

# An Unwritten History: The Europeanisation of Switzerland<sup>1</sup>

by  
Tamara Ehs

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**Dr. Tamara Ehs**  
Department of Political Science  
University of Vienna  
Universitaetsstrasse 7, Room 218  
[tamara.ehs@univie.ac.at](mailto:tamara.ehs@univie.ac.at)

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## Introduction: Europeanised Europeans

On 22 November 2004, consul general Raymond Loretan gave a speech on *Switzerland and the European Union* at the European Union Studies Center in New York. He started with the words, 'Switzerland is European', followed by a long list of specifications on Switzerland's Europeanness (Loretan, 2004).

Some years ago no Swiss ambassador or scholar invited to an institution that had the word *Europe* in its name would have had to defend or even clarify Switzerland being European. There was no doubt the little Alpine country was the heart of Europe. But with the evolving political momentum of the European Union beginning with the Single European Act (1986) and especially the Treaties of Maastricht (1992) and Amsterdam (1997) and the accompanying enlargement of the Community the notion of *European* became subject to change, became appropriated by the EU.<sup>2</sup> Since Switzerland is not a member of the European Union and does not plan entry in foreseeable time neither it constantly has to explicate its Europeanness. Although most of us can agree on Switzerland being European simply by the geographical fact, we face frictions calling the country Europeanised. Reflecting this presumes that Switzerland (as other non-EU member states) is not involved in the process of unifying Europe. But to take this view shows a rather limited approach to what Europeanisation is and accounts for.

In fact, as first brought up by Steppacher (1992) and later thoroughly analysed by Kux (1998), Church (2000[1]) and most recently by Fischer (2005), Switzerland is very much subject to Europeanisation no matter which of the various possible definitions (socio-political uniformisation, acceptance of common values, structural and legal alignment to the EU, etc.<sup>3</sup>) can be used, except one that is, however, the mainstream definition in political science: limiting Europeanisation as a matter of changes in the

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<sup>2</sup> That is why Radaelli (2003: 27) prefers to speak of 'EU-isation' and Kohler-Koch (2000: 21) uses the term 'EU-Europäisierung'. Additionally, Vink (2003: 65) points out that politically unified Europe does not just consist of the EU but as well of institutions as the OSCE, EFTA or the Council of Europe.

<sup>3</sup> For an overview on the manifold and partially overlapping senses of the term 'Europeanisation' see for instance Harmsen and Wilson (2000), Olsen (2003) or Featherstone (2003).

relations of the Union to its member states, or even as the *de jure* transfer of sovereignty to the EU level (Lawton, 1999: 91). But the example of Switzerland questions this mainstream definition and shows that Europeanisation is a wider phenomenon than it is mainly taken to be.

Kux (1998) revealed first that domestic institutional logics rather than formal membership are conducive to processes of adaptation in Switzerland and thereby challenged the importance of formal membership for Europeanisation studies. He published his findings in one of the few accounts on the Europeanisation of small states that defines the term precisely enough<sup>4</sup> to include even Switzerland. Considering 'the adjustments made at the national level ... in order to accommodate new situations' (Hanf and Soetendorp, 1998: 2) as the main reference to define the process, Switzerland therein is subsumed under the technical expression 'indirect Europeanisation' (ibid: 5).<sup>5</sup> But pigeonholing Switzerland as only indirectly Europeanised misses the fact that the direct form of Europeanisation hits the country too by straightforward transmission mechanisms resulting from bilateral contracts between Switzerland and the EU, as pointed out by Fischer, Nicolet and Sciarini (2004). Also Gstöhl's analysis of *Reluctant Europeans* (2002) collaterally deals with the subject of Europeanisation and delivers thoughtful insights on Swiss-EU relations across five decades.

Among the non-EU members there are indeed many intermediary stages and patterns of integration that prove that the concept of membership is just as little a dichotomy as the concept of Europeanisation is, and especially Switzerland displays an unexpectedly high degree of adjustment to EU-regulations almost similar to that of member states (Mach et al., 2003). The Union is among the main focuses of Swiss politics and economy, of debates in parliaments as well as at the regular's table since

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<sup>4</sup> 'Decision-making in the western European states is becoming more Europeanised in the sense that what happens now at the level of the European Union (EU) penetrates more and more areas of national policy-making' (Hanf and Soetendorp, 1998: 1).

<sup>5</sup> The expression 'indirect Europeanisation' was coined by Radaelli (1997) to describe what he later (2000) called 'policy isomorphism' but what he unfortunately restricted to EU member states: Policy areas where (member) states have, to varying degrees, begun to emulate one another regarding to particular policy choices or regulatory frameworks.

EUropean political trends transcend the borders along with people, goods and ideas: The EU consumes 63% of Switzerland's exports and provides 82% of its imports,<sup>6</sup> 70% of all foreign nationals living in Switzerland are EU citizens (let alone the high number of commuters), Switzerland is the most important West European transit gate, etc.

Given this, Switzerland is pulled into the EU-issue and is Europeanised whether it likes it or not. The country has to come to terms with an evolving polity that redefines Switzerland's political activity and already imposes constraints on the much-admired and proverbial *Swiss liberty* that accounts for a strong part of Swiss identity. Berne was eagerly taking pains to harmonise national legislation (particularly in commercial law) to bring it into line with the *acquis communautaire* in the last ten years (Linder, 2000: 8) and negotiated a set of bilateral agreements, because – contrary to idealised portraits by EU-opponents – Switzerland was and is not doing so well outside the European Union. The country faced continuing recessions, huge increase of unemployment and even the so-called *new poverty*, polarisation of politics, distrust of authorities and institutions, alienation of the *classe politique* and the people as did (and do) its neighbours (Church, 1996).

But being a small country in the middle Switzerland was affected by European trends ever since. The amount of affection just rises accordingly to the increase and consolidation of internationalisation (and globalisation) among what Europeanisation now ranks first for Switzerland. Seeing Europeanisation as a special form of internationalisation when focusing on the national adjustments to the changing requirements in bi- and multilateral relations (like legal harmonisation, modification of the constitutional order, new organisational units within the government, etc.) to define the term, I will argue in this paper for a definition of Europeanisation that is not restricting the notion to the structures and the timeframe of the European Union.

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<sup>6</sup> 2005-foreign trade data, taken from *La Vie Économique* (1/2-2007).

Taking in Harmsen's and Wilson's (2000: 20) remark that 'Europeanisation reminds as of the need for sustaining the study of the EU as an integral part of a broader, interdisciplinary European Studies, which is as interested in the issues of culture and identity as it is in economic integration and political union' I will expand Europeanisation to the historical process of European integration looking back at the antecedents of the European Union. Hereby, I will explicate that membership is less important than accorded, that Europeanisation affected current EU member states long before they had applied for membership, that it consequentially did and does affect countries like Norway or Switzerland that are not members of the European Union.

Focussing on the little Alpine country I intend to show that Switzerland is not that special case (anymore) and overall less distinctive than commonly thought of. The country has a long history of affecting and being affected by the idea and later by the actions of European integration. Europe has always been a big issue for the Swiss, be it providing good offices and serving as a host for conferences on questions of trans-European importance in the 19<sup>th</sup> century or discussing the future *United State of Europe* in the 1930s and 1940s.

Switzerland and the history of its evolving relationship with the project of European unification is an example for the historical and present relations every European country has with the European Union – even if it is not a member. Or in Church's words, '(L)ike it or hate it, relations with the European Union are an inescapable question for all European countries. Whether members or not this is one of the key elements in their political agenda' (1996: 17). Thus, Europeanisation is more than just meeting the membership criteria of the EU.

### **Including History**

Although European Union studies finally overcame focussing on the dynamics of the European institution-building process (*bottom up*) only and are now analysing the

impact of European integration on political processes of the single member states (*top down*)<sup>7</sup> too by adapting Peter Gourevitch's (1978) famous call to conduct more work on how the international system affects domestic political coalitions and their struggle for power, the prevailing concentration on formal institutional aspects of member positions and the neglect of historical insights on European integration lose sight of the bigger picture. Even quite broad concepts for defining Europeanisation that were proposed in the very early stages of studies in this area in fact allowed to include non-member states but nevertheless stuck to the contemporary developments of national adaptation when using the term for describing an 'incremental process re-orienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organisational logic of national politics and policy-making' (Ladrech, 1994: 69). Also more elaborated studies explicitly concerned with establishing a general research agenda for relating Europeanisation to domestic politics, policies and politics are mostly analysing the ongoing EU-related re-orientation of institutions and structures (Kohler-Koch et al., 1998; Green Cowles et al., 2000).

Knill and Lehmkuhl (1997) proposed an analytical concept to approach Europeanisation by distinguishing three types of European policy-making (positive integration, negative integration, and 'framing' integration) which are characterised by distinctive mechanisms of Europeanisation. Most notably the latter and 'weakest form' that 'affects domestic arrangements more indirectly, namely by *altering the beliefs and expectations* of domestic actors' (ibid: 2) holds something for the study of non-EU member states and their history with European integration as well – although this aspect was not indicated by the authors. Radaelli (2000: 27) in his promising attempt to redefine Europeanisation for the purposes of political scientists concluded that '(i)f it does not confine itself to *sui generis* speculations and *ad-hoc* theorisation, research on Europeanisation has considerable potential for our

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<sup>7</sup> Only in recent years we can observe a growing number of studies dedicated to the impact of European integration at the national level. See for instance Andersen and Eliassen (1993), Mény/Muller/Quermonne (1996), Börzel (2001), Knill (2001) and Graziano/Vink (2007).

understanding of the evolution of state structures and public policy.' Unfortunately, he himself confined his approach to contemporary analysis overlooking that Europeanisation is not only a Brussels based matter of our time but a sophisticated form of internationalisation on the European level that goes way back to times before 1992.

In order to understand the European project and the extent of Europeanisation when facing a future of even more differentiated integration we must pay attention to the fact that EU-related decisions on the national level by member states *and* non-member states are as well shaped by historical experiences with the unifying Europe and by domestic legacies, an idea initially entertained by Olsen (1992), resumed by Gstöhl (2002) who combined an analysis of economic interests in market integration with ideational interests in protecting national identity, and applied to the Swiss case by Steppacher (2002).

The process of Europeanisation did not start with the European Union. Numerous rapprochements and economically orientated organisations anteceded the Treaty of Maastricht. Yet more previous visions of European order even dating back to times before 1952 already included countries that still are not EU members and probably will never be. But their history with European unification can tell us much about the evolution of state structures and public policy.

Arguing for inclusion of history in Europeanisation studies I primarily refer to the analyses of O'Leary (1987) and Featherstone (1998). In their respective studies on Ireland and Greece (both not founding members of the EC) they used the term *Europeanisation* to describe the historical process of modernisation in these countries caused by a unifying Europe. Therein, Europeanisation is equated with bringing countries (back) into the European mainstream, with assimilation and normalisation. Especially, the tentative engagement of one country in the early times of European integration, its reasons for refusal of active participation in the evolving process and its current incremental way back to European mainstream delivers insight to the hegemonic power (speaking with Gramsci's notion) of European unification.

Moreover, the example of Switzerland provides information on the multiple paths of European integration (whereof differentiated integration and indirect Europeanisation are part) and on the impact the choice at each parting of the ways had and has to the countries of Europe. Switzerland today may walk off the beaten track but it nevertheless is affected by what is going on on the European highway since

‘Swiss domestic politics are closely related to outside developments. In fact it is very much the case that Swiss external policy, whether linked to Europe or beyond, is affected by internal constraints. Indeed, it has been said that Switzerland does not have a foreign policy, only a domestic policy aimed at preventing external events from disturbing the internal balance and status quo. This may be an exaggeration but it does highlight a key element of Switzerland’s relations with Europe# (Church, 2000 [2]: 137).

And it does highlight that Europeanisation neither was nor is a one-way process. The initial considerations on engagement in European integration and the later retraction did not only have an impact on Switzerland but they affected the European Communities as well and shaped their structures and policies. Including EC-historical and even pre-1952 developments in Europeanisation studies allows a more thorough analysis of the motivations and courses of action of current and future member states that were (and are) influenced by the establishment of a unified Europe long before they (had) applied for membership. European countries were and are geared to the ideas and actions of European integration no matter they want to or not, simply due to geographical reasons that entail political, economical and personal ties.

Today it seems like Switzerland’s adaptation is only a reaction, ‘adjusting to European rules without being able to share in making them’ (Church, 2000 [2]:142). But Switzerland’s refusal to join the union shapes some of the most important EU-policies in return, for example transport and travel (esp. Trans-European Transport Networks *TEN-T*). For this reason bilateral agreements as negotiated in the last few years are not only in the interest of Switzerland that needs access to the European

markets but good relations are in the vital interest of the EU as well – notwithstanding the EU's better bargaining position.<sup>8</sup>

For European Union Studies, insights on the Swiss-EU relations that are not limited to analysing recent connections but that include the historical perspective provide information on the multitude of possible forms of taking part in a unified Europe and of being Europeanised, thereby informing us about two matters: the adaptiveness of institutional structures and the necessity of keeping the process of European integration flexible by not playing down the impact the EU has outside its borders.

The following paragraphs aim to give a brief historical overview of the impact of the European issue on Switzerland to provide the basis for an analysis of Swiss Europeanisation.

### **A Role Model's Duty and National Interest: Preparing for the USE<sup>9</sup>**

Kaelble (1997: 88) in his analysis of different approaches in integration studies pointed out the importance of the historical context focussing on the background and motives of getting actively involved in the process of European unification. Especially the Swiss example shows how extensively the idea of a unified Europe was and is utilised for the interests of domestic actors.

The phrase *Etats-Unis d' Europe* (United States of Europe, USE) was first publicly used in the Paris journal *Le Moniteur* in February 1848 and the idea of European integration to a federal state with the USA – or Switzerland! – as the role model was seriously ventilated thereafter. Although sometimes not very thoroughly studied but rather idealised – just like today – multilingual and bi-confessional Switzerland

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<sup>8</sup> Despite the fact that Europeanisation runs in both directions and both are understudied concerning Switzerland I chose to primarily concentrate on the dominant, the downward causation in order not to go beyond the scope of this paper.

<sup>9</sup> Parts of this chapter are already published in German (Ehs, 2006).

served as an example of the future Europe. The small state was assigned grandeur by outstanding thinkers of European integration like most prominently Victor Hugo,

‘Once the day will come, on which the weapons will also fall from your hands, at that the war will seem as absurd and will be just as impossible between Paris and London, between Petersburg and Berlin, as it is impossible now between Basel and Zurich, between Glarus and Schwyz. One day will come, at which you, France, you, Russia, you, England, you, Germany – at that you all, you countries of the mainland, will integrate to a higher unity, will unite as the cantons of the Swiss Confederation have united to our Switzerland, without losing their characteristics and their laudable features’ (Hugo, quoted from Rotten, 1942: 17).

Swiss politicians used this appreciation to strengthen domestic cohesion also among those that were not so convinced by the new federal, more and more centralising state. They could build on a romantic sense of a mission that was derived from the Middle Ages and established as a collective national sentiment in the 19<sup>th</sup> century supported by the fact that Switzerland gained reputation as *the country of liberty*. As a consequence the assignment of acting as a role model was gladly accepted and constitutional concepts of how to unify Europe were drafted by Swiss scholars and politicians like Johann Baptist Sartorius, professor for constitutional law, and Johann Caspar Bluntschli, a jurist who also devoted himself to politics.<sup>10</sup> Bluntschli (1853: 131) stated that ‘the relevance of Switzerland for Europe’ lay in ‘it serving as an exemplary model of the fraternisation of the Germanic and Romanic character and thus for the future brotherhood of the Germans and the French, on which depends the welfare of Europe’. Additionally, societies like the *League for Freedom and Peace* that was presided by Pierre Jolissaint, Swiss *Ständerat* (counsellor of States), acted in preparing for the USE.

Especially the 1870s<sup>11</sup>, when the country, as the ideal neutral place for coming together, was beginning to open up by hosting international conferences and providing good offices in European conflicts, mark the take-off of Switzerland’s commitment to European affairs on the national level. Herren (2000: 257) who

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<sup>10</sup> For further details see for instance Jílek (1990) and Ehs (2005).

<sup>11</sup> The 1870s were the post-war period of the Franco-Prussian War.

analysed this Swiss internationalism says that it was a way for Switzerland to open a backdoor to power.<sup>12</sup> Furthermore, she identified the unique Swiss way of ensuring domestic cohesion among the various linguistic and confessional groups by protecting economic interests without provoking a conflict with the big players in world politics at its border. Therefore, the Swiss government was reluctant in playing a more active part in European unification that would imply more than economic integration. But these first tentative international activities on the government level and those plans issued by prominent actors of politics and civil society – no matter how vague and unworkably they were – are the first historical evidence for the impact of the European issue in Switzerland and heralds of adjustments at the national level, first and foremost regarding Swiss foreign policy in the 1920s and the redefinition of neutrality towards warring nations.

### **Trying Normalisation**

Absolute and permanent neutrality as fixed on the 1815 Vienna Conference had been the key to survival for Switzerland, situated in a region of belligerents in the age of nationalism (Ehs, 2005). But as a lesson drawn from the First World War the League of Nations was established (headquartered in Geneva) and Switzerland downgraded neutrality for the first time. Between 1920 and 1938 the country's foreign policy experienced a complete novelty: differential, relative neutrality. Thereby Switzerland expressed its readiness to take part in economic sanctions if officially imposed by the League of Nations.

This was a further step in the attempt to normalise and has to be seen in the course of the country's opening towards its neighbours by integrating in the international system since the 1870s. But practice disproved theory: In 1935, the League imposed economic sanctions on Italy after the invasion of Abyssinia, but Switzerland – for

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<sup>12</sup> A first height of Swiss internationalism was the Swiss Federal Council's and the ICRC's role (then rather an important component of Swiss foreign policy than an intrinsic international institution) in the First World War, when Switzerland could gain diplomatic experience in European affairs.

reasons of national cohesion with regard to the Italians – could not bring itself to punish Italy. Withdrawal from the League and return to integral, absolute neutrality was the result. Soon thereafter, the League of Nations turned out to be incapable to prevent war what strengthened the Swiss creed on neutrality. Since then ‘neutrality has moved from being a tool of policy to a defining and untouchable virtue linked ... to national cohesion as well as to independence’ (Church, 2004: 278).<sup>13</sup>

After these adventures into European mainstream official Switzerland only regarded the *Sonderfall* as a passable way. But something remained from the encounters with the European issue: a sense of a Euro-mission utilised to keep the country together<sup>14</sup> and the interests of business people and intellectuals to stick to deepening internationalisation respectively Europeanisation. In June 1934, the *Europa-Union* was founded in Basle with the aim to promote the *United States of Europe* by giving the idea Euro-wide organisational structures. Henceforth, the Europeanisation of Switzerland was tried by the civil society.

### **Europeanised by Clubs and Societies?**

Between 1944 and 1949 Switzerland was the place to be for intellectuals from all over Europe that joined in to think about a better, more peaceful future.<sup>15</sup> Already during the war, foreign resistance groups (headed by the Italian Altiero Spinelli) secretly met in Geneva where they worked out a plan for a European Federation. In September 1945, the *Europa-Union Schweiz* invited European federalists from 14 countries to a conference in Hertenstein at the Lake Vierwaldstätter where the *Twelve Theses for a Future European Union* were written, also known as the *Hertensteiner Rütli Oath*. The selection of the venue had a symbolic sense: The Rütli is the mythological

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<sup>13</sup> On the issue of neutrality and army as identity related elements in Switzerland see also Haltiner (2002).

<sup>14</sup> See for instance Federal President Etter’s speech *Die Europäische Sendung der Schweiz* (Switzerland’s European mission) in January 1939 for the purpose of *Geistige Landesverteidigung* (spiritual national defense).

<sup>15</sup> For further details see for instance Grädel (2004), Ehs (2005) and Brückner (2006).

*lieu de mémoire* for the foundation of the Swiss confederation.<sup>16</sup> Relating Switzerland's beginnings topographically with the beginning of the European Union the Swiss once again showed their sense of mission to serve as a model. Indeed, as a multilingual, federalist country, it represented a model for the European federalists. Yet, they were hardly interested in the detailed reality of the Swiss political system, as state Freiburghaus and Grädel (2005) by analysing a number of manifestos and programmes where they discovered that most political statements remained vague, throwing little light on how a future federal Europe might work.

Albeit issuing vague programmes on European unification, those movements temporarily had a concrete impact on the Swiss system, accounting for a new trend in civil society: Traditionally, direct democracy offers many opportunities for political involvement, and associations (like shooting clubs or choral societies) played an important role in Swiss nation-building, operating within the domestic borders. But since the interwar years, more and more internationally acting clubs and societies emerged and developed para-party structures that questioned the official, reluctant European policy of Switzerland.

Numerous institutional units that we find today in the Council of Europe or the European Union were initially discussed in Switzerland-based societies like the *Europa-Union Schweiz* and the *Union Parlementaire Européenne* (UPE). The later's most important outcome was the *Plan of Interlaken* (1948) that answered the basic question 'Should the European Union be federal or confederal?' with a clear commitment to a federation.

Other European societies were not based in Switzerland but chose the neutral country that could provide an intact infrastructure as a venue for their conferences like the *Union of Européenne des Fédéralistes* (UEF) that was the umbrella organisation for about 50 European movements with more than 100.000 members. The UEF met in

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<sup>16</sup> The *Rütli* is a meadow that holds almost mystical significance for the Swiss. Legend says that it was here on August 1, 1291 that representatives from the three cantons around the lake Vierwaldstätter met to sign a pact of eternal mutual defence, thereby laying the foundation of the Swiss. Nowadays, 1291 is taken as the birthdate of the nation, and August 1 is the official Swiss national holiday.

Montreux in 1947 and drafted a constitution for a European federation, ‘une union des peuples autour d’un pouvoir federal efficace’.

Despite those promising activities in European unification by the Swiss intellectual elite the Swiss populace could not be won over for the idea. Integral neutrality and keeping out of trouble had been a too successful strategy in international relations to give it up for a developing European Union. Moreover, the European communities that were founded in the 1950s were not federal, not bottom-up, not direct-democratic, not ‘une union des peuples’ – not Swiss-style.

Though contemporary pro-EU movements can revert to the structures and international relations of those interwar and immediate post-war societies their then impact on the Europeanisation of Switzerland was not lasting. They could not cause any adjustments to European mainstream in times when the *Sonderfall*-thinking became dominant in Swiss foreign policy and the years from 1920 to 1938 were seen as an abortive attempt to normalise. But the Europeanisation of Switzerland went another way, a very European way: economic integration.

### **Europeanised by Economy**

Although Switzerland continued to subscribe to its principle of absolute neutrality on the level of European policy, the small, trade-dependent country integrated into the Western economy system with remarkable ease. From the very start it participated in the European Recovery Programme (ERP, 1947), in the Organisation for European Economic Co-operation (OEEC, 1948), and in the General Agreement on Tariffs and Trade (GATT, 1947), even though always under reserve of its neutrality.<sup>17</sup> Economic integration without political participation became the feature of Swiss-European relations in the second half of the 20<sup>th</sup> century (Tanner, 1990) which can be seen as the visible expression ‘of a wider Swiss creed of disengagement from international political involvement’ (Church, 2004: 269).

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<sup>17</sup> For further details on the years 1947 till 1960 see for instance Maurhofer (2001) and in general Gstöhl (2002) and Gabriel/Fischer (2003).

Since the European Coal and Steel Community (ECSC) and even more the European Economic Community (EEC) were regarded as a means of political integration and therefore incompatible with neutrality<sup>18</sup>, Switzerland along with six other countries founded the European Free Trade Association (EFTA) in reaction as an alternative that in contrast to a customs union would not raise problems of neutrality, direct democracy, or federalism. According to the Swiss Federal Council (1960) EFTA membership would not lead to *foreign judges*<sup>19</sup> and leave Swiss independence and liberty completely intact. – An analysis applying to direct Europeanisation via EFTA but overlooking indirect Europeanisation, because despite staying outside, the evolving political momentum of the European Communities caused adaptations in Switzerland like the creation of the Integration Office<sup>20</sup> in 1961 and the Free Trade Agreement (FTA) of 1972.

The phenomenon of indirect Europeanisation was raised by the Swiss Federal Council only in the year 1971, recognising that Switzerland's interests went beyond trade because of 'the fact that we would be affected to a considerable extent in many other areas by the decisions and developments in the EEC even if we were not to participate in the integration efforts' (Swiss Federal Council, 1971: 103), and it was confirmed by the Swiss Federation of Commerce and Industry when its president, Etienne Junod, wrote, 'Switzerland's foreign trade is very heavily dependent on the European markets, which make numerous commentators say that our country was, already, one of the most integrated in Europe' (Junod, 1971: 31).

For years the FTA became the fundamental pillar of economic relations between Berne and Brussels, amended by several other agreements so that by 1992, the Swiss

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<sup>18</sup> This guideline on neutrality was already declared by the Swiss Foreign Ministry in 1954 in reaction to the ECSC, stating that, 'an economic neutrality exists only in so far as the permanently neutral state may not conclude a customs or economic union with another state, since this would mean that the neutral state would more or less renounce its independence in political matters as well' (Swiss Ministry of Foreign Affairs, 1954: 11).

<sup>19</sup> The term *foreign judges* is used as a quite populist equation of European integration with times when Switzerland was under Habsburg rule.

<sup>20</sup> Its main task was and is to improve the cooperation among different ministries concerned with EU-issues, to monitor the European integration process and to analyse and assess its likely consequences for Switzerland.

had about 190 mainly economic and technical agreements with the EC. By the loop way of economic relationship Switzerland was pulled into the European issue because the country had to open up towards Europe to sustain economic growth and prosperity at home. In the course of economic interests Switzerland directly and indirectly was forced to adapt step by step. Even without being bound by contract the Swiss unilaterally adopted EC-regulations as far as they concerned the market. Furthermore, the Federal Council decided in 1988 that every new Swiss law had to be officially checked for EC-compatibility and stated awareness that 'the renunciation of accession to the EC has an institutional price, which today undoubtedly carries more weight than in 1972: Switzerland is thereby excluded from the formal EC decision making process, a process by which, on the other hand, it is more and more affected as a result of the EC enlargements and the extension of EC competencies' (Swiss Federal Council, 1988: 131).

Corollary of this already existing degree of Europeanisation and since Switzerland faced continuing recessions and a huge increase of unemployment since the 1980s and since European integration became more Swiss-style by introducing the subsidiarity principle, the government decided to accede to the EEA – thereby backing Mattli's (1999) statement that a country applies for (EU-) membership after one or more years of growth rates below the average of the member states. But Switzerland's application for membership was rejected by public referendum in 1992.

Since then the Swiss government has been aiming to obtain similar access to the internal market through the negotiation of bilateral sectoral agreements. But accession to a market as huge and powerful as the European Union has its price: Most notably, the second series of bilateral agreements, signed in October 2004, do not only cover additional economic interests but extend, as demanded by the EU, cooperation – and therefore cession of former Swiss control to the EU – to the fields of internal security, asylum (Schengen/Dublin), the environment and culture, issues that highlight the advanced Europeanisation of Switzerland. And Europeanisation

continues as show the next issues of interest, which could be negotiated quite soon, concerning the electricity market (regulating the cross-border transmission) or Swiss participation in *Galileo*<sup>21</sup> or even an agricultural free trade agreement.

The above briefly summarised history of Switzerland's relations with the idea and process of European integration displays the Europeanisation of Swiss polity, policy and politics that is further analysed in the following.

### **Analysis: How Europe matters to change (again)**

Looking at history delivers surprising insights: The present Swiss way of negotiating bilateral sectoral agreements and keeping the level of integration as low as possible is nothing new in Swiss-European relations. It is the pre-1992 strategy adapted to changed requirements. Switzerland has been concluding sectoral, intergovernmental agreements with the unifying Europe since contracting with the ECSC regarding supplies in 1956. And current relations resemble Switzerland's unrealised request from December 1961 "for a form of association with the EEC that would leave neutrality, federalism and direct democracy untouched" (Swiss Federal Council, 1962: 281) and the realised middle course between accession and isolation as signed in 1972 concerning the FTA.

But since the EU changed from a mere economic area to a political entity covering policy areas such as justice and security or education the relations with Switzerland had to change too. The stepwise deepening of European integration since the 1980s challenged the political experiences of Switzerland since policy areas of exclusive cantonal domain became subject to European integration as analysed by Kux (1998: 169), 'For the first time in the history of the Swiss federation, non-central governments became involved in international negotiations, which previously had been a prerogative of the central government.' New layers of politics evolved and upset the federal balance because they have to interact with older ones making the

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<sup>21</sup> European Satellite Navigation System.

political system more complicated and interlinked. Moreover, since a constitutional amendment in 1977 that gave people the final say in important foreign policy decisions<sup>22</sup>, Swiss EU policy is subject to direct democracy (Kreis, 1995) – an aspect in Swiss-EU relations that cannot be overestimated as the European issue accounts for the main reason of political division and the end of the *Sonderfall*.

Given its geographical position, Switzerland is embedded into the EU's policies be it concerning cross-border criminality, migration or transport. And due to the country's highly export oriented economy it is quite easily convinced (a sharp tongue would say: blackmailed) by the EU to adapt to European norms.

With European integration on the political agenda (again) an element in the Swiss political system re-emerged that had already been active before: extra-parliamentary movements. Reanimating the *Europa-Union*, the NEBS<sup>23</sup> was constituted in 1998 by pooling together a number of pro-European movements.<sup>24</sup> But what has changed is that most of the newly established campaigning organisations are not supporting but opposing EU entry like most prominently the AUNS<sup>25</sup>, indiscriminately arguing with simple emotive issues like the loss of *Swiss liberty* as the populist line of reasoning. For EU-philes and EU-phobes alike and to a certain regard also for EU-sceptics in the middle,<sup>26</sup> the European Union is *the other*, utilised to meet Swiss domestic political and cultural conflicts. According to Kux (1998: 179) 'the emergence of these para-party structures means that political conflicts can no longer be resolved within the traditional institutions, but are decided at the ballot' entailing a shift from representative to direct democratic decision-making in European affairs as well as higher competition among the parties and general polarisation of politics – a

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<sup>22</sup> Accession to organisations for collective security (e.g. UNO) and to supranational communities (e.g. the EC) was made subject to mandatory referendum.

<sup>23</sup> NEBS – New European Movement Switzerland: <http://www.europa.ch/>

<sup>24</sup> A fact obviously ignored by Flood (2002) who thinks of Switzerland not being in need of a campaigning anti-EU force because to him the country has an anti-European consensus.

<sup>25</sup> AUNS, engl. CINS – Campaign for an Independent and Neutral Switzerland: <http://www.cins.ch/>

<sup>26</sup> On this tripartite distinction see Church (2004: 270).

decrease of consensus and concordance that meanwhile already affected the composition of the *magic formula*.<sup>27</sup>

Europeanisation is used by domestic politicians and interest groups as an opportunity to further their goals and hereby accounts for a changed empowerment of actors and a redistribution of power (Green-Cowles, 2000: 11) as Switzerland recently experienced with Christoph Blocher's SVP (Swiss People's Party) and the just mentioned change in the *magic formula*. As in every other European country – whether EU member or not – the process of European integration spurs to mobilise politics.

To avoid even further division among the linguistic groups (French cantons are mainly pro EU, German ones opposing it)<sup>28</sup> the government recently completely withdrew from being committed to full EU membership as the long-term objective in its *Europe Report 2006*. For the first time, this report lists the possibility of differentiated integration for Switzerland as a serious option. Assessing that 'European integration has always been a process, and it is set to remain one' and '(c)onsidering the major works in progress in the EU today [Constitutional Treaty, further enlargement], the process of European integration is more open than it has been at any time in the past' (Europe Report 2006: 11), Switzerland is shown as an example for flexible differentiated integration.

Having withdrawn from first tentative, civil-society based direct and active involvement in helping to unify Europe in the 1940s the Swiss had only sought economic cooperation thereafter, 'a very satisfactory relationship with Europe' because '(t)his gave them the economic benefits they needed without demanding clear political commitment' (Church, 1996: 13). Accordingly, the Swiss Integration

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<sup>27</sup> The *magic formula* guaranteed all four main parties power in a grand coalition, regardless of the election result by sharing the cabinet posts in a way that mirrored the linguistic and political landscape. It is Swiss common sense that the old formula, in place from 1959 to 2004, had brought Switzerland stability and prosperity. Before December 2003, two Federal Counsellors were elected each from the Christian Democrats, the Social Democrats, and the Free Democrats and one from the Swiss People's Party. Under the *new magic formula* starting in January 2004, the new party composition of the cabinet changed to: 1 Christian Democrat, 2 Social Democrats, 2 Free Democrats, and 2 representatives of the Swiss People's Party of Christoph Blocher.

<sup>28</sup> On the origins of euroscepticism in German-speaking Switzerland see for instance Theiler (2004).

Office (established in 1961) is still under the control of the Federal Department of Foreign Affairs (FDFA) and the Federal Department of Economic Affairs (FDEA) what may mirror the wish to go it alone in all other areas than economy by the majority of the Swiss people but what is less easy for the government since European integration advanced. Rapprochements to the EU therefore are sometimes seen as an institutional phasing-in, as integration by stealth what accounts for perpetuated alienation of the *classe politique* and the people. Indeed, the European issue has become the key cleavage in Swiss politics. This alienation is evidence of Europeanisation seen as modernisation or assimilation, as 'a process whereby national political elites began to reconceive of national interests relative to a broader European framework. Europeanisation ... emerged as a modernisation process spearheaded by national political and bureaucratic elites' (Harmsen and Wilson, 2000: 21) which only much later percolates more generally into Swiss society.

Considering Europeanisation and the changes in Switzerland listed above by just looking at contemporary relations misses the bigger picture. But including history in Europeanisation studies allows seeing that Switzerland is not that special case (anymore) and overall less distinctive than commonly – also in the Swiss self-perception – thought of. The changes Switzerland is undergoing today are not so new but in many aspects rather a return to former attempts of adaptation and normalisation in international affairs. The establishment of an Integration Office in 1961 meant reforming the machinery of government as does the opening of a Delegation of the European Commission<sup>29</sup> to Switzerland in March 2007 that is the most recent proof of normalisation by Europeanisation. Moreover, elite socialisation in European affairs, i.e. elite Europeanisation, is not only furthered by re-orientating the diplomatic service but as well by internationally operating business people that

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<sup>29</sup> These Delegations are under the control of the External Service and serve European Union interests throughout the world. There are 118 Delegations in third countries and five Delegations (in Geneva, New York, Paris, Rome and Vienna) at centres of international organisations (OECD, OSCE, UN and WTO).

have to be well informed on Community rules, by Swiss judges that now have to be trained in EC law, and by students and academics that are Europeanised due to Switzerland's participation in the European Higher Education Area (keywords: Bologna process, Erasmus, etc.).

Like any other country Switzerland carries out its domestic adaptation 'with national colours' (Green-Cowles et al., 2000: 1): incrementally, deliberately, with special regard to domestic cohesion, for broad consensus outranks accelerated progress in relations with the EU in order to prevent a referendum challenge. Assessing that 'Swiss ways are not always very open and competitive' as does Church (2002[2]: 142), 'Europeanisation is a way of revitalising them.' And of normalising them, one may add.

The constant in all these changes is that the adjustments made at the Swiss national level in order to accommodate new situations predominately were and are directly linked to the advancement of the European project, thus proving the hegemonic power of European unification by exertion of passive adaptational pressure which is observed – and exaggerated as well as exploited – by many EU-phobes and contributes to deep-rooted EU-scepticism among the Swiss.<sup>30</sup> It is very likely that such pressures on Switzerland to Europeanise become more frequent as the European Union expands and integrates further.

Moreover, the hegemonic pressure causes the government to embark on a very careful communication strategy concerning EU-issues as recently observable in the controversy on company-tax advantages<sup>31</sup>: Hans-Rudolf Merz, minister of finance, said that it would be dishonourable for a sovereign state like Switzerland to negotiate with the EU on tax rules, but promptly announced an autonomous fiscal reform 'that would fulfil the EU's requirements' (NZZ, 28/29 April 2007: 33). How

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<sup>30</sup> Most recently, the felt passive pressure by the European Union led Pirmin Schwander, president of AUNS, to accuse the EU even of 'colonialism' and 'Euro-imperialism' (Schwander, 2007: 5). Although this argument is used in a demagogic way in daily politics, it addresses the question of analysing today's *Europe as Empire* for European Union studies as recently done by Jan Zielonka (2006). This too holds something for studying the Europeanisation of Switzerland.

<sup>31</sup> The European Commission, on 13 February 2007, accused Switzerland of offering unfair company-tax advantages that violate the FTA of 1972, a complaint rejected by the Swiss.

'autonomous' is a reform when linked to a demand by the European Union that has the power to suspend negotiations for cooperation in other desired areas like the electricity market or the agricultural free trade agreement? Or is it rather a reform answering Europeanisation?

### **Outlook: Implications of the Swiss Example for European Union Studies**

The Swiss case contributes to redefining Europeanisation, especially when analysing the impacts of the emergence and the development at the EU level on domestic structures. If we were interested in 'whether and how the ongoing process of European integration has changed nation-states, their domestic institutions, and their political cultures', as are Green Cowles, Caporaso and Risse (2000: 1), we must not neglect neither non-member states nor the pre-membership history of current member states.

Depth and structure of Switzerland's relationship with the unified Europe may be new but the Europeanisation of Switzerland itself is not. A more precise definition of the term that allows a look at the antecedents of the European Union and a functional approach that leaves aside formal membership but focuses on the adaptations made will also contribute to a better understanding of differentiated integration in the EU, a trend that will continue in the future. On the one hand enlargement already has and will further increase the EU's heterogeneity and thereby affecting its effectiveness and its very character (Gstöhl, 2002: 223), on the other hand there will be more states that are Europeanised on a functional level – as is already Switzerland – without taking part in the institutions. Historical insight as delivered in this paper concerning the Swiss way may serve as an outlook on flexible differentiated European integration in 50 years from now. Some will be full members while some will only share a few selected dimensions of the EU. Thinking for example of Turkey maybe being still no full member in 2057 but participating in selected areas of EU-policy, the country won't formally take part in EU-institutions but nevertheless it will

be Europeanised since 100 years.<sup>32</sup> Assuming differentiated integration the normal case of European integration in 50 years from now – what, above all, challenges the importance of full membership for European Union studies – Switzerland will be normal again.

Even at this stage the Swiss example already reminds us ‘that integration in Europe is a broader and less formal process than some EU specialists assume’ (Church, 2002[1]: 15). Being inextricably linked to the unified Europe Switzerland has little alternative than to adapt to Community rules, but each step of adaptation is and will be conducted by the pace of incremental change in the Swiss system.

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<sup>32</sup> Already in September 1959, the EEC-Council of Ministers accepted Turkey’s application for associate membership.

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