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Kilian Spandler

Pathways to Integration: Primary and Secondary Institutions in Europe

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1 Introduction

When trying to explain European institutions of regional governance, scholars have turned to a wide variety of factors, including spill-over effects, the role of hegemonic powers, the problem of allocating public goods in a context of complexity, and common identity. By contrast, there are relatively few works linking regional organizations and regimes to the specific set of 'deeper' European institutions – those more abstract principles and norms that reflect tacit understandings about how regional affairs are to be conducted, and by whom. This is remarkable, since intuition tells us that the two levels of social structure will be closely connected.

Exploring this connection in a systematic fashion can help alleviate two of the major shortcomings of both EU Studies and the literature on regionalism: First, the embeddedness of institutional frameworks in a specific 'deep structure' of international society often goes unnoticed. Certainly, governance arrangements are the result of rational decisions by specific actors, but the question of what constitutes an actor and the kind of rationality it pursues in the first place is deferred (Hurrell 1993).

Second, the study of regional institutions is a largely a-historic enterprise (Beeson 2005). To be sure, there are works dealing with historic cases, and there are of course the voluminous books on integration history (Dinan 2004; Milward 1992; Urwin 1995). But explanations in both EU Studies and the 'new regionalism' are almost exclusively synchronic, i.e. they explain institutional outcomes with contemporary factors. However, all kinds of institutions are in some way historically grown; they cannot be created, changed or abolished simply as preferred.

Taken together, the social embeddedness of regional institutions and their path-dependence create a need for a study of regional institutions that fulfils two criteria: First, it should rely on

theoretically sound concepts of interpretive social science, and second, it should be ‘diachronic’, i.e. take into account the historical processes of reproduction and modification that lead to both stability and change in institutions (Pierson 2004: 45-46).

Taking up this challenge, in this paper I analyze the development of the main institutions of European international society from the interwar period to the institutionalization of the European Communities. In contrast to standard historical accounts of European integration, which often consider the pre-war period merely as a prelude, my study takes a detailed look at the global pre-war international society as the institutional basis for the developments after 1945. The analysis is based on a theoretical framework that merges the English School concepts of international society and international institutions with constructivist ideas about constitution and institutionalization. This framework will be briefly outlined in section 2. The narrative that emerges from my analysis, which will be presented in section 3, is one that sees the development of European institutions as a historically contingent result of a partial and dialectical transformation of international society in response to WWII that affected two levels: While from a *global* perspective, Europe ceased to be the core of international society, on a *regional* level the dynamics gave rise to a genuinely European international society. In this society, the existing state-centered institutions were modified towards a less hierarchical but at the same time more complex and hybrid international order.

2 Institutions of international society – an English School framework for analysis

Since the late 1950s, the English School (ES) has promoted a specific approach to thinking about international relations which set them apart from two developments in mainstream theory. In methodological terms, they defended a more classical, interpretive methodology to the study of international relations against the then ascending ‘scientific’, positivist approach (Butterfield/Wight 1966). In ontological terms, they insisted that despite the basically anarchical nature of international relations, actors were in fact bound by common rules the purpose of which were the maintenance of order and, possibly, the pursuit of common goals (Manning 1962; Wight 1977). This idea found expression in the concepts of international society and international institutions, which they conceived to be the sets of common principles, norms, rules and practices that structure the interaction of states and other international actors, such as the balance of power or international law (Bull 1977).¹

Primary and secondary institutions

More recent works in the ES tradition also tackle the regional dimension of international society, a topic largely neglected by the classical literature (Buzan 2009; Diez/Whitman 2002;

¹ Detailed accounts of the history of the School have been published by Dunne (1998), as well as Linklater and Suganami (2006).

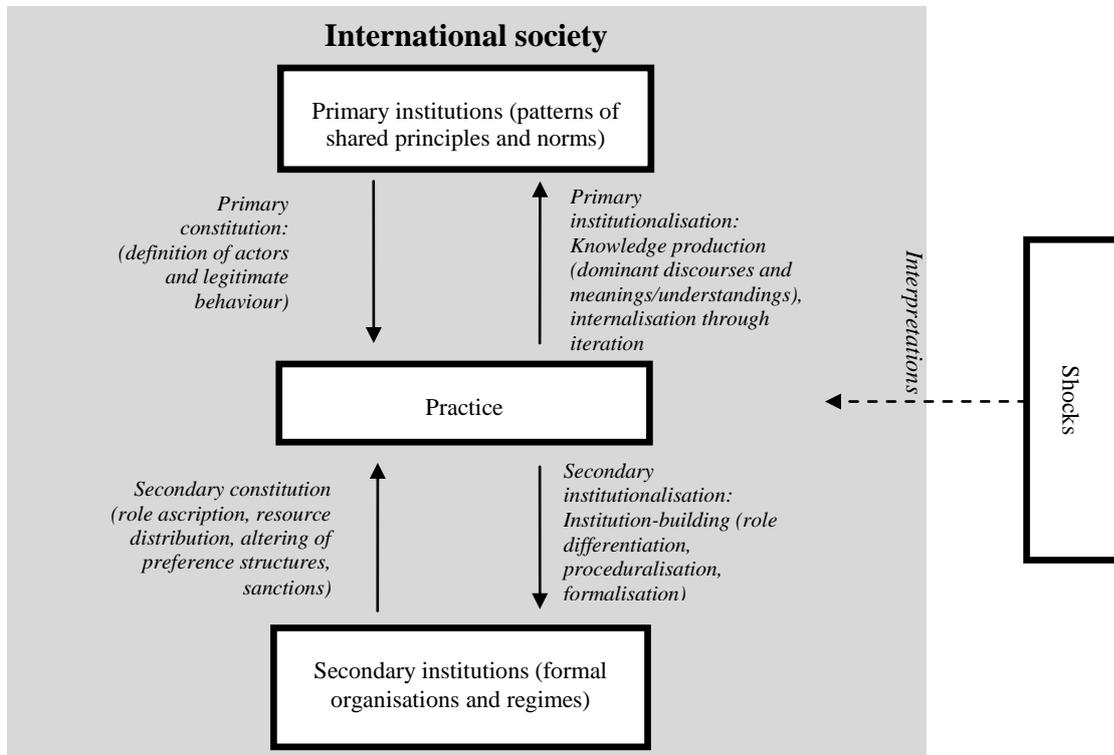
Stivachtis 2002; Stivachtis/Webber 2011). So far, however, attempts to link up the ES body of literature to regionalism suffer from a lack of systematic thinking about how regional organizations and regimes – institutions in a narrow sense – fit into the theoretical framework, which is dominated by a broad understanding of institutions.

The enhanced framework of institutional analysis I employ builds upon Buzan's (2004) distinction of primary and secondary institutions. *Primary institutions* are the fundamental layers of international society, including general principles and norms such as sovereignty, multilateralism or free trade. These are basically the institutions of 'classical' ES. *Secondary institutions* include international organisations and regimes. Apart from these multilateral formats, it seems to be conclusive to also include bilateral treaties and agreements in this category. While primary institutions evolve independently from any purposive effort of international actors, secondary ones are consciously designed sets of rules and procedures.

This is different from saying that primary institutions are constitutive (enabling) while secondary institutions are regulative (constraining), as has sometimes been done (Dunne 2001: 78; Holsti 2004; Reus-Smit 1997). Against this, early constructivist scholars have emphasized that *all* kinds of institutions have constitutive effects. When actors accept rules, they do this because they acknowledge that their identity as a member of the international community depends on such a commitment. This is visible in the need of actors to justify their behaviour before the other members of international society (Hurrell 1993; Kratochwil/Ruggie 1986; Onuf 1989; Wendt/Duvall 1989) – take the insistence of the Russian government on not having broken provisions of international law in their annexation of the Krim as an example. Secondary institutions therefore take on an active role in constituting identities and interests (Adler 1997: 345), granting or denying recognition as a member of the global 'community of nations', as in the case of the United Nations, or of a region, as in the case of the European Union.

Both primary and secondary institutions are thus constitutive of international practice, but they are so in different ways (see *Fig. 1*). Primary institutions are constitutive by defining who can count as an actor, how such actorness is acquired, and what the basic nature of the relations between those actors is. A community of equally sovereign states is only one of various possible configurations on a range from complete independence to absolute hierarchy in a centralized empire (Watson 1992). Primary institutions can also constitute the geographical scope of an international society as such: Change in primary institutions can lead to the expansion or contraction of established societies, or the emergence of new ones.

Figure 1: Analytical model of constitution and institutionalization in international society



Source: Author's conception

Secondary institutions are constitutive by ascribing differentiated roles to actors and by empowering them to engage in specific forms of interaction that would not be possible without the existence of those institutions (Onuf 1989: 145; Wendt/Duvall 1989: 61). For example, membership in an international organization can signal the political relevance of an actor, as in the case of the EU's eagerness to take part in forums such as the G20 and the East Asia Summit, the rehabilitation of former pariahs, as in the accession of Myanmar in ASEAN, and even the status as an actor as such, as in the case of Palestine's struggle for formal representation in the UN framework. Secondary institutions can affect members' relations by formalising hierarchies, rights and duties. They are also constitutive by distributing material resources, defining preference structures and sanctioning behaviour with a wide range of instruments, including 'shaming', conditionality and formal jurisdiction (Diez et al. 2011; Stivachtis/Habegger 2011). In this, they privilege certain actors while disempowering others.

The constitutive processes outlined above have lasting effects because they are constantly reproduced by the very practice they inform. The practices that lead to the emergence, stability or change of institutions can be called *institutionalization processes*. Primary institutions are institutionalized by discursive practices of knowledge formation. These processes can be more or less inclusive and shaped by a variety of actors including political

leaders, influential media and civil-society representatives, who found their participation upon different bases of authority and legitimacy (Der Derian 2009: 301-302; Hansen 2006: 65-68).

Secondary institutions are institutionalized by processes of ‘institution-building’, i. e. the conscious creation, reform or dissolution of rules and procedures. While these are ultimately also discursive practices, they take place in more discrete situations and among a smaller group of authorized actors. The main mechanisms are the differentiation of specific roles, the establishment of standard processes and the formalisation of rules, e. g. by means of declarative speech acts or legal codification (Berger/Luckmann 1966: 67-74; Onuf 1989: 136-137). Each of these mechanisms of primary and secondary institutionalisation is embedded in power relations that affect the outcome of the process.

Explaining stability and change

Taken together, these processes of constitution and institutionalization create a structurationist circle comprising the mutual reproduction of international institutions and international practice (Giddens 1984). They are, in the language of Historical Institutionalism, *positive feedback processes* that lead to a path-dependence in institutional development (David 1994: 211; Pierson 2004: 33-37). In the discursive struggle over the reproduction of national sovereignty as a primary institution, for example, state actors hold a privileged power position over non-state actors that wish to challenge it because the very institution of national sovereignty provides state actors with both symbolic authority and brute force (cf. Adler 1997: 336, 340; Guzzini 2000: 172). Apart from such *power effects*, *vested interests* (cf. Krasner 1989: 86-87 /nopar) and *reification* (Berger/Luckmann 1966) – the phenomenon that people take contingent social realities for granted or as expressions of a natural order – have been noted as important mechanisms of path-dependence.

In the context of international society, an additional source of feedback springs to mind: As we will see in more detail below, the fact that primary and secondary institutions form constitutive contexts for each other considerably limits the degree to which the one can be changed without producing serious tensions with the other. Secondary institutions must reflect the meanings inherent in prevalent primary institutions because they are institutionalised on the basis of actors’ general expectations about international politics (Reus-Smit 1999: 34). Vice versa, primary institutions are unlikely to change drastically as long as the secondary constitutive context does not change because formalization helps to make institutions more durable (Onuf 1989: 136). Secondary institution-building, therefore, can serve as a means to ‘lock in’ certain norms and principles because challenges to those primary institutions can be delegitimized as illegal. We can call such stabilizing connections between different institutions *institutional linkages*. There are vertical linkages between primary and secondary institutions, such as those outlined above, but also horizontal linkages (Krasner 1989: 78) between two or more institutions within one of the two layers. Examples for institutional linkage will be given in part 3 of this paper.

The notion of path-dependence helps us explain the relative stability of institutional set-ups but it also allows us to account for institutional change. One of the basic ideas of path-dependence is that far-reaching change happens in response to *shocks* (Ikenberry 1994; Krasner 1984: 240-243; Mahoney 2000). In the context of my framework, shocks disrupt the reproductive mechanisms of constitution and institutionalization and make possible new practices. As a consequence, pathways for institutional change are opened up because discourses promoting alternative meanings and institutional forms have better chances to succeed in the struggles surrounding institutionalization than during ‘normal’ times.² Wars, radical shifts in the distribution of power and waves of decolonisation are likely candidates for shocks. Only after a certain time, some of the new ideas are themselves institutionalized into primary and secondary institutions, leading to a new phase of stability where change can merely be incremental because the self-reinforcing processes have ‘kicked in’. The development of the institutional configuration of a region will therefore to a great extent depend on when and in what institutional context critical shocks appear, and what institutional pathway is chosen in these moments.

3 Pathways to European integration

These considerations provide the foundation for an analysis of stability and change in the institutions of European international society, which constitutes the remainder of this paper. I will first present an analysis of the main primary and secondary institutions in the international society of the interwar period, and outline the mechanisms leading to stability during that time. Then, I will show how the events of WWII disrupted those mechanisms and opened up pathways for institutional change on both the global and regional level. The focus of the analysis of the post-war era will be on the developments within Europe.

The Colonial International Society

The story of the evolution of international society has often been told in terms of an ‘expansion’ of European-style international institutions to worldwide scope (Bull/Watson 1984). It would be false to assume, however, that a global international society had not existed prior to the full establishment of a world of nation-states in the course of decolonization. That would only be correct if we took international society to necessarily indicate a relation among equally sovereign states. As indicated above, international societies can take more or less hierarchical forms, ranging from Westphalia-style independence to empire (Watson 1992). In this sense, a strongly hierarchical international society with a number of European or Western empires at its core and a large number of non-European polities in the periphery did span the entire globe from the beginning of the 20th century (Buzan/Little 2000: 337). Europe in that period is not conceivable without the relations

² It should be noted that I don’t see shocks as some kind of brute material force. While they are based on physical events, they become socially relevant only in the discursive interpretation by actors in the context of existing shared and institutionalised meanings.

beyond its geographical confines, and neither are most of the other parts of the world thinkable without acknowledging the significance of European or Western influence. With the consolidation of foreign rule in the non-Western communities, the institutions of international society were shared in the sense of being accepted as valid by actors both within and without Europe (Watson 1992: 275). The fact that those institutions were upheld partly by force makes their legitimacy questionable, but it does not put their existence into doubt.

What did the institutional configuration of this international society look like? In the following, I will give a short overview over the main primary and secondary institutions, pointing also to important institutional linkages between them. At the primary level of international society, there were a number of asymmetric institutions, five of which will be briefly described here:³

One of the central primary institutions was a *gradual conception of sovereignty*. In principal, the state was seen as the paramount source of legitimate force in international relations. The notion of self-determination bound the execution of these sovereign rights in form and substance to the will of the people living under its rule. However, sovereignty was not an absolute, natural attribute of political communities but seen in direct relation to a teleological conception of civilizational advancement. Therefore, full sovereign statehood was granted only to a core of civilized polities. While this core was certainly growing, in the polities in the periphery authority was penetrated to varying degrees by imperial states from the core that had established protectorates and colonies. This was legitimised by reference to the idea of trusteeship: A civilized state could assume governing powers over a less advanced people until their development allowed them to be left to self-government (Louis 1984). Whether and when such status was achieved was determined by the ‘standard of civilization’, a set of preconditions to be fulfilled before membership as an autonomous actor in international society would be granted by the established core members (Gong 1984). Until such time, peoples of colonized states were unable to successfully claim sovereignty based on the principle of self-determination.

Second, and closely related to the gradual notion of sovereignty, is the primary institution of a *concert of empires*. What I mean by this is the dominant role of a few major powers that accepted each other as sovereign-equal but successfully claimed supremacy in the periphery. This dominance often amounted to the exercise of territorial control and was to some extent based on informal coordination. Except for the United States and Japan, all of those empires were European. The element of concert can be found in the tacit or explicit agreements on spheres of influence in the periphery and the designation of buffer states between those spheres (Tarling 2001: 49). The Siamese Kingdom, for example, was able to survive as a sovereign state during the colonial era primarily because it was seen as a neutral zone between the French and British colonies and dominions in Asia. It thus becomes obvious that the

³ I leave out institutions pertaining to the economic sector, focusing instead on political, judicial and security aspects.

special role of empires impacted deeply on the logic of territoriality in international society: The drawing of boundaries in the periphery was not, as in the European core, based on nationality but on the colonial interests and power relations of the empires.

Third, security considerations were shaped by the norm of *peaceful dispute settlement*. Disagreements among states, for example territorial disputes, were to be mediated and arbitrated by independent parties, if possible on a juridical basis. The use of force was limited to exceptional circumstances such as the defence against a war of aggression. In contrast to earlier conceptions of international order based on the balance of power, which had failed so appallingly in the Great War, the preservation of order was seen as a collective endeavour (Watson 1992: 283). It should be noted, though, that the right to (collective) self-defence was limited to those actors enjoying full status as a member of international society, i. e. independent nation-states. There was no legally accepted right to resistance against colonial occupation or conquest, as long as such occupation had been achieved in the past.

Fourth, authoritative communication among the members of international society took place in a *multilayered, asymmetrical system of diplomacy*, mixing bilateral diplomacy, ad-hoc multilateral conferences and formal intergovernmental organisations such as the League of Nations and the International Labour Organisation. This system was based on an asymmetrical principle of representation in both the bilateral and multilateral dimension. Bilateral contacts were held both within the core and between the core and the periphery, but diplomatic contacts between parts of the periphery were normally less institutionalized, if existent at all. Also, the contacts between core and periphery differed from intra-core relations in that they were (a) not reciprocal – the core states usually installed representations in their dominions, but the authorities in the periphery were not in a position to establish parallel representations in the core states – and (b) not considered by the core as equally in diplomatic rank, as is evident in the assignment of residents rather than ambassadors to protected states. In the multilateral dimension, most of the polities in the periphery were excluded from participation altogether, being represented instead as part of their respective metropolitan state.⁴

Fifth, the members of international society felt bound by a doctrine of *positive international law* as law posited among states. It was informed by a dual structure, meaning that its applicability was dependent on the recognition as a sovereign state, which was not decided upon on the basis of a codified catalogue of requirements but generally granted or denied by the established members of international society. The dual structure of international law, based on concepts of civilizational inequality, can be traced back to the seventeenth century but was consolidated with the advance of nationalism and the works of legal theorists such as Henry Wheaton (1866) in the 19th century (Gong 1984: 179; Stivachtis 2014: 112-113).

⁴ An exception to this are the British Dominions that were individually represented in the League of Nations.

A number of secondary institutions supported, and were supported by, these primary institutions. In the following, I will list them and show how they linked up with the main primary institutions. The most important secondary institution was the *League of Nations*. Its membership criteria embodied the identity of international society as a hierarchical society. The League Covenant explicitly allows dominions and colonies to become members, thus effectively legitimizing the concept of colonial rule and gradual sovereignty. This becomes even more apparent in the Mandates System of the League, according to which member states could assume legitimate authority over foreign communities formerly under German or Ottoman rule. The type of mandate, and consequently the degree to which sovereignty was assumed by an outside power, was classified into three categories according, among other criteria, to the “stage of the development of the people” (League of Nations Covenant Art. 24). The League’s provisions for collective security and arbitration, including the creation of the Permanent Court of International Justice, which started operating alongside the already existing Permanent Court of Arbitration in 1922, were formulated to enforce the concept of peaceful settlement of disputes. The privileged position of the members of the League Council, meanwhile, fostered their dominant position in the concert of empires, and provided them with a venue for the discussion and management of international problems (Watson 1992).

The rules enshrined in *multilateral conventions* were another important type of secondary institutions, first and foremost because they provided a legally binding basis for the peaceful settlement of disputes. Some of the agreements that were particularly informative of interwar international society dated back to the period before the Great War, including the Geneva Conventions and the Paris Peace Conventions of 1864 and 1906 and the Hague Conventions of 1899 and 1907. Their main objective was to specify rules to limit the use of force in international disputes.

Finally, there was the plethora of bilateral treaties between members of international society. It is, of course, impossible to provide even a general overview of their contents. However, a general pattern can be discerned: While the treaties among the core states were generally based on notions of reciprocity, European states drew on the tradition of unequal treaties in their dealings with the periphery. The most common examples are the agreements granting extraterritorial jurisdiction to Western powers in semi-sovereign states under their influence. This was facilitated by a treaty law that recognized the validity of treaties concluded under duress (Bull 1984: 217).

Despite its obvious and much-discussed flaws, the international order constituted by these institutions provided a considerable degree of stability following WWI. Breaches of the norms and rules, such as during the Abyssinian Crisis and the Manchurian Incident, cannot be used as evidence for their dissolution because the actions taken by Italy and Japan were clearly marked as transgressions, thus upholding the validity of the institutions (Dunne 2001: 78). What is more, there was hardly any progress in decolonization. The relative stability of international society during the interwar period can be attributed to the feedback mechanisms

surrounding its international institutions. I have already described the horizontal and vertical linkages between the primary and secondary level above. Apart from that, there were several other stabilizing mechanisms at play.

- **Power effects:** The primary and secondary institutions were created mainly by a core of influential states. Based on an exclusive logic, which connected autonomous actorness to being identified as ‘civilized’, the institutions perpetuated the unequal capabilities of claiming authority. The form of knowledge production in international society supported this bias: The evolution of primary institutions was dominated by European international lawyers and politicians (Bull 1984: 217). Insofar as non-European elites of the periphery participated in this process, they were normally educated in European institutions and acculturated to Western ways of thinking. Power effects are also, and more obviously, recognizable in the unequal treaties on the secondary institutional level, where local rulers were stripped to varying degrees of their powers. Once established, these conditions were difficult to change, not least because their keeping could be claimed with force by the imperial party, who disposed over superior military power and in some cases also over enforcement measures in the foreign territory, such as para-military colonial police forces and penal or convict labour systems as a means to suppress resistance.
- **Vested interests:** The stability of the institutional configuration was not only upheld by violent means, though. The institutions produced preference structures that worked in favour of their persistency, both in the core and in the periphery. The national economies of the core states were benefiting from the extraction of raw materials from and the use of cheap labour in the periphery – a mechanism benefiting not only capital owners but also parts of the working-class in the imperial core areas, as Marxist-Leninist writings emphasized even back then (Lenin 1963). In the colonies and protectorates, the imperial rule relied to varying degrees on a cooperative local bureaucracy. From the *collaborateurs* in French Cochinchina to the Anglo-Burmese and Indian officials in Burma, a local elite, often actively recruited by the colonial power, executed bureaucratic tasks and thus helped in upholding the institutions of colonial rule in exchange for receiving a privileged and protected status within the system (Anderson/Killingray 1991; Benda 1965).
- **Reification:** This mechanism was fueled in particular by nationalism. In Europe, it weakened promoters of integration such as the Pan-Europa Movement by creating a discourse that conceived of the nation-state as the only legitimate actor (Dinan 2004: 2-3). In the periphery, it deprived independence movements of a potentially powerful basis for legitimate authority by linking the right to self-determination to civilizational advancement.

The Second World War and new practices

These feedback mechanisms were massively disrupted by the shock of the Second World War. Power relations and preference structures were fundamentally realigned, and existing

orthodoxies about the conduct of international relations put into question. These dynamics opened a window of opportunity where new practices of knowledge production could emerge that challenged the existent institutions. These dynamics affected the core and the periphery in different ways and therefore led to regionally specific processes of change:

In the periphery, the imperial powers' absorption in the war and the resulting power vacuum raised an opportunity for independence movements to challenge foreign rule. Their claims, based on the principle of self-determination which they had so far been denied, were now facilitated by the rise of the United States and the Soviet Union to superpower status because both put forth an anti-imperialist rhetoric. The dissolution of the old imperial spheres of influence facilitated south-to-south cooperation in knowledge production. The various anti-imperialist conferences of the post-war decades and the foundation of the Non-Aligned Movement in 1961 testify to the emergence of a discursive 'global south'. These developments allowed the hitherto colonized peoples to forcefully promote a universalist and absolute rather than gradual conception of sovereignty, a reinterpretation which the former imperial powers eventually, though not without attempts at violent suppression, accepted.

In Europe, meanwhile, the devastated communities of the warring nations were forced to accept the hegemonial role of the new superpowers in the development of the post-war international order, which effectively led to a partition of European international society into two camps.⁵ This development was supported by the decline of communism as an influential political force in Western Europe soon after the end of the war. Under pressure to find a cooperative regional *modus vivendi* from the victorious U.S. abroad and a war-weary population at home, the political elites began discussing a variety of regional institutional configurations. Two structural factors in this quest should prove decisive: first, the return home of exiled politicians from their war-time refuges in liberal democracies, where they had often come into contact with federalist and internationalist ideas (Dinan 2004: 4; Milward 1992: 320-325); second, the fact that the debates were held not only in intergovernmental settings but also included strong transnational elements: The Congress of Europe in 1948 brought together politicians from across Europe "in a private capacity" (Dinan 2004: 23). The most tangible results of the Congress include the foundation of the European Movement out of a number of national and transnational pro-federalism associations, and the creation of the Collège d'Europe in Bruges. Jean Monnet's initiative to reinvigorate pro-integration momentum, the Action Committee for the United States of Europe, included trade union representatives (Dinan 2004: 69). As a consequence, state actors did not hold a monopoly over the discourse on the future of Europe, which gave room for the formulation of post-nationalist conceptions of international society.

The parallel but strongly differing developments in Europe and the periphery led to a dialectical process. On a global scope, an all-encompassing international society of nation-states finally emerged, at least in theory, as a result of the delegitimization of imperialism and

⁵ In the following, I will focus on the developments in Western Europe.

the asymmetrical institutions associated with it. In practice, this society was compromised by continued struggle in some parts of the world against the old colonial powers, as well as against neo-imperial projects of the new superpowers. (Western) Europe, meanwhile, went from being the core of global international society to becoming one among several sub-spheres with distinctive international institutions. A truly regional European international society can be said to have emerged only during that period.

New institutions in early post-War Europe

These institutional changes were not the necessary outcome of exogenous forces but rather the result of a discursive struggle and therefore an inherently political process. Kaiser (2007) argues that the hegemony of Christian Democracy, with its parallel affinities to supranationalism and the welfare state, has significantly shaped the outcome of this process. The results were transformative but not revolutionary: they built to a considerable extent on the institutions of the interwar period.

On the primary institutional level, first, the idea of national sovereignty was considerably modified but at the same time reaffirmed (Milward 1992). Far-reaching plans of a European federation, as promoted by the Union of European Federalists under the leadership of Altiero Spinelli (Dinan 2004: 23-24), were eventually rejected in favour of more moderate plans for functional cooperation. Rather than a reconstitution of unpartitioned sovereignty at a federal level along the lines of a United States of Europe – a sort of regional empire – these ideas implied a move towards a *pooling of sovereignty* (Diez et al. 2011), a hybrid arrangement where sovereignty is deferred to a supranational level in some areas but remains with the nation states in others.

Second, within this hybrid entity, states retain their identity as sovereign entities. While being formally equal, a *moderated hegemony* of the big member states – initially Germany and France – can be discerned. The smaller states acknowledged that success in regional integration could not be achieved without the participation of the two central actors (Dinan 2004: 47, 72). Their *de facto* exceptional role was only acceptable, however, within a tight institutional framework guaranteeing the *de jure* equality of all participants.

Third, the logic of the ambivalent understanding of sovereignty in post-War Europe is mirrored in the changes affecting the diplomatic institutions of international society. The multilayered set of intergovernmental multilateral and bilateral diplomacy was still recognised as important means of authoritative communication, but it was increasingly supplemented with bureaucratic supranational apparatuses and networks on various levels that were tasked with the exchange of information, the negotiation of interests and the execution of administrative processes. Describing this process from the perspective of today's European Union, Diez, Manners and Whitman (Diez et al. 2011) speak of an institution of 'multi-managerialism'. While its effects were already visible in the establishment of the first supranational administrative bodies, joint committees etc., this development was obviously

less advanced and dense in the early days of European integration, so that it could be more accurate to speak of an institution of *diplomacy-cum-governance* in early-post War Europe.

Fourth, in security terms, the pre-existing concepts – collective security internally, concert of empires externally – had crumbled to pieces in the course of WWII. The federalist reaction was to propose to centralize the use of force at the supranational level. The failure of the EDC 1954 was the fatal blow to this idea, but an alternative had already crystallized by then. Internally, the path that was chosen was essentially to establish a *functional security community*, resting not so much on a common identity and common values, but rather on the trust-building effects of an integration of strategically important elements of national industries (Milward 1992: 318-344). In the external security dimension, the changed global context made a conception of *collective defence* of the ‘West’ against Soviet expansionism appear to be of existential importance. The institutions of external security were therefore more transatlantic than European in character.

Finally, the institution of international law found a modification by adding *Community law* as an emergent and autonomous source for legal order. Non-state actors came increasingly to be seen as producers of legislation and jurisdiction, on the one hand, and as its objects, on the other. They did not replace but existed in addition to the primary law and the provisions of conventional international law as posited between states. Community law was also increasingly intrusive of domestic law and national sovereignty, first by linking European identity to democratic principles of government and second by acknowledging individual rights on a regional scope.

More than in any previously existing international society, the European order came to rely on secondary institutions as a source of stability. The *European Communities* (EC) were certainly some of the most important. They were linked up to all the important primary institutions: They locked in the principle of pooled sovereignty by setting up bodies of supranational administration while accommodating national sensitivities in the intergovernmental councils. As Dinan (2004: 51) notes, this institutional compromise was also a way of moderating fears of Franco-German hegemony in the new set-up. The EC offered an alternative to state-to-state cooperation but, in providing for welfare and security, they also buttressed the continuing legitimacy of the nation-state among the European population (Milward 1992). They were the venue for the new European diplomacy-cum-governance and, with the growing emission of secondary and supplementary law emanating from the Community institutions in the forms of directives, regulations and case law, the main source of Community law. Finally, through the pooling of authority in strategically important areas, they reflected the internal dimension of security as a functional security community.

The human rights dimension of Community law, meanwhile, was codified by the institutions created by the *Council of Europe*: Through the *Convention on Human Rights*, which is enforced by the *European Court of Human Rights*, individuals obtained the right to apply against member states of the Convention, although not directly but with the Commission of Human Rights as an intermediary body.

The picture is hardly complete without considering the increasing number and influence of *non-governmental organizations* on regional affairs. I have already named some of the transnational groups that acted as norm entrepreneurs in the early years of European integration, such as the European Movement and Monnet's Action Committee. To these should be added the European associations of national political parties which formed out of the party groups in the Common Assembly of the ECSC. They took part as actors in the institutionalization processes surrounding primary and secondary institutions but they also had structural, constitutive effects as socialization venues spreading integrationist thought among European politicians.

4 Conclusion

With the signing of the Treaties of Rome in 1957, the first stage of institutionalization of the emerging European international society was completed and a phase of consolidation followed. Despite the purported cycles of 'Euroclerosis' and 'Europhoria', what followed until around the mid-1980s was in fact a time of stability allowing for incremental, small-scale change only. The basic primary and secondary institutions remained in place. To explore this institutional stability further, a detailed analysis of the emerging feedback mechanisms – power effects, vested interests, reification and institutional linkages – would be necessary. Similarly, an analysis of new 'shocks', such as the end of the Cold War, can form the basis of an account of the widening and deepening processes of European international society in the 1990s and 2000s.

This paper has used a modified English School framework to analyze the development of international institutions in Europe from the end of WWI until the creation of the European Communities. The approach emphasizes the social and historical embeddedness as well as the political nature of the dialectics of institutional continuity and change surrounding European integration. Thus, it acknowledges the uniqueness of the European experience. At the same time, thanks to its general framework, it sees European as an instance of regionalism and is amenable to cross-regional comparison. We can ask why a single event has led to different results in different parts of the globe and why different forms of regionalism persist to this day. Most importantly, however, seeing European integration as a form of international society reminds us that while history matters, there is nothing inevitable about the way institutions evolve.

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