus felt the need for a rebirth of the Italian nation but that this process had to be detached from the Italian nationalist tradition which Fascism had discredited (Pavone, 1991, pp. 169-70). All the forces of the Resistance therefore took the traditions of the *Risorgimento* as their inspiration for the sense of a 'new' nation. They often saw the partisan movement as a 'second *Risorgimento*,' although each political faction within the Resistance used the Risorgimental stereotypes (Monarchists, *Garibaldini*, Mazzinians, as well as others) to support their particular ideological position. The Risorgimental motif also gave a sense of unity to the otherwise divergent elements within the anti-Fascist forces (Pavone, 1991, pp. 179-80). In Pavone's opinion, the calls to patriotism utilised not only the

⁸ See for example (Giuliani, 1998).

Risorgimento, but also the First World War and the links to the traditional Anglo-American allies. All these converged in the figure of the German as enemy and invader (Pavone, 1991, p. 206).

In addition to a patriotic war, Pavone considered the Resistance to be a class war. At the official level the main left-wing parties supported a policy of national unity. This policy followed, by its very nature, an inter-class strategy and thus undermined the traditional Communist and Socialist position which identified Italian capitalists as the principal enemy of the working class. Thus, at the ideological level, it prevented a fusion of the concepts of the enemy of the 'nation' with the 'class' enemy. Pavone claimed that in reality, however, many partisans of working class and peasant extraction were motivated by class consciousness and hostility. Their archetypal enemy was the boss who was also a Fascist and servant of the Germans (Pavone, 1991, p. 314). In this manner the patriotic war and class war were united into one national revolutionary struggle.

Finally, Pavone controversially insisted that the Resistance was also a civil war between the partisans and the *Repubblicchini*, as the supporters of the Republic of Salò were known. He recognised the hostility to, and even negation of, this definition among former partisans, but claimed that the designation 'civil war' did not blur the moral distinctions between the two warring parties, as many partisans feared and the revisionist historians asserted. Instead, he argued that the differences (and the depth of hate) between belligerents are never so clear or great as during a civil war (Pavone, 1991, p. 221). Furthermore, he insisted that the tendency to label the Resistance as a war, or movement, of national liberation rather than as a civil war in both Resistance literature and popular memory had concealed the reality of Italians fighting against Italians during the Resistance (Pavone, 1991, p. 225). The idea that the Resistance was a 'civil war' in which the moral distinction between the two sides was maintained was the book's most important contribution to the historiography, particularly considering its impact on leftist writers and historians.

The rebuttal that Pavone had initiated against the conservative attack on the Resistance culminated in the publication of *L'ordine è già stato eseguito* (*The Order has been Carried Out*) by Alessandro Portelli in 1999 and *E Abele uccise Caino* (*And Abel Killed Cain*) by Ezio Maria Simini in 2000, both works which attempted to justify the morality of the Resistance in the context of civil war (Portelli, 1999; Simini, 2000).

Among former partisans, too, there was a strong, defensive reaction to the revisionist attack on the Resistance as a whole. This arrived in the form of a plethora of books on individual partisans and their units, often written by the participants themselves. Works such as Daniele Borioli's *Banda Lenti*, Giulio Casolaro's *Quindici racconti sui garibaldini vercellesi ed australiani*, Gianni Dolino's *Anche i Boia Muoiono*, and Primo Corbelletti's *Noi della VII^a* flooded the market.⁹ Many of these writers were now in the twilight years of their lives and were determined to restate the values and the significance of the Resistance which was then under scrutiny by writers such as Renzo De Felice. Ex-

⁹ See (Borioli, 1984); (Casolaro, 1989); (Corbelletti, 1999); and (Dolino, 1992). For other examples see (Burger, 1997); (Calandri and Demichelis, 1999); and Provincia di Torino, 1999).

partisans such as Teresio Pireglio epitomised the mood among Italian partisans at the end of the twentieth century. His was a didactic message for the young generation of Italians who knew little of the recent past. He insisted that the Resistance had been the first people's war in Italian history and that it had been fought against the horrors of Nazism and Fascism in order to guarantee a free, democratic state (Pireglio, 2000, pp. 23-4). Such works stressed the heroism of the Resistance, its unified nature and the popular support which the movement enjoyed.

The new revisionism began to sound alarm bells not only among leftist intellectuals and former partisans, but also among left-wing politicians. Leftists, such as the Roman provincial councillor Enzo Foschi of the *Partito Democratico della Sinistra*, were prepared to accept the notion that people on all sides of the wartime conflict were motivated by idealism, but not that those defending democracy and freedom should be equated with those who fought alongside the Nazis. As Foschi stated, '[t]here's an ambiguity in Italy. The partisan and the Fascist are now being seen in the same light. There is a part of our political class that has still not fully come to terms with our history' (Willan, 2002). Yet even on the left, the impact of De Felice and the new revisionism was extremely influential.

In 2003 the release of Giampaolo Pansa's *Il sangue dei vinti* revealed how far the new revisionism had penetrated. Pansa, a moderate left-wing writer and journalist, produced an Italian best seller which reflected on the killings of Fascists in the immediate post-war period. Although Pansa clearly stated that the Fascists 'had chosen to fight for a cause which, even today, I judge mistaken' (Pansa, 2003, p. 13), much of the text condemned many partisans and anti-Fascists as the perpetrators of vendettas, massacres and crimes of every type. Almost without exception these criminal partisans were identified as Communists. Pansa clearly believed that many partisans were politically committed, particularly the Communists, and that this was inextricably linked to the wave of criminal violence which followed the war. He noted how partisans, such as Silvio Pasi of the 28th *Garibaldi* Brigade, had decided to become 'partisan-Communists,' as it was not only the best method to fight and defeat Nazi-Fascism, but also, and more importantly in Pansa's opinion, it was the means to achieving their ideological objectives. According to Pansa, their simplistic understanding of Marxism stressed class struggle as an instrument for seizing power; democracy as a tool which represented only the proletariat, the only class deserving of attention; and expropriation of the means of production. Tillable land would go to the sharecroppers, open land to the labourers, and factories to the workers. In such a way, the Resistance appeared to partisans such as Pasi as the means both to fighting Nazism and Fascism and to bringing about Communism, if necessary even with violence (Pansa, 2003, pp. 261-62). Pansa particularly stressed the violence in Emilia, in the so-called 'triangle of death' and, like many right-wing historians and journalists, attributed it to Communists. Quoting an article of 12 July 1945 in *Unità democratica*, the newspaper of the Committee of National Liberation of Modena, Pansa equated Communist violence to that of the Fascists:

Facts so monstrous and barbarous continue to occur which create dismay and a great bitterness in the soul of those who have suffered and who had deluded themselves into

believing that all evil had been eliminated along with Fascism. But unfortunately we have to admit that the Nazi-Fascists were not the only beasts (Pansa, 2003, p. 299).

Naturally, these other 'beasts' were Communists. In an interview with *La repubblica* Pansa spoke of the crimes committed in the post-war period in Emilia by Communist partisans as the beginning of a second civil war. It was a class war which could have triggered a Communist revolution. Partisans began killing priests, farmers and the rich bourgeoisie. According to Pansa, '[t]he real problem was that inside the party of Togliatti, Longo, Secchia and Amendola, the entire leadership group, including the local cadres, did nothing to suppress this conviction' that a class war was at hand (Fiori, 2003). Thus, even on the moderate left, with writers such as Pansa, a blurring of the moral distinctions between partisan—generally equated as a Communist—and Fascist had taken place. The outcome of the De Felicean-dominated 1990s was therefore a revisionism in which the crimes of Fascism were ignored by all—left and right—in favour of a critique of the failings of anti-Fascism.¹⁰

What emerges from the historiographical debate over the Resistance is, therefore, a series of competing political 'memories.' These constructed 'memories' are critical when interpreting and assessing the political impact of the Resistance in the post-war period. For Italian liberals the essential memory was of a movement which restored Italy to its rightful historical path after the twenty years of political and historical deviation under Fascism. The 'parenthesis' theory of Croce implied that the 'natural' progression of the Italian nation, which had begun with the *Risorgimento* and continued into the liberal state, had once again been restored by the Resistance. After the 'disease' of Fascism, Italy could now return to the 'healthy' state which had existed before 1922. The partisans therefore had no further role to play in Italian public life after 1945. From a liberal perspective what was needed in the post-war era was a restoration of the former liberal state, not a new, progressive society for which many of the partisans, especially those on the left, had hoped. This liberal vision for a future Italy does much to explain the tension which rapidly developed between supporters of the Italian Liberal Party (PLI) and the forces of the left within the Committees of National Liberation directly after the war. Furthermore, many liberals would be attracted to the rapidly expanding Christian Democrats (DC), specifically as many within the DC also rejected a vision of a new, socially progressive society. From a liberal point of view, therefore, the partisans had nothing more to contribute to Italy's political future. Their job was done, and it was time to return to the natural order of society: the liberal society which had been dismantled under Fascism. There was particular fear that the left-wing of the Resistance movement, led by the Communists, might seize power and derail the liberal vision for the future.

Of course, the liberals were not alone in this type of interpretation of the Resistance. More conservative forces (particularly around the figure of Renzo De Felice) saw an even more sinister form to the Resistance. By the mid-1990s De Felice's criticism of the 'myth of the Resistance' had undermined the moral integrity of the movement, and thus implicitly of anti-Fascism and especially the Communists. His theories were themselves to become instrumentalised during the decade. As the political mood in Italy shifted

¹⁰ As a further example see (Galli della Loggia, 1996, pp. 125-61).

distinctly to the centre-right, political forces such as Silvio Berlusconi's *Forza Italia* and Gianfranco Fini's neo-right *Alleanza Nazionale* found it useful to incorporate a vision of the past in which the Communists were rejected as the moral guardians of national rebirth, and the forces of the Fascist Republic of Salò were to an extent rehabilitated. After all, they had represented merely one of the sides in a civil war in which no moral distinction could be made.

In fact, Silvio Berlusconi explicitly made use of the old Cold War divisions in Italian politics during the 1994 election. In a manipulation of De Felice's theories, he attacked the left as 'Communists, former-Communists and post-Communists' (Bufacchi, 1998, 168) and offered an anti-Communist vision to the Italian electorate. In certain respects he returned to the language of the 1930s, explaining that he had entered politics in order to block the emergence of a left-wing dictatorship. In this he maintained an anti-Communist continuity which extended from Mussolini to Bettino Craxi (McCarthy, 1995, 158).

Berlusconi's new coalition partner, Gianfranco Fini, also made use of the new revisionist climate. His party, *Alleanza Nazionale* (AN), had been founded on the bones of the old neo-Fascist Italian Social Movement (MSI) and as such was the direct heir of the RSI. Following the discrediting of the old Italian political forces after the *Mani Pulite*, or 'Hands Clean', campaign in the early 1990s, the MSI performed spectacularly at the March 1994 elections. As a party outside the great institutions, it had remained untouched by the scandals. The party thus finally escaped the electoral ghetto which had confined the far right since the fall of Fascism. It captured 13.5 percent of the vote and entered Silvio Berlusconi's first coalition government as a major partner (Ignazi, 1998, 157). During the 1994 election, Berlusconi gave legitimacy to the MSI—which periodically exalted Mussolini and attempted to rehabilitate Fascism—in return for the southern votes which the party attracted (McCarthy, 1996, 135). But in January 1995 the MSI, under the guidance of Fini, attempted to dilute Fascism into the mainstream of the right. The party changed names to the 'National Alliance,' denounced the 'illiberal' aspects of Fascism, acclaimed democracy and freedom but, importantly, did not reject Fascism once and for all (Ignazi, 1998, 157). The party membership itself reaffirmed its ideological support for Fascism. Over sixty-eight percent of AN delegates who had voted for Fini's moderate changes to the AN ideological platform also believed that Fascism was a 'good regime' (Ignazi, 1998, 175). Fini meanwhile claimed that as far as AN was concerned, 'Fascism is irrevocably consigned to history. We are post-Fascists' (*Il Manifesto*, 1993). Yet shortly after the elections he issued his infamous 'statesman of the century' quote, in which he praised Mussolini once again.

Fini was not merely content with reaffirming his roots in the Fascist past, however. He was also intent on utilising the revisionist climate in order to undermine his political opponents on the left, specifically through their connection with the Resistance legacy. On 25 April 1995—the fiftieth anniversary of the liberation—Fini attended a commemoration mass in memory of all Italian victims of the Second World War. This included members of the RSI as well as of the Resistance. While seemingly a gesture of good will, Fini also implied that this 'reconciliation' relegated and consigned both Mussolinian Fascism and the old Resistance values—most obviously evident in the

Italian left—to history. They no longer had a place in the Italy of the 1990s (Ruzza, 1996, 152). With the dawning of the new millennium, and AN entrenched in power in the region of Lazio, the party began the next stage in its revision of the Fascist/anti-Fascist past. In November 2000 AN established a commission to examine the revision of school textbook lists in the region of Lazio. Its principal mission was to rewrite Italy's past: it would censor textbooks which were too critical of Fascism and too praiseworthy of the Resistance struggle (Lane, 2004, 3).

Meanwhile, Fini's coalition leader, Silvio Berlusconi, was also assailing the democratic legacy of the Resistance, and thus of the Italian left. Berlusconi attacked the very premise that with the liberation of northern Italian cities in April 1945 the nation had finally been freed. He believed that true liberation had come not in April 1945, but at the elections of 1948 when the Italian left had finally been defeated (Berlusconi, 2000, 186). Forza Italia's revisionist attitude was most clearly elucidated on 15 December 2003, when the speaker of the Senate, Marcello Pera, claimed that the Resistance was simply a myth which should be abandoned and relegated to history (*Il Sole-24 Ore*, 2003).

For the new right-wing political forces, the memory of 'Resistance as civil war' was especially pertinent here. According to this memory, a Communist-led political force not only waged a war in which there was little moral distinction between themselves and their Fascist adversaries, but more importantly, conjured up the historical perversion of the 'myth of the Resistance' in which the forces of the left fabricated their leadership of a populist, mass movement of national liberation. Instead, there was no mass support. The Communists represented the interests of the USSR and not those of the Italian people. As self-appointed leaders of the anti-Fascist forces, they had undermined the nation rather than leading it to rebirth in the new Republic. This revisionist position was the fruit of a long campaign which had begun in the mid-1970s. Commencing with Renzo De Felice, a series of historians—ranging from the conservative centre to the more extreme right—had promulgated a new vision of the Resistance, the Italian left and their relationship to the Italian Republic and its democratic foundations. A new intellectual and political climate had emerged in which the far right could legitimately claim its place in the Italian political spectrum. This vision was a godsend for the newly-elected centre-right government of Berlusconi and Fini. For it delegitimised their adversaries on the left, strengthened *Forza Italia's* credentials as protector of democracy and rehabilitated Fini's *Alleanza Nazionale*, the direct heir of Fascism. In this version of post-war history, the left had undermined, rather than established, the new Italian democracy and in the post-Communist world of the 1990s it would be the centre-right which would guarantee the democratic state and set the agenda for a new sense of Italian political and national identity.

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GETTING THEIR ACT TOGETHER? GOVERNANCE REFORM IN THE NEW EU MEMBER STATES

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In but a few short years, all the new Member States have made giant leaps forward. History will record their progress during these years as an epic march. We have witnessed a silent and patient revolution that has completely transformed the administrative, political and economic structure of these countries. From Tallinn to Valletta, our new fellow citizens have succeeded in developing market economies and open and democratic societies that meet the high standards we laid down in 1993.

European Commission President Romano Prodi, 30 April 2004, the day before ten countries joined the European Union

Introduction

The past decade has been an interesting time for the study of the link between governance and economic development. The Asian financial crisis of 1997-1998 and its flow on to Russia and Brazil were watershed events that drew widespread attention to the impact of governance institutions and practices on economic growth. The experience of the late 1990s reinforced a growing awareness that governance affects economic stability, and supported findings of earlier studies¹ on the impact of corruption and arbitrary state action on economic development. In addition, the dramatic collapse of communism threw into sharp focus the role of governance in creating market economies in the former members of the Soviet Union. (Stiglitz 1999) Running parallel to an expanding governance case study literature was a growing number of data collections that attempted to capture aspects of the institutional health of individual countries and regions. In turn, a wider range of data allowed economists and political scientists to undertake large scale cross-country studies, filling out the link between governance and economic and social performance. (Kaufmann, Kraay et al.; World Bank; Kaufmann, Kraay et al. 2002; Kaufmann, Kraay et al. 2003; OECD 2003; Fraser Institute 2004)

These three elements - actual events, increased analytical attention, and improved data - have combined to show that poorly performing institutions can place a brake on economic development, and that institutional reform is an important condition for sustained economic growth. Failure to develop adequate institutions limits the benefits a

¹For example, see Hernando de Soto *The Other Path* (New York: Harper & Row 1989), Robert Klitgaard *Tropical Gangsters* (New York: Basic Books 1990) and Silvio Borner, Aymo Brunetti and Beatrice Weder "Policy Reform and Institutional Uncertainty: The Case of Nicaragua" (*Kyklos* 48: 43-64 1995) cited in Brunetti, A., G. Kisunko, et al. (1997). Institutional Obstacles to Doing Business: Region-by-Region Results from a Worldwide Survey of the Private Sector.

Policy Research Working Paper, World Bank.

For work on the link between corruption and economic development see Kaufmann, D., A. Kraay, et al. *Governance Matters*.

note 5 page 3.

country can realize from an increasingly integrated world economy. Conversely, strong national and corporate governance provides the basis for future economic and social development. In short, over the past decade there has been a growing acceptance that, to use the title of a series of influential World Bank reports, governance matters. (Kaufmann, Kraay et al.; Kaufmann, Kraay et al. 2002; Kaufmann, Kraay et al. 2003)

If governance does indeed matter, then the ways governance can be improved are of importance. The ten new member states (NMS) of the European Union (EU)² provide a unique case study of the process of governance change for a number of reasons. First and foremost, governance reform was central to the process of achieving EU membership. The pressures for reform were both endogenous and exogenous. By applying to join the EU, all the NMS signalled a strong desire to realise the benefits of EU membership. So there was internal pressure to reform. By being accepted into the accession process, the NMS also subjected themselves to the external pressure of meeting explicit EU reform criteria. This external pressure was greater for the NMS compared to earlier entrants. The laws and procedures (the *acquis communautaire* or *acquis*) that the new EU entrants were required to adopt had expanded since the accession of Austria, Finland and Sweden in January 1995. In addition, there was a greater emphasis than previously on the ability of countries to actually implement the *acquis*. (Mayes 2004) And arguably, external pressure for governance reform was greater for a reason unique to most of the hopeful new entrants. Within the 15 existing EU members there was nervousness about possible large migration flows from new Central and Eastern European (CEE) member countries³. Economic development within the NMS would reduce the risk of large scale migration west. Strong growth would require strong capital inflow, which in turn would depend on the quality of governance to win investor confidence.⁴ (Berger and Thomas 2004) Existing EU members consequently had a vested interest in ensuring improved governance in the NMS.

The ten NMS are of interest in terms of governance reform for other reasons. They were (and remain) a diverse group. They included both market and transition economies, and

² Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

³ A Flash Eurobarometer survey taken in March 2003 found that 62 per cent of respondents agreed with the proposition that “With the enlargement, many citizens of the new Member States will settle in our country”. There were, however, large differences across countries and the overall percentage concerned about migration had declined slightly over time. The same survey found only 42 per cent believed that “With the Enlargement, it will be easier to control illegal immigration”. Eurobarometer (2003). Flash Eurobarometer 140: Enlargement of the European Union, European Commission.

⁴ Expectations of large scale migration flows from the new CEE member states appear to be waning, a development that is consistent with improved governance standards in the NMS. (2004). *Migration to current EU from new Member States likely to be about 1 percent report says*. Brussels: EU Media release.

Horst Siebert has also downplayed the risk of a large scale western exodus from the CEE member states on both theoretical and historical grounds. Theory suggests that migration will be limited as long as there is an expectation in the CEE NMS that their incomes will continue to rise towards western European levels (although this implies continued above average economic growth and improving governance standards). Historically, earlier periods of enlargement did not generate massive migration. *Siebert, H. (2001). Europe-Quo Vadis? Reflections on the Future Institutional Framework of the EU*. Nottingham: World Economy Lecture.

covered a broad spread of economic development (although all were well below the average of the existing 15 EU members in terms of per capita income). They consequently provided a test case for the ability of different countries to improve their governance standards. In addition, the period when the EU accession process would most likely affect governance standards could be clearly defined. Unlike the more open-ended reform processes in some East Asian countries following the 1997 financial crisis, accession to the EU covered a specific time period, from formal application to acceptance as a member⁵. Finally, the greater volume of governance data now available has allowed the process of NMS governance reform to be measured more comprehensively than was previously possible. So the recent accession of ten states to EU membership has some interesting features from a governance perspective.

This essay looks at governance improvement in the NMS during their accession phase. The rest of this essay is in four parts. First is a brief overview of the links between governance and economic performance. This is followed by an examination of the process of accession to the EU to identify its potential effect on institutional reform. The main part of the essay is an assessment of various measures of governance for the 10 recent EU member countries. A brief conclusion brings together some themes.

Governance and economic performance

Despite the importance attached to ‘good’ governance, the concept of governance is amorphous and at times vague. A useful broad definition is

... the traditions and institutions by which authority in a country is exercised. This includes (1) the process by which governments are selected, monitored and replaced, (2) the capacity of the government to effectively formulate and implement sound policies, and (3) the respect of citizens and the state for the institutions that govern economic and social interactions among them. (Kaufmann, Kraay et al.)

Effective governance appears to be particularly important in countries going through the transition from centrally planned, inward looking, non-transparent and relationship based economic and political systems to more market oriented, open, accountable and rules-based systems. (Oman, Fries et al. 2003) Stiglitz agrees, arguing that creation of an institutional infrastructure is a pre-requisite for the establishment of a market economy. The new infrastructure needs to be comprehensive – merely establishing property rights will not guarantee the development of an adequate institutional system. (Stiglitz 1999)

Transition economies are particularly vulnerable to a specific risk: ‘state capture’. This occurs when private business interests, through illicit payments to public officials, “shape

⁵ This oversimplifies the picture somewhat. CEE countries were being eased into the EU fold ahead of their formal application to join. Europe Agreements were signed with Hungary, Poland, the Czech Republic and Slovakia in 1993-1994, and free trade agreements were negotiated with Estonia, Lithuania and Latvia in 1994. But given the weaknesses in important areas of national governance as late as 1997 (see below), the bulk of the improvements in governance occurred during the accession period. Mayes, D. (2004). *Enlargement. The European Union - Economics and Policies*. A. M. EL-Agraa. Harlow, Essex, FT Prentice Hall.

the policy making, regulatory and legal environments to their own advantage, generating concentrated rents at the expense of the rest of the economy”. (Hellman, Jones et al. 2000) The existence of state capture is likely to reflect weak and unevenly enforced contract and property rights. In addition, the process of transition is likely to encourage the use of influence for personal or corporate gain⁶, and administrative corruption (payment to achieve more favourable implementation of existing rules). The costs to states of being captured in this way are high. Hellman, Jones and Kaufman estimated that businesses in ‘low’ capture economies had significantly higher growth rates of both real sales and investment than businesses in ‘high’ capture economies. In both cases the difference was some ten percentage points over a three year period. (Hellman, Jones et al. 2000)

An important subset of governance is governance at the corporate level. Corporate governance is a key linkage between national governance and operation of the economy at the micro or business level. It has been defined as

a country’s private and public institutions, both formal and informal, which together govern the relationship between the people who manage corporations ... and all others who invest resources in corporations. ... These institutions notably include the country’s corporate laws, securities laws, accounting rules, generally accepted business practices and prevailing business ethics.” (Oman, Fries et al. 2003)

While the significance of corporate governance defined in this way is clear for an advanced western economy with a large public company sector, it is equally important for developing countries where the bulk of private sector activity occurs in small unlisted businesses, or where there is a transition from state owned to private enterprises. In all cases, poor governance restricts information flows and leads to a range of negative externalities that raise transaction costs and limit domestic and international exchange. Without an adequate institutional framework to generate confidence among investors (domestic and foreign), capital formation, productivity and overall economic growth will be below what would otherwise be possible⁷. (Oman, Fries et al. 2003) Legal protection

⁶For example, see Hernando de Soto *The Other Path* (New York: Harper & Row 1989), Robert Klitgaard *Tropical Gangsters* (New York: Basic Books 1990) and Silvio Borner, Aymo Brunetti and Beatrice Weder “ Policy Reform and Institutional Uncertainty: The Case of Nicaragua” (*Kyklos* 48: 43-64 1995) cited in Brunetti, A., G. Kisunko, et al. (1997). *Institutional Obstacles to Doing Business: Region-by-Region Results from a Worldwide Survey of the Private Sector. Policy Research Working Paper*, World Bank.

For work on the link between corruption and economic development see Kaufmann, D., A. Kraay, et al. *Governance Matters*. note 5 page 3.

⁷ Romano Prodi was convinced of the link between institutional reform and improved economic performance:

Political and structural reform in the new Member States and the introduction of Community law are creating a favourable environment for investment and industry. The new countries are poorer than the current European average but their economies are growing fast. Over the last few years the average growth rate in the 12 accession and candidate countries has been 4.2% - one of the highest in the world. This potential for growth will continue to be considerable in the future, and enlargement will act as a catalyst, transforming this potential into real development. and increased productivity.

of shareholders encourages investors to take minority positions, allowing more dispersed ownership and more liquid capital markets.(Pistor, Raiser et al. 2000) At the individual firm level, good governance is likely to be positively related to operating performance, access to funds for investment, and market valuation⁸. (Klapper and Love 2002)

So governance has a number of implications for the NMS countries. ‘Good’ governance at both the national and enterprise level is particularly important for transition economies. If the EU accession process has improved the quality of governance in the NMS, then there is a prima facie case that it should improve the economic performance of the new EU members. Institutional strengthening during the accession process should be expected to improve corporate governance in the NMS, resulting in efficiency gains in the private sector of the economy. And the requirements of accession could form the basis of a model for improved governance, even for countries not eligible for EU membership.

Governance and accession to the European Union

The formal accession process for the ten NMS began with their application for membership.

Table 1: Application by NMS for EU Membership

Country	Date of Application	Country	Date of Application
Cyprus	3 July 1990	Latvia	13 October 1995
Malta	16 July 1990	Estonia	24 November 1995
Hungary	31 March 1994	Lithuania	8 December 1995
Poland	5 April 1994	Czech Republic	17 January 1996
Slovakia	27 June 1995	Slovenia	10 June 1996

Source: (European Commission)

The basic requirement for a country to become a member of the EU is to achieve acceptable progress against the three 1993 ‘Copenhagen criteria’ – democracy and the rule of law; a functioning market economy and the ability to compete in the EU; and the ability to adopt and implement the *acquis*. For the NMS this was a two stage process, with progress against the first ‘political’ criterion being the precondition for negotiations over the economic and *acquis* targets. The second stage centred on written responses

⁸ This is not to say that national governance and governance within a specific company are always closely correlated. Klapper and Love have noted that within the national institutional framework, firms have flexibility to either “opt out” of some provisions or chose a more rigorous governance regime than is required by the particular national legal code. However, while they found evidence both of firms with high governance standards in countries where the legal system was weak, and firms with low standards in countries where the national legal system was strong, in general there was a clear positive correlation between the standard of corporate governance and the strength of the legal system. Klapper, L. F. and I. Love (2002). Corporate Governance, Investor Protection, and Performance in Emerging Markets. World Bank Policy Research Working Paper: 40.

from each applicant country as to how it would implement and enforce each of the 31 chapters of the *acquis* (see Appendix 1). The European Commission (EC) determined its negotiating position on each chapter for each applicant country. Through the Directorate General, the EC worked with each of the applicants to help solve specific problems. The final stage of the accession process involved the European Parliament, the applicant states and each EU member state giving their assent to the accession agreement (treaty). (European Commission; Wright and Drouart)

The ten NMS countries did not commence the detailed accession negotiations simultaneously. Initially negotiations were opened on 31 March 1998 with the ‘Luxembourg Group’ of countries - Cyprus, Hungary, Poland, Estonia, the Czech Republic and Slovenia. Negotiations with the ‘Helsinki Group’ – Romania, Slovakia, Latvia, Lithuania, Bulgaria and Malta - began on 13 October 1999.

An early review of the progress of each applicant country towards accession was made in 1997 as part of the *Agenda 2000: For a Stronger and Wider Union*. Table 2 summarises the findings for each of the main criteria.

Table 2: Progress Towards Meeting Accession Criteria

Criterion	Commission’s Assessment
Democracy and the rule of law	Applicant countries in general have constitutions guaranteeing democratic freedoms, have established democratic institutions and independent judicial and state authorities, and have held free and fair elections. But all applicant countries have flaws re. rule of law – lack of qualified judges, judicial independence not guaranteed and police forces inadequate. Concern was expressed about Slovakia – “the rule of law and democracy are not yet sufficiently deeply rooted”, with the government impeding functioning of key institutions. Slovakia singled out as the only applicant state not meeting the political conditions of the Copenhagen Council.
Transition to a functioning market economy	All applicants have made considerable progress although some started with considerable economic instability (high and volatile prices, large and/or rising trade deficits). Considerable work still needed in all countries on structural reform, particularly in the finance sector. Five applicants considered to have functioning market economies – Czech Republic, Estonia, Hungary, Poland and Slovenia. Slovakia very close but falls short in areas of transparency and implementation. Other countries need to strengthen implementation of legal and institutional reforms. When ability to withstand competitive pressures within the EU also taken into account, Hungary and Poland seen as best placed. Estonia meets the transition criterion but falls short on ability to compete in the EU; Slovakia is better placed to compete but falls short re transition to a market economy.
Adoption of the <i>acquis</i>	<i>Acquis</i> viewed as three sets of undertakings – (1) obligations set out in the Europe Agreement (including right of establishment, movement of goods, IP and public procurement); (2) measures in the Single Market White Paper (including taxation, public procurement and banking); and (3) remaining parts of the <i>acquis</i> (including environment, energy, agriculture, industry, telecommunications, transport, social affairs, customs, justice and home affairs). Re. adoption of the <i>acquis</i> in the medium term, only Hungary seen as making satisfactory progress in all three areas.
Application of the <i>acquis</i>	Effective application (administration and enforcement) of the <i>acquis</i> requires sufficiently developed administrative and judicial capacity. “The general situation gives rise to considerable concern. The efforts undertaken are beginning to bring results in Hungary, Poland, Estonia, Lithuania and the Czech Republic.” Overall, only Hungary, Poland and

	the Czech Republic seen to be on track to adopt and successfully implement the <i>acquis</i> in the medium term.
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Source: *Agenda 2000: For a Stronger and Wider Union Vol 1* Brussels July 1997

Summarising the Commission's 1997 comments with regard to the state of governance in the NMS being actively considered at that time

- All were weak in the area of democracy and the rule of law, with Slovakia the weakest;
- Reasonable progress had been made in the transition to a market economy, with six countries at or close to an acceptable stage;
- Adoption and implication of the *acquis* was at an early stage. While considerable parts of the *acquis* do not directly related to governance, the lack of progress on implementation pointed to important institutional limitations in all applicant countries.

The generally weaker position of Latvia, Slovakia and Lithuania was confirmed at the meeting of the European Commission at Strasbourg in July 1997 where it was decided that they (plus Bulgaria and Romania who were also applying for membership) were not yet ready for the detailed negotiation stage and that their applications should be reviewed annually. Accession negotiations were concluded at the European Council of 12-13 December 2002. (European Commission) Romania and Bulgaria failed to meet the criteria by that time, but continue to work towards accession. The ten successful countries joined the EU in May 2004. The next section looks at a range of governance indicators to better understand the extent and type of progress achieved during that period.

Measures of governance for the 10 latest EU new member states

As governance has various facets, no single indicator is likely to cover all its main elements. Specific data series focus on particular aspects of governance and employ different proxy measures. This has the advantage of allowing governance to be viewed from various angles. For the purposes of this paper, there were two pre-requisites for selecting governance data series - sufficient history to cover the accession process for at least the majority of the NMS, and individual country data that allowed comparisons across countries and over time. Two frequently used series that meet these criteria are the World Bank's Governance Research Indicator Country Snapshot (GRICS) and The Fraser Institute's Economic Freedom Index published annually in the *Economic Freedom of the World Report*. Details of both these series are contained in Appendix 2.

Starting with the GRICS data, Table 3 sets out the values for each of the six GRICS dimensions of governance for all the NMS plus the three largest developed EU economies and the United States. The estimates are shown for two time periods – 1996 which was when (or just after) most of the CEE countries formally applied to join the EU, and 2002, the latest available data. So the estimates cover most of the formal accession period for the CEE countries. For Cyprus and Malta, both of whom applied for EU membership in 1990, the data represent changes in governance quality over the second half of their accession period. As discussed in Appendix 2, the scores for each estimate are standardised for the range -2.5 to 2.5. Because the confidence intervals of the data are relatively large, weight should not be placed on small differences in point

estimates across countries. The main concern here is the broad movement in the GRICS measures over time.

Table 3: GRICS Measures of Governance Quality for NMS - Levels

Country	Governance Variable - Level											
	Voice and accountability		Political stability		Government effectiveness		Regulatory quality		Rule of law		Control of corruption	
	1996	2002	1996	2002	1996	2002	1996	2002	1996	2002	1996	2002
Cyprus	1.01	0.94	0.50	0.36	1.05	1.00	0.63	1.24	0.58	0.83	1.47	0.89
Malta	1.05	1.29	0.78	1.50	1.01	1.16	0.14	1.11	0.04	1.08	0.34	0.80
Hungary	1.01	1.17	0.67	1.08	0.45	0.78	0.47	1.21	0.62	0.90	0.59	0.60
Poland	0.95	1.11	0.53	0.71	0.47	0.61	0.34	0.67	0.44	0.65	0.38	0.39
Estonia	0.74	1.05	0.74	0.98	0.45	0.78	1.18	1.35	0.33	0.80	0.05	0.66
Latvia	0.50	0.91	0.67	0.82	-0.02	0.67	0.41	0.86	0.18	0.46	-0.52	0.09
Lithuania	0.72	0.89	0.57	0.93	0.05	0.61	0.27	0.98	-0.14	0.48	-0.12	0.25
Slovakia	0.36	0.92	0.44	1.01	0.18	0.40	0.18	0.76	0.11	0.40	0.39	0.28
Czech Republic	1.01	0.90	0.95	1.02	0.60	0.70	0.98	1.12	0.61	0.74	0.55	0.38
Slovenia	0.95	1.10	0.96	1.21	0.43	0.82	0.38	0.81	0.49	1.09	0.98	0.89
<i>Bulgaria</i>	<i>0.16</i>	<i>0.56</i>	<i>0.20</i>	<i>0.56</i>	<i>-0.44</i>	<i>-0.06</i>	<i>-0.12</i>	<i>0.62</i>	<i>-0.09</i>	<i>0.05</i>	<i>-0.62</i>	<i>-0.17</i>
<i>Romania</i>	<i>0.03</i>	<i>0.38</i>	<i>0.54</i>	<i>0.42</i>	<i>-0.53</i>	<i>-0.33</i>	<i>-0.43</i>	<i>0.04</i>	<i>-0.27</i>	<i>-0.12</i>	<i>-0.17</i>	<i>-0.34</i>
UK	1.32	1.47	0.97	0.81	1.68	2.03	1.54	1.75	1.84	1.81	1.78	1.97
France	1.43	1.29	1.00	0.73	1.41	1.67	0.98	1.25	1.56	1.33	1.30	1.45
Germany	1.48	1.51	1.19	1.06	1.55	1.76	1.29	1.59	1.79	1.73	1.64	1.82
US	1.46	1.32	0.92	0.34	1.64	1.70	1.31	1.51	1.70	1.70	1.60	1.77

Source: (World Bank 2004)

In five of the six dimensions of governance that the GRICS data are grouped into, there was a clear trend to improvement. All NMS apart from Cyprus made clear gains in Voice and Accountability, which covers the basic areas of civil and political freedom. A similar picture emerges from the Political Stability data, which covers perceptions of the risk of the government being overthrown by violent or unconstitutional means. All countries except Cyprus showed improvement in this area. In Government Effectiveness – the commitment of governments to implement promised policies and the neutrality and effectiveness of the bureaucracy – nine of the ten countries showed improvement (again Cyprus was the exception), but the extent of the improvement was often less than in other areas. The dimension of Regulatory Quality – the extent and ‘market friendliness’ of regulation – showed that all ten countries recorded improvements in the period 1996 to 2002, although the improvement in Estonia was relatively modest (though from a high starting point). Gains were also made by all ten countries in the Rule of Law dimension (measures of the extent of confidence in various aspects of the legal system).

The major exception to this pattern was the Control of Corruption. In this dimension – defined as perceptions of public power being used for private gain – four countries went

backwards over the period, while another two made no change. Most of the countries that did appear to make improvements were still at low levels by 2002. The market economies of Cyprus and Malta were at the higher end of the range (although Cyprus had slipped noticeably) and were clearly ahead of most of the former Soviet Republics and Eastern bloc countries. This may reflect a perception that the misuse of public power was endemic in previously centrally planned economies. The (arguably) better performance of Cyprus and Malta though, may also be partly due to them having started their accession process five to six years earlier than the CEE countries, thus giving them more time to grapple with the problem. Overall, the quite different picture provided by the corruption measures suggests that reducing corruption is more difficult than achieving improvements in other areas of governance.

Another main theme evident from Table 1 is the limited progress made by the unsuccessful EU applicants, Bulgaria and Romania. Both started well behind the NMS in all six dimensions and were still well below NMS levels in 2002. Both were particularly weak in the areas of Government Effectiveness, Rule of Law and Control of Corruption. Their experience suggests that governance standards at the start of the accession process are likely to be important in determining progress for countries moving to market based economic systems when the accession period is relatively short (five to seven years for most of the NMS). It also suggests that the internal pressures to reform governance are important. In several cases – Lithuania in the Rule of Law, and Lithuania and Latvia in Control of Corruption – NMS started from levels similar to one or both of the unsuccessful applicants but were able to make significant gains.

An alternative way of looking at the GRICS data is to relate the position of the NMS to the average level of three large developed EU economies – the UK, Germany and France. This is done in Table 4. The data in Table 4 are expressed as ratios. So, for example, Malta's position in the Voice and Accountability dimension rose from 74 per cent of the (unweighted) average level of Germany, France and the UK in 1996 to 91 per cent in 2002. Presenting the data in this way highlights progress of the NMS towards developed country standards of governance.

Table 4: GRICS Measures of Governance Quality for NMS – Relative Position

Country	Governance Variable – Relative to EU3 Average ¹											
	Voice and accountability		Political stability		Government effectiveness		Regulatory quality		Rule of law		Control of corruption	
	1996	2002	1996	2002	1996	2002	1996	2002	1996	2002	1996	2002
Cyprus	0.72	0.66	0.47	0.42	0.68	0.55	0.50	0.81	0.34	0.51	0.93	0.51
Malta	0.74	0.91	0.74	1.73	0.65	0.64	0.11	0.73	0.02	0.67	0.22	0.46
Hungary	0.72	0.82	0.64	1.25	0.29	0.43	0.37	0.79	0.36	0.55	0.38	0.34
Poland	0.67	0.78	0.50	0.82	0.30	0.34	0.27	0.44	0.25	0.40	0.24	0.22
Estonia	0.52	0.74	0.70	1.13	0.29	0.43	0.93	0.88	0.19	0.49	0.03	0.38
Latvia	0.35	0.64	0.64	0.95	-0.01	0.37	0.32	0.56	0.10	0.28	-0.33	0.05
Lithuania	0.51	0.63	0.54	1.07	0.03	0.34	0.21	0.64	-0.08	0.30	-0.08	0.14
Slovakia	0.26	0.65	0.42	1.17	0.12	0.22	0.14	0.50	0.06	0.25	0.25	0.16
Czech Rep	0.72	0.63	0.90	1.18	0.39	0.38	0.77	0.73	0.35	0.46	0.35	0.22

Slovenia	0.67	0.77	0.91	1.40	0.28	0.45	0.30	0.53	0.28	0.67	0.62	0.51
EU3 avg.	1.41	1.42	1.05	0.87	1.55	1.82	1.27	1.53	1.73	1.62	1.57	1.75

Source: Calculated from (World Bank 2004)

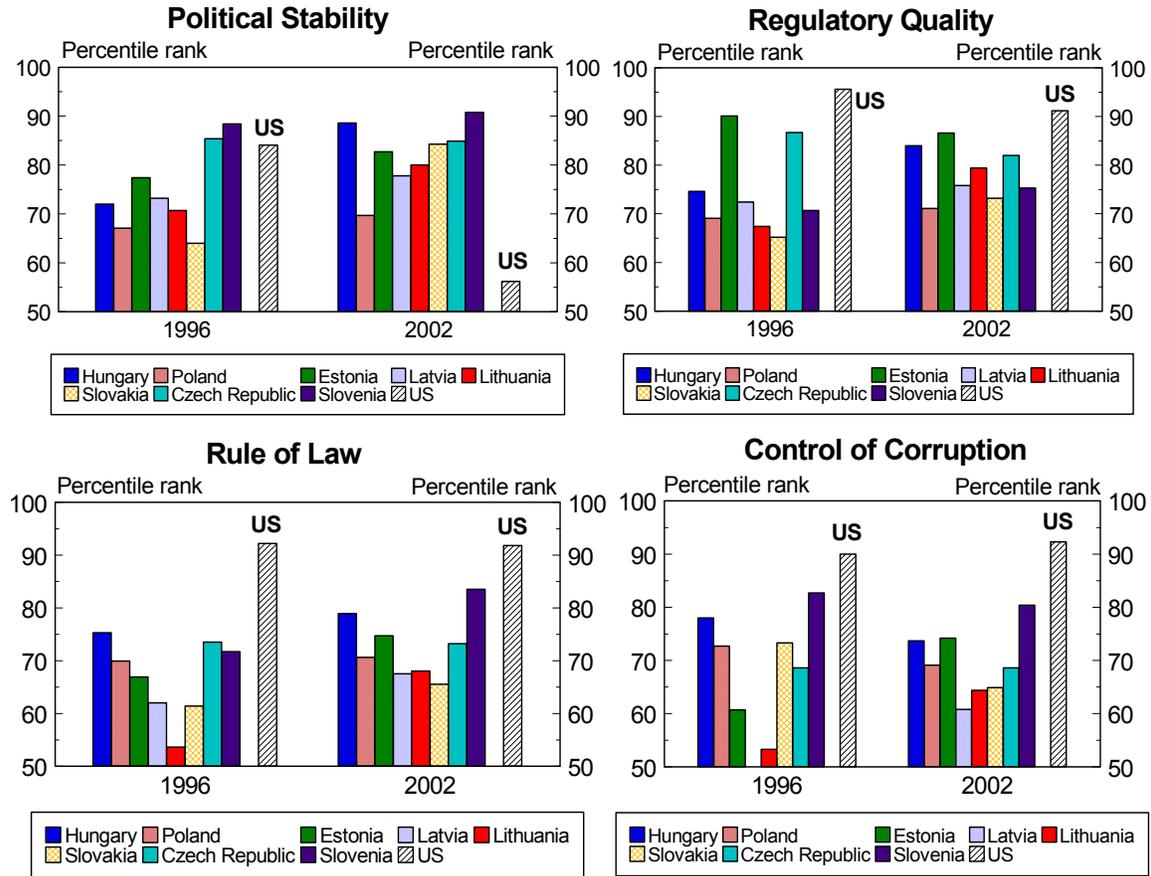
1 Average of the UK, Germany and France

On the measure in Table 4, the standout dimension is Political Stability, which by 2002 was close to or exceeded the EU3 average for all NMS except Cyprus. Progress in Regulatory Quality was mixed, but Cyprus, Estonia and Hungary were approaching EU3 levels by 2002. Malta, Hungary, Poland and Slovenia moved closer to developed country levels of Voice and Accountability. However, levels of Government Effectiveness and Rule of Law by 2002 had not reached more than 50 per cent of developed country level for most of the NMS. At least part of the explanation for this seems to lie in the low relative readings for the Control of Corruption. The direction of causality, though, is not unequivocal. Strong perceptions that corruption was poorly controlled could exist because government and legal institutions were weak, or weak institutions were the result of widespread corruption. Either way, there seems to be a prima facie case for making government and the rule of law more effective as a way of reducing both actual and perceived corruption.

A third way of considering the GRICS data is to compare changes in percentile rankings over the period for the NMS countries. Chart 1 shows percentile rankings for four of the GRICS dimensions with close links to the definitions of governance noted earlier⁹.

⁹ However, it is important to note that any of the dimensions can be of particular importance depending on the situation of a given country at a particular time. For example, David Epstein and others found that ‘partial democracies’ - states between full democracy and autocracy - are more volatile and can move towards either democracy or autocracy. For partial democracies, the GRICS dimension of Voice and Accountability may be particularly important in signalling the direction of this transition. Epstein, D., R. Bates, et al. (2004). Democratic Transitions. Centre for International Development Working Papers. Boston, Harvard.

Chart 1: GRICS Measures of Governance Quality for NMS – Percentile Rankings



Source: (World Bank 2004)

To put this data in perspective, Table 5 shows the countries that bounded the range in the four selected governance dimensions in 2002 as well as the position of the US.

Table 5: Percentile Rankings 2002 – Selected GRICS Categories

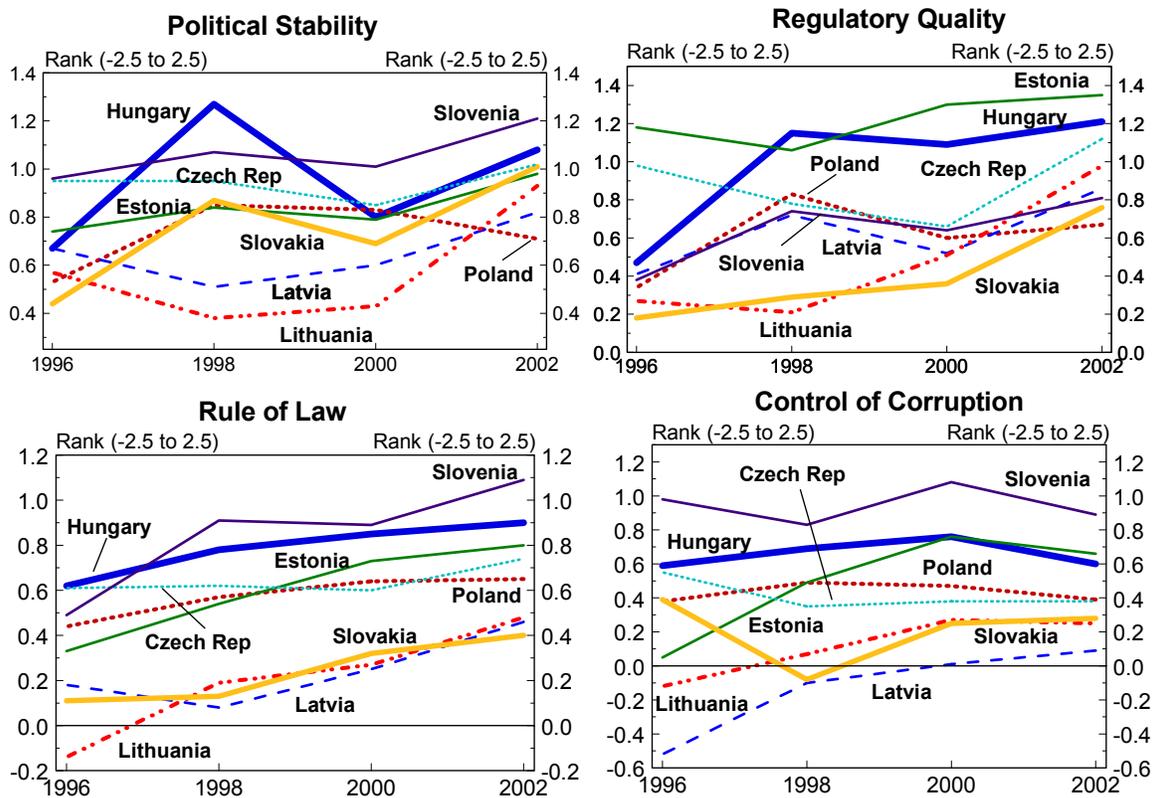
Ranking	Political Stability	Regulatory Quality	Rule of Law	Control of Corruption
Highest (100.0)	Finland	Finland	Switzerland	Finland
Lowest (0.0)	Congo	Iraq	Somalia	Equatorial Guinea
<i>Memo</i>				
US	56.2	91.2	91.8	92.3

Source: (World Bank 2004)

Again the improvement in key areas of governance is clear. In Political Stability the CEE average percentile ranking rose from 74.8 in 1996 to 82.4 – that is, the CEE NMS moved from being in the top 25 per cent of countries surveyed to the top 20 per cent. For Regulatory Quality the improvement was from 74.5 to 78.4, and for the Rule of Law from 66.8 to 72.7. Improvement was also achieved in the Control of Corruption dimension – from 65.1 per cent to 69.5 per cent – but it was the only aspect of governance of the six main dimensions covered in the GRICS survey where the CEE NMS were not in the top 30 per cent of countries surveyed.

The final aspect of the GRICS data considered here is the pattern of change over time. Chart 2 shows the pattern of governance improvement over the six years to 2002.

Chart 2: GRICS Measures of Governance Quality for NMS – Pattern of Change



While most NMS had higher GRICS scores for most aspects of governance in 2002 than they did in 1996, how they got there is of some interest. Questions here include whether a country realized a large initial improvement early in its accession process, whether there is evidence of ‘reform fatigue’, and whether countries starting from a low base were able to make more rapid gains. As the charts show, the experience is mixed. Nevertheless, some tentative comments can be made. In broad terms, countries that started the formal accession process with better governance, ended with higher ratings. In the area of Political Stability, Slovenia, the Czech Republic and Estonia were reasonably strong in 1996, and maintained a position at or near the top of the group through the period to

2002. Similarly Estonia and the Czech Republic in Regulatory Quality, and Slovenia and Hungary with the Rule of Law and Control of Corruption.

A second observation is that countries that were weak in a particular dimension put on a late spurt to improve performance towards the end of the accession period. Note here Lithuania and Latvia in the areas of Political Stability and Regulatory Quality (and to some extent Rule of Law). And third, in each of the dimensions shown in the charts above, one or more countries improved their position substantially over the period. Witness Slovakia in Political Stability, Lithuania in Rule of Law, Hungary in Regulatory Quality and Estonia in Control of Corruption.

From the foregoing overview of the GRICS data, there is evidence of broad based improvement occurring in a range of important areas of governance for the NMS during the accession period. But the diversity of individual country performances suggests that the pressures of accession are filtered through individual country circumstances and characteristics so that the improvement in governance realised by the time a country joins the EU will have been influenced by internal as well as external factors.

Are the broad trends and individual country performances evident in the GRICS data borne out by other governance indicators? Table 6 sets out data from The Fraser Institute's Economic Freedom Index.

Table 6: Fraser Institute Economic Freedom Index

Country	Economic Freedom Level (out of 10)			Economic Freedom Ranking (of 123 countries ²)	
	1990	1995	2002 ¹	In year of EU membership application ³	In 2002
Cyprus	5.9	6.2	6.6	42	51
Malta	5.4	6.6	6.8	58	44
Hungary	5.1	6.3	7.3	49	22
Poland	3.9	5.2	6.4	88	61
Estonia	n.a.	5.6	7.7	75	11
Latvia	n.a.	5.1	7.0	91	36
Lithuania	n.a.	4.9	6.8	93	44
Slovakia	n.a.	5.4	6.6	80	51
Czech Rep	n.a.	5.8	6.9	68	41
Slovenia	n.a.	4.9	6.2	93	74
<i>Bulgaria</i>		<i>4.6</i>	<i>6.0</i>	<i>103</i>	<i>78</i>
<i>Romania</i>		<i>3.8</i>	<i>5.4</i>	<i>118</i>	<i>103</i>

UK	7.4	8.1	8.2	6	3
Germany	7.2	7.5	7.3	13	22
France	6.7	6.8	6.8	37	44
US	7.9	8.3	8.2	4	3

Source: Fraser Institute and(Gwartney and Lawson 2004)

Notes

1. Latest data
2. Except for Cyprus and Malta in their year of EU membership application, when the sample was 113 countries.
3. 1995 for all NMS except Cyprus and Malta. For memo countries, comparison year is 1995.

The index is made up of five indicators of economic liberalisation – the size of government, the legal system and property rights, preservation of the currency, restrictions on international trade, and business regulation. As such, it overlaps with aspects of the GRICS but, arguably, treats the issue of governance more obliquely. Economic liberalisation can have an effect similar to improved governance in increasing investor confidence (for example, by allowing investors to invest in areas of their choice, and to repatriate funds as desired). But as the Asian financial crisis showed, greater liberalisation is not always accompanied by improved or adequate governance.

The Economic Freedom Index supports the general improvement apparent in the GRICS data. All countries except Cyprus improved their ranking over their accession periods. The largest gains were made by Estonia, Latvia and Lithuania, which improved their rankings by 64, 55 and 49 places respectively. Based on the European Commission’s 1997 assessment, Estonia was relatively advanced early in the accession process. Yet to finish 11th of 123 countries in 2002, and ahead of Germany and France, was an outstanding improvement. In some respects, though, the progression of Latvia (from 91 to 36th) and Lithuania (93 to 44) was even more noteworthy given that they were not considered sufficiently advanced to be included in the first group of six countries accepted for the detailed negotiating stage. Hungary, probably the most advanced of the CEE hopefuls in 1997 made up 27 places in the Economic Freedom ranking, similar to the gains of Poland, Slovakia and the Czech Republic. In the two unsuccessful applicant countries, progress was more limited and their rankings in 2002 were outside all the NMS (although at 78, Bulgaria was close to Slovenia’s 74th place). While considerably more work needs to be done, the Fraser Institute data indicate both that rapid progress can be made, and that starting from a relatively low ranking is not an unsurmountable handicap. As the experience of Romania suggests, though, the external discipline of the accession criteria will not necessarily overcome a very weak domestic situation.

State capture

A further governance indicator, not included in the GRICS and the Economic Freedom Index, casts additional light on the transition process of the NMS. As noted in the Introduction, state capture by private interests is both an important test of governance standards and of particular importance to CEE transition countries. Indicators of state capture have been collected by the World Bank / European Bank for Reconstruction and Development in the Business Environment and Enterprise Performance Survey

(BEEPS).¹⁰ The BEEPS surveys between 125 and 150 firms in 22 CEE and CIS countries. Analysis of the 1999 BEEPS data found that, of the 22 countries examined, most but not all the eight CEE NMS countries were in the 'low' capture group. Both Bulgaria (index of 28) and Romania (21) were in the high capture group. Table 6 summarises the findings on state capture.

Table 6: Estimates of State Capture

Country	Capture Index ¹	Classification
Hungary	7	Low
Poland	12	Low
Estonia	10	Low
Latvia	30	High
Lithuania	11	Low
Slovakia	24	High
Czech Republic	11	Low
Slovenia	7	Low
<i>Average NMS</i>	<i>14</i>	
<i>Average CEE</i>	<i>17</i>	
<i>Average CIS</i>	<i>23</i>	
<i>Average all countries</i>	<i>20</i>	

Source: (Hellman, Jones et al. 2000)

1. The capture index is the unweighted average of eight component indexes: parliamentary legislation, presidential decrees, central bank, criminal courts, commercial courts and party finance.

An important qualification needs to be made at this point. The governance performance of the NMS from CEE, of course, is not independent of other factors. One factor that has been identified is the *pace* of economic reform adopted by the NMS prior to and during the accession phase. (Tupy 2003) Most of the NMS in CEE embraced major economic reform following the collapse of communism. The governments of the Czech Republic, Estonia, Latvia, Poland and Hungary accepted the logic of free markets, adopted tight monetary and fiscal policies early in the post communist period, and most created independent central banks. More gradualist reformers, notably the former USSR, struggled with high inflation, and, under the influence of managers of state enterprises, continued selective subsidies and regulations. It has been argued that the more radical liberalization of the CEEs contributed to a sharper economic recovery post 1992, and sustained economic out performance relative to the Baltic states and the CIS throughout the 1990s¹¹. Appearing to support this view is the evidence that the liberalizing CEE

¹⁰ For a discussion of BEEPS see Hellman, J. S., G. Jones, et al. (2000). *Seize the State, Seize the Day: State Capture, Corruption and Influence in Transition*. World Bank Policy Research Working Paper, World Bank.

¹¹ Stiglitz opposes this view, arguing strongly that the performance of all the transitions economies was poor because the institutions necessary for market economies to work were not in place *prior* to

countries attracted much higher levels of foreign direct investment. For example between 1998 and 2002, the Czech Republic saw an inflow of USD 2102 per capita compared to just USD 68 in the Ukraine. (Tupy 2003)

Conclusion

There is a growing body of evidence that the economic performance of a country is closely related to the quality of its governance institutions and practices. Achieving satisfactory standards of governance at the national and company level is both more difficult and more important for countries moving from centrally planned to market systems. Data from a range of sources suggests that the ten countries that joined the EU in 2004 realized significant improvements in a range of governance measures during the period between applying for membership and being accepted. This is particularly true of the eight countries from CEE. The fact that the EU accession process required considerable institutional reform suggests that the process of attempting to join the EU is positive for improved governance. Certainly the CEE NMS outperformed other CEE and CIS countries in terms of governance during their accession period from the mid 1990s. However, differences between the performance of NMS countries, the impact of reforms made between the collapse of communism and formal application for EU membership, and the failure of Bulgaria and Romania to join the EU in 2004 all suggest that the discipline of the EU accession process alone does not explain all the improvement that occurred. The counterfactual – what would have been the state of governance in the MNS if they had not applied to join the EU – also needs to be considered. Nevertheless, for countries that have started economic reform and are eligible for EU membership, the accession process appears to provide added internal and external discipline to improve governance standards. Turkey will provide a further interesting test of this conclusion.

Appendix 1: The Aquis of the European Union

Number	Chapter
1	Free movement of goods
2	Free movement of persons
3	Free movement of services
4	Free movement of capital
5	Company law
6	Competition
7	Agriculture
8	Fisheries
9	Transport
10	Taxation
11	EMU
12	Statistics
13	Social policy
14	Energy

liberalization. Stiglitz, J. E. (1999). *Quis Custodiet Ipsos Custodes?*, Challenge.

15	Industry
16	SMEs
17	Science and research
18	Education and training
19	Telecommunications
20	Culture and audiovisual
21	Regional policy
22	Environment
23	Consumer and health protection
24	Justice and home affairs
25	Customs union
26	External relations
27	CFSP
28	Financial control
29	Financial and budgetary provisions
30	Institutions
31	Other

Source: European Commission Enlargement Directorate General

Appendix 2: Governance Indicators

1. World Bank Governance Research Indicator Country Snapshot (GRICS) survey

The GRICS aggregates indicators from 13 main sources into six indicators of different but overlapping dimensions of governance. Data comes from two main sources – opinions of the business community or expatriates, and broad based surveys.

Voice and Accountability includes a number of indicators measuring aspects of the political process, civil liberties and political rights, measuring the extent to which citizens of a country are able to participate in the selection of governments.

Political Stability and Absence of Violence combines several indicators which measure perceptions of the likelihood that the government in power will be destabilized or overthrown by possibly unconstitutional and/or violent means, including domestic violence and terrorism.

Government Effectiveness combines responses on the quality of public service provision, the quality of the bureaucracy, the competence of civil servants, the independence of the civil service from political pressures, and the credibility of the government's commitment to policies.

Regulatory Quality instead focuses more on the policies themselves, including measures of the incidence of market-unfriendly policies such as price controls or inadequate bank supervision, as well as perceptions of the burdens imposed by excessive regulation in areas such as foreign trade and business development.

Rule of Law includes several indicators which measure the extent to which agents have confidence in and abide by the rules of society. These include perceptions of the incidence of crime, the effectiveness and predictability of the judiciary, and the enforceability of contracts.

Control of Corruption measures perceptions of corruption, conventionally defined as the exercise of public power for private gain.

Coverage varies depending on the indicator and the year. In 2002, Voice and Accountability has the largest coverage (199 countries), Political Stability has the smallest (186) while all other dimensions have same coverage (195).

Source: World Bank GRICS homepage: questions and answers. See also Kaufmann, Kraay and Zoido-Lobaton for a discussion of the components and sources of the GRICS data.(Kaufmann, Kraay et al.)

2. The Fraser Institute Economic Freedom of the World Report

The Fraser Institute produces a measure of economic liberalism consisting of indicators grouped under five main headings

1. Size of government: expenditures, taxes and enterprises
2. Legal structure and security of property rights
3. Access to sound money
4. Freedom to trade internationally
5. Regulation of credit, labour and business

The indicators are combined into a summary index. Each indicator and the combined index is rated on a scale of zero to ten, with ten being the most free. A detailed discussion of the methodology can be found in *The Economic Freedom of the World: 2004 Annual Report* (Gwartney and Lawson 2004)

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