



EUI Review

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Mediterranean Programme Launched

For the first time in its history the European University Institute has been able to set up a programme which is funded entirely by private funds. The first Mediterranean chair will allow the Institute to undertake a broad range of research activities and training in a field which up to now it had not been able to cover. In the near future a second chair might be established in Economics, after the one in Social and Political Studies. However, in the first years of activities on the Mediterranean, there will not be a full-time professorship, in either Social and Political Studies Economics. Instead, a number of research projects and other activities are planned.

The Mediterranean Programme at the Robert Schuman Centre has been launched. On 2 October, the Academic Committee of the Mediterranean Programme indicated both the strategic long-term goals and the ways to implement them. Since the beginning of November an information brochure and a WWW page have been made available. Both contain continuously updated information on Programme activities.



Objectives

The Mediterranean Programme has two long-term strategic objectives. First, to provide education which combines in-depth knowledge of the Middle East and North Africa, of Europe, and of the relationship between the Middle East and North Africa and Europe. Second, to promote awareness of the fact that developments in the Mediterranean area and in Europe are inseparable.

The long-term institutional objective of the Mediterranean Programme is to become part of a Centre for Advanced Studies for junior scholars. These objectives imply that the Mediterranean Programme will amongst

other things provide highly-qualified research and teaching staff expert in the Middle East and North Africa and in relationships between Europe and the Middle East and North Africa. The Mediterranean Programme will contribute to post-doctoral and doctoral education and conduct high-level innovative scientific research.

Sponsors

Thanks in particular to the efforts of the Institute's Secretary, the Mediterranean Programme has received generous support from three major donors who have guaranteed their support for four years: Ente Nazionale Idrocarburi (ENI), Ente Cassa di Risparmio di Firenze, and Mediocredito Centrale. In addition, the City of Florence and the Italian Ministry of Foreign Affairs have offered a number of doctoral and post-doctoral grants reserved for scholars from the Southern Mediterranean countries. Additional financial support is being sought from other private and public

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The Hon. LAMBERTO DINI, Italian Minister for Foreign Affairs will be at the Institute for the Inaugural Lecture on 15 January 1999.

sources, and it is likely that besides the Social and Political Sciences programme an Economics programme will also be sponsored.

Area of Concern

The area on which the Mediterranean Programme focuses is, first of all, the Mediterranean countries of the Middle East and North Africa (including Jordan). The Mediterranean Programme will also focus on other countries of the Middle East and North Africa (such as Iran and the Arabian Peninsula). Finally, other Muslim countries of Africa and Asia might be included in comparative research with the above-mentioned countries.

Target Groups

The Mediterranean Programme has three target groups, which are, in order of priority, the following. First, the academic community. Second, the institutional and non-institutional European audience, including public opinion. The basic idea is that the Mediterranean should become more prominent on the agenda of the Non-Mediterranean countries of Northern, Central and Eastern Europe. Those European-policy makers who do promote policies in the Mediterranean area often do so without knowing the area thoroughly or being aware of the implications of their policies. The lack of knowledge of Mediterranean issues is even higher among the general public. Therefore the Mediterranean Programme will promote knowledge and understanding of the Mediterranean area among Europeans. Third, the institutional and non-institutional audiences of the Southern Mediterranean countries.

The Mediterranean Programme wants to function as an interface. First, between the North and the South of the Mediterranean. Second, among the European countries which have often conflicting views of the Mediterranean area (e.g. France against Germany in their approach to Turkey). Third, among countries of the Southern Mediterranean, to help them to build mutual confidence.

Structure

The Mediterranean Programme is part of the Robert Schuman Centre and the Director of the Robert Schuman Centre – Professor YVES MÉNY – is director of the Mediterranean Programme. It has a steering committee and an academic committee. In the Steering Committee the major donors and the Institute (the President, the Secretary General, and the Director of the Robert Schuman Centre) are represented. The major task of the Steering Committee is to evaluate the activities of the Mediterranean Programme.

The Academic Committee, on the other hand, advises on research programmes and all other scientific activities. At present it is made up of five external members (LUCIO CARACCIOLLO, PHILIPPE FARGUES, GUDRUN

KRÄMER, GHASSAN SALAMÉ, and DOMENICO SINISCALCO) and two ex-officio Institute members (the President and the Director of the Robert Schuman Centre; the Secretary General can take part in the meetings). Two additional external members will be nominated in the coming weeks.

Research Directors will also be appointed soon. Each of them will direct a major research project (see below). Both doctoral and post-doctoral Fellowships are available in the Mediterranean Programme. Besides the ones mentioned above (see sponsors), there are a number of post-doctoral Jean Monnet Fellowships each year. For the current academic year there are two Jean Monnet Fellows (VALÉRIE AMIRAUX and CLAUDIO FOGU). For the next academic year there will be an increasing number of fellowships. Finally, the Mediterranean Programme staff consists of a Programme Coordinator (IMCO BROUWER) and of one of the Jean Monnet Fellows (VALÉRIE AMIRAUX).

Research

Research is the main component of the Mediterranean Programme activities. Its approach has a number of specific characteristics. It is, among other things, interdisciplinary, theme-oriented, comparative, innovative, combining theoretical and empirical approaches, encouraging communication between area studies and the social sciences in general, and available to policy makers.

The research programme of the Mediterranean Programme is structured in the following way. It is characterized by one key research perspective and structured into five research areas. At the beginning of the first Academic Year 1998/99, the Programme has singled out three research themes on which it will concentrate.

The research perspective is that flows of persons, goods, and ideas between the Northern (Europe) and Southern Mediterranean, as well as among the Southern Mediterranean countries, are fundamental in understanding the crucial dynamics in the area.

The Mediterranean Programme has indicated five research areas which have to be read from the perspective of flows: Islam and Politics (and economics); Business and Politics; Images and Discourses; Political Regime Analyses; and the Euro-Mediterranean Partnership. To some extent these five research areas can be seen as a shorthand for particular disciplinary approaches to the study of the Mediterranean area. In fact, Political Regime refers to the discipline of Political Science/Politics; Islam and Politics to a multi-disciplinary approach to the study of religion; Business and Politics mainly but not exclusively to Political Economy; Images and Discourses to Sociology and Anthropology; and the Euro-Mediterranean Partnership to International Relations.

It should be stressed that it is the special research perspective – not (necessarily) the research themes –

together with the quality of research that makes the Mediterranean Programme different.

There are innumerable ways to combine the perspective of flows with one or more of these five research areas and, as we have seen, there are a large number of potentially highly-interesting research themes. The Academic Committee of the Mediterranean Programme has, for the moment, indicated three research themes with which the Mediterranean Programme will start its research activities: Tourism, Fiscal Systems, and Migration. The fact that the Mediterranean Programme has indicated these three themes as the first ones it will concentrate its attention on does not mean that it will not look at other themes as soon as additional financial support becomes available.

Tourism can be analysed from a variety of perspectives, ranging from its impact on the infrastructures of the Southern Mediterranean countries to capital flows between the Northern and the Southern Mediterranean; from aid from the European Union to develop the tourist industry in the South to the impact of tourism on ways of life, stereotypes, moral codes, and the local economic structure; from the issue of security to models of development, etc.

The fiscal systems of the Southern Mediterranean countries are a key to the understanding of the economic system and the political legitimacy of any country. Southern Mediterranean countries are no exception on this rule. A number of issues could be addressed, such as: fiscal structure and free trade; the pressure of the international financial organizations and the European Union to introduce VAT systems and to liberalize trade and investment and its potential consequences on internal political stability and legitimacy, etc.

Migration between the Southern Mediterranean and European countries has been studied to a large extent. However a number of issues have been less researched, such as South - South migration; the social and cultural impact of emigration on the Southern Mediterranean countries; transnational networks and diaspora dynamics between home and host countries; the issue of returnees and their economic activities, etc.

Generally, a research topic will last between two and four years. For each research theme a Research Director will be appointed. Scholars will be encouraged to apply

for Jean Monnet Fellowships by presenting a personal research project within the framework of one of the research topics. Research directors will be appointed in the coming months. Calls to apply for fellowships are now available, both on paper and on the WWW.

Teaching

Two forms of teaching will be put in place in the 1998-99 Academic Year. Intensive seminars on Islam are planned in April 1999. One seminar is targeted at individuals at the EUI and will last about a week. The other seminar, organized in parallel with the first, will be for individuals from outside the Institute. Both seminars will be conducted by highly qualified scholars of Islam from the Middle East and North Africa, Europe and the United States.

A Summer School will be organized for July 1999. It is aimed at young scholars from both sides of the Mediterranean and education will be provided by European and Southern Mediterranean professors. The topic will be the relationship between Europe and the Southern Mediterranean countries, especially in the light of the Barcelona Process.

Other Activities

The Inaugural Lecture on 'The Future of the Barcelona Process' will be given by GHASSAN SALAMÉ, Professor at the Institut d'études politiques in Paris on 15 January 1999. The Hon. LAMBERTO DINI, Italian Minister for Foreign Affairs has assured his participation and will give a presentation of the Programme.

Other activities include, among other things, the publication of a series of Working Papers and a series of Policy Papers.

For additional information please refer to our brochure available in an English/French and Italian/English edition and to our WWW page (<http://www.iue.it/rsc/welcome.html>).

You may also contact VALÉRIE AMIRAUX (e-mail: ami-raux@datacomm.iue.it - Tel.: +39-055-4685731) or IMCO BROUWER (email: brouwer@datacomm.iue.it - Tel.: +39-055-4685426).

IMCO BROUWER



ENTE
CASSA DI RISPARMIO
DI FIRENZE



MEDIOCREDITO
CENTRALE

Giorgio La Pira Fellowships of the City of Florence

In the context of the Mediterranean Programme the City of Florence is offering two postdoctoral fellowships named after the former mayor of Florence, GIORGIO LA PIRA. The fellowships have a duration of eight months starting 1 January 1999.

The fellowships will go to candidates who should be nationals of an Arab country, Turkey or Iran, and preferably residents of one of these

countries, though they may reside elsewhere. Candidates should have a strong background in Middle Eastern studies and a demonstrable interest in relationships between Europe and the Middle East and North Africa. Their field of studies should fall within five areas of research: Comparative political

regimes; Islam and Politics; Business and Politics; Sociological Studies; Images and Discourses; Euro-Mediterranean Partnership. Specific research topics could include Migration, Fiscal systems and free trade, and Tourism.

The Institute wishes to express its gratitude to the City of Florence, and especially to its mayor, Professor MARIO PRIMICERIO.



COMUNE DI FIRENZE

Finance and Consumption in the EU

An ambitious research program on Finance and Consumption in the European Union shall be carried out at the EUI over the next four years. FINDOMESTIC S.p.A and CETELEM, leading suppliers of consumer credit in the Italian and French markets, have agreed to sponsor the initiative, which is open to participation of other leading financial institutions in Europe.

The project, to be carried out by international research teams in consultation with members of the Economics Department, shall focus on crucial and fast-evolving aspects of European Union economic interactions. In many Continental European countries, financial markets are underdeveloped by international standards - particularly so in comparison to the experiences of Anglo-Saxon countries, and especially as regards the supply of credit to families.

In the context of the European economic and monetary union process, however, the Member States' financial markets are evolving rapidly. Not surprisingly, scientific research on the relevant issues is also underdeveloped in countries where formal credit markets are less active. The EUI research programme aims at filling the knowledge gap generated by recent developments and exploiting the rich diversity of European country experiences, by

- identifying structural hindrances to efficient credit provision and financial market development through comparative studies of disaggregated evidence,

- assessing the consequences of past underdevelopment and reforms for individual economies and for the process of integration into a single European economy, and
- studying current and likely future institutional and market-structure developments in the area, with particular attention to economic policy issues at the individual country and EU-wide levels.

The EUI provides a very suitable environment for research that must necessarily draw on a broad range of theoretical and empirical skills and on extensive comparative institutional knowledge. The initiative shall benefit not only from the sponsoring institutions' generous financial support, but also from their expertise and practical knowledge of the relevant markets. Hence, it shall seek broader support from other countries' leading financial institutions and offer opportunities for fact-oriented EU-wide debates and information

sharing. Like the Mediterranean Chair, the initiative shall be organised around a number of specific research programmes, workshops, and conferences. Long-term visiting opportunities shall be configured as Part-time Professorships in the Economics Department, where leading international researchers shall have opportunities to contribute to the teaching programme and stimulate research by the EUI's Doctoral students.



GIUSEPPE BERTOLA

ACADEMIC YEAR 1999-2000
The Italian Ministry for Foreign Affairs, (Rome)
is offering
Scholarships for doctoral studies at the EUI, Florence

Number of scholarships: 5

Duration: one year, renewable up to a maximum of three years, starting 1 September 1999, tenable in Florence

Grant amount: ITL 1,500,000 per month, for 12 months, renewable for a further two years

Benefits: travel expenses to and from the country of origin; health insurance cover.

Requirements: Candidates are to

- (1) be nationals of a Magreb country, Egypt, Syria, Lebanon, or the Palestinian Territories, and preferably residents of one of these countries, but they may reside elsewhere. Applications are also invited from nationals of other states of the South Mediterranean and the Middle East, e.g. Libya, Turkey, and Iran;
- (2) be university graduates, preferably with a Master's degree, a DEA, or equivalent, in the relevant discipline;
- (3) have a good knowledge of English and/or French;
- (4) have a strong background in Middle Eastern studies and a demonstrable interest in relationships between Europe and the Middle East and North Africa;
- (5) work in close association with the Robert Schuman Centre of the EUI, in its Mediterranean Programme; they will therefore be expected to carry out research in one of the following areas of study:
 - (a) Comparative Political Regimes;
 - (b) Islam and Politics;
 - (c) Business and Politics;
 - (d) Sociological Studies: Images and Discourses;
 - (e) Euro-Mediterranean Partnership.Specific research topics could include Migration, Fiscal Systems and Free Trade, and Tourism.

Deadline for application: 31 January 1999 (date of postmark)

Application Procedure:

(1) Candidates for the EUI doctoral programmes who are in possession of the required qualifications must complete a set of application forms and send these to the EUI, together with supporting documents. Applicants are also encouraged to fill in the on-line application form on the EUI's web pages (<http://www.iue.it/Servac/admiproc.html>).

All candidates must also supply the following documents to complete their application:

- a curriculum vitae
- copies of higher education degree certificates obtained (with exam results, grade, distinction or marks)
- a research plan: a description of the research the candidate wishes to carry out at the Institute; this should be about four pages long.

In order to obtain the application forms, contact the EUI Academic Service using the following means:

1. The on-line form at the EUI Web address <<http://www.iue.it/>>)
2. Email the EUI at <applyres@datacomm.iue.it>
3. fax : 0039.055.4685.444
4. phone : 0039.055.4685.373
5. write to:

Academic Service, EUI,
Via dei Roccettini 9
I-50016 S. Domenico di Fiesole (FI), Italy

(2) One full set of application forms must also be sent to the Italian Ministry for Foreign Affairs in Rome:

Ufficio XIII
Direzione Generale per la Cooperazione allo Sviluppo
Ministero degli Affari Esteri
Palazzo della Farnesina
I-00100 ROMA (Italy)

Selected candidates will, at a later date, be required to contact the Italian Embassy in their country of citizenship in order to finalize the application procedure. In exceptional cases the final part of the application process may be carried out through the Italian Embassy in one's country of residence.

What Constitutional Charter for the European Union?

In its resolution of 19 November 1997 on the Treaty of Amsterdam, the European Parliament requested the Commission to submit, in good time before the European Council of December 1998, a report with proposals for a comprehensive reform of the European Treaties. In order to prepare the parliamentary scrutiny of the Commission's report, the European Parliament asked the Robert Schuman Centre to explore possible ways of reinforcing the constitutional character of the treaties.

Although the European Court of Justice already considers the substance of the EC Treaty as a 'constitutional charter', the European treaties are still far from looking like a constitution for the European Union. However, the study does not intend to draw up a fully-fledged Constitution, or to reiterate the two main attempts emanating from the European Parliament in 1984 (the Spinelli project) and 1994 (the Herman project). Instead, it presents three strategies and various options aiming at progressively transforming the treaties into a Constitution for the European Union.

The first strategy seeks to provide the Union with a constitutional document without affecting the content of the treaty provisions. It takes as its starting point the results

of the Amsterdam Treaty regarding the simplification and consolidation of the treaties. Amongst the various options is the suggestion to update and improve the RSC's earlier 'unified and simplified version of the European Communities treaties and the Treaty on European Union'. This also presents a model for a Fundamental Charter which would reorder and restructure the constitutional-like provisions of the existing treaties.

The second strategy suggests formally restating some of the elements of the 'Constitutional Charter' highlighted by the Court of Justice. In particular, it contemplates the idea of creating a written catalogue of Human Rights for the EU.

The third strategy envisages various options to 'constitutionalize' the treaty amendment procedure.

The group of experts was coordinated by Professor GIULIANO AMATO, and consists of Professors STEFANO BARTOLINI, ARMIN VON BOGDANDY, RENAUD DEHOUSSE, LUIS DíEZ-PICAZO, CLAUS DIETER EHLERMANN, YVES MÉNY, PHILIPPE SCHMITTER, BRUNO DE WITTE, JOSEPH H. H. WEILER, and CHRISTOPH SCHMID, a research fellow at the EUI. HERVÉ BRIBOSIA (research fellow at the EUI and at the University of Louvain-la-Neuve) acted as Rapporteur.

What Future for Europe?

On the initiative of the Italian Ministry of Foreign Affairs and in co-operation with Le Monde, La Stampa, Frankfurter Allgemeine Zeitung and El País, the Robert Schuman Centre is organizing a series of lectures around the general question 'What Future for Europe?'

The European project which emerged from the ashes of the Second World War is at a crossroads. The federal or quasi-federal objective established more or less explicitly by the founding fathers and pursued by the political actors over the last forty years has been resisted not only by some politicians (De Gaulle, Thatcher) but also by bureaucracies and Courts (the Constitutional Court in Germany, the French Conseil d'État). Today, it appears more and more an unrealistic, or at best improbable goal. The fin de siècle is in fact characterized by a number of dramatic and large-scale transformations: the collapse of the socialist regimes, the neo-liberal revolution, technological challenges, the globalization of markets, and the fragmentation of nation States, sometimes along quasi-tribal lines.

Furthermore, at the very moment an embryonic European identity was about to emerge within the European Community, this process has been jeopardized by successive enlargements and the differentiations they entail. There is more and more uncertainty both about the destination of the European journey and the identity

of the passengers. Which Europe? Which Members? Not only is Europe unable to fix its borders (denying the eventuality of a 'Fortress Europe'), but when it attempts to envisage its future frontiers, the Union does not take full account of the potential changes, stakes and risks of the enterprise. What kind of answers can Europe give to these numerous challenges? Can it find within the variety and richness of its history the basis of a renaissance? We aim to invite eminent personalities who will address some of these questions in the form of lectures or debates. The time has come to contribute, even on a limited scale, to the birth of the 'public sphere' that Habermas conceived as a necessary condition of democracy. Already topics such as employment, welfare, and monetary union have become transnational in nature. Unfortunately, the debate on many problems too often remains confined to national actors. The RSC's ambition is to strengthen the fragile evolution of a European public space by stimulating debate in the European press.

The speakers (in chronological order) who have so far agreed to contribute are: JOSEPH H. H. WEILER, Harvard, GIULIANO AMATO, EUI, SERGIO ROMANO, Editorialiste-Milan, DAVID MARQUAND, Oxford, Mme. DELMAS-MARTY, Paris, STANLEY HOFFMANN, Harvard, WOLFGANG STREECK, Cologne.

A final conference will be organized by Prof. PASSERINI in June 1999.

The Robert Schuman Centre as a Forum for Competition Policy Development

The growing recognition of the Robert Schuman Centre as a focal point for research and discourse on competition policy and related market regulation is underscored by three major conferences held at the Centre this autumn. These were the Second Annual Competition Seminar of the International Bar Association (IBA) Section on Business Law, held on 2 October, the European Electricity Regulation Forum (EERF) held on 8-9 October and the third annual RSC Competition Workshop held on 13 and 14 November at the Villa Schifanoia. (See detailed article on p. 9.) The selection of the Institute as the site for these important competition-law events testifies to the success of the efforts of the two EUI Professors GIULIANO AMATO, recently nominated Minister for Institutional Reforms in the Italian Government, and Professor CLAUS DIETER EHLERMANN, formerly Director-General of the European Commission's Competition Directorate and Legal Service, to make the RSC a centre of policy development in competition-law matters.

LARAINÉ LAUDATI

European Electricity Regulation Forum

The EERF was established in 1997 by the Robert Schuman Centre in conjunction with DG XVII of the European Commission. In view of the February 1998 implementation of the EU Electricity Directive, the aim of the Forum is to provide a neutral and informal environment for discussion by the top policy makers and industry representatives of issues related to liberalization and procompetitive regulation of European Union electricity markets. Speakers at the October session, co-chaired by Prof. EHLERMANN, consisted of a distinguished group of top-level regulators from the European Commission and the Member States, including Mr. PIPPO RANCI, President of ENEL, the Italian energy authority; Mr. MIGUEL FERNÁNDEZ ORÓNEZ, President of the Spanish electricity authority, and Dr. JÜRGEN SCHWARZ, Managing Director of the German energy authority. They focused on the problems of electricity transmission pricing in the European Union and its Member States, and the negative effects on the internal market that can result from discriminatory pricing systems. Speakers identified various measures that could be used to reduce these trade-distorting effects. Other issues considered were how price regulation of the electricity transmission service operator, a natural monopolist, could serve as an incentive or disincentive to improved efficiency, and the problems resulting from overlapping regulatory competences in this area between the EU and the Member States.

The next meetings at the EUI are already scheduled for 11 and 12 March and for September 1999.

International Bar Association Conference

The Robert Schuman Centre is now established as host to the Annual Competition Seminar of the International Bar Association. This year's session focused on the challenges which globalization presents in the enforcement of competition law, particularly with respect to global mergers. European Competition Commissioner KAREL VAN MIERT was the keynote speaker. Other speakers included GIUSEPPE TESAURO, the President of Italy's competition authority, and GÖTZ DRAUZ, Director of the Merger Task Force of the European Commission's Competition Directorate, as well as other high-level officials of the leading competition authorities and leading practising antitrust lawyers and academics. Participants also considered recent changes in the application of competition law to vertical restraints, and the functioning of a recent agreement between European Union and US antitrust authorities for cooperation in enforcement matters.

The next meeting will take place on 20 October 1999.

EU Policy Forum Confronts the Challenge of Controlling the New Communications Network Markets

On 13 and 14 November, heads of the competition authorities and communications regulators from European Union Member States as well as the European Commission met for intensive discussions and exchanges of views on the urgent policy questions concerned with ensuring effective competition in the rapidly evolving communications networks markets. They were joined by commercial and academic experts from around the world and leading members of the communications industry. The high-level policy forum was held at the European University Institute in Florence. It was organized and chaired by EUI law Professors GIULIANO AMATO (former Italian Prime Minister and recently appointed Minister for institutional reform in the new Italian Government) and CLAUS DIETER EHLERMANN (former Director-General for EU Competition policy at the European Commission and currently a member of the World Trade Organization's Appellate Body).

Participants in the round-table discussions included: European Commission Directors General ALEXANDER SCHAUB (Competition Policy) and ROBERT VERRUE (Telecommunications); the heads of national competition authorities including DIETER WOLF (Germany) and GIUSEPPE TESAURO (Italy); senior representatives of telecommunications regulators such as JENS ARNBÄK (Netherlands), VINCENZO MONACI (Italy) and FOD BARNES (UK); and industry leaders including TOMASO POMPEI (Director of WIND), BERNADINO LIBONATI (the new president of Telecom Italia), MICHAEL SALSBURY (Executive Director of MCI) and senior representatives from British Telecom, Deutsche Telecom and Cable and Wireless.

This, the third meeting of the Annual EU Competition Workshop at the Institute, focused in particular on the question of if, when and how governments should intervene to prevent increasingly powerful firms from abusing their control of the critical 'gateways', or 'bottlenecks' between consumers and the communications/information services which underpin the development of the so-called 'information society'. Both service providers and consumers rely on access to communications networks, but while the liberalization of telecommunications throughout the European Union Member States has opened up the market in provision of such networks, this alone does not ensure the abolition of established monopoly powers nor prevent the emergence of new ones.

Market liberalization and privatization are replacing traditional government control of (both wired and wireless) communications infrastructure by private

ownership. At the same time technological breakthroughs in digitalization and co-ordination of telephone, audiovisual and computer-connected data services (such as the Internet) mean that one network will be able to provide customers with access to all these services. Thus the risk of monopoly control of such access is increasingly serious. Investment in new and alternative networks which bypass the monopoly infrastructure is the obvious solution. However, access 'bottlenecks' remain where such duplication is unviable.

There was general consensus among participants as to the identification of the main network bottlenecks of current concern. In particular, this regards final network connection, or interface with the customer. That is: the fixed 'local loop' (the final stretch of dedicated cable reaching the user's own premises); the 'set-top box' (which will increasingly control access to pay-TV services); and the navigation software or 'browsers' which represent the essential interface between a single computer terminal and the private or public network linking it with other computers and network services.

The discussions focused on three main policy challenges:

- How to ensure fair and competitive access to these monopoly controlled network gateways between providers of services and their potential customers
- If and when to prevent new mergers and partnership agreements involving network bottlenecks
- Who should be responsible for deciding on such issues and for making sure the rules of 'fair play' are effective.

There were intense and lively discussions between the telecom regulators, competition authorities, legal and economic experts and market players on these issues.

There was significant consensus that competition law principles might be sufficient to define and identify where and what the competition problems are - i.e. to identify the main network bottlenecks and the associated risks of abuse of market power. It was, furthermore, not disputed that competition law should govern the scrutiny of major alliances and mergers in this sector. In this way it seemed that most participants seemed to support the broad principle that competition policy was appropriate as regards the analysis of and, where necessary, intervention in the structure of the market.

On the other hand most participants argued that competition law alone was not sufficient to establish and

implement the 'behavioural solutions' for the structural problems - i.e. where bottlenecks exist and persist. In general sector-specific solutions were perceived to be necessary as regards setting down obligations on the 'gatekeeper' as regards terms and price of access to a monopoly network resource where this is essential in order for other service providers to compete.

More contentious and sensitive were issues concerning the allocation of institutional roles and responsibilities. The discussions addressed two main problems:

- (i) the relationship between the competition authorities and the telecommunications sector regulators; and
- (ii) the role of EU-level regulations versus that of the national level.

(i) Since the aim of recent telecommunications liberalization is to open the market in network provision to competitive forces, many participants argued this should imply that market regulation should ideally be limited to application of general competition laws. Thus, the responsible institutions should be the competition authorities and the courts. As a rule these do not intervene in the market, except on a case-by-case basis, and where an instance of anti-competitive behaviour has actually occurred.

On the other hand there were strong arguments that more substantial and detailed regulation is needed to prevent unfair behaviour at this early stage in the development of competition in such a technically complex and significant sector. This, it was argued, should be controlled by a specialized, sector-specific regulator who is given the powers to establish and implement stronger and more interventionist rules of 'fair play' which apply immediately to the communications network bottlenecks.

The majority of participants at the workshop agreed that, for the time being, both competition and communications sector regulators should have some institu-

tional responsibility for ensuring fair competition in this market. While there was consensus that co-operation between these two 'houses' was essential, there were varying views on how their shared responsibility should be organised and co-ordinated. Some believed that better 'bridges' between the two houses was the solution, others supported deeper structural solutions that would draw the two houses closer together, and even pull certain institutional responsibilities under the same institutional 'roof'.

(ii) There was agreement around the table that a better EU-level framework for ensuring effective European Union-wide competition and service provision in communications networks was needed. However, there was also little contention that the establishment of an EU regulator with 'supranational' regulatory powers was politically unviable and would be considered contrary to the 'subsidiarity' principle. (The European Commission has used its powers under EU competition law to impose market opening and general competition principles on the Member States telecom markets, but the competence for market regulation is left with the national-level authorities. The establishment of these independent agencies was in fact imposed on the Member States by an EU directive.)

Solutions to this dilemma, posed by the workshop, focused on developing frameworks for better and deeper co-operation among the national authorities. Official working groups and committees of Member States already exist at European Union level in this area but they tend to involve representatives of government ministries and are often dominated by national interests and objectives. It was felt by some participants that a less formal framework involving the regulatory agencies might be more effective in achieving co-operation on EU-wide objectives for fair and efficient competition in communications networks.

LOUISA GOSLING

In November 1998, Hart Publications released on the market **European Competition Law Annual 1997: Objectives of Competition Policy**, edited by CLAUDIUS DIETER EHLERMANN, a professor in the Institute's Law Department, and Dr. LARAINE L. LAUDATI, a research fellow at the Robert Schuman Centre. This volume consists of the written contributions and oral interventions from the 1997 RSC Competition Workshop, chaired by Prof. GIULIANO AMATO and Prof. CLAUDIUS DIETER EHLERMANN. The Workshop was attended by a group of specialists in the area of competition law, including heads of the world's major competition enforcement authorities, renowned scholars and private practitioners. The focus of this volume is the objectives of competition policy of the European Union and other major jurisdictions, the prospects of a multilateral competition code, and the relationship between objectives and implementation issues. It is designed to make available to the public the rich debates and papers produced in conjunction with the RSC Competition Workshop.

This volume is the second in a series. The 1996 volume, Robert Schuman Centre **Annual on European Competition Law 1996**, was published by Kluwer Law International. The editors look forward to extensive marketing of the book by Hart in Europe, the USA, Australia, and other English speaking regions.

Reforming Social Assistance and Social Services

International Experiences and Perspectives

An International Conference
Florence, 11-12 December 1998

Hosted by

The European Forum

Recasting the European Welfare State: Options, Constraints, Actors
European University Institute

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MAURIZIO FERRERA (EUI) and VALERIA FARGION (EUI)

Programme

In the 1990s the reform of social assistance and the reorganization of social services has become an increasingly important policy objective. Demographic, economic and family changes have brought to the fore these traditionally marginal policy sectors, calling for a new combination of cash benefits and social services. Indeed, while maintaining distinctive features, the two areas display increasing overlaps, especially with respect to social exclusion. Emerging trends in both cases emphasize local responsibility, albeit under strict conditions of cost-containment.

What is at stake is a reform of current safety nets and how to provide an adequate level and quality of personal services. The keywords are on the one hand targeting, selectivity, means-testing, incentives, re-integration, and on the other social care markets, formal versus informal care, enabling and contracting. Yet, redefining the 'safety net' as well as shifting attention from consolidated transfer programmes to care services poses problems in terms of equity and efficacy. Touching the very 'floor' of the Welfare State edifice may have far-reaching implications for other parts of that edifice and its overall stability. Thus reform in this area raises more fundamental questions about the 'institutional design' of the Welfare State as a whole.

This conference will attempt to bring together the two quite distinct literatures dealing respectively with social assistance and the social services, with the following objectives:

- information on the reform processes in this sector at the macro-level;
- comparative information on policy instruments (such as the 'means test' or the 'activation contract');
- illustrating the comparative profile of social services (access criteria, levels of coverage, standards, available channels and procedures for controlling quality);
- discussing to what extent institutional arrangements can deliver the range of services required to meet community care objectives;
- discussing, in a more speculative and long-term perspective, the strategic reform options for a more effective, equitable and sustainable safety net.

Friday, 11 December

9.30-1.00 Session 1

Social Assistance and Personal Social Services: their Place and Role in European Welfare States

Speakers: VALERIA FARGION (University of Florence)
Local Government and the Provision of Personal Social Services in Europe
JORMA SIPILA and ANNELI ANTTONEN (University of Tampere)
Social Services: Principles, Systems, Outcomes
BEA CANTILLON (University of Antwerp)
The Impact of Social Expenditure on Poverty in the OECD

JOS BERGHMAN (University of Leuven)
The Role of the European Union in Fighting Social Exclusion

Discussants: DENIS BOUGET (University of Nantes)
ANN ORLOFF (Northwestern University, Chicago)

2.30-6.00 Session 2:

Means-Tested Benefits: Practices and Dilemmas

Speakers: IAN GOUGH (University of Bath)
Social Assistance in Comparative Perspective
ELISABETTA ADDIS (University of Rome)
Gender Effects in Means-testing: the Italian Case
FRANCOIS-XAVIER MERRIEN (University of Lausanne)
Reforming Social Assistance in France and Switzerland: a Comparative Perspective
LUIS MORENO and ANA ARRIBA (Institute for Advanced Social Studies, CSIC, Madrid)
Decentralization and the New Logic of Welfare Provision in Spain

Discussants: EDWIN MORLEY FLETCHER (CNEL, Rome)
ANA MARTA GUILLEN

Saturday, 12 December

9.30-1.00 Session 3 : Personal Social Services: Universal or Selective?

Speakers: JANE LEWIS (University of Nottingham)
Social Care, Gender and Welfare State Restructuring
CLAUDE MARTIN (CNRS, Rennes)
Social Services for the Elderly: the Welfare Mix in the French Case
THOMAS BAHLE and ASTRID PFENNING (University of Mannheim)
Social Services in the Welfare Society: the Division of Labour between Central and Local, Public and Voluntary Actors
TINE ROSTGAARD (Danish National Institute of Social Research, Copenhagen)
The Provision of Social Care in Nordic Countries: Recent Trends

Discussants: CHIARA SARACENO (University of Turin)
JENS ALBER (University of Konstanz)

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Recasting the Welfare State Conference Schedule

All conferences span two days. Most comprise around ten academic speakers and an equal number of policy makers; conference (iii) is on a larger scale involving 30-40 policy makers, from the European Commission and Member State governments.

(i) Reforming Social Assistance and Social Services: International Experiences and Perspectives
11-12 December 1998: MAURIZIO FERRERA/VALERIA FARGION

(ii) Beyond the Health Care State: Institutional Innovations and New Priorities in Access, Coverage and Provision of Health Services
25-26 February 1999 MAURIZIO FERERRA/ANA GUILLÉN - in collaboration with DG 12 of the European Commission

(iii) Globalization, European Economic Integration and Social Protection
10-11 March 1999 - MARTIN RHODES - in collaboration with DG 5 of the European Commission

continued on p. 12

1998/99 Forum Fellows

This year's European Forum fellows are all specialists on different aspects of the contemporary welfare state and represent a broad range of European countries, while spanning the disciplines of political science, sociology and economics.

ELISABETTA ADDIS, Department of Economics, University of Rome, Italy

NADA BODIROGA-VUKOBRAT, Faculty of Law, University of Rijeka, Croatia

JOCHEN CLASEN, Department of Applied Social Science, University of Stirling, UK

VALERIA FARGION, Department of Sociology and Political Science, University of Florence, Italy

RICHARD FREEMAN, Department of Politics, University of Edinburgh, UK

IAN GOUGH, Department of Social and Policy Sciences, University of Bath, UK

ANA GUILLÉN, Faculty of Economics, University of Oviedo, Spain

UTE KÖTTER, Faculty of Law, Utrecht University, The Netherlands

STEIN KUHNLE, Department of Comparative Politics, University of Bergen, Norway

LINDA LUCKHAUS, School of Law, University of Warwick, UK

FRANÇOIS-XAVIER MERRIEN, Faculty of Social and Political Sciences, University of Lausanne, Switzerland

MICHAEL MORAN, Department of Government, University of Manchester, UK

LUIS MORENO, Institute for Advanced Social Studies



(IESA), Spanish National Research Council (CSIC), Spain

ROSA MULÉ, Department of Politics and International Studies, University of Warwick, UK

ANN ORLOFF, Department of Sociology, Northwestern University, USA

AUGUST ÖSTERLE, Social Policy Unit, Vienna University of Economics and Business Administration, Austria

BRUNO PALIER, Department of Political Science, University of Paris 1, France

SALVATORE PITRUZZELLO, Department of Statistics and Center for the Social Sciences, Columbia University, USA

PAUL PIERSON, Department of Government, Harvard University, USA

FIONA ROSS, Department of Politics, University of Bristol, UK

Forum Conference Schedule 1999

- (iv) Global Trajectories: Ideas, Epistemic Communities and 'Models' of Welfare Reform
25-26 March 1999 - MARTIN RHODES/BRUNO PALIER/ANN ORLOFF - in collaboration with MIRE
- (v) Housing and the Welfare State
20-21 May - TOM BURNS and JOHN KEMENY
- (vi) The Modernization of Social Protection and Employment ('How to Make Social Protection Systems More Employment Friendly?')
15-16 April - MARTIN RHODES/WOLFGANG STREECK/JOCHEN CLASEN - in collaboration with DG 5
- (vii) The Links between Taxation, Social Protection and Employment
3-4 May - ALAN MILWARD/BO STRÄTH/PAUL JOHNSON/FRANCES LYNCH - in collaboration with DG 5
- (viii) Relations between Social Protection and Economic Performance ('Social Protection as a Productive Factor')
6-7 May - IAN GOUGH/MARTIN RHODES - in collaboration with DG 5
- (ix) The New Politics of Territorial Solidarity: Towards a De-nationalization of European Welfare?
3-4 June 1999 - MAURIZIO FERRERA/MARTIN RHODES - in collaboration with DG 12
- (x) Crafting Welfare Reforms: Parties, Organized Interests and Social Policy
- mid-June (date to be arranged) MARTIN RHODES - in collaboration with DG 12

International Migrations Forum

A Tentative Summary

The 1997-98 European Forum was devoted to the topic of international migrations. It assembled fifteen (long- and short-term) research fellows from nine countries, representing four academic disciplines (law, history, political science, and sociology). Weekly seminars by the fellows and invited guests and a string of conferences, organized thanks to the generous contribution of DG 12, pursued four broad themes: differences and common features of past and present migrations; the embeddedness of migrations in the rise and transformation of the modern State system; problems of integrating immigrants into the receiving societies; and the immigration problematique in the emergent EU.

Given the heterogeneity of the research team, it was not possible to develop a common research agenda. The Forum's everyday activities thus consisted of familiarizing oneself with the research undertaken by the others, and of subjecting one's work to the test of a genuinely multi-disciplinary and multi-national team.

Among the various themes pursued in this European Forum, the Europeanization of immigration was perhaps a bit more prominent than the others. A variety of seminars and conferences dealt with the origins, pathways, and official labelling of migration movements to Europe. Here it is important to note that there are no 'immigrants' in Europe today, if one defines 'immigrant' along the classic US pattern of permanent settler immigration (which includes its European equivalent, postwar guestworker and postcolonial immigration). After the closing-down of guestworker and postcolonial immigration, there are predominantly unwanted migrant categories in Europe, which are differently processed as illegal entrants, asylum-seekers (presumed to pursue economic motives), or family members of already settled migrants. Three migration patterns are particularly relevant in this regard.

First, organized trafficking in humans by transnationally operating crime cartels has become an increasingly important mediator of immigration to Europe, partially replacing or at least overlaying the classic push-and-pull factors of migration-inducing international ties between sending and receiving country or migration-maintaining kinship and family networks.

Second, legal labour migration by third-country nationals occurs in the political context of new guestworker schemes, which are devised by former guestworker receiving States with the explicit purpose of preventing the permanent settlement of labour migrants this time around.

Third, but not least, there is the largely unknown entity of mobile EU nationals, who were formerly

addressed as 'migrant workers' but now come in the more elegant robe of 'European citizens'.

A second aspect of Europeanization investigated by some Forum members concerned the political processing of immigration by European Union institutions. There are two European regimes for processing immigration, which operate on the basis of radically opposite legal and political principles: an internal free movement regime for EU nationals and an external control regime for third-country nationals. The process of fortifying external borders while erasing internal ones has some resemblance with the dialectic of European nation-State building, in which an increase in internal mobility had to be offset by less permeability between States.

However, 'Europe' differs from the classic nation State in its fragmentation of supreme authority ('sovereignty') regarding territorial controls, entrusting the internal free movement regime to supranational institutions, while the external control regime is (still) 'intergovernmental' in nature, that is, the Member States are in charge. This position may now be changing, because the Amsterdam Treaty has shifted the processing of immigration and asylum from the intergovernmental Third Pillar into the supranational First Pillar, under the telling label of 'Freedom, Security, and Justice'. In fact, as was the topic of a conference on 'Dilemmas of Immigration Control in a Globalizing World', the discursive 'securitization' of immigration at the European Union level is itself becoming a potent legitimization of strengthening supranationalism in the EU – on the premiss that political elites and ordinary people in the Member States are likely to accept more power for European Union institutions if it helps to combat crime, drug trafficking, illegal immigration, and asylum abuse.

Previously, the political field of EU immigration control had been marked by a cleavage between intergovernmentalists, defending 'security' as supreme value, and supranationalists, one of whose battle cries was 'human rights'. Since 'security' has become a legitimizing prop of supranationalism, this position is changing: Euro-elites are now adopting a discourse that had previously been the prerogative of national interior ministries.

Finally, a third aspect of Europeanization scrutinized by Forum members concerned the integration of ethnic immigrant minorities. Theoretically, there are two ways for ethnic minority issues to arise within the European Union: as recognition claims by the constituent units of the federal system, or as recognition claims within these units. By instituting formal equal-

ity of Member States and by not allowing EU competences to branch out from the economic and political domains to the cultural domain, the possibility that some (small) Member States might take on the role of minority claimants was ruled out from the outset. Minority claims in the European Union are thus limited to intra-unit claims. Here it was, and is, considered unacceptable for the EU to interfere in Member States' dealings with their domestic minorities. To the degree that minority policies deal with culture, education, media, or language, there is simply no authority for the European Union to become active on this. Only with regard to immigrant minorities, have there been longstanding (but so far: inconclusive) attempts to breach this abstinence.

The creation of the internal market without mobility restrictions has created an insidious distinction between 'privileged' and 'ordinary' foreigners, the former being the citizens of Member States, to whom no mobility restrictions apply, the latter being third-country nationals, who are not allowed to take up work and residence in other Member States. As some of the European Union's own 'progressive' institutions (most notably the European Commission and the European Parliament) claim, the exclusion of third-country immigrants from the European project is arbitrary and indefensible, and much of these institutions'

'multicultural' energies are invested in bringing the excluded third-country nationals in.

A first step in this direction is the new Article 6A of the Amsterdam Treaty, which gives the European Community (the supranational core of the European Union) the power to 'combat discrimination based on ... racial or ethnic origin' (among other ascriptive markers). Looking at a polity that stretches from Sicily to Norway, and from Portugal to (prospectively) the Baltic States, it is clear that the European Union is by nature a multicultural institution, but one that has to invent its own distinct minority-rights regime, the contours of which are as yet unclear and undefined.

In search of more tangible 'results' of this Forum, one should wait for its planned book publications: *Migrations and Migrants in Historical Perspective* (R. LEBOUTTE), *Theory and Methodology of Migration Studies* (M. BOMMES and E. MORAWSKA), *Migration and the Welfare State in Contemporary Europe* (M. BOMMES and E. GEDDES), *Dilemmas of Immigration Control in a Globalizing World* (V. GUIRAUDON and C. JOPPKE), and *Integrating Immigrants in Liberal States* (C. JOPPKE and E. MORAWSKA).

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De l'Europe des règles à l'Europe des principes

GIULIANO AMATO - Ministre chargé des réformes institutionnelles dans le gouvernement italien

YVES MÉNY - Directeur du Centre Robert Schuman

Cinquante ans après la création de la Communauté européenne du charbon et de l'acier, quarante ans après le démarrage de la Communauté économique européenne, les institutions de l'Europe sont devenues d'une extrême complexité. Avec l'addition de l'Union, la construction de « piliers », le mixte de supranational et d'intergouvernemental, le système politique européen devient de plus en plus confus, mal adapté à ses missions, critiqué dans son fonctionnement, jugé peu démocratique et trop centralisé.

Ces constats et critiques viennent de tous bords. On ne s'étonnera pas de les entendre dans la bouche du Front National, des Republikaner ou des partis protestataires de tous poils. On ne sera pas non plus trop surpris de les retrouver dans le propos des partis qui n'ont vu ou ne voient dans l'Europe qu'une opportunité pour sauver les meubles de l'État-Nation (parti conservateur britannique, gaullisme). Mais il est plus troublant de constater que l'insatisfaction à l'égard des institutions européennes se manifeste aussi bien chez les partisans les plus fervents de l'Europe (les partis démocrates-chrétiens notamment) qu'au sein même des institutions européennes. Le Conseil, la Commission, la Cour des comptes ont eu d'innombrables occasions de souligner les lacunes et les défauts du système, chacun bien entendu suivant la logique de ses intérêts ou de ses missions spécifiques. Mais c'est sans doute le Parlement européen qui s'est montré le plus acerbe dans sa dénonciation du système: manque de transparence, irresponsabilité bureaucratique et, le mot est lâché, « déficit démocratique ». Le Parlement ne manquait pas de bonnes raisons de dénoncer la portion congrue qui lui

avait été faite à l'origine, mais le paradoxe est qu'en reprenant une expression forgée par un politologue anglais (DAVID MARQUAND) pour dénoncer à l'époque l'élection du Parlement au suffrage universel indirect, celui-ci a repris à son compte l'argument des adversaires les plus résolus de la construction européenne. Répété ad nauseam par les partis tièdes ou hostiles à l'égard de Bruxelles, ce label infamant et hostile a dispensé tout à la fois de s'interroger sur la qualité démocratique des systèmes nationaux (qui, sur bien des points, n'ont pas de leçon de démocratie parfaite à donner) et sur la signification et le contenu de ce que nous entendons aujourd'hui par démocratie.

A la décharge des censeurs de l'Europe, il faut toutefois mettre en balance l'extrême difficulté qu'ont les institutions européennes à s'ajuster aux exigences et aux nécessités de l'efficacité, de la responsabilité et de la démocratisation. L'Europe est souvent lourde et byzantine dans ses procédures, irresponsable dans certaines de ses positions, impotente en matière de défense et de sécurité où, en fait, rien n'est possible si ce n'est dans l'ombre du grand frère américain. A trois ans de l'élargissement prévu à l'Est, ni les institutions, ni les politiques, ni les ressources budgétaires n'ont été ajustées. A la veille de la mise en marche de l'Euro, les contrepoids politiques sont encore inexistant. Nous avons en DUISENBERG un équivalent de GREENSPAN, TRICHET, TIETMAYER ou FAZIO. Le pendant politique européen est absent. Les réformes sont donc urgentes et nécessaires. Toutefois, ne dramatisons pas à l'excès: comme dans les États-Nation, les institutions européennes ne se prêtent pas facilement au

changement et à l'adaptation. Comme au niveau national, la réforme se fait au forceps, lorsque les coûts de l'immobilisme l'emportent sur ceux du mouvement. Bien entendu, la méthode (lente et complexe) comme les résultats (ambigus, contournés et sur la ligne du plus petit dénominateur commun) n'offrent guère de motifs de grandiose célébration, mais après tout n'en est-il pas mieux ainsi ? En matière institutionnelle ou de politiques publiques comme ailleurs, on en est revenu de la « tabula rasa » et des « grands soirs ».

Le conseil informel qui va se tenir cette fin de semaine en Autriche pour réfléchir à la réforme des institutions devrait à notre sens tenter de mieux concilier deux objectifs à la fois complémentaires et parfois contradictoires, la démocratisation d'une part, l'efficacité d'autre part.

La démocratie tout d'abord. En Europe désormais, le mot et la chose ne souffrent plus discussion. Les Quinze en ont fait une condition à l'adhésion des nouveaux membres et c'est excellent. Mais il serait bon de balayer devant sa propre porte et de réfléchir à ce qui permettrait de renforcer le caractère démocratique de l'Europe. Cette opération suppose d'abord de clarifier ce qu'est réellement la démocratie afin de pouvoir l'améliorer encore. Ce qui est insupportable dans la dénonciation du déficit démocratique européen est l'affirmation – factuellement fautive – que la démocratie réside seulement dans le suffrage universel. Bien entendu, depuis les révolutions américaines et françaises, la légitimité du pouvoir réside dans le peuple. Mais, nulle part le peuple ne fonde complètement la démocratie. Tous nos sys-

tèmes démocratiques sont des systèmes mixtes dans lesquels la souveraineté populaire (exprimée par les élections) est balancée par des éléments issus de la tradition libérale: la séparation des pouvoirs, l'indépendance judiciaire, la prééminence des droits fondamentaux échappent aux caprices d'une majorité conjoncturelle. La démocratie populaire n'existe nulle part sauf dans les cauchemars du socialisme réel. De grâce ne faisons pas revivre ce squelette en réclamant pour l'Europe ce qui s'est révélé inviable, voire tyrannique là où on a tenté l'expérience.

L'Europe est beaucoup plus démocratique qu'on ne le dit: non seulement le Parlement – dont les pouvoirs et l'influence vont croissants – est élu au suffrage universel, mais un organe décisionnel aussi crucial que le Conseil des ministres est composé d'hommes politiques qui, chacun dans leur pays, ont été désignés par le suffrage universel et sont responsables devant leur propre parlement. De surcroît l'autre élément de la démocratie, c'est à dire la fragmentation du pouvoir, les contrôles croisés, les limites imposées à la tyrannie de la majorité est développé à l'extrême, jusqu'à la caricature. En dépit du fait que de nombreuses décisions peuvent désormais être prises à la majorité et non plus à l'unanimité, les États-membres cherchent à obtenir l'adhésion la plus large en évitant de pénaliser les points de vue minoritaires. Il n'existe guère de système politique plus fragmenté, plus soucieux de consensus, plus encombré de poids et contrepoids que le système politique européen naissant. Peu satisfaisant du point de vue de l'efficacité, cet éparpillement et ces vetos croisés sont cruciaux du point de vue de la démocratie libérale. On ne peut donc reprocher aux institutions européennes d'être à la fois non démocratiques et inefficaces. Une certaine inefficacité des procédures est le prix démocratique à payer pour éviter l'autoritarisme, le pouvoir discrétionnaire ou l'arbitraire.

La faiblesse démocratique ne réside pas tant dans les agencements insti-

tutionnels, quasi-constitutionnels mis en place par les traités que dans la marginalisation de l'élément populaire. Il manque encore à l'Europe le substrat d'un vrai espace politique: ni les médias, ni les partis politiques, ni les groupes politiques ne sont transnationaux. Paradoxalement, les entreprises multinationales sont les entités les mieux préparées à se mouvoir sur un espace européen plutôt que national. Cela ne veut pas dire que des progrès ne se font pas jour après jour: les débats restent nationaux, mais tous les journaux européens évoquent les problèmes de l'Europe monétaire; les élites politiques, économiques circulent et se rencontrent à défaut de toujours se comprendre; les étudiants sont de plus en plus nombreux à regarder pour leur formation comme pour leur métier au delà de leurs frontières nationales. Mais rares sont les occasions où les peuples européens ont l'occasion d'adresser ensemble un message à ceux qui les gouvernent. Les élections dites européennes ne sont encore que quinze consultations nationales juxtaposées. Hommes politiques et partis ont encore beaucoup à faire pour «européaniser» les enjeux, les organisations, les programmes politiques. La construction d'un «espace public» ne constitue pas la démocratie mais elle en est un préalable. Les décennies qu'exigera cette évolution ne doivent pas pour autant conduire à la passivité. Beaucoup peut être fait pour permettre la mobilisation des opinions: personnaliser davantage la compétition comme l'a suggéré JACQUES DELORS en désignant le candidat à la présidence de la commission de chaque coalition trans-européenne (libéraux, socialistes, verts); instaurer un référendum européen – même s'il n'est que consultatif – pour connaître l'opinion des citoyens sur certaines questions importantes. Les résultats en seront peut-être désagréables parfois pour les européistes les plus convaincus, mais ils seront encore préférables à l'anomie, l'indifférence ou l'opposition rentrée.

Une démocratie est aussi faite de signes: bien que l'Europe par le biais des traités dispose de certains

éléments assimilables à une charte constitutionnelle, il manque cruellement une constitution à la démocratie européenne. Qu'on se rassure. Nous n'entendons pas suggérer ici une constitution fédérale sortie toute armée du cerveau de quelques constituants ni l'organisation d'un congrès à la manière de la Convention de Philadelphie. Il faut laisser du temps au temps, mais encore faut-il partir: les traités réorganisés, nettoyés, complétés constituent une excellente base et il a été montré par le Centre Robert Schuman de l'Institut Universitaire Européen qu'une évolution pragmatique et progressive est concevable. Rien ne sera possible si l'on discute d'abord du sexe des anges, c'est à dire du caractère fédéral de l'Europe. Un mot toutefois pour ceux qui s'opposent (à juste titre) à une centralisation



Le professeur Giuliano Amato

excessive au profit de Bruxelles tout en agitant le spectre d'un fédéralisme honni: rien ne garantit mieux l'autonomie des États-membres par rapport à un gouvernement central que la structure fédérale. Un peu plus de réflexion et un peu moins de slogans nationalistes/populistes ne gêneraient pas le débat! Une proclamation solennelle des Droits de l'homme garantis par l'Union Européenne ne serait pas non plus inutile, tant sur le plan substantiel que symbolique.

Dans cette recherche pragmatique d'une constitution européenne, deux éléments cruciaux doivent servir de cap: d'une part, se garder de recopier les modèles constitutionnels classiques qui risqueraient d'être mortels pour l'Union s'ils étaient appliqués à la lettre (par exemple une stricte séparation des pouvoirs ou

une intégration rigide du principe majoritaire); d'autre part se convaincre que l'Europe est un système de gouvernement à niveaux multiples (de Bruxelles aux régions) et qu'il serait illusoire de ne pas prendre en compte ce pluralisme institutionnel et politique.

L'amélioration de l'efficacité des institutions européennes est l'autre versant du problème. Le diagnostic est connu car il a été établi par de multiples rapports et études savantes. Les solutions sont aussi identifiées et nous n'y reviendrons pas. Le rapport Herman présenté récemment au Parlement européen est exhaustif sur la question et pourrait servir de livre de chevet aux ministres durant leur week-end de réflexion. Ce sont moins les solutions techniques qui font défaut que la volonté politique commune de les mettre en oeuvre. Pour aller à l'essentiel, disons que les réformes devraient chercher à atteindre un double objectif: améliorer le processus de décision, mieux garantir les modalités d'exécution.

L'efficacité doit en effet être d'abord recherchée dans la simplification des procédures: en dépit de l'affirmation de la transparence, les décisions européennes sont par construction inintelligibles au plus grand nombre et parfois même aux experts les plus avertis. Méfions-nous d'une transparence qui requiert les caméras de télévision dans les antichambres du pouvoir et la publication de toutes les informations qui rendent en définitive impossible leur consultation. Cette soi-disant transparence ne fait qu'accentuer le besoin de créer des lieux informels de décision et de tricher avec la vérité.

Mais il reste beaucoup à faire pour instaurer une transparence substantielle. Aujourd'hui, la confusion des rôles, le caractère alambiqué des procédures accouchent de monstres dont personne ne revendique vraiment la paternité. Ce qui a été adopté à Bruxelles par les ministres sera dénoncé, de retour dans les capitales, comme le produit inacceptable d'une bureaucratie apatride! Cette irresponsabilité du discours poli-

tique est renforcée sur le plan institutionnel par le manque de cohésion des choix au niveau de l'Union. La Commission est collégiale certes, mais donne parfois le sentiment que le «collège» va dans des directions opposées. Où est le pilote? Quant au Conseil des ministres, il n'est comme chacun sait, que la fiction juridique qui recouvre de multiples conseils spécialisés (de l'agriculture, de l'environnement) où par définition, il n'existe jamais de confrontation entre les différents secteurs concernés. Le Conseil des Ministres «Affaires générales» n'a pas davantage de hauteur de vues ni de capacité de coordination et les politiques européennes ressemblent de plus en plus à un capharnaüm où seuls les happy few savent tirer leur épingle du jeu. L'inefficacité et l'absence de lisibilité du processus décisionnel ont un prix: elles créent de fortes inégalités entre grands opéra-



Le professeur Yves Mény

teurs économiques (qui savent s'y retrouver) et citoyens de base, égarés dans la jungle bruxelloise alors même qu'à chaque étape (Acte unique, Maastricht, Amsterdam) on leur promet des lendemains qui chantent... On ne saurait créer de conditions plus propices à la frustration et à l'exaspération.

L'inégalité entre citoyens, groupes, voire États-membres n'est pas moindre quand il s'agit d'exécuter les politiques communautaires. Et cette fois, ce sont les États qui sont responsables, car eux seuls ont la maîtrise de la mise en oeuvre. Bruxelles n'a ni policiers ni gendarmes, et pas davantage de militaires. Elle ne peut compter que sur une sorte de

«Bundestreue» (principe de loyauté fédérale) balbutiante et sur la surveillance mutuelle des États. Les résultats sont loin d'être médiocres si l'on prend en considération que la Commission ne dispose que d'un sabre de bois. Ils sont très insuffisants si l'on ne veut pas sanctionner de facto et à la sauvette la plus injuste des «Europe à la carte», celle qui résulte de l'inaction, de la mauvaise volonté, de la trahison de la parole donnée. Le respect des engagements pris et la correcte exécution des décisions de l'Union doit devenir une priorité absolue. Il en va du bon fonctionnement des institutions, de la crédibilité de l'Europe et de sa légitimité. Pourquoi certains accepteraient-ils des sacrifices s'ils constatent que d'autres s'évadent de la loi commune? Une communauté de tricheurs n'a guère de chances de survivre et de ce point de vue, la recherche de l'efficacité ne peut que conforter le principe démocratique et la confiance qui fonde le contrat d'Union.

A partir de ce principe, de nombreuses implications peuvent se décliner: réduire le champ des interventions à l'essentiel; renoncer aux règles inapplicables parce que trop détaillées et contraignantes; réorganiser certains services en agences communautaires s'appuyant sur des réseaux d'institutions nationales etc.

L'ingénierie constitutionnelle et manageriale offre toute la panoplie nécessaire du souhaitable et du possible et la plupart des solutions envisageables ont été déjà mises sur la table. Mais l'essentiel n'est pas là. Albert Camus disait que lorsqu'on n'avait pas de principes il fallait des règles. C'est à l'opération inverse que l'Union doit procéder: elle est étouffée par les règles et il lui faut retrouver les principes.

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Le Monde

New arrivals in the Economics Department

PIERPAOLO BATTIGALLI was born in Milan on 18 June 1961 and lived there for the first 25 years of his life. After serving as an officer in the Italian Army he wrote his undergraduate thesis and graduated in Economics at Bocconi University in 1987.



This thesis started his ongoing research programme on the foundations of game theory. He realized that while the use of game-theoretic techniques is pervasive, economists apply solution concepts (like Nash equilibrium) without a clear understanding of their underlying assumptions. This is particularly true when analysing dynamic models. Thus, following a handful of game theorists, he set out to develop a formal apparatus that can express epistemic assumptions about how agents process their information and what they believe about each other. For any given set of 'rules of the game', these epistemic assumptions induce behavioral outcomes. This approach can then be used to evaluate the 'intuitive' solution concepts routinely applied in economic analysis and to develop alternative ones.

Unlike his classmates who were also pursuing an academic career, he had no appreciation for the opportunities offered by foreign countries and decided to do his graduate studies in Economics in Milan. But his advisers at Bocconi convinced him that he should spend at least one

year at the London School of Economics as part of the Italian Doctoral programme (the programme was jointly run by Bocconi, the Catholic University and the State University of Milan). Thus, after marrying his wife Alessandra, he spent the 1988-89 academic year in London and took an MSc in Mathematical Economics at LSE. His teacher of game theory was ARIEL RUBINSTEIN, who became a 'de facto' advisor throughout his graduate studies.

He completed his doctorate in Milan under the supervision of ALDO MONTESANO and graduated in 1992 with a monographic dissertation on rationalizability. In the same year he took up a position at the entry level (*ricercatore*) at the Politecnico (the engineering school) of Milan.

By the end of 1993 he had fully realized that job opportunities abroad were much better than in Italy and decided to try the international job market. To his surprise, he was offered an Assistant Professorship by the Department of Economics at Princeton University. He worked there for the last four years. In this period he was able to interact with some of the best game theorists in the world and he made important progress in his research. But his wife had to complete her studies in Medicine and hospital internship, so she spent most of the time in Milan. In the last two years she has been working as a medical doctor in Milan.

Fortunately, the European University Institute gave him the opportunity to be in a great department and live in the same country as his wife at the same time. He moved to Florence at the beginning of September. Hopefully, Alessandra will shortly be able to follow suit.

ROGER FARMER arrived at the European University Institute in September of 1998. He was born in London, England, in 1955, received his undergraduate training at Manchester University and was awarded a Ph.D. from the University of Western Ontario, Canada in 1982. After graduating from Western, he held positions at the University of Toronto (1980-1983), the University of Pennsylvania (1983-88) and the University of California at Los Angeles, where he is currently on leave. Professor Farmer is a Research Fellow of the Centre for Economic Policy Research, he is Fellow Commoner of Churchill College, Cambridge, and has held visiting positions at Cambridge University and at the Innocenzo Gasparini Institute in Milan. He is an associate editor of *Macroeconomic Dynamics*, and has published extensively in learned journals including the *Journal of Economic Theory*, *Review of Econom-*

ic Studies, *Quarterly Journal of Economics*, *American Economic Review* and the *Economic Journal*.

Professor FARMER'S research is concerned with the theoretical underpinnings of business cycle theory and specifically with the idea that business fluctuations may be driven by self-fulfilling prophecies. His views on the topic are available in a research monograph 'The Macroeconomics of Self-fulfilling Prophecies' published by MIT Press in 1993. He is also concerned with making new ideas available to a wider audience. With this end in mind he has written an undergraduate textbook, *Macroeconomics*, published in 1998, that is the first book of its kind to bring modern dynamic macroeconomics down to the undergraduate level.



The research agenda of self-fulfilling prophecies developed from the real business cycle (RBC) ap-

proach, which has largely replaced the previous ideas of John Maynard Keynes at graduate institutions throughout the world. RBC economists argue that most economic fluctuations are attributable to real changes in technology – new inventions for example – that disrupt economic activity as resources are moved from one industry to another. The RBC view gives no weight to the importance of self-fulfilling expectations and instead it attributes all fluctuations to changes in real productive opportunities. The stock market crash in 1987 is just one example of an event that is very difficult to square with the RBC view, since it is hard to find a real event that occurred in October of 1987 that would be of sufficient importance to have caused an overnight fall of twenty per cent in stock market

wealth. The research agenda of self-fulfilling prophecies uses the methods that are advocated by the RBC economists to arrive at very different conclusions. Unlike the RBC school, it allows for market imperfections that permit the equilibrium of a market economy to be inefficient. The agenda allows for the possibility that business cycles may be caused by changes in market psychology and it often leads to Keynesian conclusions using modern methods.

Professor FARMER is married and has a nine-year-old son. He enjoys all forms of music, collects stringed instruments and, when he is not busy solving the world's economic problems, plays a mean ragtime guitar.

ANDREA ICHINO was born on 10 December 1959 in Milan, where he lived (with the exception of one year 'wasted' after high school in the Italian Army) until the end of his undergraduate studies at Bocconi University in 1985. He graduated under the supervision of Professor Mario Monti with a thesis on the effects of wage subsidies on unemployment.

After graduation he seriously considered the possibility of becoming an Alpine guide, partly because, while teaching ski-mountaineering in the Milan Alpine Club school, he met his future wife Simonetta: evidently mountains had much better things to offer than economics.

Perhaps unfortunately, however, his adviser convinced him to apply for a Ph.D program in the US and he was admitted to the M.I.T. It was hard to refuse this opportunity and, contemporaneously, the mountains had been giving a very unwelcoming signal in the form of a bad avalanche accident. Moreover, Simonetta received a very attractive offer from the Harvard School of Public Health (on the other side of the Charles river with respect to M.I.T.) which allowed her to continue her research in a wonderful environment on the relationship between diet and cancer. The possibility to go to the US together, working in two of the best research institutions in the world, really looked like 'un segno della Provvidenza'.

The four years in Cambridge were a tough but terrific experience that gave Andrea better tools and a new passion for research in labour economics, lots of friends now scattered all over the world and the first child, Matteo, born in 1989. The decision to come back to Italy after doctoral graduation in 1990 (with a thesis on flexible compensation as a risk-sharing device, under the supervision of Prof. Robert Gibbons) was not an easy one. The possibility to continue the US experience was

really attractive from a professional point of view, but Italy was at least equally attractive in several other dimensions, including child-raising, which was not expected to be irrelevant (and the expectation was rational as events later showed ...).

The contemporaneous foundation of two new research institutions in Milan induced the decision to come back: the IGIER research centre at Bocconi University, started by Prof. Francesco Giavazzi with the goal of attracting economists with a foreign Ph.D. to Italy, and the Istituto Europeo di Oncologia, which was looking for experts in epidemiological studies of diet and cancer. These joint opportunities gave a forceful sign that it was time to come back from the States.



From 1990 until 1997, Andrea has been teaching and doing research at IGIER, Bocconi University, while Simonetta has worked at I.E.O., succeeding, at the same time, in giving birth to and raising three more children, Martina in 1990, Lucia in 1992

and Giacomo in 1997 (don't worry: we know what contraceptives are ...). Both parents also managed to maintain some contact with the Alps, most often bringing along the entire crew (which so far has not complained).

Andrea's research activity has been focused on the empirical analysis of labour markets, educational institutions, family economics, intergenerational mobility and migration movements. Last year's experience as a Jean Monnet Fellow here at the EUI clearly showed that this is a wonderful environment in which to continue this type of research activity. Very luckily, Florence also proved convenient for the working opportunities of Simonetta, and needless to say it appeared optimal to the kids. The decision to accept the EUI offer and to stay here for a longer term was therefore an easy one this time, even if ski-mountaineering had to be downgraded to... mountain biking.

MASSIMO MOTTA was born in Milan on 9 February 1962, and lived there for the first 26 years of his life (he has an undergraduate degree from Bocconi University, where he also spent a year as teaching and research assistant). To make up for all this initial immobility, since 1988 he has had something close to a nomadic life. As part of the European Doctoral Programme in Quantitative Economics, he spent one year at the Université Catholique de Louvain, Belgium, where he took a Masters degree in Economics (1989), then one year at the London School of Economics. This last place was particularly profitable since he made much progress in his dissertation, but above all since he met Heike, who is now his wife, there.

Together, they then moved again to Belgium where he took his Ph.D. in Economics (1991) and stayed for one year as a researcher at CORE. He was then lucky enough to be offered a job at Universitat Pompeu Fabra (Barcelona), a new university that had then just come into life. Working there, in a friendly and dynamic environment, has been a truly exciting experience (and being in a great city like Barcelona certainly helped!).

He was there for the last six years, first as an assistant professor, then as an associate professor (since 1993) and finally as a full professor (since 1997), a position



that he still has, since he is at the EUI on leave from UPF. He has also contributed to creating the graduate programme of UPF, and has been the coordinator of its Master's course in Economics from 1993 to this year. Unfortunately, however, his wife did not find a good job in Barcelona and, after taking an MBA there, moved to Lausanne to work for a multinational company.

The last three years had therefore been commuting years for them (for the joy of Swissair, to which most of their salaries went). When their son Fabio (who is now five months old) arrived, they decided it was about time to live in a single place, and they have all moved to Florence, where he has just started as a professor in the Economics Department. Probably suited to having a multi-national family (his wife Heike is German, and most of her family is in Austria), one of his research fields is international trade and multinational firms (perhaps one day he will have to do some work on migration, where he has some practical experience...), but he now works mainly on industrial organization and competition policy issues. His main objective is to use industrial organization models to try and understand what should be the appropriate way to deal with mergers, collusion, predatory behaviour and vertical contracts.

The EIB Lecture

This year's European Investment Bank Lecture in the Economics Department was given on 15 October by the Chief Economist of the World Bank, JOSEPH STIGLITZ. He exposed the audience to provoking and unconventional thoughts about the recent financial crisis, which impacted so strongly on many countries in the Far East. The unconditional liberalization of their capital markets, which was strongly fostered by Western countries, was set in perspective with illustrations of the impact of the recent crisis. Professor STIGLITZ pointed out inconsistencies in some of the mainstream arguments, e.g. that there is no clear evidence that corruption caused the crisis or that capital market liberalization itself has positive growth effects.

He closed his presentation by stressing possible policy implications, citing the example of Chile, which managed to prevent speculative attacks by limiting 'excessive' capital inflows through taxation. The potential for making frequent adjustments and for allowing negative tax rates as well seems to have given policy makers a valuable instrument.

The discussions at the reception after the presentation revealed that Professor STIGLITZ had managed to inspire his audience. He was still discussing the issues with students long after his lecture ended.

WINFRIED KOENIGER

The Criminal and His Scientist

In October 1998, the European University Institute hosted the international conference 'The Criminal and His Scientist' organized by Professors PETER BECKER (EUI) and RICHARD WETZELL (University of Maryland, History Dept.) The EUI co-sponsored the symposium in cooperation with the German Historical Institute, Washington; the Centre de Recherche Sociologique sur le Droit et les Institutions Pénals (Cesdip), Paris; and the Groupe européenne de recherche sur les normativités, Paris. Close to forty scholars engaged in three days of intensive discussions on the history of criminology. Papers analysed the criminological discourse as well as institutional patterns and practices, and the socio-economic, political, and cultural context of criminology.

In the nineteenth century, political upheaval and the Industrial Revolution radically transformed Western societies. As social conflicts took on a new quality, they provoked a widespread sense of insecurity and hence prompted a heightened attention to crime. At the same time, the era witnessed unprecedented scientific progress, which inspired great confidence in the sciences and their capacity to explain and control even social phenomena. It is this peculiar mixture of insecurity and confidence which eventually led to the birth of a new discipline: criminology, the 'scientific' study of crime and the criminal.

From its very inception, criminology owed much to contemporary debates in medicine and biology. Physicians, in fact, dominated the criminological discourse. Thus one of the most influential exponents of the emerging discipline, CESARE LOMBROSO (1835-1909), taught forensic medicine, psychiatry, and eventually criminal anthropology at the universities of Pavia and Turin and served as a prison doctor in the

Turin penitentiary. LOMBROSO'S work, in particular, proved time and again the catalyst for lively discussions at the conference.

In his *L'uomo delinquente* (1st edition, 1876), LOMBROSO suggested a biologicistic rationale to explain, predict, and prevent crime. He viewed the deviant behaviour of the criminal as a sign of atavism and, consequently, strove to search out the nature of the 'born criminal.' LOMBROSO allowed for different explanations in the case of certain groups of criminals, but he became best-known for his theory of atavism. While the results and methods of his research were controversial even among his contemporaries, it is beyond doubt that LOMBROSO played a crucial role in shifting attention from the crime to the criminal and in stimulating the search for empirical evidence on criminals.

In fact, the early criminologists proved fervent collectors of information and experimented with a great variety of data. *L'uomo delinquente* provides especially striking examples of this explorative spirit. Thus LOMBROSO profited from his work in the prison to document the tattoos of inmates, which he considered direct proof of criminal atavism (as discussed by JANE CAPLAN, Bryn Mawr College; see fig. 1). LOMBROSO also devised crude experiments recording, e. g., the heartbeat of criminals to whom he showed pistols, jewels, or pictures of naked women. In these tests, he even went so far as to expose the prisoners to electrical stimuli (see fig. 2).

LOMBROSO'S work was widely discussed not only in Italy, but also in many other European countries and indeed worldwide. By the end of the nineteenth century, criminologists had created an international network which helped to establish a common discourse across national

boundaries. As contributions by DAVID G. HORN (Ohio State University) and MARTINE KALUSZYNSKI (Institut d'Études Politiques de Grenoble) have shown, international congresses did not only provide an important forum for the



Figure 1

exchange of ideas, but also served to spread practical information on data collection, experiments, and tools.

By the beginning of the twentieth century, the criminological discourse had come to dominate the debate on crime and crime control. But criminologists could not monopolize the interpretation of crime. As papers by ANDREW LEES (Rutgers University) and GEOFFREY GILES (University of Florida) have demonstrated, older moral and social discourses continued to compete — and to mingle — with the criminological approach. The legal profession and police practitioners, ministers and philanthropists did not leave the field to physicians alone. The different settings in which these groups engaged crime and criminals did not only imply different views of the problem in principle. They also tended to highlight different types of evidence and ultimately elicited different re-

sponses to criminal offences (paper by PETER BECKER, EUI).

Competing discourses notwithstanding, criminologists, by the turn of the century, had reached among themselves a near universal consensus on viewing criminal deviance as a sign of developmental disturbance. To be sure, this dominant paradigm found different national articulations and informed both social hygienic and criminal biological solutions. The conference did not only address the examples of

economic factors. After the Civil War had crushed the slave system, convict labour served to control the section's workforce. In the Australian case, by contrast, GARTON (see above) found that criminologists were able to effect 'a significant reconfiguration of incarceration practices'.

The discourse which came to dominate both criminology and the discussion of crime at large betrayed a disturbing affinity to the racist program of Nazism. It is not surprising

that many German criminologists easily adapted to the new conditions after 1933. The conference participants agreed, however, that the biopolitical concepts of the Third Reich did not result in any inevitable or even direct manner from the ideas pursued by

criminologists in the first third of the century. (See contribution by MICHAEL KATER, York University Toronto.) Moreover, even within the discipline itself, the biologicistic paradigm faced some opposition. As GABRIEL FINDER (Susquehanna University) has shown, after World War I a number of researchers worked to establish an alternative, psycho-analytic approach within a criminological framework.

Moreover, some prominent figures in the debate on crime — including LOMBROSO — had a Jewish background or a leftist political orientation, but failed to see the dangerous potential inherent in the biologicistic discourse on the criminal. Even so, there can be no doubt that criminology profited from and contributed to a social and intellectual climate which fostered eugenic movements worldwide and eventually permitted the rise of Nazi biopolitics. PETER FRITZSCHE (University of Illinois) reported a striking illustration of this general climate from the early

twenties when a German newspaper advertised a rat poison called: 'POGROM'.

The early history of criminology, then, offers but limited insights into crime as a social reality. Instead it reveals the construction of crime and deviance in a wider cultural and discursive context. Hence, it is a reflection upon European society and societies at large. In their attempt to define and expose 'deviance,' criminologists laid out their ideal of 'normal' appearance and behaviour. The conference has amply demonstrated that the criminological discourse transcended national boundaries. Its history can only be understood in a European and indeed in an international framework. The EUI Department of History was the ideal host for a meeting which, for the first time, united specialists from all over Europe and the world to discuss this important aspect of modern European history.

The German Historical Institute of Washington, D. C., plans to publish the proceedings of the conference. A complete list of contributions and contributors is available through the internet. Please follow the link <http://www.iue.it/HEC/confe.html>.

CLAUS K. MEYER

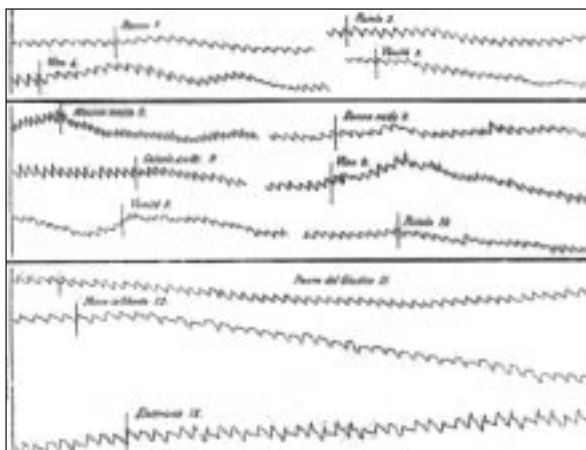


Figure 2

France, Germany, and the United States (LAURENT MUCCHIELLI, Cesdip; OLIVER LIANG, ILO, and RICHARD WETZELL, University of Maryland; NICOLE RAFTER, Northeastern University). It also featured contributions on Australia, Japan, and Argentina, which demonstrated the far-reaching influence of European criminology as well as the flexible adaptation of the discourse to divergent national environments (STEPHEN GARTON, University of Sidney; YOJI NAKATANI, Tokyo Institute of Psychiatry; RICARDO SALVATORE, Universidad Torcuato di Tella).

As criminologists believed that crime resulted from developmental disturbance, they saw little chance for rehabilitating serious offenders. Participants in the conference differed, however, as to the actual impact of criminology on the practice of the penal system. NORBERT FINZSCH (University of Hamburg) argued that in the US South imprisonment rates depended largely from

Fig. 1:

Drawing showing a tattooed seaman who had been arrested for murder and fraud.

From: Cesare Lombroso, *L'uomo delinquente in rapporto all'antropologia, alla giurisprudenza e alla psichiatria*, 3rd ed. (Rome, 1884).

Fig. 2:

Graph documenting the heartbeat of three prisoners who were exposed to various stimuli such as pictures of wine, naked women, or weapons, and even to electrical currents. The readings were presumed to reveal the criminal nature of the men.

From: Lombroso, *L'uomo delinquente...*

New Appointment

From the autumn of 1998 REGINA SCHULTE, previously Professor of Modern History at Bochum, has been teaching European History in the Department of History and Civilization, having been assigned the chair which was first GISELA BOCK'S and then OLWEN HUFTON'S.



Prof. SCHULTE is well known for her work in the fields of social and cultural history of the 18th

and 19th centuries, of gender history and the history of crime. Among her books, *Sperrbezirke* (Hamburg 1979; Amer. transl. forthcoming with Humanities Press) studies the 'commodity' side of prostitution at the end of the 19th century using Simmel's sociology; *Das Dorf im Verhör* (Hamburg 1989; Engl. trans. *The Village in Court*, Cambridge 1994) analyses daily life and social relationships around the crimes of arson, infanticide and poaching; *Die verkehrte Welt des Krieges* (Frankfurt/M. 1998) explores the issue of gender in wartime. As for her articles, we will just mention that she has written about topics as diverse as nursing in the First World War, Käthe Kollwitz, and semantic conflict in 19th century rural Germany.

In all her work, REGINA SCHULTE has proposed innovative approaches which combine the

practice of historical research with insights into other disciplines such as anthropology and psychoanalysis. Topics in her teaching include: Women's autobiographies in the 18th and 19th centuries; The First World War in cultural and gender perspective; Women in revolutions: 1789 and 1848; Forms of relationship with death in modernity. The project which Professor SCHULTE has presented to the Institute is of the utmost interest, since it proposes to study 'The body and image of the queen: gender and rule in the courtly world' combining aspects of the private and the public spheres, women's political power as well as the symbolic representations of their bodies.

Professor SCHULTE has a daughter, Lena, who is now attending elementary school in Florence.

LUISA PASSERINI

The First Week for First-Years in the Department of History

One of the most frequent questions first-year researchers in the History Department ask each other is why they decided to come to the EUI. The initial answers range from light-hearted banter about good food to more pragmatic considerations, such as the desire to work with a certain advisor. As our first introductory week for the department showed us, though, one of the biggest advantages of pursuing a Ph.D. here is the opportunity to interact with such a diverse group of faculty and doctoral students.

After listening to faculty and fellows describe their research interests, first-year researchers spent the week of 5 October presenting to each other. As a visiting student from a different kind of academic system (I am finishing my Ph.D. at the University of Wisconsin – Madison), I admit that I was a little skeptical about how beginning doctoral students would actually present what are, after all, the very early phases of their research. I also wondered how comfortable first-years would feel asking questions of colleagues with whom they had not yet established working relationships. To

my delight, the sessions were dynamic and productive on a variety of levels.

It became obvious right from the beginning that the exercise of presenting was not merely a formality. Faculty, fellows and researchers made up a critical, interested audience with high expectations for content as well as style of presenting. Both professors and researchers stopped presenters who were not making their points clear to ask for clarification, and more than once made suggestions for how to better structure future presentations. Furthermore, every presenter enjoyed a sizable audience – even those of us who presented quite early or, on the seemingly never-ending Tuesday, quite late. It was, at times, a little daunting for incoming researchers with limited presentational experience to listen to their presentations being dissected publicly. Even so, the message here was clear: the HEC department aims to train qualified researchers by immersing them from the very beginning in a rigorous, though flexible, academic environment.

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A Challenging Fellowship Program in the Conflictual Setting of Jerusalem

Between 1995 and 1998, the Israeli Van Leer Jerusalem Institute has been host to a fellowship programme entitled Europe in the Middle East: Key Concepts in the Dialogue of Cultures. The programme was co-organized with the Wissenschaftskolleg zu Berlin and financed by the Volkswagen Foundation. Within the general framework of the programme, each year a specific theme was chosen. Thus the focus in 1995-96 was on Nationalism and National Identities; in 1996-97 on Self and Other: Cultural Processes of Inclusion and Exclusion; and in 1997-98 on Democracy and Civil Society. The programme was extremely fruitful in understanding the complexity of the Israeli and the Palestinian society, of the Arab - Jewish/Israeli - Palestinian conflict, and of the difficulty and the importance of organizing academic programmes that bring scholars of conflicting identities together.

The programme was set up by AZMI BISHARA (Professor of Philosophy at Bir Zeit University, Palestine; since May 1996 Member of the Knesset) and RIVKA FELDHAY (Professor of History of Science at Tel Aviv University). It was no coincidence that it found its home at the Van Leer Jerusalem Institute. The VLJI, which was founded in 1956 with support from the Dutch Van Leer Family, has had a liberal agenda for most of its history. The term liberal implies, among other things, a relatively openness towards the Palestinians. The 'Europe' project, as the programme had been dubbed by the personnel at the Van Leer Jerusalem Institute, was however one of the few remaining signs of this open attitude. The Institute, after its founding director resigned in the early 1990s, took on a turn to focusing more on Jewish/Israeli issues. However, the Institute continues to publish the journal *Theory and Critique*, which is a major forum for, among others, the so-called 'new historians', i.e. those that introduced a more balanced account of the creation of the State of Israel and its fifty years of existence, breaking the monopoly of the 'official' history of Israel.

The fellows, drawn from the political and social sciences, were selected on the basis of their individual projects and on the basis of their identity: five Jewish Israelis; two Palestinian Israelis (one of them of Bedouin origin), two Palestinians residing in Occupied Palestine, and three Europeans (for the first two

years of the programme they were exclusively Germans; the last year instead there was one German, one Irish, and one Dutch). Like many other issues that would (potentially) not be controversial elsewhere in the world, the issue of identity in an academic fellowship programme is controversial in the Israeli-Palestinian area. One of the results was that only a very few non-Israeli Middle Eastern persons were included in the programme, viz. two Palestinians from Occupied Palestine.

The title and call for application of the fellowship suggested that the dynamics of transmission, reception, adaptation or refusal of concepts generated in Europe would be one of the main foci. It also implied that inverse flows of concepts were not on the research agenda, because the Middle East is (rightly) considered an area from where no social science concepts are transmitted to Europe (to be sure, not because there are none but simply there is no capacity to 'transmit' nor to 'receive' these concepts). Most of the individual research topics, however, did not deal explicitly with the modalities of transmission of concepts; rather, they tried to apply a number of concepts in the study of a number of local phenomena.

Six individual projects focused exclusively on Israel and two exclusively on Palestine and three other Middle Eastern countries. Topics on Israel included: (1)



Political Protest and Identity among Israeli Peripheries; (2) Giving Voice to Women in the Courtroom: A Critique of the Distributive Paradigm; (3) Religion and Politics in Israel: Adapting European Political Concepts to the Management of Cultural Conflicts in the Middle East; (4) Coping with the Contradictions of Ethnic Policies: How Israeli Society Maintains a Democratic Self-Image; (5) Religion/ State Relationships and their Effects on the Political Participation of Women; (6) Blood Vengeance in a Democratic Society.

Topics on Palestine included: (1) Palestinian Media and the Democratic Imaginary; and (2) Palestinian Islamic Opposition and the Question of Democracy and Pluralism.

Other topics than those dealing exclusively with Israel or Palestine, included: (1) Shari'a in Egyptian Constitutional Law: Islam, Public Liberties and the Family; (2) Civil Engagement and Disengagement in Iran and Algeria; (3) External Actors and the Promotion of Democracy and Civil Society in Palestine and Egypt.

No Palestinians residing in Palestine studied Israel, nor did any of the Jewish or Palestinian Israelis study a topic on Palestine. Interestingly enough, the most radical Jewish Israeli scholar – who among other things defined Israel as an Ethnocracy as opposed to both Democracy and Ethnic Democracy – had much in common with the analysis of one of the Palestinian Israelis. The most heated debates were not so much between Palestinian and Jewish participants but among the Jewish ones themselves, debates in which neither the Palestinians residing in Palestine nor the Palestinian Israelis intervened much.

It was the outsiders, the Europeans, who most likely learned more during the year than any of the other participants. They learned about the complexity and contradictions within Israel, and that Israeli scholars are very Israeli-centred (much more than the Palestinians are Palestinian- or Arab-centred). All participants saw the conviction confirmed that scientific research and emotions can be highly intertwined and also that intellectual programmes can and do exist detached from daily life. In fact, while discussion went on in a comfortable institute, two hundred meters away in his residency Prime Minister BENYAMIN NETANYAHU continued his obstructionist policies to any agreement with the Palestinians. And if during the nine months of the

project no major suicide bombings occurred in Israel, nor did Israel throw many bombs on Lebanon, the day-by-day oppression of the Israeli army in Occupied Palestine continued, as did the expansion of the settlements and the impoverishment and increasing frustration of the Palestinian population. Most participants perceived that if any 'solution' to the Israeli-Palestinian conflict comes about, it will never be a 'just' one. There are at least two reasons for this. First, objectively the situation has (willingly) developed for fifty years to make it virtually impossible to find a 'just' solution. Second, the willingness of the Israeli population, even if a large number seems to support a negotiated solution with the Palestinians, will never accept what the Palestinians would (rightly) consider a minimal solution.

One might conclude from what I have written that I disagree with the spirit of fellowship programmes such as I participated in and described above. I do not. I think that the 'Europe' project was important and useful. And more generally speaking, I do think that dialogue projects and exchanges between Palestinians from Palestine, Palestinians from Israel and Jews from Israel (with the possible inclusion of Europeans or other externals) should be undertaken in order to break down barriers of distrust and to find a common ground, especially in a conflict where emotions are not only strongly mingled but also politically exploited to abort any attempt at a solution acceptable to both sides in the conflict. At the same time, however, I think that it should not be forgotten that the conflict cannot wait much longer to find an acceptable solution. Neither intellectuals nor others (Palestinian, Jewish Israeli or Western) should forget that the problem is political and that there is no time to be wasted.

IMCO BROUWER

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The First Week for First-Years in HEC

Like most of this type of activity, though, researchers benefited equally from the informal and spontaneous discussions with each other and faculty in the hallways and during coffee breaks. The cocktail evening after the first day helped break the ice somewhat, but after this researchers clearly felt comfortable approaching each other, professors and fellows in any spare moment.

Throughout the week, I overheard intense debates about historiographical points that continued both at the Bar Fiasco and the pizzeria, and saw researchers discussing the possibility of forming working groups to address mutual interests. It was especially heartening to see a few researchers in the audience who were not first-years who expressed curiosity in meeting new members of the department.

Those of us here as exchange students (ROBERTA RASTL, Vienna; MARIE CRONQUIST and APRETA EDMAN, Lund, Sweden; and myself) all commented as well on how warmly integrated we have been into the department. All sorts of metaphors might be used to describe spending an entire week presenting research projects before classes officially begin: trial by fire, perhaps, or jumping in with both feet. They would all have a grain of truth to them. Entering researchers in the History Department discovered that they are, from the first day, colleagues accountable for their work to an interested department – definitely a promising way to start an academic career.

BENITA BLESSING

Between Facts and Norms

Villa Schifanoia was full of people in a hectic mood. You could see researchers exchanging articles and papers. Expectation was in the air. No red carpets, no big fuss though. However, the occasion was unique. A workshop on JÜRGEN HABERMAS' legal theory to be attended by some of the most distinguished contemporary scholars in the field. Stakes were high, especially among participant professors. You could read it in the eyes of OTA WEINBERGER and ROBERT ALEXI, two of the speakers and among the first ones to arrive at the Villa.

The work of HABERMAS is quite familiar to EUI researchers. His many books on social, political and legal theory can be seen as an attempt at building bridges between the normative and the empirical approaches to democracy and legal theory. Such an interdisciplinary approach cannot but be at home at the Institute. His 1992 magnum opus, *Between Facts and Norms*, has been the object of a research seminar at the Law Department for the last three years, conducted by Professor MASSIMO LA TORRE, who also organized the workshop. Not surprisingly, many Ph.D. dissertations have or will have borrowed conceptual apparatus or substantial ideas from the book.

The workshop was structured around some of the basic themes of *Between Facts and Norms*. HABERMAS himself revisited such topics in his introductory paper. He drew our attention to the relationship between law and morality, more precisely to the role which law plays in the process of social integration, but also to the troubled interdependence of public and private autonomy. At the end he still had time to reconsider legal paradigms.

A basic component of HABERMAS' legal theory is his analysis of the relationship between law and morality. On the one hand, law is to be considered as a functional comple-

ment of morality. Modernity has torn apart social homogeneity, and thus weakened any background consensus built around traditional morality. Now being rooted only in individual conscience, morality is more a cause of social conflict than of social peace. Things being as they are, modern law emerges as the only alternative source of social integration. It acts as an institutionalized form of morality. That is, it reduces uncertainty about what should be done and supplements individual motivation to comply with such prescriptions by offering additional 'incentives' in the form of coercion. That is necessarily due to the well-known problems of individual motivation, ranging from individual akrasia to the lack of certainty on the compliant attitude of other subjects of law. On the other hand, the fact that law is to be seen as an institutionalization of morality explains why we have to describe law as impregnated by morality. Because it institutionalizes morality, it cannot be a mere matter of decision, a mere social fact. Its role and position vis-à-vis morality open law to a continuous questioning as to its legitimacy by legal subjects. At the same time, if law is to fulfil its role in the process of social integration, it must be autonomous with respect to morality; its validity must be different from that of morality. If that is not the case, then law will simply reproduce the uncertainties of moral argumentation, and its promise to serve as the only available cement of plural societies will remain unfulfilled. From this double observation derives the view of law as an autonomous complement of morality.

Law can thus be seen both as an instrument of authority (as a tool for the exercise of administrative power) and as the only remaining cement of society, whose integrating role is closely associated with its normative legitimacy. That is the reason why an adequate legal theory is placed between facts and norms. A major contribution of *Between*

Facts and Norms is HABERMAS' attempt at easing the tension which exists between freedom and equality, between individual rights and popular sovereignty, or in different but quite equivalent terms, between private autonomy and public autonomy. After revisiting the insights of major political theorists like ROUSSEAU or KANT, HABERMAS offers his theory of the co-originality of private and public autonomy. Modern law is seen as the grammar which individuals have to use in order to organize themselves in a political community. Within such a context, human rights are seen as those rights necessary to institutionalize the procedure of democratic self-legislation. Both elements are mutually interdependent. On the one hand, without human rights we could have no institutional framework under which individuals could make use of their rights to public autonomy. On the other hand, the concrete content of the rights to private autonomy is something which must be decided by the people themselves, in the exercise of their public autonomy. Public and private autonomy will thus be co-original.

The co-originality of private and public autonomy leads to a reconsideration of the sources of legitimacy. For those who stressed the primacy of private autonomy, legitimacy was located in the recognition of individual rights. On the contrary, those who claimed the primacy of public autonomy considered that legitimacy resided in some form of popular sovereignty. HABERMAS argues that the locus of legitimacy is the intersubjective process of discourse, that is, the communicative structures themselves. Legitimacy resides in the discursive process of opinion- and will-formation.

This claim is associated with the epistemological role which he envisages for democratic processes. Habermas endorses what he calls 'weak cognitivism'. It implies that the truth of moral statements is not

based on their correspondence to some external empirical reality (as strong cognitivism claims), but on the intersubjective consensus of ideal discourses. Only such a cognitivist position is able to give a satisfactory account of the practice of moral justification. HABERMAS' position is complemented by the claim that real deliberations which come close to respecting the pragmatic assumptions of communicative action have an epistemological privilege in the access to best reasons. Thus, we can claim that democratic procedures constitute the legitimate form of decision-making.

Finally, HABERMAS talked about legal paradigms. Between Facts and Norms reconstructs the evolution of modern law with the help of two 'legal paradigms' (the formal and the material ones - complex legal theories which include an image or metaphor of the role of law and the character of society. At the same time, it puts forward a third and different paradigm, forged by HABERMAS himself (the so-called procedural paradigm). It stresses the basic insight of discourse ethics: the idea that in modernity, the only available source of legitimacy is related to deliberation in the public sphere.

And yet the best was to come. The first session of the seminar was devoted to moral truth, to the question whether there are objective standards of correctness in moral matters. The two discussants, OTA WEINBERGER and JOHN FINNIS, offered criticisms of the moderate cognitivism which Habermas has endorsed. Both of them discussed problems involved in the intersubjective conception of moral truth. WEINBERGER, the archpositivist professor from Graz, was sceptical about the in-built tendency towards truth of deliberative discourse and towards some of the alleged pragmatic assumptions of linguistic communication. FINNIS, the man who has done most to rescue natural law in the present century, now professor at University College,

Oxford, stressed that consensus under ideal discourse is only a mark of truth, and drew a distinction between monological and solipsistic moral argumentation. The former constitutes an alternative source of moral knowledge if fair and adequate attention is given. WEINBERGER stressed that legal validity is not an objective feature of valid law, but a valuation based on presupposed political convictions, which are not open to conclusive argumentation.

The second session was devoted to legal argumentation. Professor ALEXY'S paper moved forward the well-known dispute between HABERMAS, GÜNTHER and ALEXY over the status of legal reasoning vis-à-vis general practical reasoning. Though both authors share the idea that legal argumentation is



Jürgen Habermas and Stephen Lukes in the garden of Villa Schifanoia

related to general practical discourse and at the same time is distinct from it, they disagree on the conceptualization of these elements of commonality and difference. The paper from the professor at Kiel revisited the dispute on the conception of general practical discourse of both authors, and of the understanding of how legal systems are integrated by it. The discussion was extremely engaging. One participant was fascinated by ALEXY'S ability to pour out sequences of extremely sophisticat-

ed and detailed arguments in a matter of seconds, only to meet new arguments from HABERMAS (though the local EUI audience tends to be Alexian on this point). The chairman was forced to extend the discussion time again and again, as Cohen, Weinberger and La Torre offered new arguments.

The third session was devoted to the role played by rights within HABERMAS' legal theory. JOSHUA COHEN, professor at MIT, offered a sympathetic criticism, which advocated a more substantial and less procedural conception of deliberative democracy, further developing on the work of JOHN RAWLS. This substantial grounding will stress the essential role played by private (i.e. non-political) liberties and offer a stronger foundation for rights to private autonomy. COHEN insisted throughout the workshop that HABERMAS' theory's excessive proceduralism ends up by skipping fundamental issues. You have to have a substantial theory, even if very thin, in order to be in a position to build up a solid and consistent democratic theory. Professor RUBIO LLORENTE, drawing on his experience as former constitutional judge in Spain, offered some arguments for judicial review which will weaken the scepticism towards this form of judicial adjudication on the part of HABERMAS. He stressed that the emergence of party systems has tipped the balance of powers towards the executive, and that in this context judicial review seems absolutely necessary in order to avoid excessive delegation of powers

and legislative inaction. He concluded by being more sceptical towards the possibility of judicial review of matters concerning social rights, given their structural dependence on socio-economic conditions.

The last session was devoted to the problem of supranational democracy, with the European Communities clearly in the mind of discussants. Professor ZOLO, coming from Florence university, offered a realistic

criticism of HABERMAS' arguments, based on a pessimistic interpretation of the process of economic and cultural globalisation. He stressed the dangers implicit in HABERMAS' attempt at founding international law on the individual and bypassing nation States, and also the naiveté of his expectations of the reform of the United Nations. Professor PREUSS, until recently at Bremen and now at the Free University, Berlin, reconsidered his previous writings on European democracy. Departing from his blue and yellow endorsement of the need for democracy at the European level, he raised some doubts based on a model which still sees the only legitimacy around in the Nation State. Discussion was intense. HABERMAS offered some of

the newest remarks on this point, ordering some of the hints already known from his previous publications. He got very engaged in the discussion, which turned especially intense when JOSHUA COHEN invoked some Chomskian [referring to the thought of NOAM CHOMSKY, linguist and archcritic of American foreign policy, who is also a professor at MIT] arguments.

The Saturday afternoon was almost gone when the conference closed. Professor HABERMAS had to leave in order to catch the evening train to Genova. When he left, we got on the many trains of thought the conference revealed to us. This other form of travelling is one which those not present will be able to share, thanks

to the imminent publication of the conference papers by a fine Oxbridge publisher. The conference enriched our understanding of his theory. Some aspects were made clearer or will be so in due time, once we have digested what we learnt. But if I had to choose an enduring episode, I would definitely choose his academic engagement and his reflection on the paradoxical condition of the academic world, in which theoretical and existential commitments tend to diverge (HABERMAS was very harsh on the democratic practice of universities at the start of the conference). An indelible mark on our minds.

AGUSTÍN JOSÉ MENÉNDEZ

New Appointments

GRÁINNE DE BÚRCA grew up and was educated in Ireland, studying law at University College Dublin, and subsequently in the United States, at the University of Michigan, Ann Arbor. While later studying for the Irish Bar exams, she taught briefly in the Law Faculty at U.C.D and worked as a research assistant for the Law Reform Commission in Dublin. Following her admission to the Bar she moved to the United Kingdom to take up a post as lecturer in law at Somerville College, Oxford.



She became a fellow of the College and a University lecturer in 1990, where she remained until her appointment to the EUI in 1998. She has taught and published primarily in the field of European Community and European Union law, and was deputy director of Oxford's Centre for European and Comparative Law. Her research interests focus broadly on constitutional issues of European integration, and include, at present, a project on the concepts of subsidiarity and flexibility in a changing Europe.

JEAN-VICTOR LOUIS, professor of European Community Law at the Free University of Brussels (ULB) in September was welcomed to an appointment in the Department of Law and the Robert Schuman Centre in the field of EU institutional law, especially in the context of Economic and Monetary Union.



monetary cooperation to the recent decisions on the transition to the third stage of EMU.

Professor Louis, born in 1938, has combined an academic career at Brussels University with the duties of legal adviser to the Belgian Central Bank. In this latter capacity, he has been closely associated with the development of monetary integration during the last quarter of this century, from the European Fund for

At the same time, he was for twelve years president of the Institute for European Studies of Brussels University (1980-1992) and has published widely on various aspects of Community law (institutions, EMU, social policy, external relations, etc.) He was closely involved in the reflection on institutional reform of the European Union since the Spinelli initiative in the early eighties and more recently, within the framework of the International European Movement and the Trans-European Policy Studies Association.

CHRIStIAN JOERGES, formerly a part-time professor in the Law Department, took up his position as Professor Economic Law on 1 October 1998. Born in 1943, Christian Joerges studied law at Frankfurt am Main and Montpellier from 1962-66 and was a graduate in Washington, D.C. from 1996-67. He was awarded his Ph.D. in 1970 in Frankfurt, where he was appointed Lecturer in 1973. In 1974 he joined the Law Faculty of Bremen University where he was also a Director of the Centre for European Law and Politics from 1982-92 and from 1994 onwards. He received fellowships from the Netherlands Institute for Advanced Study and the Institute for Advanced Study in Berlin. His publications deal with German and international private law and economic law, comparative law and legal theory. Since 1983 his writing has mainly concerned European law. His current research focuses on risk regulation in the Internal Market through Europe's committee system and on the Europeanization of private law. At the



beginning of October, Professors Joerges and Marie-Jeanne Campana organized a workshop on this latter subject; the proceedings will be published with the help of a working group of EUI researchers. His research on risk regulation will now revolve around the study of the integration of scientific expertise into legal decision-making at the international level and will also continue within the context of an interdisciplinary project on compliance sponsored by the German Science Foundation. In addition, Christian Joerges is preparing a monograph on European economic law building upon a series of research projects ('From the Economic Constitution to the Constitutionalization of the Economy'). In collaboration with Professor Massimo La Torre he is preparing a seminar series on the 'The National Socialist and Fascist Heritage of Legal Thought in Europe'. It is hoped that EUI researchers and colleagues, primarily but not exclusively from the Law Department, will participate in this project.

JACQUES ZILLER, born 1951, French nationality, is currently Professor of Comparative Public Law at the EUI.



He studied at Paris II and Paris IV Universities as well as at the Paris Institute of Political Studies (Sciences Po.). He has a doctor's degree in law from Paris II University (Doctorat d'Etat en droit), post-graduate diplomas (Diplômes d'Etudes supérieures) in law and political science, the graduate diploma of the Paris Institute of Political Studies, and a graduate diploma (Licence ès lettres) in German language and literature.

He has been teaching French public law and comparative public law, European Community law and international law, as well as public administration as an assistant professor at Paris II (1980-85), as an associate professor at ESSEC Business School (Cergy-Pontoise, 1980-85) and later as a professor at the University of the French West Indies and Guyana (Guadeloupe-FWI, 1989-91) and at Paris I University (1992-98).

He specialized in research and training for senior civil servants in the fields of comparative public administration and management and also in the field of European affairs and regional integration when working as a lecturer and later an associate professor at the European Institute of Public Administration (Maastricht, 1986-89) and Director of research and publications at the International Institute of Public Administration (IIAP, Paris,

1992-95). He was Chief Editor of the *Revue française d'Administration publique* from 1992 to 1995. He has been visiting Professor at the College of Europe (Bruges) from 1993-98, and at the Universitat Autònoma (Barcelona) from 1994-97. He has been a consultant in public administration to the OECD (Puma and Sigma programmes).

He published numerous articles and books in the field of European community law (amongst others *Making European Policy Work* with Heinrich Siedentopf: Brussels, 1988), of French public law (amongst others *Les DOM-TOM-Départements/Régions d'outre-mer, Territoires et collectivités territoriales d'outre-mer*, Paris, LGDJ, 2nd edition 1996), of comparative public law and public administration (amongst others *Egalité et mérite - L'accès à la fonction publique dans les pays de la Communauté européenne*: Brussels, 1988, and *Administrations comparées - Les systèmes politico-administratifs de l'Europe des Douze*, Paris, 1993).

He has been a member of the academic advisory board of the European Centre for Development Policy Management (ECDPM-Maastricht); he has also been a member of the Programme Committee of the International Association of Schools and Institutes of Administration (AIEIA/IASIA) and since a member of the Steering Committee of the European Group of Public Administration (EGPA/GEAP) which he chaired in 1995-96.

Leading by Example: A Human Rights Agenda for the EU for the Year 2000

A major human rights project undertaken by the Academy of European Law culminated in Vienna in October with the launch of a proposed Agenda for the EU and a detailed accompanying report. The Conference was opened by the Austrian Vice-Chancellor and Minister for Foreign Affairs and participants included prominent MEPs, the Polish Minister for Justice, the European Ombudsman, and senior officials from all of the key EU institutions.

This Agenda was adopted by a Comité des Sages consisting of: Judge ANTONIO CASSESE, (of the International Criminal Tribunal for the former Yugoslavia), Mme. CATHERINE LALUMIÈRE, (MEP and former Secretary-General of the Council of Europe), Professor PETER LEUPRECHT, (former Deputy Secretary-General and Director of Human Rights of the Council of Europe) and Mrs. MARY ROBINSON, (UN High Commissioner for Human Rights, and former President of Ireland).

In the Agenda, the Sages note that while the EU's human rights achievements have been considerable, existing policies are no longer adequate. 'They were made by and for the Europe of yesterday; they are not sufficient for the Europe of tomorrow.' The Sages emphasised that there is an urgent need for 'a human rights policy which is coherent, balanced, substantive and professional.'

They noted that the Union's reluctance to adopt a comprehensive internal human rights policy had been rendered untenable by a variety of factors. They include the rapid movement towards an 'ever closer Union', the imminent arrival of the single currency; increasing racism, xenophobia and ethnic hatred within Europe, a 'tendency towards a "fortress Europe"', growing cooperation in policy and security matters, without adequate human rights safeguards, the growth of a powerful and complex EU bureaucracy, and the Union's proposed enlargement.

The Sages also called for human rights to occupy a stronger place in the EU's external relations. They cited 'selfish' reasons such as the EU's interest in having neighbours and partners that respect human rights, as well as other reasons such as the need for a sound ethical foundation for the Common Foreign and Security Policy, and the need to underpin the well over a billion euros spent every year by the EU on development assistance and humanitarian aid. The policy must be 'informed, consistent, and credible'. They contrasted this with the existing approach which they considered to be 'splintered in many directions, lacks the necessary leadership and profile, and is marginalized in policy-making. Among the many recommendations in the report were proposals for

- the appointment of an EU Commissioner for human rights heading a Directorate-General for human rights;

- an EU human rights monitoring agency;
- a human rights unit within the office of the new High Representative for Common Foreign and Security Policy; and
- the release of annual reports by the EU on the state of global human rights as well as human rights within the EU.

The title of the Agenda reflects the Sages' belief that 'leading by example must become the *leitmotif* of a new European Union human rights policy.'

The Agenda and the Report have already attracted extensive media coverage, including articles in Wall Street Journal Europe, The Financial Times, The Guardian, Svenska Dagbladet, The European Voice, The Glasgow Herald, The Irish Times, and Deutsche Presse-Argentur.

The project which produced the Agenda was funded by DG 1A of the European Commission and will also lead to the publication of a volume of 29 essays prepared by experts from each member state of the Union. The collection will be published in English by Oxford University Press and in French by Emile Bruylant in 1999.

Among the 200 participants at this conference were: the heads of Human Rights Departments in the Foreign Ministries of each EU Member State; representatives from the Foreign Ministries of Romania, Slovenia, Hungary, Bulgaria, Slovakia, Poland, Latvia, Lithuania and Estonia; six MEPs, including the Vice-President (Mme. HOFF) and a member and former chair of the Subcommittee on Human Rights (Mme LENZ); the European Ombudsman (Mr SÖDERMAN); the Director of Human Rights at the Council of Europe (Mr IMBERT); the OSCE High Commissioner for National Minorities (Amb. SCHELTEMA); the Austrian Foreign Minister (Dr SCHÜSSEL) and Secretary of State for Foreign Affairs (Dr FERRERO-WALDNER); the Polish Minister for Justice (Mrs SUCHOCKA); representatives of the European Commission, the Council of the EU, European Court of Justice, the OSCE and UNHCR; and representatives of a broad range of NGOs, including Amnesty International, Human Rights Watch, the European Disability Forum, Save the Children, FIDH, ICFTU, the International Helsinki Federation, the Soros Foundation and the World Organisation Against Torture.

The Agenda and Final Project Report are being distributed as widely as possible and can be downloaded from the Institute's website (<http://www.iue.it/AEL/Welcome.html>) and have been translated into French and German. For more information contact the Project Coordinator, James Heenan (tel: +39 055-46 85 544; fax: +39 055-46 85 507 or email heenan@datacomm.iue.it).

PHILIP ALSTON

Recent Developments in the Institute's Degree Programme

This article is intended to be the first in a series which will bring you up to date on some recent developments in the EUI degree programme over the last years. Our doctoral programme is now reaching 25 years of age,



which is young for a doctoral programme but in numbers and quality it is comparable to any other major doctoral programme in the social sciences around the world. For example, our annual intake is twice as large as that of the London School of Economics, and the completion rate is over 70%. In this series

we would like to present the structural changes made over the last 5-10 years, the new regulations which have been brought in and the results of these changes in terms of efficiency and quality of the process of doctoral training.

To start with, an example which I consider most striking: with approximately the same size of student intake over the last five years, the number of doctorates defended has more than doubled, from 39 in 1992 to more than 86 in 1997. Not only has the number of doctorates increased, but also the time-to-degree has significantly improved. We now see most of the doctorates being defended within the target objective of four years.

Furthermore, we would like to elaborate on the quality of the doctorate; of course it is not enough to state that numbers increased and time-to-degree was reduced, because obviously that could be detrimental to quality, but we think that by providing more precise insights into what our alumni do once they leave the Institute we can prove that quality has also increased. Here, earlier surveys, conducted on the occasion of the Institute's 10th anniversary, already gave some initial indications about the employment of EUI doctors.

More recent data clearly show that an ever larger share of our students was employed by major universities than ten years ago. This recent survey has in turn been reinforced, and the exit survey carried out during the spring and summer of 1998 shows some striking results. To cite just one, of all doctors in the social and political science department 84% are employed in a

university environment. This trend goes against the general belief that there is an 'overproduction' of doctors which results in tougher competition for academic positions. On the other hand, our doctors in economics score extremely high in finding jobs in highly reputed international organizations, like the World Bank, the IMF, etc.

In order to understand the various developments we will go back to the changes introduced by the various departments in order to better structure the 3-year doctoral programme, the special measures taken by the Institute in order to create what is called the 'fourth-year' (or completion) grant, which is a valuable instrument to allow students entering into the fourth year without having submitted the thesis to finish with financial support. This means they can do without the search for an immediate career but are enabled to stay at the Institute and can finish the thesis there.

Other results from the exit survey referred to above show that a serious danger exists in some disciplines, that once doctors-to-be enter into the labour market – although the desire to submit the thesis in a later stage still exists – working conditions and the commitment to a new career do not always make it easy to find the time for writing the thesis and going to the final, very demanding stage of wrapping up the research results into a publishable document.

We will also develop what the ideas were behind the changes introduced in the new doctoral regulations approved in 1992, which were revised after five years of experience in the 1997/98 academic year. These rules will become fully operational as of next academic year (1999/2000). Special attention was devoted to the supervisor/supervisee relationship which we consider to be one of the most important issues needing careful monitoring in order to optimize the time spent at the Institute.

The following issues will be addressed:

- Careers of EUI alumni
- The new doctoral rules
- How did former students appreciate the Institute? An exit survey
- What future for the Institute in doctoral education?

ANDREAS FRIJDAL
Head of the Academic Service

Library Cooperation in Europe

The EUI Library is involved in a number of European cooperative library projects. One of these, called EUSSIRF, was described in an earlier issue of the EUI Review (Summer 98, p.27). Two others are EUROLIB and DECOMATE.

EUROLIB

The longest-running venture is called EUROLIB, a co-operation group established on the initiative of the Secretary-General of the European Parliament which met for the first time in June 1988. Members are the libraries of most EU institutions and a few academic libraries, the EUI Library being one of the founders. Until its 13th General Assembly in Dublin in April 1997 it acted as a loose grouping focused on broad objectives addressing the promotion of comprehensive bibliographic control and library and document delivery services in the field of European integration.

In 1997 the EUROLIB Members agreed to formalize the conduct of business under a preamble recognizing 'the importance now given by the European Union to the development and networking of libraries' and seeking 'to facilitate the partnership of EUROLIB member libraries in programmes contributing to the advance of new technology within European Institutions, to the more efficient use of library resources, and to improved access to EUROLIB collections'.

The Dublin Resolution includes provision for a mission statement and rolling programme endorsed annually by a General Assembly and for the annual election of Officers to be responsible for the conduct of EUROLIB affairs between General Assembly meetings.

Concretely, the participating libraries seek to enhance the professional performance of their staff through developing interlibrary contacts of all kinds and through staff exchanges and training programmes. They promote the more efficient use of library resources and organize access to and document provision from their respective collections. One of their efforts resulted in a pooled catalogue of all their journal holdings.

The three academic institutions whose libraries are members of the group are: the COLLEGE OF EUROPE in Bruges, the EUROPEAN INSTITUTE FOR PUBLIC ADMINISTRATION in Maastricht, and the EUROPEAN UNIVERSITY INSTITUTE. The COUNCIL OF EUROPE LIBRARY in Strasbourg is also a member. The other libraries belong to the following main EU institutions: the COMMISSION, the COUNCIL, the PARLIAMENT, the ECONOMIC AND SOCIAL COMMITTEE, the COURT OF JUSTICE, and the COURT OF AUDITORS. Although not a library the OFFICE FOR OFFI-

CIAL PUBLICATIONS OF THE EUROPEAN UNION also participates. Other European organizations represented are: EUROCONTROL, the EUROPEAN CENTRE FOR THE DEVELOPMENT OF VOCATIONAL TRAINING (CEDEFOP) in Thessaloniki, the EUROPEAN FOUNDATION FOR THE IMPROVEMENT OF LIVING AND WORKING CONDITIONS in Dublin, THE EUROPEAN INVESTMENT BANK, and the EUROPEAN CENTRAL BANK in Frankfurt.

EUROLIB'S home page can be found at: http://europa.eu.int/comm/dg10/libraries/eurolib/eurolib_en.htm

At its interim meeting held at the EUI on 29th and 30th October EUROLIB celebrated its tenth anniversary. The EUI President, Dr MASTERSON, honoured the occasion with a speech.

DECOMATE:

towards the digital library for economics

DECOMATE is an EU-sponsored project in which a number of leading European academic libraries participate, which aims at the development of (1) an end-user service providing (2) access to heterogeneous information sources that are (3) distributed over different libraries in Europe using (4) a uniform interface. The technical and organizational challenges in this project are legion. The subject focus of the information content to be provided to users is economics. It will be 'domain based', in digital-library jargon. It is expected that the project will give important insights into the handling of electronic license agreements and that its model will also lend itself to other domains.

Developments in information technology and communications in the field of libraries have brought within reach many possibilities of serving library users that were not dreamt of when libraries were almost completely limited to locally held, locally organized, paper-based collections. The explosion of digital information available through the Internet and the World Wide Web has created countless new opportunities and about as many new problems as well.

Whoever has tried to find information somewhere on the Internet will have become aware of some of the problems encountered there: the extreme dispersion of relevant information, the high ratio of rubbish to useful information, the time lost in searching and navigating, the necessity to pay for information from quality providers. For the less technically minded the problems posed by acquiring, installing and running the necessary hardware and software can also be fairly daunting.

Libraries and librarians also face a series of problems in which financial, managerial, organizational and professional aspects are linked together and have to be resolved together. Some problems defy local solutions and require cooperation and coalition building, nationally and internationally. Information technology developments have changed the roles of all the players in the information chain, from authors to publishers to resellers to libraries to users, blurring boundaries that used to be clear and distinct. The information environment is in flux. What is a library to do? One answer is to join the fray and learn by doing.

Thus in 1997 the EUI Library joined a consortium of libraries and publishers that put forward a proposal for an R&D project with the aims described above. The proposal was accepted by the European Commission in the overall framework of its 'Information Society' Programme, and in particular of the 'Telematics for Libraries' Programme. The current project builds on a prototype developed by some of the partners in an earlier project called Decomate. (The etymology of the name is unclear: we find echoes of 'economics' and 'automate' and perhaps of the computers on which the system was and is being developed – mostly DEC machines (Digital Equipment Corporation)). The official name of the second phase is therefore DECOMATE II, and unlike repeat movies this one should improve on the first edition. The project started on 1 February 1998 and will run through the summer of the year 2000.

The project has three contracting partners, two associated partners and a number of sponsoring partners. The first three are the libraries of TILBURG UNIVERSITY in the Netherlands (project leader), the LONDON SCHOOL OF ECONOMICS and the UNIVERSITAT AUTÓNOMA DE BARCELONA. They are responsible for all aspects of software development.

The associated partners are the EUI Library and the company Silver Platter Information. All libraries will offer the services developed under the project to their users and gather quantitative and qualitative data on their use and on users' experiences with the system. Some other academic libraries, in Brussels, Maastricht and Rotterdam, will also act as test sites. Silver Platter will provide its considerable expertise in system development.

Three important information providers act as sponsoring partners and will offer to make their electronic publications available through the project at advantageous conditions. They are the publishers Elsevier Science and Kluwer Academic Publishers, and the journal subscription agent Swets & Zeitlinger. Other sponsors have also been invited to contribute.

Through the same interface the user will have access to both local and remote sources. The main service to be offered is the provision of the full text of copyrighted material in electronic form at the end-user's workplace

with articles from the core journals in economics occupying pride of place. Where digital full text cannot be provided for technical or legal reasons the intention is to offer other document delivery methods. Another candidate for inclusion is the abundance of working papers in economics. International initiatives already exist with regard to the provision of this material in electronic form.

Links to existing sources will certainly be incorporated in the information offerings of DECOMATE II: most economists will already be familiar with the NetEc service. At a minimum the project participants hope to incorporate their own institutions' output.

Another assistance to the end user will be the development of personalized services through the registration of user-interest profiles, current awareness services, and enhanced techniques of knowledge discovery.

A specific task of the EUI Library within the project is to demonstrate the system to both economists and librarians in Italy in order to heighten awareness within the potential user community in Italy of this type of system.

Detailed information about the project can be found at the website of the partner in charge of information dissemination, the Universitat Autònoma de Barcelona: <http://www.bib.uab.es/decomate2>.

The role of EUI users

The EUI Library will propose the new system to all members of the Economics Department, and to any other EUI member who would like to use it. In return the Library will ask for feedback. There will be short online questionnaires at the end of each search-and-retrieve session that will ask for users' opinions on some aspects of the system. In addition, more in-depth interviews are planned with a small group of between eight and ten users at six-monthly intervals in order to get detailed opinions. Finally, a focus-group session will explore desirable development options.

In November and December 1998 all EUI economists will receive precise information on the date the system will be made available to users, on how to gain access to the DECOMATE system and on where and when introductory sessions will be held, as well as requests for your cooperation and feedback.

Further information can be obtained from the local project manager, Michiel Tegelaars, tel. +39-055-4685-368, email: tegelaa@datacomm.iue.it.

PILAR ALCALÁ and MICHIEL TEGELAARS

Europe in Space

On 12 May 1989 the European Space Agency (ESA) headquartered in Paris, France signed a deposit contract with the European University Institute (EUI) in Florence, Italy. Under this agreement ESA transfers its documentary material to the Historical Archives of the European Communities (HAEC) located at Villa Il Poggiolo. It is at HAEC that a team of historians affiliated with the EUI chronicle the history of ESA as files become available to the public. Under the terms of this agreement files may be opened after a period of 15 years. Successive riders to this arrangement, however, have declared that documents that relate to single projects which ESA defines as terminated can be released to the HAEC sooner. The definition of terminated, in this context, means that first set-up and launch have been successfully completed; even if new launches of the prototype are still in progress. An example of a terminated project according to this definition would be the joint ESA and NASA Giotto project, 1986. Giotto-related files are considered accessible, thus allowing for the HAEC to make a special appraisal and order related documents with the consent of ESA.

The archival arrangement of the HAEC was patterned on the historical evolution of the European Space Agency itself. In 1960, a group of senior European scientists launched the idea of a special European Community for space studies. On 1 November of that year an intergovernmental conference held in Meyrin, Switzerland, composed a draft agreement which led to the formation of a Preparatory Commission for Space Research (COPERS, in French acronym) in February 1961. The governing body of this temporary organization was a council composed of delegates from the member nations, namely Belgium, Denmark, France, the Federal Republic of Germany, Italy, the Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom. Norway withdrew from the group in June 1962. COPERS laid the groundwork for the establishment of two organizations, the European Space Research Organization (ESRO) headquartered in Paris and the European Launchers Development Organization (ELDO) centred in Kourou, French Guiana.

It should be noted that Denmark, Spain, Sweden, and Switzerland chose not to be involved with ELDO, instead they remained members of ESRO only. At this point Australia became affiliated with ELDO by offering the use of its launch range at Woomera. Financial, organizational, and political problems arose and two additional temporary organizations were created, the

European Conference on Satellite Telecommunications and the European Space Conference. The European Conference on Satellite Telecommunications (CETS, in French acronym), was operational from 1963 to 1970. CETS conferred with the United States in an effort to create a world telecommunications system (INTELSAT). The European Space Conference (ESC) was an intergovernmental body which had the job of formulating a possible European Space Policy. ESC officially ended on 15 April 1975 with the signature of the agreement that established ESA.

The newly created European Space Agency inherited from ESRO the various establishments which were supported by the Paris Headquarters, namely the European Space Technology Centre (ESTEC) located in Noordwijk, the Netherlands, the European Space Organization



Kourou launching range (French Guiana)

Centre (ESOC) located in Darmstadt, Germany, and the European Space Research Institute (ESRIN) located in Frascati, near Rome, Italy. The latter became the Space Documentation Service (SDS) in 1972 and archived all the international space related documentation. SDS has since 1981 worked jointly with NASA's corresponding services. ESA was also given control of the launch ranges located both in Europe and in Fairbanks, Alaska (USA) and the still operative Kourou Centre in French Guiana. The various locations produced different and segmented regions of documentation accompanied with the obvious complexities for shipment and organization of archival work. At present the HAEC holds almost 106 meters of rich documentation divided into six separate holdings, namely COPERS, CETS, ESRO, ELDO, ESC and ESA. Its volume continues to grow with the current generation of ESA material.

The basic distinction in all materials from these ESA holdings is between the so-called blue papers, the official documentation coded with an alphanumeric symbol denoting the established body of the organization as well as the number of its serial office; and other files,

MIS Application Developer

3-Year Contract

The EUI, founded by the European Community, is a postgraduate teaching and research institute in the social sciences with approximately 50 professors and 500 Ph.D. students. The EUI has recently approved a 3-year project to develop a Management Information System based on a number of existing databases (Access, FoxPro, Oracle, Xbase, etc.) in various environments (Novell, Unix, Windows NT). The successful candidate will join a project team, which is responsible for the development and maintenance of the Institute's decision support tools.

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Contact: Javier Samaniego, e-mail: samaniego@iue.it
fax: +39-055-4685205

Closing date for applications: 31 December 1998.

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which are divided according to their office of origin and consist largely of correspondence, notes, minutes of meetings, and memoranda. The appraisal process discards all duplicates, insignificant notes, and all the documentation which is thematically reconsidered and duly detailed in successive documentation included in the archive. The blue papers are the final step of a documentary process, so that much of the reassembling of this material is eliminated, except when at an intermediate point there are some discrepancies between an earlier draft and the final form.

From a historical perspective, ESA documentation has allowed the chronicling of its evolutionary path men-

tioned above. Since 1975 ESA has played an increasingly significant international role, due in part to its cooperative efforts primarily with NASA, as well as with Japan, Canada, Africa, and China. The series of international relations files increase in both bulk and relevance as these joint programme initiatives are archived.

The Archives website (<http://wwwarc.iue.it>) offers users access to electronic pages related to the descriptions of ESA's group files.

GHERARDO BONINI

Where are they now?

Dietmar Nickel

I came to the European University Institute in October 1976, as a member of the founding generation, and really rather against my original intentions for my profes-



sional career. All I had wanted to do, taking advantage of the geographical distance from Professor Sasse in Florence, was to finish my doctoral thesis in Hamburg, and then either enter the administration or become a judge there. However, since Professor Sasse himself decided to teach in Hamburg and Limoges as well as Florence, he

needed me on the spot as someone familiar with (and largely author of) the seminar themes 'Fundamental Rights in Western Europe and the US' and 'A Uniform Election Procedure for the European Parliament'. The ensuing offer to go to Florence was something neither first my wife and then myself could resist. Nor did we regret it.

The two years as assistant in the Law Department changed my career. The prospect of a job in Hamburg lost attractiveness, and two open competitions in the Commission and the European Parliament eventually opened up the European dimension for me.

In October 1978 I began working at the European Parliament, where I am still working. In first of all nine years in Luxembourg and then eleven in Brussels - with monthly trips to Strasbourg - I was on the staff of six different committees: Energy, Research and Technology, Institutional Affairs, Economic Recovery, Making a success of the Single European Act, Legal Affairs and

Citizens' Rights, Rules of Procedure, the Verification of Credentials and Immunities.

After a promotion or two, by 1990, in time for the Maastricht Intergovernmental Conference, I was Head of Division in the staff of the Committee on Institutional Affairs. Soon after the end of the Intergovernmental Conference, the European Socialist Party Parliamentary Group asked me to act as Deputy Secretary-General from October 1992 till the European elections in 1994.

There followed two and a half years as Deputy Director in the Cabinet of the President of the European Parliament, Prof. Dr. Klaus Hänsch.

After these two excursions into more political spheres, I returned to the Directorate-General for Committees and Delegations in January 1997, as Director. Here I am to date competent for inter-institutional and inter-parliamentary matters, for co-operation and co-decision procedures for co-ordinating the legislative activity of the committees and for follow-up to decisions of Parliament and five committees: Environment, Consumer Protection and Health, Legal Affairs and Citizens' Rights, Fundamental Freedoms, Rules of Procedure and Institutional Affairs.

I am very aware that without my three years at the European University Institute I would have taken quite a different path. Since I have nothing to regret, I have to thank the Institute. Perhaps in future, sooner or later, my ways will take me back to the European University Institute, and not so sporadically as has hitherto been the case.

The Institute is proud to record the following achievements of EUI alumni



Dr CHIARA ZILIOLI FABRITIUS (Ph.D. Law 1992) was recently appointed Deputy Legal Council at the European Central Bank in Frankfurt.



Prof. Dr WINFRIED BOECKEN (LL.M. 1987), University of Halle has taken up a Chair in Law at the University of Konstanz, Germany.



Dr HENK VOSKAMP (Ph.D. HEC 1988) has been posted to the Dutch Embassy in Bonn as Counsellor for Political Affairs.

Our Embassy to Rome

Rome was not built in one day, but we tried to visit her in two. At the end of October, 100 members of the Institute – researchers, partners, staff and professors, and the President, DR MASTERSON endured a tiring and extremely pleasant trip to the Eternal City. Moving from one monument to the next, we left behind us what GIAN LORENZO BERNINI shaped in marble for his running Apollo – a long spiral of wind.

It is well known that Roman streets are not likely to allow such mobility. Mainly, as it was the case, when a governmental crisis and some demonstrations contribute to turn the traffic into a hopeless chaos. Yet our embassy counted on an unexpected ally. Proud and heavy as a couple of pachyderms, the two buses of the EUI's caravan were led by an agile *motorino*. Crossing time and again the bridges over the Tevere, overtaking cars at an incredible speed, making all sorts of dreadful manoeuvres, the bizarre vehicle represented an authentic open-air encyclopaedia about the Italian way of coping with adversity. There was indeed much to learn: the rider was no less a figure than the Secretary General, Dr ZANARDI LANDI.



The Secretary in front of Villa Madama

There has never been any travel without destination. Our frenetic trip had six and we heroically succeeded in reaching all of them. Villa Madama, a little gem of the Roman Renaissance, headed the list. Although the original project by Raffaello remained unfinished, its elegance is remarkable. Filtered by the garden, a delicate autumn sunlight created the perfect atmosphere for admiring the fine stucco, which covers the building's loggia.

From Villa Madama we moved straight to Villa Giulia. In this imposing sixteenth century building one can visit an archaeological collection dedicated to the Etruscans, the ancestors of our dear Fiesolan neighbours. Actually in many decorated vessels and mortuary statues it is possible to recognise intriguing similarities between faces of men and women who lived thousands of years ago and those we see everyday in the Coop, the Casa del Popolo, and the restaurants of Piazza Mino.

Late in the afternoon we arrived at the newly restored Galleria Borghese. After being closed for fourteen

years, the interior's ornamentation expresses now the very meaning of the word 'fresco': its colours literally shine like fresh ink. Even more impressive, however, are the masterpieces set in this visual feast. ANTONELLO DA MESSINA, RAFFAELLO, CRANACH, CARAVAGGIO, BERNINI and others form such a rich treasure that embassies such as ours are easily justified.

The following morning, a Sunday, we got up early with discipline and stoicism. A pious obligation was waiting for us in the Vatican. Thank God, it was not of the kind His representative on Earth would expect us to fulfil. Yet we did go to a church anyway, or rather to a chapel – La Sistina. As a matter of fact, considering all those images of the world's creation, damnation, and redemption, what we had there was not far from a pure mystique ecstasy.

Villa Malta, on the Aventino hill, came next. Its garden offers a superb view of Rome which we enjoyed silently, half contemplative half exhausted. A short rest was followed by movement again, this time towards our last destination.

The Quirinale Palace, seat of the Italian presidency, is a very well guarded neo-classic building. In other words, a very official scenario was to receive an absolutely non-official embassy. Apparently confused by such a paradox, the carabinieri brigade hesitated in letting us enter. Authorities went to and fro, a couple of martial salutes were made and finally we could relish the beauty of many frescos and crystal chandeliers. Before leaving, people still had the appetite for a luxurious dessert: the exhibition of Leonardo's 'Lady with Ermine'.



We saw it, enjoyed it, took to the road and arrived safe and sound in Florence and then to... bed.

PLINIO FREIRE GOMES

Visitors

On Friday, 16 October The LORD PLUMB, MEP (1987-89 President of the European Parliament) visited the Institute and delivered a speech entitled 'Europe Looking Forward')

From 21 to 23 October the twelfth Annual EU-Japan Journalists' Conference was held at the European University Institute. The object of the Conference was to bring together personalities from the worlds of politics, the economy and the universities with a group of 30 journalists from the EU and Japan, to discuss themes of common interest.

The meeting, organized by the European Commission Delegation to Japan and the Japanese Institute for Economic and Social Affairs, has been held regularly every year since 1987 in a European or Japanese city. The sessions making up the Conference were introduced by Sir LEON BRITTAN, European Commission Vice-President, FRANCESCO PAPADIA, Director-General at the European Central Bank, NIKOLAUS VAN DER PAS, Director-General at the European Commission, SAKUYA FUJIWARA, Vice-Governor of the Bank of Japan, YUKIHIKO IKEDA, leader of the Japanese Liberal Democratic Party, KOICHI SAKATA, President of



Mr J.-C. Eeckhout, Lord Plumb, Dr Masterson and Prof. Mény

Japan Telecom, and the Head of the European Commission Delegation to Japan, Ambassador O. JUUL JØRGENSEN.

On 16 and 17 November, within the framework of the Austrian Presidency of the European Union an Austrian delegation of university professors and civil servants in the Austrian Ministry of Science and Transport visited the Institute. During the visit the Director General of Higher Education, Prof. Dr SIGURD HÖLLINGER gave a presentation on 'Higher Education in Austria: Principles and Reforms'.

CRISTINA IANNELLI, a researcher in the Department of Political and Social Sciences is one of the five Grand Final Winners of the ISA (International Sociological Association) Third Young Sociologists Worldwide Competition. She participated with a paper entitled

Prize

'Educational Choices in Italy: The Role of Track Placement in the Allocation Process of Education'.

The prize included participation in a three-day seminar and the World

Congress organized by the ISA with all expenses paid, four-year registration as a member of ISA; a subscription to the ISA journal 'International Sociology' and finally future publication of the work submitted.

Ses amis de l'Institut universitaire européen ont la tristesse de faire part du décès de **PHILIPPE VAN COPPENOLLE** chercheur à l'IUE ami intime, impatient, intelligent, sensible et gouailleur. Que ceux qui l'ont connu se souviennent.

PHILIPPE a choisi de nous quitter et de partir tragiquement dans sa longue nuit. Ce n'était pas parce qu'il ne nous aimait pas, ou parce qu'il pensait ne pas être assez aimé de nous. Il savait combien ses amis, à l'Institut, avaient su le soutenir et l'aider dans les moments parfois si difficiles qu'il a connus au cours de sa première année. Combien de fois ne m'a-t-il pas dit la chance qu'il avait de nous connaître, de me connaître et de savoir que j'avais toujours pour lui une oreille attentive, indulgente et pleine de la bienveillance que l'on peut avoir à l'égard d'un enfant un peu perdu et qui a du mal à trouver sa voie.

J'ai beaucoup de difficultés à parler de lui au passé tant sa présence hante encore les couloirs de la Schifanoia, de la salle Niobé; tant son pas résonne encore dans le couloir de mon bureau avec cette manière tellement personnelle qu'il avait de taper à ma porte et qui me faisait le deviner.

J'ai beaucoup de mal à parler du départ de Philippe tant j'ai envie de dire qu'il était la vie même, l'intelligence vive associée à la beauté de l'âme, l'affabilité simple et sincère; tant j'ai envie de rappeler son humour corrosif, irrésistible qui était tellement recherché et qui faisait en grande partie sa popularité.

Malgré ses qualités, malgré celles qu'il nous reconnaissait, il a choisi de partir. Et si je pleure l'être qui n'est plus, je pleure surtout en pensant combien grand a du être son désarroi, combien insoutenable a du être sa douleur que nous avons été impuissants à soulager. Sa présence est encore trop vive pour dire qu'il a laissé un vide mais l'Institut sans Philippe n'est plus tout à fait ce qu'il était.

MARIE-JEANNE CAMPANA

EUROPEAN UNIVERSITY INSTITUTE
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Closing date for applications: 31 January 1999

eussirf

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The British Library of Political and Economic Science (LSE, London) and the Library of the European University Institute (EUI, Florence) are the two centres of a new initiative in European social science research - eussirf.

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e-mail: g.camfield@lse.ac.uk

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Italy

eussirf - access to european social science

next deadline

15 December 1998

EUI Review

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Editors' Note

EUI Review, the newsletter of the European University Institute, is published regularly three times a year: in the autumn, winter and spring/summer.

The Editors are grateful for comments, suggestions and new ideas and they are inviting present and former Institute members to contribute to EUI Review with their news on projects, books published and appointments/new positions.

Views expressed in articles published reflect the opinions of individual authors and not those of the Institute.

EUI DEGREE CONFERRING CEREMONY

25 September 1998

Address by President Masterson

Ladies and Gentlemen,

A conferring ceremony is a very happy event in the academic life of a university. It is a public celebration of the scholarly achievement of its students and thereby of the achievement of the university itself.

The first conferring ceremony at the European University Institute took place two years ago on the occasion of its 20th anniversary. This is the second such ceremony and establishes a biennial calendar for these celebrations where we welcome back and acknowledge our postgraduate doctors and masters.

That 115 of you have returned from all over Europe to participate in this ceremony today is a source of great pleasure and pride to us here at the Institute. For it indicates the value you place upon your graduate studies here and your desire to remain closely associated with your alma mater. I congratulate you warmly on your achievement - the outcome of several years of very hard work - and I welcome you and your partners and families to this very happy occasion. I also extend a warm welcome to the former professors who have returned to share this occasion with their students.

It is remarkable that in a little over 20 years the European University Institute has established itself as a leading graduate school in the Social Sciences and the largest doctorate programme in Europe in those disciplines with which it is concerned. This programme is admirably complemented by the basic and applied research activity of the Departments and Centres which in truth constitutes the formation of a European Centre for Advanced Studies in the Social Sciences.

These achievements are all the more remarkable when one considers that they are not achieved through the guiding tradition and multi-faculty support of a long-established large university. Not having the propulsion of a long historical memory the Institute has had to be drawn instead by the power of its own creative imagination, idealism and courage. You, our distinguished graduates, our alumni, have played and continue to play a crucial role in this enterprise. You are the presence of the Institute outside its buildings and your attainment in your various careers contributes greatly to the reputation of the Institute.

As you know, the mission of the Institute is to contribute to the development of Europe's cultural and academic heritage in its unity and in its diversity. This diversity is cherished by the Institute which has consistently sought to maintain an open concep-

tion of Europe extending beyond the confines of EU membership. This is why, for example, it has always particularly welcomed students from Central and Eastern Europe. I know you will be glad to learn that this spirit of cultural openness is to be strengthened by the establishment of a Chair in Mediterranean Studies endowed by the Ente Cassa di Risparmio di Firenze, ENI and Mediocredito Centrale, a Senior Fellowship endowed by the Florence Municipality and the offer by the Italian Foreign Ministry of scholarships for researchers from Eastern and Southern Mediterranean countries.

The Institute contributes to the cultural unity of Europe through its characteristic research activity which has an inherently unifying and liberating quality. It aims at a fuller realization of our specifically human reality which is characterized by reason. Human reason has a speculative and a practical dimension. Broadly speaking the object of speculative reason is truth and the object of practical reason is justice. One can thus envisage the research work of the Institute as contributing at various levels and in various domains to a unifying heritage of truth and justice. The

promotion of such a heritage is a continuing European requirement and ideal.

The Institute is proud of the contribution which you our graduates make to this heritage in the various milieus in which you live and work, and appreciates the positive representation of the Institute which this involves.

However, we also ask of you that you keep in touch with us in the Institute and give us the benefit of

your experience and advice; and also provide a link between our present students and their future when they join you in the various areas in which you exercise your talents. This is one of the reasons why I particularly wished to involve our new first-year students in this ceremony. It is I hope a source of encouragement for them and also an indication that they are incorporated into a wide community of European university scholars extending far beyond the physical boundaries of the Institute.

I wish to address a very warm welcome to these new students. You have had to work hard over a number of years to be invited to the Institute's Doctorate or Master's programme and we are delighted to receive you. After some further years of research you can look forward to obtaining the degree of the European University Institute which is held in high repute throughout the world. The main purpose of the Institute in its various departments and services is to help you realize that goal. Your time at the Institute will be intellectually very challenging and exciting and, I hope, very satisfying. I hope too that you will be very happy during



your stay at the Institute, that you will make good lifelong friends and have an excellent and timely outcome to your studies and research.

However, we need to remember that everyone at the Institute is in a way uprooted from their own national context of social and intellectual life. This is part of its challenge. But it also means that there may be times of uncertainty, loneliness or anxiety about one's social life or academic research. This is not unusual. But what is of the greatest importance, if these difficulties become a serious problem, is to seek help early. The resources of the Institute are there for your support, particularly in such circumstances. Talk with your supervisor or someone in your department. Avail yourself of the various student resources of the Academic Service and other services. Come and see me if it seems useful. However, the greatest resource a student has is his or her fellow students. I would ask you to care for and cherish one another in good times and not so good. We all have a common task to build not just the reputation but also the esprit de corps of the Institute – to develop it as a community – not a competition.

A final thought that I would like to leave with you our new students is that quite apart from the high-quality research thesis that will be required of you, there is another more personal sense in which you will develop your European identity. It is through the experience of living and working and learning together with many young colleagues and professors from a great variety of intellectual backgrounds and cultures. One comes thereby to a

greater appreciation of different approaches to an issue and to a realization that such diversity is not simply an obstacle but can be a positive source of greater understanding. The value of comparative and interdisciplinary research is experienced in a very concrete way through interaction with colleagues from many different cultures and intellectual backgrounds.

A consequence of this is an almost unconscious development of personality and character in which virtues of open-mindedness, tolerance and respect for other viewpoints becomes a kind of second nature. It is this quality of openness, toleration and respect for the other which constitutes the Institute's contribution to the development of European culture in the most personal sense.

As can be amply illustrated, the graduates whose degrees have been conferred today exercise that openness and tolerance and respect in their careers and thereby disseminate in the wider world the fruits of their development at the Institute. I thank on your behalf the professors and staff of the Institute who contributed to that development and on their behalf and my own I wish you continued success in your careers and happiness in your lives.

I hope that you will always look upon the European University Institute as a true home, as your alma mater. I look forward to meeting you and your families and friends now at a reception here in the Badia. Thank you all for coming today to participate in this academically important event.

Dr Masterson conferred the Institute's doctorate and LL.M. on the following graduates who were amongst those who obtained their degrees in recent years.

Doctors in History and Civilization

Roberto	DI QUIRICO	(I)
Salvador	ESTAPE TRIAY	(E)
Lucia	FELICI	(I)
Manuel	HERRERO SÁNCHEZ	(E)
Svetla	IANEVA	(BG)
Luigi	LAZZERINI	(I)
Francesco	MINECCIA	(I)
Carlo	SPAGNOLO	(I)
Christian	TORNER	(D)
Maria Concepción	TORRES SANCHEZ	(E)
Andrea	ZAGLI	(I)
Hubert	ZIMMERMANN	(D)



Doctors in Economics

Tindara	ADDABBO	(I)
Ludger	BIRKENDORF	(D)
Ana Rute	CARDOSO	(P)
Aline	COUDOUEL	(F)
Pompeo	DELLA POSTA	(I)
Brigitte	DELOY GRANVILLE	(F)
Susana	GARCIA CERVERO	(E)
Luís Filipe	GENS MOURA RAMOS	(P)
Paolo	GUARDA	(I)
Jeroen	HINLOOPEN	(NL)

Edmund Henry	HOPKINS	(UK)
Marion Dorothea	KOHLER	(D)
Sandrine	LABORY	(F)
Lavan	MAHADEVA	(UK)
Chiara	MONFARDINI	(I)
Anna	PETTINI	(I)
Alexandra	RAUCHS	(L)
Alexander	SCHRADER	(D)
Nathalie	SCHUELLER	(F)
Jonathan	SIMON	(UK)
Paola	VALBONESI	(I)
Dorte	VERNER	(DK)
Bernhard	WINKLER	(D)
Luisa	ZANCHI	(I)



Doctors in Law

Gloria	BARTOLETTI	(I)
Despina	CHATZIVASSILIOU	(GR)
Walther	GOTTWALD	(D)
Benoît	GUIGUET	(F)
Jens Peter	KELLERHOFF	(D)
Claire Maria	KILPATRICK	(UK)
Antonio	LO FARO	(I)
Julian	LONBAY	(UK)
Leone	NIGLIA	(I)
Anna	PAPAIOANNOU	(GR)
John Beattie	PATERSON	(UK)
Ralf	ROGOWSKI	(D)
Frédéric	ROLLAND	(F)
Pascale	VIELLE	(B)

Doctors in Political and Social Sciences

Leonardus	BESSELINK	(NL)
Susana	BORRAS ALOMAR	(E)
Massimiano	BUCCHI	(I)
Donatella	CAMPUS	(I)
David James	COEN	(UK)
Ciro	D'AMORE	(I)
Grace Ivana	DEHEZA GUTIERREZ	(BOL)
Luca	GUZZETTI	(I)
Manfred Alexander	HINZ	(D)
Julian	LINDLEY-FRENCH	(UK)
Sonia	LUCARELLI	(I)
Patrick Anthony	MCCARTHY	(IRL)
Monica	MENDEZ LAGO	(E)
Hanna-Mari	OJANEN	(SF)
Letizia	PAOLI	(I)
Andrés	RODRÍGUEZ POSE	(E)
Stefan	ROSSBACH	(D)
Gigliola	ROSSINI	(I)
Antonella	SQUILLONI	(I)
Paul	STATHAM	(UK)
Leila Simona	TALANI	(I)
Anna	TRIANDAFYLLIDOU	(GR)
Kerstin Beate	ULLRICH	(D)
Willy	VIEHOEVER	(D)
Harald Bernhard	WYDRA	(D)
Mette	ZØLNER	(DK)



Masters of Law

Alberto Ignacio	ACHERMANN	(CH)
Ralf	ALLEWELDT	(D)
Steven Bradley	ARNOLD	(CDN)
Nomi	BAR-YAACOV	(UK)
Winfried	BOECKEN	(D)
Floris	BOEHOLT	(NL)
Marcus	BRAND	(A)
Carsten	BRUTSCHKE	(D)
Mareile	BÜSCHER	(D)
Almudena	DE SIMON GARCIA	(E)
Sarah	FAIRCLIFFE	(UK)
Emmanuelle	FILSJEAN	(F)
Fiona Morag	GAVIN	(UK)
Katja	GELINSKY	(D)
Serge	GIJRATH	(NL)
Luis Alfonso	GOMEZ MOSQUERA	(UK)
Jeffrey P.	GREENBAUM	(USA)
James	HEALY	(IRL)
Mishal	HUSAIN	(UK)
Brendan Connell	KIRWAN	(IRL)
Michael	KÖNIG	(D)
Marius	KUSCHKA	(D)
Marco	LILLI	(N)
Marie- Louise	LOWRY	(UK)
Johannes	LÜBKING	(D)
Susan	MILLNS	(UK)
Hanns Peter	NEHL	(D)
Fabrizio	PAGANI	(I)
Barry James	RODGER	(UK)
Andrea	SCHULZ	(D)
Finn Henrik	TRÄFF	(DK)
Annemarie	VAN DER JAGT	(NL)

