SEI shoots to 2nd place!

By Prof Jim Rollo, SEI Co-Director

SEI was ranked second in European Studies research in Britain in the prestigious Research Assessment Exercise (RAE) of 2008.

These periodic assessments of research quality give the most important assessment of the quality and international standing of research in UK universities. Despite its history of distinguished interdisciplinary social science research on Europe since its founding in 1992, this is the first time SEI, along with colleagues in the Department of Politics and Contemporary European Studies, has been submitted to the European Studies panel. It is extremely gratifying to be ranked so highly in a panel which covered 27 University Departments across Britain and which included the major UK centres which research into Europe.

For non-academics, the RAE is a complex research output measurement process based on peer review which aims to take place roughly every 5 years, (previous RAE were in 2001 and 1995). It is sponsored by the Higher Education Funding Council in England (HEFCE) (and equivalent bodies in Scotland, Wales and Northern Ireland) as a mechanism through which the government can allocate research funding in line with the quality of output. Research outputs were assessed by panels of academics by discipline according to criteria set out by HEFCE and its academic advisors. Each fulltime academic submitted 4 pieces of published work (2 for early career researchers) which were read by the panel and scored on a scale from 0 to 4* where 1* = national quality re-

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Activities

Let me start with the good news for SEI and our colleagues in Politics & Contemporary European Studies from the Research Assessment Exercise. The core result was that the panel for European Studies to which our best research since 2001 was submitted at the end of 2007, judged that 60% of our output was internationally excellent (3* for the aficionados) or world leading (4*). This ranked us second in the UK overall – a truly excellent result which we hope will translate into financial reward once the government decides how to use the RAE results to distribute research funding to the universities for the next 5 years.

Well enough of the good news. You need no telling that 2008 (and particularly after the mistaken decision [with 20:20 hindsight] to let Lehman Brothers go bust) was an appalling year for the world economy. Neither is it any secret that 2009 promises to be worse. I think it will also be the year in which the full horror of the impact of recession in the US (and also the UK) on world trade and thus on the net exporters comes clear. Obviously this is of most concern in East Asia – where trade surpluses have been greatest and most persistent. It will however also have an impact amongst those countries of the eurozone, most notably Germany, who have depended on export led growth since the 1950s.

The strength of the euro is one measure of the adjustments that are likely to take place unless there is urgent action to boost domestic demand in the eurozone. And of course this needs to be co-ordinated within Europe and globally. The global imbalances were a major contributor to this crisis and without the readjustment of these imbalances, the world is condemned to a low-growth/low-employment equilibrium at best; think Japan since 1990 but without the opportunity to export to maintain...
production because traditional import markets across the world are contracting. What is required is that domestic demand expands to absorb production that has been previously exported and that imports also increase in China and other export led economies in East Asia, Latin America and Europe.

Played right coordinating the response to the crisis is an opportunity to create a truly global approach to managing the world economy. I fear however it also offers the potential for a massive failure in collective action. The anti-trade rhetoric of the Obama camp during the presidential campaign alongside the apparent anti-trade instincts of the Democratic party now dominant in Congress makes the failure of progress in the world trade talks in Geneva no surprise. As I have said before, failure in the WTO has many parents, not just the US or France or India. That makes it worse however in the sense that there is less hope for ‘coalitions of the willing’ going ahead with liberalisation. But it also bodes ill for global collective action on macroeconomic policy co-ordination and/or financial regulation where the institutional and governance structure are much less developed than for trade.

What about Britain and the euro? Do current circumstances argue for a change of policy? Certainly a fix at £1 = €1 has a certain symmetry to it. And after a long weekend of sticker-shock in Flanders and Artois (where the tourist £ bought €0.98) it is obvious to me that UK exports will enjoy a price advantage in eurozone markets that they have lacked for a decade or more. We could begin to see the shift away from services towards manufacturing in the UK economy as it recovers that many have called for down the years. So fixing at such an advantageous rate could have important benefit for the traded sector of the British economy.

There are two obstacles to that scenario. First we cannot enter the euro at a stroke. We have to meet the convergence (previously the Maastricht) criteria, which is pretty unlikely any time soon based on the UK fiscal outlook until the middle of the next decade at least. Above all we need to fix sterling to the euro within the Exchange Rate Mechanism of the European Monetary System and maintain that central rate for two years, which raises the possibility of the markets ‘shorting’ sterling as Soros did in 1992 (his recent canonisation as the acceptable face of finance in the face of vilification of hedge funds and other ‘shorting’ in any financial market is strange to say the least). Given the likely instability in the real economy, fixing sterling looks a risky enterprise.

Second our potential partners are unlikely to agree to us fixing at a super competitive rate such as 1:1 or better: it looks like a beggar-thy-neighbour exchange rate policy. Joining the euro therefore appears to be a policy option destined for the ‘too difficult’ tray in London and Brussels.

Will the time ever be right on our side or that of the eurozone? I must say that it is hard to see the circumstances for a smooth entry into the euro arising until we all emerge from this crisis and into a period of relatively calm economic weather. Even then it will require a significant change of view in the two main British political parties.

Finally and again on a happier note, we welcome our fourth cohort of Chevening Fellows in European Political economy for a 12 week programme beginning on 12 January. The arrival of this group of high-flying practitioners from post-2004 member states and candidates for EU membership represents a highlight of our year and we look forward to the lively exchanges the fellows initiate.

Happy new year to you all!
Prof Jim Rollo
Activities

The SEI Diary...

During the Autumn of 2008, members of SEI have been involved in many memorable activities connected to teaching and research on contemporary Europe.

October: New Arrivals

September brought a new academic year and SEI welcomed thirty-three new students on the MA in Contemporary European Studies programme, (fondly known as MACES), seven new students on the MA in European Politics, (MAEP) and four new ERASMUS students. Current MACES student Paul Gough reports on his experiences on page 30.

The SEI also saw the arrival of a new group of research students. Three new doctoral students started their research in October, they are:


- Emma Sanderson-Nash who is working on “Obeying the iron law? Changes to the intra-party balance of power in the British Liberal Democrats since 1988” and is supervised by Tim Bale and Paul Webb.


There are also two new MSc students who are working towards their doctoral research;

- Amy Busby is working on "An Ethnography Exploring the Behaviour of MEP’s and the Culture of the European Parliament" and is supervised by Paul Taggart, Tim Bale and Jonathan Mitchell.

- Peter Simmons is working on "The Changing Nature of EU Democratic Conditionality: A Comparative Study” and is supervised by Aleks Szczerbiak and Paul Taggart.
5th October: Dan Hough spoke at the 32nd Annual German Studies Association (GSA) conference in Minneapolis/St Paul. The paper was on the reinvigorated German Left and its prospects for the 2009 election. At the same event, Dan was re-elected Secretary of the International Association for the Study of German Politics (IASGP) for three more years.

9th October: Dan Hough spoke at the annual conference of the working group of the German political studies organisation (DvPW) on political parties in Berlin. This paper looked at the organisational dilemmas faced by Left Parties in post-industrial democracies.

In October, Lucia Quaglia attended a workshop in Cardiff in order to fine-tune the chapters of the first of the two volumes co-edited with Kenneth Dyson and entitled ‘Economic Governance in the European Union: Key documents and commentary’, under contract with OUP.

14 October: SEI held a Roundtable Discussion on ‘The Credit Crunch – European, American and International Responses’ at a SEI Research in Progress seminar. The roundtable addressed the causes, effects of the credit crunch and possible policy options. Speakers at the Roundtable included SEI scholars Lucia Quaglia and Peter Holmes together with Helen Thompson (University of Cambridge). For more information on this see Lucia and Peter’s report in our Features Section on page 8

17 October: Dan Hough spoke at a conference at the University of Bath on, ‘The Left Party and the future of the German party system’. More info on this is available from: http://www.bath.ac.uk/esml/news/germany-elections.html

21st October: SEI Practitioner Fellow John Palmer gave an SEI Professional Development Workshop for research students on ‘Interviewing Elites’. John is a former European correspondent for the Guardian newspaper and gave a journalist’s perspective on interviewing.

24th October: Mark Bennister attended the inaugural meeting of the Political Studies Association Political Leadership Specialist Group at Leeds University. Lib Dem Treasury Spokesman Dr Vince Cable gave the keynote address. Other participants included Prof David Bell (Leeds), Prof John Gaffney (Aston) and Prof Kevin Theakston (Leeds). He was invited to give the paper ‘Comparing Prime Ministers: Skill in Context in Two Countries’.

November: Conferences


November was quite a busy month for Lucia Quaglia, who travelled almost uninterruptedly for three weeks. She first attended the PG exam board meeting at the University of Exeter, where she is external examiner for 3 MA programmes. She then headed off to Dublin to present a paper entitled ‘How does technical knowledge influence EU negotiations?’. The paper will be part of a special issue of the Journal of European Public Policy on ‘Negotiation theory in the EU’. The

They couldn’t escape the SEI for long!
following week Lucia conducted fieldwork in Basel, interviewing senior officials at the Financial Stability Forum, the Joint Forum and International Association of Insurance Supervisors. She then attended the INTUNE FP6 general assembly in Lisbon, representing the group of experts and presenting the main finding of the project on behalf of the group.

21st November: Dan Hough spoke at the Rosa Luxemburg Foundation’s conference on the Future of the German Party System in Berlin. The paper was a comparative analysis of Green and Left Party development in Germany and will be appearing in print in both German and English. More on the conference (if you can understand German that is!) here: http://www.rosalux.de/cms/index.php?id=16443&type=0&ftu=f57fd7b99f

25th November: Edward Lucas from The Economist spoke at the SEI Research in Progress seminar on ‘The New Cold War: a threat, a reality or an illusion?’, Edward writes about his new book ‘The New Cold War: How the Kremlin menaces both Russia and the West’ on page 10.

27 November: SEI celebrated as Fuat Canan successfully passed his MPhil viva with no corrections. Fuat’s dissertation was on ‘Turkish Foreign Policy in the Post-Cold War Era: the Impact of Europeanisation’.

December: SEI RAE success!

18th December: The SEI received an excellent RAE report. For European Studies, Sussex recorded a Grade Point Average of 2.65 out of a possible maximum 4.00. This places it second out of 27 institutions nationally. 15% of our work is rated as 4* (ie, globally leading) and 60% of our work is at least 3* (internationally excellent).

The University of Sussex Politics Society organised a 5-day trip to Ulster to teach twenty-two Sussex Politics students about the history of Northern Ireland. During the trip the students met with politicians from several political parties including Sinn Fein President Gerry Adams. Politics student Charles de Lusignan reports on the trip on page 31.

9th December: SEI held its Christmas Party in the EDB café. Masters and SEI research students continued the tradition of bringing fine examples of their national dishes and drinks.

Lucia Quaglia gave a paper entitled ‘The politics of uploading and downloading international financial services regulation: the case of the EU’ at the BISA annual conference in Exeter.

In December, Clive Church was made an SEI Visiting Professor. Clive writes a dispatch of his recent activities on page 36. Earlier Clive presented a paper at an SEI research seminar on the topic ‘Will Merkel’s gamble pay off? Watching the ratification of the Lisbon Treaty’.

Alan Mayhew was asked by the Polish Government to make proposals on its policy towards Ukraine. Alan’s report formed the basis of a conference held in Brussels in December, at which the Polish Foreign Minister, the Vice Prime Minister of Ukraine and the Deputy Prime Minister of the Czech Republic all spoke.
Forthcoming Events: Chevening Fellows

In January: This will be the fourth year of the Chevening Fellowship in Political Economy (funded by the Foreign and Commonwealth Office). Under the programme SEI welcomes twelve new fellows to attend courses within SEI and events organised by SEI.

The Chevening Fellowship programme aims to develop opportunities for mid career professionals from the post-2004 members of the EU and some of the EU neighbourhood countries in Eastern Europe with the aim of pointing up the British angle on how to promote an effective EU. During the Spring Term the Chevening Fellows will take part in visits to the European Commission, the Scottish Parliament, Chatham House, The Museum of Immigration and Diversity, the Treasury, the Foreign Office, the House of Lords and the Chevening Alumnus conference.

Jim Rollo has been working on a House of Lords report on Trade Policy which will be published in January.

Visiting researchers: During the Spring Term SEI welcomes three new visiting researchers: Valeria Tarditi from the Università degli Studi della Calabria, Emelie Lilliefelt from the Baltic and East European Graduate School, Södertörn University, and Stockholm University and Nicole Wichmann from the Universities of Berne and Lucerne. Details on all three researchers can be found on pages 24-25.

February 3: Jörg Monar’s Professorial lecture will take place at 6:30pm in Chown lecture theatre, Brighton and Sussex Medical School (RSVP essential by Tuesday 27 January).

“Since the September 11 terrorist attacks, the EU has developed an increasingly comprehensive and balanced definition of the terrorist threat that Europe is facing; it has also adopted an action plan on counterterrorism comprising well over 200 police, judicial and international measures. Yet behind this common front remains the widely-diverging national threat perceptions and situations of the Member States, as well as serious problems with implementing the common objectives.

In this lecture, Professor Monar analyses both threat perceptions and the progress and deficits of EU action. This allows him to arrive at some interesting conclusions not only on the EU’s capabilities as an actor in the counter-terrorism domain, but also on its potential and limits as a provider of internal security to European citizens.”

MACES Facebook Group

Check for details of MACES & MAEP Spring-Term social events on our facebook group: http://www.facebook.com/home.php?#!/ group.php?gid=42018432175&ref=ts

February 12: University of Sussex Politics Society present a lecture from Caroline Lucas MEP (Leader of the UK Green Party) on her campaign to become the first Green Party MP through election in the Brighton Pavilion constituency at the next general election. Followed by a Q&A session (Pevensey A001, 1-2pm).
In October 2008 SEI organised a special and well attended roundtable on the credit crunch. The speakers were Helen Thompson (University of Cambridge), Peter Holmes and Lucia Quaglia (University of Sussex). The roundtable discussed the causes of the financial crisis and the responses in the UK, in the US, at the EU level and internationally. The following discussion draws on the contributions of the various speakers as well as on the general discussion that took place during the seminar.

The origins and causes of the financial crisis

The financial crisis was caused by several interrelated factors. As Peter Holmes put it, it started off as an ‘old fashioned bubble’, whereby banks and financial institutions borrowed to invest in assets the value of which it was believed could only rise. This led to excessive levels of debt that were not backed up by enough own capital.

In the US, where the crisis originated, there was a credit boom in ‘sub-prime’ mortgages, the practice of ‘predatory loans’, and the widespread use of securitised mortgages that were then divided and repackaged into complex structured financial instruments and passed on to other investors. All these activities were hardly regulated in the US or internationally. Moreover, these complex financial products were incorrectly rated by credit rating agencies. Finally, the broader macroeconomic context was characterised by a relatively loose monetary policy, which resulted in easy credit whereas inflation was kept down by cheap Chinese imports; and Asian savings inflows.

The unfolding of the financial crisis

Once the US sub-prime problem became apparent, a crisis of confidence ensued, resulting in the seizing up of the wholesale markets through which banks lend to each other. Financial institutions which relied on the short term loans in the wholesale market to fund their long term investment faced a liquidity shortage, – the “credit crunch”. In some cases the liquidity crisis became a solvency crisis, causing (depending on the circumstances) failures and windings down, mergers and acquisitions, and direct interventions by the public authorities. The last stage of the crisis unfolded when the confidence crisis spread to the real economy with direct negative effects on economic growth and employment. Many countries entered into economic recession in late 2008.

As Lucia Quaglia summarised, the causes of the crisis lay in two main ‘disjunctures’ that are embedded in the multi-level governance of financial markets. First, there is a vertical disjunction: whereby increasing globalised financial markets are (inadequately) regulated and supervised by the national authorities. The horizontal disjunction consists in the juxtaposition of states versus markets, whereby the ‘independence’ of the regulatory and supervisory authorities from markets has been eroded over time. Both these disjunctures have resulted in regulatory loopholes and blind spots in supervisory oversight, such as the growth of the ‘shadow’ unregulated banking sector linked to regulated banks and the use of ‘off balance sheet’ investments.

The short term responses to the crisis

As Helen Thompson pointed out, in the US, the Troubled Assets Relief Program (TARP) was initially to buy ‘toxic’ assets from distressed financial
institutions, but later involved capital injections. As originally formulated, unlike in the British plan, there were no stakes to be taken in banks, this was done later. Helen argued that the cause of the crisis was regulatory failure with congressional Democrats including Mr Obama, she argued, sharing a major part of the blame.

“The crisis has exposed weaknesses in financial regulation everywhere”

The UK’s initial response was hesitant. The Northern Rock episode was rather poorly handled. However, in October 2008, in the midst of the financial crisis, a new plan was issued by the British authorities and was highly praised for addressing some of the main problems. The British plan was based on the creation of a Bank Recapitalisation Fund – to allow UK banks to increase their capital position; supporting inter-bank lending; and extending the liquidity provisions of the Bank of England. The British plan was subsequently adopted with national variations across the EU.

In the response of the Eurozone-EU to the financial turmoil, there were aspects that worked well and others that did not work. The ECB-Eurosystem injected the necessary liquidity into the financial system in a timely manner. More generally, there was a good degree of cooperation amongst central banks though the use of swaps and the concerted cut of interest rates worldwide. In the Eurozone, some national authorities successfully cooperated in winding down some cross border financial institutions, such as Fortis and Dexia. Yet, these were not ‘hard’ cases, because they mainly involved the Benelux countries, with long-standing traditions of cooperation.

As for actions designed to address the solvency issue, there was limited substantive EU cooperation. The pace-setting British plan was followed by belatedly coordinated national plans. However there was no common EU response. Finally, there were a set of poorly coordinated national decisions concerning deposit guarantee schemes, which also had competitive implications.

The regulatory responses to the crisis

The regulatory response to the financial crisis is mainly being coordinated at the EU level and in international fora, even though some countries are also independently working on the revision of national rules. The following list of measures is by no means exhaustive, it just intends to give the flavour of the hectic regulatory activity taking place – so watch this space. In the EU, the deposit guarantee directive and the Capital Requirements Directive are in the process of being revised and linked to international discussions on banks’ capital requirements and accounting rules. A new proposal for the regulation of credit rating agencies has been put forward by the European Commission. There are also ongoing discussions concerning the strengthening of supervision for cross border groups.

In the medium term, there are the broader issues of the possibility of the European Central Bank’s involvement in banking supervision, the (remote) prospect of the creation of an EU financial services authority, the open issue of how to manage the function of the lender of last resort for cross border financial institutions, some of which are too big to fail or to be rescued! Memoranda of understanding on crisis management and resolution were signed in April 2008, but they are mainly sets of principles – the proof will be in their practical implementation if the need arises.

Dr Lucia Quaglia and Dr Peter Holmes
The New Cold War

By Edward Lucas
Central & Eastern Europe Editor, The Economist

The new cold what? I remember the old cold war.

As a student, I joined other demonstrators shivering outside the Polish embassy in December 1981 chanting "Bez Solidarnosci, nie ma Wolnosci" (There's no freedom without solidarity). To warm up after those protests, I would go with my friends to a cafe in South Kensington where a collecting tin for the Polish Government-in-exile stood next to the till: "Legitymacja skarbu narodowego jest paszportem wolnego Polaku", said the label "A contributor's book from the (exile-government) national treasury is the passport of a free Pole" - a quote from General Wladyslaw Anders. That was a poignant reminder of the fundamental illegitimacy of the regimes imposed on central and eastern Europe by the communist occupiers after 1945. At first sight it would seem preposterous to label the new era of chilly relations between Russia and the West as a "new cold war". The terrifying global military confrontation between communism and capitalism, with the heroism and suffering it brought, is dead and buried.

"...the Kremlin has given up the idea of maintaining an empire by force. Instead, it uses economic influence..."

In my book I am certainly not arguing that it is coming back. But what we have now is a new and more insidious threat. Communism was a hard sell; it didn't work and found few real fans. Now the ex-KGB regime in the Kremlin has adopted capitalism, which works much better, generating more money at home and creating a web of influence abroad. It has also dropped the idea of totalitarian rule. A sham democracy, with some freedom of speech in marginal media such as newspapers, plus freedom to emigrate, has built-in safety valves and is thus more stable. Thirdly, the Kremlin has given up the idea of maintaining an empire by force. Instead, it uses economic influence, chiefly energy deals but also cash. It can buy politicians, political parties, even whole countries (that seems to be happening now in Iceland). Its best tactic is to divide and rule.

"The financial crisis weakens the West's moral authority and muscle"

The big lesson of the invasion of Georgia is not military but political: that the West was unable to muster a response. The European Union managed only the feeblest possible sanction - temporary suspension of talks on the Partnership and Cooperation Agreement - and has even been unable to stick to that. Russian bilateral ties with countries such as Italy, Austria, Germany and the Netherlands have made the EU and NATO so divided that their credibility is dwindling. The financial crisis weakens the West's moral authority and its muscle. True, Russia has its problems too: a plunging stock market and a banking system under increasing strain. Some oligarchs are becoming minigarchs (or even nanogarchs). But the main result is more power for the Kremlin. It controls the huge cash reserves built up from the soaring oil and gas revenues of the past eight years. It decides who gets bailed out, and who goes down the plughole. Abroad, it is Russia that has spare cash to play geopolitics. The West is also distracted by Iraq and Afghanistan. It is likely to be many months before a new American administration is able to focus on the problems of Europe. That leaves an open door for Russia. So the position is troubling, particularly for a country such as Poland which has every reason to worry about a Russian-German axis in European politics.

But it is not hopeless. Instead of lobbying inside paralysed multilateral institutions, countries that
are willing to stand up to Russia should take action themselves, to complement existing arrangements. The best chance for Poland is the security partnership now being created by Sweden (non-aligned) with Norway (NATO but not EU) and Finland (neutral). All three countries are deeply worried by developments in Russia. Their new initiative involves close and largely unpublicised cooperation on military procurement, airspace monitoring, planning, training and intelligence. It deals with two areas: the Baltic Sea region, and the High North (the seas above Norway, where Russia is pushing hard in both military and economic matters). Teaming up with the nascent Nordic defence partnership offers the best chance for Poland to bolster its own security. Those countries may be richer, but Poland is bigger than all of them combined.

"The New Cold War: how the Kremlin menaces both Russia and the West" (with a foreword by Norman Davies) is published by Bloomsbury

SEI Research in Progress Seminars

**SPRING TERM 2009**
**Tuesdays 14.00 - 15.50**
**Arts C233**

20th January
SEI round table on ‘The Future of Transatlantic relations under the Obama Administration’
Dr Stephen Burman, Prof Jörg Monar, Prof Jim Rollo (University of Sussex)

27th January
The European Union: why does it enlarge, and how far can it go?
Graham Avery (European Commission/University of Sussex)

3rd February
Europeanizing Social Inclusion: the role of “new governance”
Prof Kenneth Armstrong (Queen Mary, University of London)

10th February
The politics of uploading and downloading international financial regulation: the case of the EU
Dr Lucia Quaglia (University of Sussex)

17th February
A CAP fit for the Twenty First Century?
Carmen Suarez (Office of Fair Trading)

24th February
EU External Governance in relations with Neighbouring Countries: A Case Study on EU-Switzerland co-operation in the area of internal security
Nicole Wichmann (University of Lucerne/University of Sussex)

3rd March
The Future of the EU: with or without Lisbon
Prof George Schopflin MEP

10th March
Energy Governance in the Wider Europe: Incentives and Institutions
Prof Stephen Padgett (University of Strathclyde)

If you would like to be included in our mailing list for seminars, please contact Amanda Sims, tel 01272 678578, email: Polces.office@sussex.ac.uk
Research

On-going Research at SEI
Racism and Antiracism in Europe

By Dr James Hampshire, SEI

The politics of race in contemporary Europe is characterised by a deep tension, a paradox even. At no previous point in European history has racism been more widely discredited: an anti-racist norm pervades mainstream public discourse and to be labelled racist is to be cast to the political extremes.

The strength of this norm is such that even far right parties go out of their way to deny racist intent, often by reaching for a more anodyne language of culture or nationhood. Yet at the same time, there is plentiful evidence of persistent, and in some cases, growing racism: situation testing, in which identically qualified candidates from different ethnic backgrounds apply for jobs, revealing widespread discrimination in the European labour market; attacks on Synagogues and Mosques, and the defacing of graves, are a common occurrence in some parts of Europe; and though widely underreported, there is evidence of racially motivated violence and even murder. Contemporary Europe can therefore plausibly be described as racist and antiracist at the same time. How did we get here and what should be done about it?

It shouldn’t need mentioning – and yet it needs constant mentioning – that racism has a long and dishonourable European history. This reached a horrifying climax with the Nazi genocide of 6 million Jews and thousands of Roma and ethnic Poles in 1942-45. If anything good can be said to have come of this nightmare, it was that state-sponsored racism took a major blow. Indeed, it is not going too far to say that the anti-racist norm which characterises mainstream European politics today developed in the shadow of Auschwitz. At just the same time as racism was being discredited, Europe was becoming more ethnically and culturally diverse. Immigration from colonial territories and regions bordering Europe gave rise to new ethnic minorities, especially in the major cities of northwestern Europe. As it became apparent that Europe’s new minorities encountered racism in various forms some countries began to develop policies to tackle discrimination, hate speech, and violence.

For most of the post-war period this unfolded at the level of individual nation states. Only since 1997, when Article 13 of the Amsterdam Treaty established a competence in the area of discrimination, has racism emerged on the European policy agenda. Since then, policy development has been quite rapid. In 2000, the EU adopted a Racial Equality Directive (RED), which requires all Member States to pass legislation outlawing direct and indirect discrimination based on racial or ethnic origin. Transposition of this Directive been far from uniform or smooth however, and although most countries now have some form of antidiscrimination policy there is considerable variation across Member States.

EU attempts to harmonise laws on criminal racism, such as incitement to racial hatred or violence, have proven to be even more difficult. A Framework Decision to align Member States’ laws in this area was finally agreed by the Council of Justice Ministers in 2007, but at the time of writing it is yet to be formally adopted. As a result, criminal racism policies remain highly divergent across the EU and reflect distinct national trajectories.

Thus, despite the development of European law,
antiracism policy varies considerably from one European country to another. This begs at least two questions: how exactly do antiracism policies vary across Europe? And why do they vary? The aim of my current research is to answer these questions. This will involve an analysis of how domestic politics shapes transposition of EU law, such as the RED and possibly the forthcoming Framework Decision on Racism, as well as how politics shapes policies that originate at the national level, such as criminal laws on incitement or racial violence. I will be comparing Britain, Germany, Ireland and the Czech Republic, four countries with very different histories of immigration and different minority groups.

The project aims to establish the significance of four factors in explaining policy variation: political parties; interest groups; ideas about race and racism; and political institutions. The central research questions are: do antiracism policies reflect different ideas about race and racism? Are these policies influenced by which party or parties are in government? How important are interest groups in shaping policy outcomes? And are antiracism policies shaped by different political institutions in the four countries? My aim is mainly an explanatory one. But I also hope that by contributing towards a better understanding of how and why policies vary the project will help resolve the European race paradox in favour of antiracism.

Populism in the media

Stijn van Kessel, SEI DPhil student

Straight after the Autumn term I hurried back to my home country where I was invited to provide a presentation at the 'Repertoires of Democracy' Conference organised by the by the Radboud University in Nijmegen. The event took place in a picturesque former monastery in the municipality of Oss, also known as the sausage town of the Netherlands, and, perhaps more relevant to our discipline, the heartland of the Dutch Socialist Party and the birthplace of its former chairman Jan Marijnissen.

It was here that I met Paul Taggart, who was asked to provide the keynote presentation, at the breakfast table together with my former fellow student from Amsterdam Saskia (who I suspect to have played a role in my rather unexpected invitation). It was not until the next day that it was my turn to perform, hence I had some time to make the final adjustments to my presentation in the serene ‘cell’ (the former bedroom of one of the nuns) that was allocated to me. It was to deal with the media analysis that Tim Bale, Paul Taggart and I carried out, focussing on the use and abuse of the term populism in the British broadsheet newspapers, under the working title ‘Thrown around with abandon?’. Our early findings indicate that the term populism is (ab) used for a broad range of seemingly unrelated political actors and issues, and that newspapers, judging from their different political predispositions, tend to employ the term when referring to political actors from the opposite side of the political spectrum, indicating that ‘populism’ tends to be used in a pejorative sense as well.

This piece of research had a slightly more empirical character than most of the other presentations, dealing with issues related to the changing character of democracy from more philosophical and historical perspectives. Nonetheless, it was received with quite a lot of enthusiasm and it seemed that I was able to put the message across in a satisfactory way, partly reassured by Paul’s advise to blame him and Tim if anything went wrong. Fortunately, it was not necessary to turn to this last resort, and the comments were very constructive.
Europeanisation & Football

By Dr Jon Mitchell, SEI

Jon Mitchell, (SEI-linked scholar) and Gary Armstrong, (Brunel University) have carried out research looking at Europeanisation in football. They recently published Global and Local Football: politics and Europeanisation on the fringes of the EU (2008).

Europeanisation should not be seen as synonymous with homogenisation. There are significant practices of Europeanisation emerging across the continent but rather than ‘top-down’ institutional processes, these are everyday forms of social exchange which see ‘Europeans’ increasingly interacting with each other and thus practicing – if not ‘imagining’ – a European community. They cite language, sex, food and sport as key processes of this new Europeanisation; and among the sports, football – or soccer – stands out as the most significant.

The Europeanisation of football is celebrated through European competition, and institutionalised in the Bosman ruling, which allows free movement of European footballing talent. For footballing minnows such as Malta, however, the Europeanisation of football is less celebrated. The Malta Football Association (MFA) has systematically opposed the Bosman ruling in an attempt to protect local footballing talent. For them, the image of an egalitarian space of Europeanised football is dangerous; an opportunity for the more powerful footballing nations to consolidate their position, at the expense of the Maltese. This attitude is born from a post-colonial society living on the edge of Europe for the majority of its history – in which narratives of solidarity and equality between powerful ‘others’ and the powerless ‘self’ have usually accompanied times of extreme hardship and violence. If the Europeanisation of football is a process of exchange, then the exchange is far from egalitarian, and the Maltese are all too aware that they are at the poor end of the relationship.

Based on over 20 years of intermittent fieldwork by both authors, the book revolves around a central paradox: that despite the objectively demonstrated and universally acknowledged paucity of Maltese football, football in Malta is a national obsession.

The reasons for this are rooted in Maltese history, politics and society. There is a strong history, linked to the development of Maltese party politics, of support for footballing nations other than Malta: particularly England, the team of the most recent colonizers (1800-1964), and Italy, the team of the Italianate elite who organized anti-colonial politics during the colonial period. This pattern is replicated in support for local club teams in Malta, which is dominated by inter-district rivalries, themselves informed by considerations of social reputation, class, and party allegiance. The rivalries of different clubs are mapped onto party-political rivalries, and vice versa. Such linkages do not merely connote corporate, collective identities of town or village, but are also determined by the political identities and allegiances of the football club Presidents, or ‘big-men’; financiers and patrons who use their capital – financial, social and symbolic – to further their own reputation and those of their clubs.

Importations from Europe, of tactics, coaches or players, are on the one hand regarded as a panacea – a means of developing a better, more successful game; professional and modern. On the other hand, they are regarded with suspicion and many of the overseas personnel brought in to play or administer the game are frustrated by what they regard as deeply entrenched tendencies which militate against success.

Chief among these is corruption. If the first taboo
in football is the disclosure of its intimate links with politics – a phenomenon that everybody quietly acknowledges – the second is the disclosure of corruption within the game. Yet corruption is tacitly regarded by the footballing ‘big-men’ and their supporters as part of their responsibility to ensure their club’s success. In a country dominated by an ethos of voluntarism and amateurism, the use of money within football appears undifferentiated – using it to pay your own players’ inflated wages or using it to pay off opponents, are to some regarded as equally shrewd uses of financial capital. Such utilisation is focused on the common good, but can also spin off into benefits for the big-man himself – many of whom use their footballing patronage to launch political careers at national, local, or indeed international levels. One such big man is the current MFA President, Joe Mifsud, who has pursued a successful career in footballing administration both within and outside Malta – as committee member of both UEFA and FIFA.

The figure of Joe Mifsud brings us from the local to the global stage of footballing ‘big-manism’, demonstrating the inter-relationship of local and global processes, which are manifest in two further ways. First, the influx into Malta of non-European foreign players; many of whom are from African nations and are utilising Malta as a stepping-stone into the more lucrative and secure footballing markets of UEFA. The local ‘big-men’ have (largely unsuccessfully) attempted to capitalise on this, by bringing talent into the country and selling it on to larger European clubs. The process parallels the illegal immigration trade that sees thousands of clandestini (illegal migrants) annually shipped from North African ports into Malta, and then on to Sicily and mainland Italy. Second is the emergence of foreign fan clubs in Malta – clubs dedicated to the larger UEFA teams; Juventus, Manchester United, and Inter Milan. Like all such associations in Malta, they are built by the energies, linkages and acumen of entrepreneurial social actors, keen to make a name for themselves, and make money in the process. They are the sites par excellence for the Europeanisation of Maltese football – of Maltese society. Malta has become part of Europe through such processes.

The impact of trade policies on Pakistan's preferential EU access

By ZhenKun Wang, CARIS

This report by CARIS and commissioned by the European Commission, studies the impact of EU trade policies in South Asia on Pakistan’s market access to the EU and on Pakistan’s overall trade performance.

It includes quantitative analysis of the EU-India FTA, the Pakistan-China FTA, the Pakistan-Malaysia FTA and the implementation of SAFTA and their impacts on Pakistan; discussions of the impact of the EU’s GSP scheme(s) on Pakistan; examinations of the importance of Pakistani domestic regulatory reform for trade performance in relation to the EU and the rest of the world.

The report consists of five parts. The first part provides an overview of Pakistan’s trade policy, and trade performance in goods and services. It uses a range of descriptive statistics demonstrating the evolution of Pakistan’s trade pattern over time, by sectors and with its key trading partners, and identifies some key issues important to Pakistan’s trade performance and its access to the EU market. The importance of the textiles and clothing industry is identified and discussed here.

The second part of the report focuses on the quantitative modelling of the impact of the EU and Pakistan current and planned preferential trading arrangements in the region. It applies the GLOBE multi-country computable general equilibrium (CGE) model and captures the interaction of trade creation and trade diversion effects along with inter-sectoral linkage effects in an internally consistent manner. The benchmark equilibrium of the CGE here is based on the assumption of a successful conclusion of the Doha round, as well as incorporating the liberalizations foreseen between Pakistan and its various preferential trading
agreement partners. It then simulates the impacts on Pakistan of EU-Korea, EU-ASEAN and EU-India agreements.

The third part focuses directly on trade policies with regard to non-tariff barriers, services and regulatory issues in the existing and prospective preferential agreements between the EU and other Asian countries. It asks how these are likely to impact on Pakistan’s market access to the EU for goods and services. It analyses some principal issues such as intellectual property rights, standards, trade facilitation, trade defence, services, investment, and competition policy. Of these, trade facilitation, competition policy, and intellectual property rights are largely concerned with changes taking place in the EU partner economies and are therefore unlikely to directly impact on Pakistan’s access to key markets and notably the EU. Agreement with respect to the other categories could conceivably lead to improved access for a partner economy into the EU market and could therefore impact on Pakistan’s access to the EU market, and on Pakistan’s trade performance. Hence the focus on this part is on services, standards, rules of origin, trade defence and investment. It also provides a database for the products/areas where there is evidence of possible regulatory and market access impediments into the EU market with respect to Pakistan and India.

The fourth part examines the significance of the EU’s GSP preferential schemes for Pakistan trade and its comparison to other preference structures with key competitors. The analysis provides a detailed level of trade data disaggregation. Considerable attention is paid to the importance of textiles and clothing industries. This part also analyses the importance of the GSP schemes for Pakistan in the context of a potential free trade agreement between the EU and India, the utilisation rates of the EU’s GSP and other preferential schemes.

The final part of the report analyses in much more detail issues of regulatory reform and non-tariff barriers within Pakistan and therefore how they might impact on Pakistan’s export performance. It considers the issues, procedures, and practices in Pakistan with respect to government procurement, services, investment, competition policy, trade facilitation, trade defence, intellectual property rights, and rules of origin. This part is based on secondary material as well as interviews undertaken with officials and stakeholders in Pakistan.

The overall conclusion of the report is that the aggregate direct impact of the EU’s (third party) trade policies in the region, on Pakistan’s access to the EU is unlikely to be substantial. This conclusion emerges from CGE modelling as well as from the detailed quantitative and qualitative analyses. However, the preceding needs to be qualified in two regards. First, it is possible and indeed likely, that particular industries or segments may indeed be affected by the changing preference margins implied by the EU’s trade policies. Second, it is possible that there may be longer term “dynamic” effects from changes in investment flows and service provision arising from the EU’s trade policies and most notably with India which could change the relative attractiveness of doing business with one partner rather than another. This however, is clearly an issue closely linked to regulatory procedures and possible barriers within Pakistan and it is not simply an issue of EU trade policy.

**CARIS** is the Centre for the Analysis of Regional Integration at Sussex. It was founded in 2006 and conducts research in all areas related to regional integration – feasibility, scope and effect - both in developed and developing countries. CARIS draws on the strong interdisciplinary approach to research that Sussex embodies, and works in collaboration with governments, international organisations, other academic institutions and NGOs, as well as with other Sussex researchers.

CARIS has recently completed a project on impacts of EU-India FTA on third countries for the Commonwealth Secretariat, and is currently working on a project of the Single Market. Soon it will start projects on Carbon Taxes and How to Help LDCs Achieve Satisfactory Outcomes from Trade Agreements.
Romania’s election marathon

By Ed Maxfield, SEI DPhil student

If Romania lodges in the popular consciousness at all in the UK it is for three things: the catastrophic regime of Nicolae Ceausescu (and particularly the fate of children in state orphanages); the violent nature of his overthrow in December 1989; and the fictional character of Dracula.

All dark images of a country on the outer edges of Europe, both literally and figuratively. Images which continue to shape perceptions of Romania in the west.

The long and difficult transition from the Communist past has done little to change the picture, despite its being capped by Romania’s accession to the EU in 2007. After 1989 power was retained by Communist apparatchiks re-cast as revolutionary heroes. There was an outburst of radical nationalism which reached its peak in 2000 when Corneliu Vadim Tudor beat mainstream opponents to reach the presidential run-off with ex-Communist Ion Iliescu. And the economy has suffered from pyramid selling scandals, corruption and the grindingly slow development of functioning markets.

Yet, a casual observer of the country’s politics today would see a familiar picture beginning to take shape. The parliamentary elections of 30th November 2008 were a contest between a social democratic party, a broad party of the centre right and a smaller centrist liberal party (all three of which are members of their European party family groupings). The ethnic Hungarian community continues to vote en masse for its representative association, but Tudor’s old-time nationalists were ejected from parliament altogether. The fascination for political scientists is attempting to piece together the more complex story that lies behind these headlines – how far Romania’s politics has entered the European mainstream and how far the labels simply disguise a personality based politics that is light on ideological commitment and heavy on graft.

Between May 2007 and November 2009, some Romanians will go to the polls no fewer than eight times. This election marathon begins and ends with the charismatic and divisive figure of national President Traian Basescu. May 2007 saw a referendum called by his opponents in an attempt to impeach him and, having decisively seen off that challenge, Basescu will run for re-election in the Presidential poll at the end of 2009. In between are parliamentary, local government and two lots of European Parliament elections. Unsurprisingly, voter turn-out is showing signs of sagging. Basescu could not resist intervening in the parliamentary contest. Yet, despite now being the largest party in parliament, his Democrat Liberal Party polled less than a third of the vote.

The key to the Democrat Liberals’ disappointment is the resilience of their former allies the National Liberals. One half of the electoral alliance that delivered Basescu victory in 2004, it took just months for the mercurial president to fall out with his partners. The National Liberals retained the premiership and formed a minority government. In the European Parliament elections of November 2007, the National Liberals gathered just 13% of the vote and looked destined for further heavy defeats. However, in the parliamentary elections, the National Liberals won 18% and have increased their number of seats in parliament – giving them a pivotal role in the formation of a new government. The project of uniting the opponents of the left into a single party, dreamt of by allies of the president, will have to begin again in more complex circumstances than before. While the centre right parties remain unreconciled, the Social Democrats appear to have come through troubling times since their defeat in 2004. Their traditional base in local government (crucial both in terms of credibility and the control of local resources) remains strong and they have renewed legitimacy from topping the poll in the parliamentary elections.
By Ruth Johnson, SEI DPhil student

My doctoral research focuses on Italian national interests as promoted successfully (or unsuccessfully) through the EU policy-making process.

Because my case studies are so diverse, covering a wide range of subject matter that also spans quite a long period of time, I felt that exploration into other libraries and fonts of knowledge would be crucial in order to investigate thoroughly all aspects of the case studies. I was also interested in finding more literature written by Italian scholars and political scientists.

Therefore I spent the month of October in Italy doing research. The first stop was the European University Institute (EUI) in Florence, where I spent two weeks using their wonderful library. If a doctoral student from another University wishes to use their library the procedure to apply for a library card is quite simple and explained on their website at www.eui.eu/LIB/. Be sure however to send in your application before you arrive as it may take about a week for your library card application to be processed. The EUI campus is in a beautiful villa in the town of Fiesole, which is on a hillside and affords a lovely view of Florence’s city centre. I spent my time searching for material on Italian national interests, the Italian policy-making process at the EU level, and agricultural policy. I then spent two weeks in Rome at the Ministry of Foreign Affairs, investigating their archives. I discovered that the path to archival research can be a difficult one, as there are many steps to be taken before one is allowed access to documentation.

My advice to anyone who wishes to do research in an Italian archive is to call the archive at least a week ahead and make sure you understand exactly what the procedure for admittance is and what documentation to bring with you, as their websites can sometimes be inaccurate or outdated. One difficulty lay in the fact that documents after 1958 are difficult to access, as only under special circumstances are archival documents less than 50 years old allowed to be viewed. This set a limitation on my research, however I tried to make use of the material available to me. Overall I learned a lot from my research experience in Italy, it was a great opportunity to explore new places and materials. I hope to return to Italy in the spring or summer to continue exploring their rich libraries and archives, and also to interview various Italian professors and political elites.

Ed Maxfield’s research focuses on the evolution of Romania’s centre-right. He has recently published an SEI working paper titled ‘A New Right for a New Europe? Basescu, the Democrats and Romania’s centre-right’ and a paper on ‘Europe and the 2008 Romanian parliamentary election’.

We will only really begin to get a sense of Romania’s ‘post transition’ politics after Traian Basescu leaves office (most probably when he is obliged to stand down in 2014 at the end of his second term). By then it will have become a little clearer whether the political contest has moved on beyond dominant personalities and cleavages formed around their relationship to the former Communist regime. The first clues, though, will start to appear with the negotiations to form a new coalition government which consumed Romania’s politicians in the days following the elections.
I was a visiting research student at the School of Politics and International Relations at the University of Tartu, Estonia, from September to November 2008, as part of the Estonian government’s Archimedes programme for visiting scholars.

Estonia forms one of the four cases for my DPhil research along with Ireland, the UK and Denmark, with regard to the development of civil society based opposition to European integration. I have already completed the fieldwork for the first two case studies so I was able to compare the results of two West European and relatively long term EU member states to those of a former communist new member state.

There were of course expected differences from the Estonian case to the others but the depth of those differences took me by some surprise. The most obvious difference being that security was the number one issue in the Estonian EU debate. For those of us from a West European background there is a degree of complacency as to the safety of the nation state from international aggression. Not so in Estonia were NATO and the EU are two sides of the same coin. Unfurling events in the South Caucasus in September were seen as intrinsic to the jump in public support for the EU by the pro-EU supporters whom I interviewed and reciprocally as taking away from the argument of the Eurosceptic campaigners whom I interviewed. Indeed the TV images from Georgia brought into dramatic perspective for me the arguments of both sides of the EU-Estonia debate about national integrity, national security, international cooperation which all too often in political science can appear distant and abstract given that Estonia had experienced something similar less than twenty years ago.

The other major difference was the lack of a developed civil society. With the Irish and UK examples civil society groups that opposed European integration were relatively well financed and in most cases extremely well organised with wide networks of volunteers. In Estonia, civil society is weak and only just emerging. Eurosceptic protest movements are small, with scant resources and a handful of volunteers. Putting this into the perspective is the fact that Estonia had the only noticeable civil society led opposition to EU membership amongst the CEEC’s. This shows how far civil society not just in Estonia but also in Eastern Europe has to come before it reaches the same levels of pervasiveness and effective participation in the state as it does in Western Europe. An encouraging footnote is the intention of many of the groups to campaign against membership of the Euro.

The University of Tartu Politics Department treated me with tremendous assistance, providing me with office facilities and contact details of individuals who would be of value of my study. Additionally I presented before their graduate students on how to conduct research ‘UK style’. The department has a growing postgraduate research community with whom I shared many the intellectual debate.

My time there was most valuable, not just merely for the accumulation of data for my research but also in forcing me to change my perspective on the nature of national EU debates, away from the utilitarian concerns that consume the UK and Ireland to the pressing issues of international security and national integrity.
Valeria Tarditi

Valeria Tarditi is a visiting PhD at the SEI. She is from the “Politics, Society and Culture” department of Sociology and Political Science of the Università degli Studi della Calabria (Italy). She graduated in Political Science at the same University.

Her research interests focus on the European Union and on issues related to the evolution of the European integration process. In her final degree dissertation she analyzed the relation between the economic and the social dimensions in the European Union, dedicating particular attention to the functioning of the Open Coordination Method in the social policies.

She is interested in the study of the phenomenon of Euroscepticism, and in the ways it may affect the future development of the integration process. During the visiting period at the University of Sussex, she will be working with Profs Aleks Szczerbiak and Paul Taggart and will analyze the phenomenon of Euroscepticism in the party systems and in the public opinions of two member states. She intends to determine if Euroscepticism is a growing phenomenon, or if it is confined to narrow sectors of party systems and national societies, and, being so, it does not constitute a source of obstacles for the evolution of the integration process. Moreover, the aim of the research is to identify the real reasons of the opposition attitudes to Europe. Finally, the research will try to understand if Euroscepticism has its origins in an élite context and that through a top-down persuasion process spreads also to citizens; or if, on the contrary, citizens push parties, through their electoral choices, to assume Eurosceptical positions; or perhaps if élite and citizens mutually strengthen each other in their rejection of Europe.

Emelie Lilliefeldt

Emelie is a doctoral student at the Baltic and East European Graduate School, Södertörn University, and Stockholm University, Sweden. She holds an MSc in Public Administration and Economics from Umeå University, Sweden, and has previously worked as a research assistant in a project on comparative politics. Her main academic interests include representation, political parties, gender and social science methods. In her PhD project, she studies the formal structures of individual party organisations and their impact on gender representation.

During her time as a visiting doctoral student at SEI, Emelie will be working with Prof Paul Webb and Dr Sabina Avdagic and will engage in comparative analysis of European party organisations. She seeks to combine modern theory on the internal workings of party organisations with recent research on gender and parties, aiming for detailed, comparative analysis of intra-party institutional settings and power relations. The primary focus of her project is on how different distributions of power within party organisations affect the gender balance in the parliamentary wing of parties.
Furthermore, Emelie has a particular interest in conditional hypotheses and suggestions on jointly favourable conditions presented in previous research on women's representation. Her research puts emphasis on necessary and sufficient conditions and, in addition, on combinations of conditions that are favourable for gender balanced representation – including both party-internal and external factors. During the upcoming spring and summer terms, she will work with qualitative comparative analysis (QCA) of empirical material from the 1980s, and discuss the "breakthrough conditions" for women's presence in European party politics.

Nicole Wichmann

The Swiss National Science Foundation offers a number of grants for prospective researchers. These grants can be used either to complete PhD dissertations or to embark on post-doctoral research.

I was offered a scholarship by the Research Commission of the University of Lucerne for the academic year 2008-9. As host institution I chose the SEI because it is one of the most vibrant research centres on contemporary European affairs. In addition, the prospect of being able to work with Professor Jörg Monar, one of the most distinguished scholars in the area of EU justice and home affairs cooperation. This made Sussex an attractive destination in academic terms.

For the last four years I have been working on my PhD project at the Universities of Berne and Lucerne. In parallel to my PhD dissertation I was employed as a Research Assistant in an FP 6 funded project called “Inside-Out – New Modes of Governance in the Relations with EU neighbouring countries” (directed by Prof. Sandra Lavenex, University of Lucerne). The project was connected to the NEWGOV consortium, which was coordinated by Prof. A. Héritier at the European University Institute. I have also spent one year as a Marie Curie Junior Research Fellow at the University of Cambridge.

My research has so far focused on the external dimension of the EU’s internal security policies and the EU’s relations with its neighbours (old and new). I have published numerous articles, book contributions and working papers on these topics, for example in January 2009 a Special Issue of Journal of European Integration on the “External Dimension of Justice and Home Affairs” will appear that I co-edited with Sarah Wolff (London School of Economic and Political Science) and Grégory Mounier (University of Reading).

My PhD analyses how the EU promotes the Rule of Law through its Anti-Terrorism, Anti-Drugs, Anti-Corruption and Judicial Reform policies in the ENP countries. The thesis conceptualises the EU’s Rule of Law promotion efforts in the ENP as a manifestation of the EU’s power in international relations, i.e. as a projection of its identity as a Normative vs. a Strategic Power. The thesis seeks to explain the
EU’s evolving penal strategy

By Estella Baker, University of Sheffield

EU competence in penal matters has expanded beyond recognition, particularly since the Treaty of Amsterdam introduced the new objective “to maintain and develop the Union as an area of freedom, security and justice” (AFSJ).

Despite the corresponding growth in academic literature in the field, relatively little attention has been paid to the questions of who exactly is in control of the Union’s penal agenda, how influence is exerted over the shape of its emerging penal strategy, or how best to conceive of the Union as a penal actor. The paper discussed these questions from a number of perspectives, focusing on the exercise of competence under the intergovernmental Third Pillar, the part of the Union’s structure that is concerned explicitly with “Police and Judicial Cooperation in Criminal Matters”.

Formally speaking, Third Pillar instruments are adopted by a unanimous vote of the Council of Ministers following consultation with the European Parliament. Contrasting with the Community Pillar, the Commission shares the right to initiate legislation within the Member States. Significantly, however, this is in a context where the development of the AFSJ has been given a strong political "steer" by the European Council (first through the Tampere multi-annual programme to put the Area in place and more recently through the current Hague Programme).

Empirical studies by political scientists corroborate the formal Treaty position in that they suggest that the Council should be regarded as the dominant Institution in Third Pillar decision-making, by comparison with the European Parliament and with the Commission.

My Forthcoming Publications include:


- Lavenex, Sandra, Lehmkuhl, Dirk & Wichmann, Nicole, 2009, Modes of governance in the EU neighbourhood associations: a cross-national and cross-sectoral comparison, Journal of European Public Policy, vol. 16,

- Wichmann, Nicole, 2009, “More in than out “— the Schengen Association of Switzerland, Swiss Political Science Review, vol. 15,
The relative importance of the Commission is partly a product of its lack of monopoly on the right of initiative, but a further factor is the role that the European Council has assumed in the AFSJ field. Evidence to the House of Lords EU Select Committee (22nd Report of Session 2007-08) suggests that Commission proposals are designed to promote the policy objectives that the European Council has set, rather than being independently generated. That the Council of Ministers and the European Council can be regarded as the most significant actors in the Third Pillar is consistent with its intergovernmental ethos and particularly suitable in the light of the intense political sensitivity of its subject matter. However, consequential questions then arise as to the balance of power within the two bodies in question.

“A number of scholars have sought to establish that a country’s penal profile is correlated with its type of political economy”

Further empirical studies (Thomson, 2008; Warntjen, 2007) highlight the importance of size and of the periodic tenure of the rotating Presidency as material factors in explaining decision-making outcomes. It is noticeable, however, that these findings are predicated on analyses that treat each Member State as a discrete entity; they do not look for evidence of the existence of strategic alliances between Member States of similar outlook and orientation. However, recent work in the criminological field suggests that this may be a fruitful line of enquiry.

A number of scholars have sought to establish that a country’s penal profile is correlated with its type of political economy (Cavadino and Dignan, 2006; Lappi-Seppälä, 2008). What is striking about this work is that the 27 Member States do not all fit into the same category within the emerging penal policy/political economy typology. That suggests that some decision-making outcomes may be explainable in terms of their strategic pursuit across Presidencies held by Member States that share a similar penological orientation. Additionally, or instead, it is possible to contemplate a number of variants on this basic idea. For instance, a characteristic of the developing penal field is the development of clusters of Member States who are working in exceptionally close collaboration with one another (for example, the G6 Group, the Salzburg Forum). Perhaps their members might develop similar strategic alliances.

Alternatively, the Union may be forging a penal approach of its own that is not dependent upon those of its constituent Member States, but is designed to promote its own governmental ends. (Certain statements in the Tampere Conclusions might be read to imply as much.) If so, it might be more appropriate to adopt a more supranational perspective, comparing the Union’s situation with that of (other) federal governments, and other recent criminological literature may have insights to offer here (Simon, 2007).

All-in-all, it seems that the influences on the Union’s penal strategy are imperfectly understood. However, there appears to be untapped scope for bringing a variety of disciplinary perspectives to bear in attempting to improve on that position. The need to do so is given added impetus by the prospect that the Treaty of Lisbon will eventually enter into force because the Third Pillar would then be absorbed into the Community. We would then be faced with fresh decision-making processes when we have not yet got fully to grips with those that have been in place for the best part of the last decade.

Estella Baker is from Sheffield Law School and the Centre for Criminological Research and spoke at a recent seminar organised by the University of Sussex’s ‘Centre for Responsibilities, Rights & the Law’ (e.baker@shef.ac.uk).
New SEI Working Papers

SEI Working Papers in Contemporary European Studies present research results, accounts of work-in-progress and background information for those concerned with contemporary European issues. There are three new additions to the SEI Working Papers Series. The abstracts from the papers are presented below:

SEI Working Paper: No 107
“The Scottish and Welsh Party Systems Ten Years after Devolution: Format, Ideological Polarization and Structure of Competition”
By Emanuele Massetti
University of Sussex
E.Massetti@sussex.ac.uk

Abstract
In 1999 the Scottish Parliament and the National Assembly for Wales were established. After three elections, the new party systems have shown some stable features which are analyzed here in the light of the theoretical literature. Aspects of the party systems remain rather fluid, making their classification more complicated. The formats of the party systems in Holyrood and Cardiff Bay differ considerably from those of Scottish and Welsh seats in Westminster. They also differ among each other, triggering different mechanics. In order to explain how the two party systems work, an investigation of the ideological space and of the distances between parties is undertaken. New data, gathered from a survey conducted by the author on MSPs and AMs, are presented. These data are triangulated with the existing literature and with a qualitative analysis of party manifestos.

SEI Working Paper No 108
“Home Sweet Home: Assessing the Weight and the Effectiveness of National Parties’ Interference on MEPs’ everyday Activity”
Stefano Braghiroli
University of Siena
braghiroli@unisi.it

Abstract
The paper looks at ex post assessing the weight and the effectiveness of domestic parties’ role in shaping and controlling the voting behaviour of the Members of the European Parliament (MEPs). The empirical analysis addresses the turnover between the 5th and the 6th EP legislatures and focuses on the three major European political families. Provided that, so far, the re-election of
MEPs is still an eminently national business, this study estimates national parties’ attitudes towards behaving according to a ‘sanction-benefit’ mindset, thereby evaluating how MEPs’ careers in the aftermath of the 2004 elections have been influenced by their compliance to national party’s line.

The analysis shows that seven out of the twelve delegations taken into consideration are marked by an evident sanctionary nature. In these delegations, national loyalty emerges as a key factor for a successful future political career both at home and at EP level. Accordingly, it has been found that in the sanctionary cases a recurrent pattern emerges: the former MEPs promoted as national or local representatives emerge as the most nationally-loyal, followed by the re-elected MEPs; whereas the former MEPs retired or excluded from political life emerge as those keener to defect during their past European mandate. When it comes to the five delegations that do not fit the sanctionary model, the recognition of common traits or comparable behavioural patterns proves to be extremely difficult. Even if the identification of the reasons for differences among the delegations goes beyond the scope of this paper, the analysis demonstrates that, given the low statistical relevance in the five cases, it is possible to rule out the possibility of opposite behavioural patterns in the non-sanctionist delegations.

SEI Working Paper: No 109
“The Eastern Partnership – something new or window-dressing”

Prof Christophe Hillion
University of Leiden, Law

Prof Alan Mayhew
University of Sussex, SEI
A.Mayhew@sussex.ac.uk

Abstract

The eastern partnership is a policy initiative proposed by Poland and Sweden to accelerate the growing interdependence between the EU and the countries of Eastern Europe (Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan). In the light of the conflict in Georgia in August 2008, the heads of state and government of the European Union meeting in September decided to accelerate the implementation of this policy. A Commission proposal was produced in early December and will be debated in the Council and agreed at a special summit under the Czech presidency in spring 2009.

This working paper discusses the aims and objectives of the Union in relation to Eastern Europe and the question of whether the proposals made by the Commission meet the needs of the six countries addressed by the proposal. There exist already a host of policy initiatives by the European Union on Eastern Europe, of which European Neighbourhood Policy is the most obvious. This paper answers the question whether the Eastern Partnership policy really contains new initiatives, significant enough to change the relationship which exists today, and whether, if successful, it means the end of ENP.
Research

New EPERN Briefing Papers

The European Parties Elections & Referendums Network (EPERN) produces an ongoing series of briefings on the impact of European integration on referendum and election campaigns. There are two new additions to the election briefing paper series. Key points from this are outlined below. All EPERN briefing papers are available free at: www.sussex.ac.uk/sei/1-4-2-8.html

ELECTION BRIEFING No.43
“THE 2008 MALTESE GENERAL ELECTION AND THE EUROPEAN ISSUE”

Professor Roderick Pace
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Key Points

· The 2008 election in Malta was narrowly won by the Nationalist Party which secured a third five year term in office;

· The negative election result led to a leadership change in the Malta Labour Party;

· EU related issues were prominent in this election but not the “membership versus non-membership” one;

· For the first time there was a drop in voter turnout

· The Maltese political system remains dominated by the two main political formations, the Nationalist Party and the Malta Labour Party, the smaller parties once again fared dismally;

· The introduction of the euro on 1 January 2008 could have diminished the Nationalist Party’s re-election chances but did not;

· Following the election Malta re-joined the NATO’s Partnership for Peace removing one of the main obstacles it faced in participating fully in the EU Security and Defence Policy under the so called Berlin Plus arrangement.

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• Add yourself to the official mailing list by emailing: euroscopec@sussex.ac.uk

Also, contact us to comment on articles and research and we may publish your letters and thoughts!

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ELECTION BRIEFING
No. 44
“EUROPE AND ROMANIA’S PARLIAMENTARY ELECTIONS
30 NOVEMBER 2008”

Ed Maxfield,
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Key Points

- The Social Democrats won a narrow lead in the popular vote but the centre right Democrat Liberals secured a one seat lead in the new parliament;

- These two parties surprised observers by signing a coalition agreement, excluding the former governing party, the centrist National Liberal Party;

- The election saw the removal from parliament of the far right Greater Romania Party as it failed to reach the threshold for representation;

- The election was the first time parliamentary elections were fought separately from the presidential poll and the first fought under a new electoral system based on single member districts;

- The economy dominated the campaign but corruption and the personality of state President Traian Basescu also featured;

- Despite Romania entering the EU less than two years earlier, European issues played only a peripheral role in the campaign.

Who we are...

Euroscope is the newsletter of the Sussex European Institute (SEI). It reports to members and beyond about activities and research going on at the SEI and presents feature articles and reports by SEI staff, researchers, students and associates. The deadline for submissions for the Summer term issue is: 1st April 2009.

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The SEI was founded in 1992 and is a Jean Monnet Centre of Excellence and a Marie Curie Research Training Site. It is the leading research and postgraduate training centre on contemporary European issues. SEI has a distinctive philosophy built on interdisciplinarity and a broad and inclusive approach to Europe. Its research is policy-relevant and at the academic cutting edge, and focuses on integrating the European and domestic levels of analysis. As well as delivering internationally renowned Masters, doctoral programmes and providing tailored programmes for practitioners, it acts as the hub of a large range of networks of academics, researchers and practitioners who teach, supervise and collaborate with us on research projects.

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Wider Europe Conference on Eastern Europe

By Ezel Tabur, SEI DPhil student

On 30 October, the Jean Monet Wider Europe Network (JMVEN) and Stiftung Wissenschaft und Politik (SWP) co-organised a conference in Berlin, focusing on the viewpoint and policy preferences of the EU member states towards EU’s Eastern neighbours.

In the first session, participants discussed the objective and capabilities of the ENP, and whether or not it will pave the path for reforms in Eastern Europe. Gerhard Almer (Auswärtiges Amt), Prof Rainer Lindner (SWP), Dr Laure Delcour (IRIS), Dr Tom Casiar (University of Kent-Brussels), and Pavlo Klimkin (Ukrainian MFA) addressed how the ENP and its tools enhance political stability and economic prosperity in Eastern Europe and discussed the effectiveness and success of the approach in supporting and serving as a driving force for necessary reforms. Although the tools used by the ENP are similar to the tools of enlargement (such as action plans and conditionality principle), it remains to be seen if the ENP would have the same effect and strengthen the reform process in the Eastern neighbours to the same extent as the Enlargement process.

Discussion in the second session centred on the member states and their policy preferences in relation to EU’s Eastern neighbours. Florian Escudie (Embassy of France to Federal Republic) focused on the policy preferences of France, the member state currently holding the EU presidency towards Eastern neighbourhood. Dr Kai- Olaf Lang (SWP) analysed the German and Polish perspectives and how they diverge. In his analysis, the case of Ukraine is given particular attention to understand the divergence of Germany and Poland on the issue. SEI Visiting Fellow Dr Nat Copsey (JMVEN/University of Birmingham) analysed the approach and grounds for the varying policy preferences of member states towards the Eastern neighbours; however his focus was on the policy approach and preferences of the UK. In addition, the role of Russia, as an important actor and its bilateral relations with EU member states were discussed at the session.

The third session discussed the feasibility of deep integration between the EU and its Eastern neighbours, using the case of Ukraine as the primary example. Ewa Synowiec (European Commission) spoke about the negotiations with Ukraine in relation to the establishment of a free trade area and gradual integration of Ukraine to the Union. In turn, Pavlo Klimkin (Ukrainian MFA) talked about the process of further integration of Ukraine to the EU and its challenges. Prof Alan Mayhew (JMVEN/University of Sussex) evaluated the Association Agreement between the EU and Ukraine, focusing on the prospective advantages and costs for Ukraine. Although it is a challenging process, the engagement is considered as making progress. The Polish-Swedish Eastern Partnership proposal was discussed in the fourth session by representatives of the Polish and Swedish governments, followed by extensive comments from Prof Christophe Hillion (University of Leiden). The Eastern Partnership will apply to the six countries of Eastern Europe and will offer them Association with the European Union. Prof Hillion tackled the question of whether this new policy promises anything which is not on the table already. The Conference concluded with a final roundtable, chaired by Prof William Paterson (University of Birmingham) in which Markus Merkel, Member of the Bundestag, gave his views on the way EU policy towards the East might be made more effective.

The Jean Monnet Wider Europe Network was established by SEI in 2003. More details can be found on the internet: www.wider-europe.org
UACES Autumn Conference: a good starting point

By Amy Busby & Ariadna Ripoll Servent
SEI Research students

The UACES ‘European Studies Research Students’ Conference’ is a good place for new researchers to meet and start on the conference circuit. The conference was organised by the UACES Student Forum Committee and hosted by the ‘European Commission Representation in the UK’ and ‘UK Office of the European Parliament’ in Westminster. It was held on 10 November and was attended by around 50 researchers.

After the Welcome Address by Prof Alex Warleigh-Lack, Keynote Speeches were given in the Commission building. Sir Stephen Wall spoke about why the Irish said ‘no’ and Dominic Brett about the work the EC Representation does selling the EU to a Eurosceptic UK public. Then Caroline Boyle (from the EP office) gave an interesting talk on the new ways they are promoting the EU, such as giving talks to smaller organisations in the Regions and in schools as well as producing materials for teachers to use. She stressed the importance of explaining how the EU is different to Westminster and how it directly affects local areas. During the coffee break, Dr Eamonn Butler gave the first JCER Article Competition Award to David Lutton (University of Strathclyde) and encouraged new researchers to take part in next year’s competition.

The first two panel sessions gave a choice between workshops on; ‘Managing the Stages of the PhD’ and ‘Planning and Conducting fieldwork’. In the latter, two researchers who had recently returned from fieldwork shared their numerous tips and experiences, especially on how to conduct interviews. Vicki Morris from the UACES Student Forum Committee then presided over a useful organised networking session where everyone introduced themselves and their research topic before lunch, and many of us found people working on similar issues and areas.

In the afternoon, attendees had the experience of electing the new Student Forum Committee. We heard pitches from all the candidates including a video speech from a candidate-for-Chair who could not attend. Voting closed at the end of November. The second panel sessions gave advice on either getting published or using e-resources. The former was conducted by Dr David Galbreath from the University of Aberdeen, with the support of Dr Eamonn Butler from the University of Glasgow and JCER Editor. They gave very practical insights on how to format articles and target publications in order to improve the chances of getting published. The latter session by Margaret Watson, an Academic Services Librarian from Oxford University, provided some helpful tips on finding your way through the EU institution websites and some other handy search sites for European studies documents.

The final session of the day gave us all some food for thought, where Alex Warleigh-Lack and the Keynote speakers spoke about life after the PhD, job prospects and opportunities. Alex Warleigh-Lack gave advice on progressing a career in academia, Dominic Brett gave some reality-checks on working for the EU institutions and Caroline Boyle encouraged us to look at the wider field of organisations which have an interest in Europe.

Overall, we concluded that this is a good place to start as it eases new researchers into academic conferences. It provides a relaxed atmosphere for new researchers to meet others working in similar areas to themselves and gave some advice on early skills required.
The MACES Experience!

By Paul Gough, MACES student

Like my predecessor Stephen Booth who wrote in the Autumn edition of euroscope, I studied for my undergraduate degree here at Sussex and thought I knew what to expect from a transition of History and Politics through to the MACES course.

In fact, this couldn’t be further from the truth, and this semester has proved to probably be the most intellectually stimulating, rewarding and memorable one I have spent at Sussex in my three and half years here.

Reflecting on my return to campus for the first time in October since graduating back in July, was something of an eerie experience; almost like I was outstaying my welcome, whilst the vast majority of my campus friends had graduated and moved on. When I walked into the room where the cursory ‘getting to know you’ afternoon was taking place, I realised that these would be people I would learn much from and learn to work with over the course of the year.

And there were one or two familiar faces, with Sussex DPhil students and just two other MACES and MAEP students who had taken the same path as me, having studied Politics at undergraduate level here.

But what surprised me was just how confident and outgoing the students were; the vast majority being young people who had travelled from across Europe and had made the decision to commit to studying here for 12 months. All this within a European institute that has a growing reputation across the continent for its excellent standard of academic teaching and research. I was to learn that this had fed down to the standard of students I was to find myself mingling with on this early Autumn day.

They had emigrated from eastern, western, southern and central Europe – not to mention those from further abroad such as the USA and South Africa. Some were coming from working within their national governments, some working for high-profile think-tanks and lobbying groups, others with just an inquisitive interest in the study of Europe, its politics, economics and sociological histories and theories. In addition to this they have varying ages and academic backgrounds. This truly would be an entirely different environment from what I was accustomed to at Sussex.

“What surprised me was just how confident and outgoing the students were”

Since that first day, it has produced a high standard of intellect through these attributes, as well as wide topics of conversation and learning about different cultures. This was no more on show than at the SEI Christmas party just a few weeks ago, when MACES students were encouraged to bring a dish from their country to contribute to the multinational and multicultural theme, of which is the very essence of the SEI. And although my mince pies seemed to not go down
too well (with some trying not to appear rude but clearly not agreeing with them - you know who you are!) the vast array of food and drinks were very impressive, with SEI Co-Director Jim Rollo describing it as “The best party we’ve ever had”. No lack of praise there, then.

This is partly down to the way that both the British and international students have managed to embrace where they are, the reason for being here, and who they have around within the SEI community. The number of people on the MACES and MAEP courses is only around 45, but there have already been some prominent social events outside of studying. This has included themed dinners, drinks, nights out (particularly Oceana nightclub in Brighton, strangely a favourite nightspot) and the weekly indoor football matches within the Sussex sports centre. This has been a highlight, and whilst the fitness levels at the start of term were noticeably poor, they seemed to have increased as the term wore on, apart from for those who manage to end up in Falmer Bar immediately afterwards!

The study trip to Brussels will be a highlight of the coming months, as well as the continued fortunes of the football teams and whether the Croatians can get the British players to adapt to their style of play! The opportunity to branch out into more specialist optional courses should allow the students to expand their intellectual horizons, and give them the opportunity to research and truly appreciate the facilities that Sussex, and more broadly, the study of European studies has to offer.

But so far, the MACES and MAEP courses have offered a truly stimulating and enjoyable academic and social experience. They are already improving my knowledge of Europe – politically, economically, socially and culturally; and the major issues that Europe has faced and the challenges for the future. It has allowed me to gain the unique opportunity of experiencing a wide range of European cultures and ideas, whilst being able to fall back on my British habits and traditions (including our generally insular view on Europe), on the odd occasion. These skills will prove invaluable to everyone who has been given the opportunity to be a part of MACES this year. So here’s to a fine spring term!

Photos: MACES bowling social and football team
Sussex Politics Society: an audience with Gerry Adams

By Charles de Lusignan, Politics student

It just so happens that the rear seating in the student’s union minibus is a very cold place to be on a winters drive to Stranraer. This is what 22 students, (21 undergraduates and 1 postgraduate) found recently when we drove for 12 hours to Belfast on 1 December.

This 5-day trip to Ulster - organised and run by the University of Sussex Politics Society with the help of Stephen McGlade from Sinn Fein - was an attempt to inform interested students of the details of the long running strife in Northern Ireland. Generous funding from the Students Union allowed for transport and accommodation at a local youth hostel.

Some stereotypes are true, and Ireland is as cold as it is damp. Nevertheless, Politics Society members are cut from hardy stock and the itinerary for the trip was packed – consisting of walking tours, visits to organizations, to Crumlin Road Jail and the ‘headline event’: an audience with Gerry Adams. The evenings mainly consisted of tasting the local brews in the friendly neighbourhood watering holes. The three effective days, (Tuesday, Wednesday and Thursday) were fairly well divided and dedicated to the Nationalist, Republican or Catholic viewpoints. It very rapidly became apparent that each of those terms are less than synonymous and that distinction between them is important to both sides.

Our guide had been a political prisoner for some 16 years and spoke with a frankness about the history of the place, his motivation and his actions. Both sides deeply believe in their cause – though there is a bitterness that pervades the rhetoric.

Tuesday afforded us the opportunity of meeting the Sinn Fein Lord Major of Belfast, Tom Hartley, who highlighted his work – and the associated difficulties – of bringing the conflicting sides to the negotiating table. This is a serious challenge, because as Hartley put it “in order to remove the physical barriers, one must first remove the emotional ones” – Belfast is a divided city, with oxymoronically named ‘Peace Walls’ to this day separating opposed communities. With certain factions refusing to talk, sustained and consistent diplomacy are keys to reconciliation within Northern Ireland. There is a sense of longing in the region – a sense of history. There are murals throughout the city – painted by both sides – representing the struggles and feelings of the communities. Some are intensely moving, detailing glories and deaths on both sides – others are calculated and militant with yet more showing solidarity with other, foreign political troubles. The murals lend to Belfast a strange quality – a constant reminder that time has been unkind to Northern Ireland.

Wednesday was a day of talks, beginning at the West Belfast Partnership. The tone of the discussion centered on the benefits of community activism – particularly within Catholic communities – to relieve social deprivation, a widespread problem in a city recently relieved of its industrial prowess. This is followed by a move down to West Belfast’s Clonard Monastery, where ministers from three Christian denominations spoke inspiringly of their initiatives to bring incompatible religious views together.

On the minibus once again, we came to Sinn Fein’s head office in Belfast, where we met both Gerry Adams and Connor Murphy, abstentionist Members of the Parliament of Westminster. Adams was quite plain; there is an inevitability in the move towards reuniting the six separated counties that make up Northern Ireland, a view
later reflected on the other side of the 'peace wall' by a Loyalist ex-prisoner the following day.

Adams, in contrast to other speakers, refrained from giving a set talk and was content to take questions. As he pointed out, Unionist loyalty is to some degree motivated by continued political support from Westminster, and failing that support would see a corresponding decline in allegiance. The unionists may yet become the victims of the British government’s pragmatism, he said. He highlighted the general lack of knowledge on the issues as being one of the stumbling blocks to Irish reunification; what people don’t know about, they care little for, and education will be the key to promoting the idea. He also admitted that not all IRA killings were entirely justified. Subsequently, the tour and talk of Stormont – an architectural masterpiece besides its role as seat of the Irish Assembly – revealed yet another underlying point: that ill-considered policies, such as internment, were a rallying cry for IRA volunteers.

The final day, Thursday, featured the end of the Republican tour, which we hadn’t quite managed to finish on Tuesday, followed by the analogous walking tour along the Unionist Shankill Road. What is striking is the more militant nature of the murals along the route. Far more were dedicated to particular named battalions of paramilitary groups, such as the Ulster Volunteer Force. The Red Hand of Ulster was a frequent motif as are images showing Ulster support in historical British conflicts. Buildings in the area bore Union Jacks, and signs and murals were all painted in the white, red and blue of the UK. The fact that contrasting orange, white and green of Ireland had daubed the Falls road became much more noticeable now. Our Unionist guide seemed more defensive, reactionary and less polished than his Republican counterparts. His posture was a response to the apparent prevailing attitude in Northern Ireland that reunification is something that will happen in the long run, to the degree that even he issued tacit acknowledgment of the fact, regardless of the political insignificance of the issue in Westminster (where the Ireland question is scarcely a blip on the scale when compared to discussions on Scottish Independence).

Finally a guided tour of Crumlin Road jail provided a final and somewhat chilling reminder of what has been a painfully drawn out fight.

Evening festivities concluded, the minibus sets off at 10pm on the Thursday, transporting a cargo of thoroughly exhausted students back to comparatively tropical Brighton. The trip was very informative, and I have little doubt that it has left a lasting impression on all participants.
Lisbon Treaty Progress

By Dr Brigid Fowler
SEI Visiting Practitioner Fellow

With Irish Taoiseach Brian Cowen’s agreement to hold a second referendum on the Lisbon Treaty, all those working in EU affairs face further months of uncertainty until, it seems, September or October 2009, when the repeat poll is set to be held.

The EU will not know until the Irish vote for a second time whether the Lisbon Treaty will come into force. The uncertainty will be especially great because the second referendum falls in a year which also sees European Parliament elections and the appointment of a new European Commission, despite the fact that the provisions of the existing and the new Treaties on these two institutions differ: an unprecedented situation.

“It is always risky to predict whether and how an EU issue may be taken up at the national level”

It appears that the EP elections are to be held under the existing Nice Treaty rules, with adjustments to the number of MEPs to be made once the new Parliament has been established if the Lisbon Treaty comes into force. As regards the Commission, the December European Council agreed that “the process of appointment of the future Commission, in particular the designation of its President, will be initiated without delay after the European Parliament elections”, that Ireland would hold its second vote before the current Commission’s term ends at the end of October, and that — If Lisbon then comes into force — the Member States would exercise their right to decide that each of them should continue to have a Commissioner. This may open the way for the elaboration, in the period between June and the Irish vote, of plans for a “Nice line-up” and a “Lisbon line-up” for the new Commission, with the current Barroso Commission remaining in office in a holdover role for a few extra months before the new line-up is formally appointed.

Among all the other players involved, the uncertainty surrounding the Lisbon Treaty will also affect national parliaments. This is not, of course, because any of the national legislatures which have already approved the Lisbon Treaty are likely to be asked to do so again. Avoiding the need for re-ratification was a prime consideration of the EU leaders who crafted the deal for Ireland at the December European Council — especially, it was reported, of UK Prime Minister Gordon Brown. At the level of both high party politics and any technical preparations for the possible implementation of the Lisbon Treaty, the UK’s handling of the Treaty will be shaped increasingly by the approach of the next parliamentary election, which must be held by spring 2010.

Although it is always risky to predict whether and how an EU issue may be taken up at the national level, it appears that EU leaders have succeeded in devising a formula that will avoid re-ratification of the Lisbon Treaty in Member States that have already approved it [just as they did with the Maastricht Treaty after the original Danish “no”, and the Nice Treaty after the Irish first voted against that]. Some national politicians are likely to argue that the procedure for which EU leaders have apparently opted — namely to append legally-binding protocols which address Ireland’s Lisbon concerns to Croatia’s accession treaty in 2010 — will effectively amend the Lisbon Treaty by the back door. Others are likely to argue that the proposed protocols simply re-state what the Lisbon Treaty already says, and that their creation is
therefore legally and politically unproblematic.

National parliaments will be affected by the uncertainty surrounding the Lisbon Treaty because their own role in the EU system will be changed, at least on paper, if the new Treaty comes into force. The Lisbon Treaty provides for a system, commonly known as “yellow cards” and “orange cards”, whereby national parliaments could state officially that they consider EU legislative proposals to be in violation of the principle of subsidiarity. If the number of national legislative chambers to do so were to reach a certain threshold, the procedure could potentially trigger a rejection of the draft legislation in the Council or European Parliament. Opinions differ as to whether or not the “yellow card” and “orange card” procedures would ever be likely to be used, and whether even their existence on paper would significantly change the dynamics of EU policy-making. In its consideration of the issue, the House of Commons European Scrutiny Committee doubted “whether the Lisbon Treaty’s new subsidiarity provisions about the role of national parliaments would make much practical difference to the influence presently enjoyed by the UK Parliament.”

If the Lisbon Treaty comes into effect, national Parliaments will certainly have to put mechanisms in place that would allow the “yellow card” and “orange card” procedures to be used should Members choose to do so. Given the Irish situation, the UK Parliament—along with other national Parliaments—has to decide now whether to put appropriate arrangements in place, ready to go into action should the Irish vote “yes” in the autumn, or to wait for the Irish verdict before making formal preparations. In its report on the subject, published in October 2008, the European Scrutiny Committee pointed out that the subsidiarity provisions of the Lisbon Treaty were substantially unchanged compared to those of the failed Constitutional Treaty, and that the arrangements which were proposed for Westminster in 2005 could therefore serve as the basis for any procedures which needed to be introduced now. However, as of October 2008 — that is, before it was clear that there would be a second Irish referendum — the Committee also considered that there was little point in considering possible arrangements in any detail.

The European Scrutiny Committee’s work on the subsidiarity provisions is only one aspect of the work that the Westminster Parliament has done on the Lisbon Treaty. In the House of Commons, the European Scrutiny Committee published two reports on the 2007 Inter-Governmental Conference that produced the Lisbon Treaty, in October and November 2007. In January 2008, in time for the second reading of the bill bringing the Lisbon Treaty into UK law, the Foreign Affairs Committee published a report on the foreign policy aspects of the Treaty. Meanwhile, in the House of Lords, the EU Committee published a report on the IGC in November 2007 and, in March 2008, a major study of the likely impact of the Lisbon Treaty, if it were to be implemented. The House of Lords Constitution Committee also published a report on the Lisbon Treaty. On the floor of the House of Commons, there were eleven days of committee stage debate before the final vote, followed by further debate in the House of Lords. Whether the European Union (Amendment) Bill 2007-08 ever comes into force in the UK now rests with Irish voters.

Dr Brigid Fowler is a Committee Specialist for the House of Commons Foreign Affairs Committee and a Visiting Practitioner Fellow at SEI. She writes here in a personal capacity.
As well as pondering the progress of the Lisbon Treaty I am also following the evolution of Swiss relations with the EU—someone has to! This may not rate alongside the travails of Lisbon and the credit crunch but it is on the Union agenda even though Switzerland became a full member of Schengen and Dublin on 12 December. In fact, Peer Steinbrück, the German Finance Minister has recently brought it to the fore by demanding Switzerland be placed on an OECD blacklist because its investment conditions encourage German taxpayers to commit fraud.

Steinbrück’s attack is part of an ongoing German campaign—paralleled in the USA and elsewhere—against tax evasion through ‘fiscal paradises’. Swiss authorities deny that they are one, insisting their policies are in line with OECD and EU rules. Indeed, in 2007 Switzerland returned 490 m CHF to EU member states as their share of the withholding tax it levies—in lieu of information disclosure—on foreigners with accounts in Swiss banks, not excluding my small Post Office account. The stand off remains unresolved.

The attack is resented in Switzerland by the Swiss People’s Party, (SVP) and the populist radical right for whom banking secrecy is vital to national identity. The question is what influence this will have on the 8 February 2009 referendum challenge to the confirmation of free movement agreements with the EU and their extension to Bulgaria and Romania. The party has had to make humiliating U-turns on the issue. Initially, it threatened to challenge free movement but was then persuaded by its leader, Christoph Blocher, not to do this because the legislation is essential to national business interests. Later it was forced to change its mind after its own grass roots and youth wing helped collect enough signatures to validate the challenge. So it is now committed to opposing free movement.

This means that, come the New Year, the government will have a real fight on its hands to maintain free movement. However, the party may not be as strong as in the past. Thus it has a business element strongly supportive of the agreements. The party has also had to admit that the policy of ‘opposition’ adopted in December 2007, when Blocher was refused re-election as a Minister, has been counter productive. Its witch hunts against Blocher’s moderate successor and its other minister, Samuel Schmid, were badly received, leading to defeats in votations and elections and the secession of its moderate wing to form a new party, the Bourgeois Democratic Party. So it has had to put forward another candidate alongside Blocher to replace the now resigned Schmid, knowing that he has no chance of selection. And it did not feel able to bind its candidates to oppose free movement while in government.

Nonetheless, if the party were to succeed in defeating free movement this would create an immense crisis for Switzerland since many other agreements with the EU could also lapse. SVP opponents believe the EU would not enforce this, but its goodwill cannot be relied on. Indeed Commissioner Barrot has said that rejection of free movement would cost Switzerland its place in Schengen. It could also lead the Union to make further demands on bank secrecy and tax policy. Observers therefore believe that, if the agreements fall, business—presently opposed—would press for membership. So these are interesting times both for Switzerland and EU, and it is worth while keeping an eye open for developments in Swiss politics, which are too often ignored.