

Missing in Action?
The lack of diversity and identity politics in European integration theory

By Markus Thiel
Florida International University

Abstract:

This paper sets out to investigate how the political processes that come about through European integration affect the diverse minority populations of the member states and to what extent the salience of these groups is mirrored in existing integration theories. It focuses mainly on bottom-up (social) movements which represent segments of the European citizenry who are in danger of marginalization yet at the same time, struggle for recognition and equality – Muslims, Women, Sexual and Cultural Minorities etc. Politics recognizing the diversity of European societies are labeled intercultural or multicultural identity politics, based on the liberal democratic order established on the national level, and reinforced by the mainstreaming policies of European integration. The Union, however, constitutes a new political order in which transnational synergies among these groups can be utilized to create more pluralistic European societies. I argue that aside from newer theories focusing partially on the discursive impact of some minorities on the development of the EU's regulatory and legislative output, no theory exists that systematically accounts for the growing influence of these groups in the integration process. Finally, I present some main challenges that such a new theory would have to incorporate to substantiate its explanatory value.

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.” (Art. 1a, Treaty of Lisbon)

Why should we care?

The Treaty of Lisbon spells out the major objectives of diverse coexistence in Europe under the guiding role of multi-level governance institutions. But does unity have to come with uniformity? Diversity and identity politics in the European Union, as so eloquently referred to above, is theoretically under-analyzed. Research has been conducted on the institutional aspects of European institutional and national diversity on the decision-making processes in Brussels (Heritier 1999; Checkel, 2007), but a lack of investigation into the diverse configurations of identity politics as rights attainment strategy by minorities under the ever-changing conditions of European integration and the ‘politization of a Europolity’ (Wiener, 2006) persists. My departure from the institution-heavy analyses stems from the realization that increasingly, the debate about demos and legitimacy is being brought to the forefront of the public discourses and political-legal interpretations in the Union, brought about by economic globalization, immigration pressures from in- and outside the Union, questionable enlargement perspectives and lastly, the Union’s legislative and regulatory action itself. In addition, citizens in the EU perceive of values representing the EU mainly in terms of human rights (38%), democracy (38%), respect for other cultures (19%), solidarity (19%) and equality (14%) (European Commission, 2006). But existing European integration theories are unable to explain the shifts in European democracy from a representative to a more participatory stance, and “studies into the effects of the construction of European institutions on social movements and protest – and vice versa – are still in their infancy” (Della Porta, 2007, p. 190).

My call for a new integration theory, or at the least, a research agenda, is based on the conviction that a less-institutionalist approach can have the same validity as the

theories centered around traditional institutionalized actors as long as it captures the puzzle of changes in European societies and thus, EU policy-making. In this paper, I'll preview the main issues surrounding an increasingly diverse European public sphere, review predominant theories upon their neatness of fit with the current conditions of augmented diversity and lastly, provide an outline of some of the challenges that a new integration theory would have to treat in order to increase its explanatory value.

Early on, the EU itself placed an emphasis on social rights for various populations based on the economic integration in the Community, foremost with social policies related to the freedom of movement for workers *within* the bloc. In addition, the classic mode of representative democracy in the Union through the – since 1979 - directly elected European Parliament has been strengthened alongside the rather novel participatory representation of citizens through civil society organizations, social movements and interest groups (De Bardeleben & Hurrelmann, 2007). Among other things, the EU has somewhat recognized & extended the significance of these diverse populations as recent as 2007 by revamping the former Center for Monitoring Racism and Xenophobia (EUMC) into an EU Fundamental Rights Agency, reflecting the conceptual and strategic reorientation towards equality provision on a wider scope. Other fundamental ways of encouraging equality among diverse European populations include the (contentious) ratification and inclusion of the 'Charter of Fundamental Rights' into the Lisbon Treaty, its coexistence with the Council of Europe's European Convention on Human Rights, and the development of the Racial Equality and Equal Treatment directives in addition to 11 others that were adopted in 2003.¹ A new venue for more diversity and equality promotion opened up with the (re)establishment of the Communications portfolio for Commissioner & VP Wallstroem, who, for example, increasingly vocalizes the need for more female representation in the Union's top decision-making levels. With regards to the expansion of citizen's rights, the EU's advisory body, the Economic & Social Committee recommended in recent years a common regulation of acquisition of EU citizenship for long-term TCN residents (alongside the development of the failed EU Constitution). Concurrently, the input

¹ European Commission, Gender Equality Division,
http://ec.europa.eu/employment_social/gender_equality/index_en.html, accessed February 1, 2008.

legitimacy provided through non-traditional societal actors had found its way into the Constitutional Treaty through the sought application of the ‘principle of participatory democracy’ (Lisbon Treaty, Art. I-47), but was weakened to the ‘right to participate in the democratic life of the Union’ and the related declarations emphasizing traditional representative democracy in Article 8, illustrating the often problematic relationship between representative and participatory models of governance. And in matters of foreign policy, its representatives, mainly Commissioners, rarely addressed human rights issues in other states – though this is not of concern for this work.

With regards to the challenges of a more diverse demographic in EU member states – and the number of member states as well, one of the major problems of diversity acceptance in the Union is that citizens have been brought up according to the particularistic-essentialist notions of nation-state governance -- even if no mono-ethnic populations exist anymore in post-war Europe – by following a assimilationist model of minority integration into the mainstream society (Medda-Windischer 2007). The Union reinforced these national integration attempts through the ‘Eurocentric’ harmonizing of policies and essentializing of a political transnational ‘Leitkultur’- identity including flag, anthem, constitutional attempts etc. which are intended to foster purported common European values. The real content of the values propagated in treaties and declarations, however, focuses precisely on the importance of diversity, pluralism, solidarity and equality. After the failed constitutional attempt and an increased vocalization of popular expectations regarding welfare, there has been, however, a subtle switch from essentializing cultural policies to a more socially inclusive policy orientation, which contains a variety of advisory networks and a plurality of traditional and new, non-governmental actors, including a conscious effort to address that the welfare of these diverse groups becomes central to European society, and to continue to spread good practices among the member states. Governance in Europe needs to reconcile the dichotomy between unity and diversity as present in a globalizing, post-national environment, with the effect that some of the resulting theoretical elaborations and political projections end up in a sort of ‘EUtopia’:

“the tension between unity and diversity is at the core of the post-national paradigm. Solidarity in political contexts beyond the nation- state requires a double commitment: towards a shared allegiance to (universal) values and to the mutual engagement of (diverse) political cultures, values, priorities and institutions without merging them. It may be the case that the quasi-impossibility of sustaining the ‘right’ balance between these two requirements is responsible for the utopian character of much cosmopolitan political theory and in practice of this European utopia” (Nicolaïdis & Howse, 2002, p. 784).

The admittedly wide spectrum of collective minorities have differing interests in their quests for recognition and redistribution, but “the clear danger, faced by groups of immigrants, as well as by women and the unskilled among exposed indigenous groups, refugees, travelers and Roma, is that all are being made increasingly vulnerable” (Gundara 2000: 50). The widely used distinction between ‘old’ minorities, i.e. minorities with an ethnic or cultural background, as opposed to ‘new’ minorities such as migrants, sexual minorities and adherents of the Islamic faith that have become more vocal in recent years (Kymlicka 2007), aids in the determination as to what kind of legally enforceable rights these groups (should) possess. Minorities belonging to the former category have a better stance here as they possess citizenship in EU member states, something that is often denied to recently arrived (il)legal migrants. They also utilized EU governance in a remarkable way by fostering trans-border allegiances, aided by the Committee of Regions and regional policy more generally (McGarry & Keating 2006). In addition, there persists a conflation of immigration and Islamization in the minds of European citizens and politicians alike– even though immigrants have become the main provider of demographic growth in the Union. Just as national minorities or women, the Muslim constituency can be classified as a new interest group and has only recently begun to take on the challenge of equitable self-representation in European member states (Klausen, 2007).

Looking at the EU in a social-analytical manner, one finds that “institutions such as the European Union as an economic, cultural and social space have given prominence to issues of convergence, but at the same time to issues of divergence and differentiation” (Demossier, 2007, p. 55). If we consider convergence to occur through the legislative harmonization of civil and social rights for citizens within the Union (thereby already excluding Third-Country Nationals (TCNs)), the opposing development of a more

diversified society made up of various ethnic, cultural and social groups and the resulting social differentiation that is added as minorities claim their rights for recognition and redistribution adds to the already tensious public discourses about European integration. Inglehart's postmaterialist value change in industrial societies such as the European ones resulted in a call for more participatory democratic input and other forms of direct democracy such as referenda or a heightened salience of civil society representatives (Dalton, 2006). This process is only reinforced by an evolving European public sphere in which citizens are increasingly aware of their rights vis-à-vis the EU institutions (DeBardeleben & Hurrelmann, 2007; Thiel, 2005).

In response to these developments, the idea of a constitutional patriotism circulates the idea of a contractual obligation of citizens versus a diverse European polity (Habermas, 2001), and interesting policy-conceptualizations such as the 'Tree Model' exist for the integration of these minorities that seek to build a cohesive society through the "commitment to a core of commonly accepted values" (Medda-Windischer 2007), though with the open question as to what kind of common ethics would qualify. In an attempt to avoid this quandary, some scholars have replaced particular values with the EU-advocated 'cultural plurality' paradigm, which in turn would give minorities the right to be heard and represented (Von Bogdandy, 2007, p. 10) – a view that I myself lean towards. I cannot express it better than Eder and Trenz, who skillfully embrace the – however contentious - realities of a pluralistic view that

"the unity in diversity of Europe is represented in a political society in search of the expression of a collective will. In the European framework of diversity of already existing and consolidated democracies, such a process does not straightforward lead to the emergence of a new democratic unit – a European demos. It leads, however, to the perception of a free-floating collective will of the European people as a by-product of ongoing communication and contention regarding European governance" (Eder & Trenz, in: Kohler-Koch & Rittberger, 2007, p. 179).

Do all of these groups aim at the same kind of minority rights that have become essential part of a state's – and polity's – constitution? Some minority groups, particularly numerically strongly represented women or national cultural minorities, do have the edge over recent migratory groups or sexual minorities, who have not been able

to establish themselves as visible and/or justifiably in need of special measures – with the result that declarations such as the Lisbon Treaty and the included Charter of Fundamental Rights only refer explicitly to ‘the protection of religious, cultural and linguistic diversity’ (European Parliament, 2000) – although the preceding article at a minimum prohibits discrimination based on sex, ethnic or social origin or sexual orientation. The distinction between non-discrimination and active protection is fundamental, as in this case treaty-based protection guarantees positive affirmative action steps rather than solely the abstaining from discriminatory practice. Past attempts to ‘mainstream’ these groups in Europe have been successful in the provision of equal access to material resources and consultative representation, e.g. in the Committee of Regions, but little has changed in the more complex area of cultural recognition, which is subject to additional pressures by media and popular discourses which often perceive these issues in threatening terms. Cultural and religious minorities are somewhat apart from the rest of the other minorities in that their orientation in many cases is of a segregated nature, with an emphasis on recognition of their cultural practices and at times, a call for independence as in the case of the Catalans, the Scots or the Kosovo Albanians. Similarly, women are different from the other groups in that they represent a large segment of the European population which finds it fairly easy to unite around common emancipatory goals. In order to guarantee the same fundamental rights of freedom of expression and non-discrimination, experts have even called for an EU-internal ‘High-Representative for Human Rights’, investigating and supervising the upholding of civil values (Sain ley Berry, 2008).

To further complicate the matter, some citizens belong not only to one particular minority, but their identities intersect at various minority characteristics, thereby particularly exposing them to a need for protection and/or recognition. However, while these populations are extremely vulnerable, the categorical overstatement that these minorities are “trapped in a matrix-system of intersecting oppressions,” as pronounced by some feminists advocating such an interpretation of intersectionality (Hill Collins 1990), rings hollow as many identity politics groups such as racial or sexual minorities, have actually achieved a surprising level of recognition and legal-political protection independent of their belonging to one or more groups, with the inclusion of intersectional

sub-minorities within the represented minority. Conceptually, the distinction between structural and political intersectionality, referring to the normative standards of society as well as to the political agency of governments respectively, deserves attention (Verloo 2006) insofar it accentuates the detrimental effects of possessing multiple identity attributes.

To answer the rhetorical question ‘why should we care?’, if we want to explore new directions in a European integration theory from below, “we need to move beyond platitudes about the value of ‘diversity’ and ‘tolerance’ and examine hard questions about how different aspects of liberal multiculturalism relate to issues of democratization, human rights, development and regional security, both in the West and elsewhere” (Kymlicka, 2007: 23). And if it is true, that, as the OSCE in cooperation with the EU Agency for Fundamental Rights remind us, “racist, anti-Semitic and xenophobic political discourse is no longer the sole preserve of extremist political parties, but is to be found in the overall political culture in many states” (OSCE, 2007), then minority groups and civil society agents acting on behalf of these are best suitable to address these issues as they co-determine political culture.

Leaving issues of the different characteristics and treatment of the various social actors aside, we should not forget that some question calls for more democratic ‘bottom-up’ involvement by pointing to the fact that the Union has a limited, predominantly functional-regulatory mandate (Moravcik 2004) and that the EU as ‘sui generis’ project is not bound to normative expectations of popular participation and accountability that have been established for member state governments (Follesdal 2006). This paper, however, is not concerned with questions of democratic legitimacy but with the theoretical explanations behind the rise in input legitimacy through participatory movements and organizations in the existing institutional framework of the Union. The increase in diversity and the expectations that are borne out of this pluralism contain self-perpetuating elements that will have a profound impact on the legitimate restructuring of existing EU & national governance institutions, the creation of public awareness, and the evolution of a pan-European civic identity.

Missing in Action? Social Movements, civil society and collective interests in Europe

The reality in Europe “has been one of a progressive development of associations, unions, and social movements creating a significant space for society in the policy process” (Schmidt, 2006). Nowadays, many of the actions of civil society agents are directed at the establishment and/or restitution of participatory rights in the Union in the process of Europeanization of domestic political arenas (Imig & Tarrow 2001). This ‘top-down’ Europeanization process, in which the institutions impact on the domestic societal and political conditions, is increasingly being responded to and challenged by a ‘bottom-up’ strategic mobilization from social movements and other interest groups (Della Porta, 2007), with base organizations on the national level which may or may not possess EU-level representations in Brussels. However, analysts of collective action in Europe are less idealistic about the altruistic goals of these actors; they “reject the naïve analysis (and self-representation) of the worlds of media, law or NGOs, as a ‘mirror’ of society, the embodiment of ‘universal’ norms or the selfless advocates of ‘civil society’, respectively. Rather, each is read as political sites of contestation” (Favell, 2006, p. 127). Many normative theorists additionally emphasize that the input of civil society is provided mainly through some sort of functional stakeholders or lobbyists (Greven, 2007). If this holds true, participatory governance is relegated and somewhat compromised by the influx of representative spokespeople.

Keeping in mind that these agents also contain a range of self-interested goals, a simple dichotomy between the political institutions in Brussels and the civil-society based actors requires additional differentiation but won’t delegitimize the claim that there exists limited knowledge about the interaction of both. In addition, Imig & Tarrow also state that the extent of European protest for movements they term ‘public interest lobbies’, is intended directly at the EU institutions without the backing of mass national organizations (Imig & Tarrow, 2001). If that is the case, the overall quality of ‘bottom-up’ involvement in European integration is rather thinly legitimized but they nevertheless

constitute a strategic response to the challenges of European integration of a plurality of societal sectors – something that transnational European parties have found difficult to achieve. Other organizations, conversely, spend incredible energy in the national realm to determine an EU-policy ratification process, e.g. in the case of the 2005 constitutional referenda in France and the Netherlands, without attempting a strategic access to the Brussels institutions (Schmidt, 2006). And while certain social cleavages have been channeled into domestic political parties, the representative strength of European parties for social and cultural minorities is still fairly weak and most of the activities of European minorities continue on the social movement level (Verloo, 2006).

On the other hand, civil society actors have begun to press for more involvement in legislative considerations and transparency of decision-making by the EU institutions (Haug, 2008) and thus opened the door for more participation in the EU, even if demands for deliberative decision-making procedures in the Union remain illusory under the present configuration of the major institutions. In addition, public opinion as measured continuously through Eurobarometer has provided the impetus of ‘bringing the EU closer to its citizens’ (European Convention 2001), particularly after incremental integration steps provided for in the treaties beginning with the TEU in 1992. As a response, the Commission has introduced a register for civil society organizations online (previously CONECCS – Consultation, the European Commission and Civil Society – but now under reorganization following the introduction of a new communications policy under Commission Vice-president Wallstroem) in an attempt to improve collaboration of these organizations and to improve transparency in the interaction between it and these agents. However, (business) interest groups have been much less favorable in their judgment of the institutions’ impartiality to civil society actors; in fact, they found the parliament to be too partial to the concerns of those populations (Euractiv State of Public Affairs Survey, 2008). Another criticism leveled against these civil society groups is that in their representation of public power, they themselves become somewhat institutionalized and vulnerable to cooptation (Follesdal, 2006). In this case the legitimacy to speak on behalf of marginalized minorities may be compromised. As a logical extension, collective minorities under the conditions of European integration have in many cases a variety of supportive normative and material resources available in the member states as well as on

the EU level, and it is up to them to make the transition to utilize these in order to exert public and organization pressure to attain their goals. I believe that minorities have a lot to learn from social and economic interest organizations well represented at the supranational level.

Summing up the targeting up institutional efforts, social movement analysts have perceived of the EU institutions, particularly the parliament as well as the advisory committees (Economic and Social, Regions) and some functional agencies, as a political opportunity structure which, in cooperation with outside actors such as academics or civil society and interest groups, are being able to exploit the limited embeddedness of the Union in traditional, patriarchal practices (Pruegl, 2006). Social Movements, interest groups and other non-governmental actors constituting civil society have become more vocal about their demands in the past few years and addressed their demands not only on the national, but increasingly, at the transnational level of governance. While their input in EU norm- building and policy-making increased, not much theory development occurred reflective of the growing power and constituent contribution of these in the process of integration.

A theory of diverse transnational political activism shaping EU integration?

In theories of European integration, we miss a theory that focuses on the array of diverse populations across states and their needs, although the Union's motto 'unity in diversity' expresses the potential goal of recognition without eliminating differences. Political Sociology adds to the existing schools of thought by focusing on the various populations in European societies and their standing in society, although despite its centrality for a bottom-up understanding of European integration, 'a problematic absence characterizes sociology's relationship with EU studies' (Favell 2006: 122), which the author views as a result of the nation-centric orientation of contemporary sociology. Despite this shortcoming, schools such as sociological constructivism or public sphere analysis pick up momentum in explaining the questions of political identities and the impact of secretive elite policy-making on the emergence of a "contestatory public sphere across

Europe” (Favell 2006: 125). Sidney Tarrow termed this new kind of (transnational) political action ‘transnationalism’, but he does not connect it to a causally responsible context such as European integration or institutions.

Classic integration theories such as Neo-functionalism, which has been criticized on many grounds, aim at explaining the development of ever more common policies based on path-dependent supranationalism, but are not preoccupied with the population of the member states – rather, with the political or economic elites -- or only insofar they display “societies in which the masses are fully mobilized politically and tend to channel their aspirations through permanent interest groups and political parties” (Haas, in Nelsen & Stubb 2003, p. 149). Only the economic interest groups emphasized by neofunctionalists fall into the focus of this work. However, European societies are neither fully cognitively mobilized, nor is it expectable that parties or interest groups are the main social actors today, particularly if one looks at the low levels of party and union membership in contemporary Europe (Bale 2005). Neo-neofunctionalists propagate a process of ‘politization’ of European political issues, including a ‘redefinition of mutual objectives’, but they remain teleologically wedded to an ever-deepening effect of this process (Marks & Hooghe, 2005). In the widest sense, neo-functional theory can be applied if the evolution and activities of European social actors are viewed as a spillover effect, or unintended consequences, of European integration (Della Porta 2007: 15) – although this description lacks in theoretical differentiation. In addition, a hypothesized identity spillover effect in a functional manner has not taken place, but is constrained by national identity and domestic political culture (Thiel, 2005).

On the other side, liberal intergovernmentalism seriously neglects any non-institutionalized agents and relied, as has been widely criticized, on the economic interests and relative power bargains of supposedly unitary state governments (Moravcsik 1998). In view of the postulated democracy deficit, to which many of the transnational political movements refer and respond to, mainstream liberal intergovernmentalists such as Moravcsik see the EU as being as democratic as can be, with the public being sufficiently represented through the Council of Ministers and the input provided directly or indirectly through the national executives and parliaments (Follesdal & Hix 2005). He

also critiques the ‘radical democrats’ who, in his mind, encourage political instability in Europe by involving citizens in participation on the EU-level, whose institutions should continue to proceed with regulatory politics in its insular and low-salience fashion (Moravcik 2004); a view that in sight of the increasing salience of the EU, renders outdated.

Transactionalism, the classic integration theory by Karl Deutsch, deems worthy mentioning only insofar it emphasizes the role of communication and communities for the development of what he termed ‘security communities’. Impacted by the Second World War, the role of such pluralist actors was limited to the construction of peace-enabling regional organizations. His somewhat systemic view received further development in Cybernetics, but has been criticized on grounds of terminological indeterminacy. As a potential contributor to an activist theory of integration it remains limited because of its dependency on rudimentary ‘peace’ rather than an evolved ‘solidarity’.

Societal aspects are peripherally treated in current supranational governance approaches as well, which identify as one of the actors the ‘transnational society’, including “those non-governmental actors who engage in intra-EC exchanges – social, economic, political – and thereby influence, directly and indirectly, policymaking processes and outcomes at the European level” (Sandholtz & Stone Sweet 1998, p. 10).

Network analysts, on the other hand, whose focus in European integration theory is on the ability of networks to effect outcomes at the EU level remain institutionalist-heavy as well and attest to the ambiguous outcome of the current democratization of EU governance: “Empirical evidence supports the supposition that the inclusive nature of network governance has the positive effect of being more open new interests and innovative ideas, but provides a mixed account on the more ambitious expectations concerning participatory governance and democratic upgrading” (Kohler-Koch & Rittberger, 2007: 8).

Social Constructivism is of critical importance in emphasizing the significance of diverse political actors, each with his own interests, ideas and identity, and in connection with European integration, the norm development that occurs as these actors use political

opportunity windows to create non-traditional policy solutions and norms for many of the previously nonexistent challenges of the European integration process (Checkel, in: Christiansen et al 2001). In following Checkel's distinction between rationalist 'conventional' constructivists and radical, critical ones (2006), the latter is best being able to address questions of inequality and fundamental rights of people belonging to a political community in their emphasis of power and discourse – two essential aspects of marginalization of minorities. However, a new theory of activist pluralism in Europe is best advised to avoid the tedious debate about which constructivist 'camp' is best able to produce explanatory value: a soft-rational constructivist theory can provide us with valid evidence on the critical input of minorities and other diverse collective actors as well. The resulting norm-building process has been observed in the interaction between institutional actors in Brussels and the national governments, but has, at least since the constitutionalization debate in Europeanized national public spheres, put in place a self-referential base of diverse, liberal and multicultural governance to which various civil society actors can refer to and build upon. Checkel also points out two processes of how the restructuring of European norms can occur: through societal mobilization and social learning among elites (Checkel, 1999, p. 555) – two essential building blocs for a theory of integration able to explain common norm-building and implementation. However, he admits that his exploration has largely been based on domestic policy processes, leaving out the formation of human and civil rights norms at the EU norms in its interplay with the national institutions.

Constructivism as a social sciences approach remains too unspecific to become a substantive integration theory (Christiansen et al, 1999) – the question being if it can evolve to such a theory if being applied in future empirical work - but it contributes an important ontological backdrop for the development of a more tightly-described European integration theory focused on the processes of norm-building and policy-creation under the impact of an increasingly diversified, aware and mobilized European public. It is not partial as to the final outcome of these processes. This teleological indetermination opens the door for a two-fold development of future European integration under the impact of participatory governance. One perspective would postulate the growth of transnational collective action, brought about by minority rights

devised as a reaction to pressure and supervision of the EU institutions by collective societal actors. The other perspective recognizes the possibility of a potential re-nationalization of collective action out of recognition of the particular role of national governments in EU policy construction, but also the increased transnational competition among civil rights organizations among member states. As we have seen in the constitutionalization debate, particularly in the contention of the constitutional draft treaty by French and transnational European pressure groups, diverse social actors do not automatically aid in producing a uniform political agenda but rather, prevent such an undertaking.

One of the main challenges facing constructivist scholarship with regards to European integration theories is, in my view, the nexus between transnational identity formation and institutional change. A postulated increase in identification with the process and values of European integration, termed European civic identity, has been at the heart of recent debates about the extension of a constitutionalization process inclusive of human rights, solidarity development and identity formation (Rittberger & Schimmelfennig, 2005). Many operational and epistemological issues arise in the increasingly popular exploration of the impact of those European identity changes for EU policy-making discourses, but these are compounded by the fundamental ontological question if there is such a thing as a European identity consisting of unique, specifiable values and attitudes? In other words, how can a preoccupation with a European identity advance European integration theory if the assumed identity, as pointed out earlier, is a hollow concept to begin with? The moving target 'European civic identity' has become even more transient and ominous under the conditions of increased popular pluralism.

Aside from these major EU integration theories, there is a host of mainly normative democracy and/or legitimacy theories who focus on the important question of the balance of representative democracy through existing institutions versus participatory legitimacy as expressed in the input of non-governmental actors (Kohler-Koch & Rittberger, 2007, Follesdal, 2006). While this is certainly a highly important question, it targets the structures of policy-making more so than the processes, and shows little empirical depth. In other theories of political science such as rational-choice approaches,

the increased input by various collective actors is mainly explained by the opportunistic expectation that their cause is being aided by the grouping-together of demands and constituency power (Ibid, 2007). This well-known feature can explain power-seeking behavior in states and in part, even in the transnational interest-formation in Brussels, but sidelines questions of un- or underrepresented minorities. It may also become illogical if the increased participation of these actors should result in a more solidarity-based, egalitarian system impartial to the lobby demands of the more powerful interest representatives.

On the other hand, we find a range of ideas about the bottom-up reactive response from the national level represented in the literature dealing with ‘Europeanization’, itself a varyingly defined concept that revolves around the adaptation of laws and regulations from Brussels on the national level and, more recently, the counteracting targeting of European policy-making structures by national actors (George, 2001), similar to Radealli’s discursive institutionalism and other approaches which can be summarized as ‘supranational institutionalism’ (Malamud, 2004). Hence, it has become commonplace in the Europeanization debate to talk of two interactive processes, of downloading and bottom-up pressures, to capture the two-way relationship between the EU and national levels. The main caveat in this strand of theorizing is their limitation to the institutional actors, so while the processes at work are helpful in illuminating the current restructuring of power in the transnational European space, the structures remain government-focused.

Summing up the review of existing integration and related theories, a research agenda that is neither institutionalist nor nationally constrained and includes the various non-governmental actors in a procedural as well as structural is still missing and needed if questions of legitimacy, diversity and identity-formation are to be academically reflected in an appropriate way. So far a puzzle of theories, each one representing a piece of it, prevents a more concise view of the processes at work in European societies.

Conclusions and Discussion

Challenges for the development of a truly transnational activist research agenda

Questions relating to the popular perception of equality and the backing of an increasingly diverse European integration project have become more important in the public discourse and supplied feedback to decision-makers in Europe. However, even significant synopses of the current state of integration submit that theories dealing with norms, equality and identity have received fairly little attention in integration theory (Wiener & Diez 2005: 237). Such an undertaking should not be considered minor in its emphasis on minorities and collective social actors, but actually could provide a blueprint for the accommodation of diverse populations under a transnational level of government beyond statist-institutionalist or economic explanations.

It goes beyond the capacity and scope of this work to detail the procedural and structural underpinnings of such a new theory, but I highlighted a few aspects which a sound theory of integration should incorporate and elucidate:

- The relationship to the institutions needs to be clearly delineated: The suggestion of a new ‘discursive institutionalism’ alongside the sociological one, as put forth by Raedelli & Schmidt (2004) aims at exploring the institutional choices that attempt to address the underlying problems as expressed in policy legacies, discourses of actors etc. – however, these scholars remain ‘unabashedly thick institutionalists’ (Checkel, 1999, p. 547). In a related manner, a differentiation of the institutionalized civil society actors and their degree of impact upon EU policies is required. How do transnational interest group associations and peak civil organizations add legitimacy to the integration process – if at all, if one considers the powerful role of business lobbyists and trade federations - and how do they distinguish themselves from the formal representative input by political parties? The successive democratization of these institutions under the impact of public pressures is difficult to estimate, but represents an important additional venue for future research.
- The transnational dimension needs to be further developed. What, indeed, is the link between national organizations and their transnational interest confederation/office in Brussels? Is the mechanism observed a Brussels-initiated reactive

response from non-governmental actors, or do these organizations build transnational coalitions based on the (neofunctional) insight that there exists a new power center which may better address existing issues, thus creating an interactive relationship? In how far are the constituent civil entities, based on their varying domestic civic-state relationships, able to influence or determine the course of integration?

- What, if at all, distinguishes a European transnational activist theory from other transnational responses to an international issue, say Anti-globalization protest or the Iraq War protest movement? It is fair to say that most of the societal actors work in response to regulations and declarations initiated by the EU, or are at times, as Della Porta reminded us, sustained by “the galvanizing potential of a shared antagonist” (2007, p. 212). However, we have seen the emergence, in the case of the expanded ‘constitutionalization’ debate in the European public sphere, renewed activism of non-governmental actors, conscious that they can direct and affect the political future of the integration project – without a direct reference to an EU-proposal or action. Finding out to what extent reactive protest and a projected enemy contribute to the emergent activism of non-governmental actors as opposed to the activist participation based on civic understandings of solidarity and input legitimacy remains a challenge for future research as well.
- Is there a validation possible, i.e. how can empirical evidence provide a theoretical grounding so that it won’t remain a purely normative exercise like so many other approaches? Della Porta’s work on social movements has certainly contributed to a partial uncovering of the real-world experiences of these groups, but her work needs to be diversified to include other non-governmental actors such as interest groups, religious organizations etc. Such a theory would have to be open to a variety of quantitative and qualitative methodologies and be framed in-between the major orientations of rationalist-analytical approaches on the one hand, and constructivist or critical ones, on the other (Wiener & Diez, 2005).

- As deeper integration is bound by a widening in membership as a constraining and protracted experience, the question of how the recent (2004 & 2007) as well as future enlargements have accelerated diversity pressures, particularly with the focus on ethnic and national minorities in the case of the multi-ethnic constituted and a on-average lower politically active citizenry in Eastern European member states, becomes more pressing. Has the representative strength of these 'traditional' minorities detracted from the focus on societal minorities in European societies more generally?

- Most importantly, how can the need for cohesion be reconciled and balanced with the requirements of diverse social agents promoting recognition and segregation, which have become more vocal in the past years? The more recently acquired EU value focus on a the inherent value of diversity, coupled with transnational solidarity and respect for minorities and human rights, represents a fairly high ethic benchmark when faced with the competing visions of individual member state governments or interest and civil society representations which are mainly concerned with their own representation and potentially distort equality and diversity objectives. Furthermore, assimilationist models may work on a national level, but in view of the culturally, ethnically and socially divided European societies, a pluralist-corporatist model of interest representation emerges more strongly in the policy arena. How can a theory be build that responds to these contradicting processes without, as Nicolaidis and Howse refer to it, becoming an academic and political elitist 'EUtopia'?

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