

When Sartori concludes that constitutions are 'pathways' (p. 201) which should ensure a controlled exercise of power, he emphasizes their procedural and content-neutral character without displaying how a supposedly 'appropriate structure of incentives' can come into constitutional being. No further argument is dedicated to the question how possible constitutional incentives interrelate with electoral and political systems. Besides the fact that Sartori cannot sustain this link, there is also little evidence in his other theoretically rather weak assumptions. That 'consensus management' (p. 72) is the very essence of democratic governance seems to be unquestionable for him. It remains also unchallenged what makes consensus democracy a desirable goal. The author does not even discuss the inherent problems of consensus. It is not only built on conflict, but possibly also on exclusion of those not agreeing. The belief nurtured from Popper's insights that generalizations in law-like form prove the truth of one's observations and allow inferences to possible improvements appears to be at best ingenuous. Sartori bases his study on the conjecture that the more political systems we compare, the more likely we are to derive a law-like rule about their functioning. From there he tries to pull the threads and pinpoint the necessary characteristics for a sustainable electoral and political system. His comparative and descriptive method neglects entirely the results provided by social choice and voting theory. It would have been of major importance to take other possibilities of extending the majoritarian rule into account and compare the results of different approaches. Thus, Sartori's study is only supposedly helpful in its attempt to foster democracy through the stick of deterrence and quasi-dictatorial measures. Citizen participation in the political process is definitively not a central issue of his framework.

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Scott, Joanne, *Development Dilemmas in the European Community. Rethinking Regional Development Policy*, Buckingham: Open University Press (1995) xviii + 160 pages + Index. £16.99, paper; £40, hardback.

Scott's book provides a timely and stimulating treatment of the increasingly important area of regional development policy in the European Union (EU). The introduction outlines a major 'dilemma' presently facing the EU. The author contends that the phenomenon of the globalization of capital investment restricts nation states' (and, therefore, local communities) autonomy in policy making. Possessing the ability to play states off against each other, international capital can negotiate the best possible conditions for investment in any given state. Consequently, there is a tendency for states to race to the bottom of the deregulation heap to attract such investment. A response to this problem is the creation of supra-sovereignties which increase the leverage of states by allowing the co-ordination of investment policy. The rub, however, is that these larger political structures display a tendency to concentrate power at the supra sovereign level. As a result of such concentration, the possibility of meaningful decision making at the local level is endangered. Therefore, the dangers posed by international capital, and the response to this danger, both threaten local community decision making. Here lies the dilemma. Worse still, in the EU context, the pay off that supra sovereignty promises has not been exploited. The author claims that the very political tools the EU has to deal with international capital investment, positive harmonization powers is the example given, remain under exercised. Instead, EU policy preference has placed great reliance on negative integration powers which are largely driven by the policies of individual member states.

Scott argues that EU regional development policy is one such instance of the EU's failure to exploit its supra

sovereign powers. Scott outlines the regional development initiatives, namely the European Regional Development Fund, the three EU structural instruments and the Cohesion Fund, before engaging in an extensive critique of these policies. A major premise from which the author proceeds is that regional development policy should be concerned more with human development as an end in itself rather than as a facilitation of capital investment. The gravamen of the criticism is that EU policy in this area stresses quantitative criteria, especially Gross Domestic Product (GDP), in both measuring and assessing policy. Broadly, this approach is flawed for two reasons. First, an increase in GDP does not necessarily imply development. The author cites the example of the pollution of a river caused by a factory in the course of production. In this instance 'the money value of what was produced is included in the GNP and then if the river is cleaned up, the money for cleaning up is also included in GNP' (p. 56). Second, by using growth as a measure of development success many significant factors and values, such as quality of life, life expectancy and autonomy, are left out of the assessment.

The author develops the thesis by situating the critique within the ongoing international development debate. We are told that the United Nations has largely rejected the growth model of development in favour of a development model based on more qualitative criteria. This new model places at centre stage the human right to personal development. The contention is that there are viable alternatives to conceiving development policy. Moreover, the adverse effects of the EU's 'anachronistic' policy are not restricted to Europe. Scott argues that the present EU policy tends to feed off the use of growth models of development in the developing world in order to sustain the market for a wide range of EU goods and thus, in turn sustain economic growth in Europe. Having established the general thesis the book turns to explore the implications of the present EU regional development

policy relating to the environment and the Common Agricultural Policy (CAP). The general conclusion is that in both areas elements of economic growth and efficiency are given undue priority. In the environmental area, there is a lack of adequate decision making structure to ensure environmental concerns are taken sufficiently into account. Concerning the CAP, there is a tendency to promote economic efficiency over social, cultural and environmental concerns.

In view of the ambitious range of the thesis, Scott wisely avoids easy conclusions. The possibility of a development policy involving a simple redistribution of income within the EU is considered and rejected. We are reminded that growth in income does not necessarily imply development. Even the greater use of qualitative criteria in EU policy may presuppose universal and commensurable notions of human need. This presupposition itself may threaten the value of autonomy by denying local communities the right to define a concept of need for themselves. Instead, the author calls for a departure from the present model of development to ensure a European Union which respects the deep variety of its traditions and ways of life. No alternative solution, however, is offered.

It might be thought that Scott's book makes for heavy reading. This is not so. Each of the chapters offers a succinct summary of the argument so far developed and points to the issues raised in the next. Moreover, the statistics are marshaled in an orderly fashion and never threaten to detract from the main thrust of the argument. The level of detail is set appropriately for the concerned lay person without ever giving the sense of simplifying essentially complex issues. In this tight structure particular arguments are made with force and clarity. One quibble might be that the author relies on many works in the development field or related fields in developing the thesis, without fleshing out her own theoretical framework. This does not, however,

significantly detract from a challenging and inter-disciplinary approach to a vital area of the EU policy.

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Renaud Dehousse (ed.), *Europe After Maastricht. An Ever Closer Union?*, München: Law Books in Europe (1994) xi + 314 pages + Index.

Among the avalanche of publications devoted to the Maastricht Treaty, this multi-contributor book stands out because it assesses the Treaty through different sets of lenses. This book is also valuable as mental preparation for the next scheduled conference in 1996. It is framed with an introduction by Emile Noël titled 'A New Institutional Balance?' and concludes with a contribution – 'Fin-de Siècle Europe' – by Joseph H.H. Weiler. Each of its chapters is an in-depth analysis of the most critical and controversial aspects of the Treaty on EU.

In a laser-sharp ten-page analysis of the institutional innovations, titled 'A New Institutional Balance?', Emile Noël concludes, as he has for over 40 years, with a question mark. He examines the changes in the texts through their actual procedural consequences and makes the reader feel that a lot will depend on the actors playing out their roles. Whatever the self-imposed restraint of Emile Noël might be in describing the institutions, he is explicit on one point: the limitation of the Commission's right of proposal.

Unlike Noël, Joseph Weiler in his '*cri-du-cœur*' assessment of Maastricht ends with no question. 'The People' no longer follow because the Community has lost its soul and values. It was possible to have an elite-driven, 'mandarin'-managed Community while a large consensus on superior values existed. These values include sacrifice/peace, the acceptance of Germany, prosperity in the more noble sense as the opening to others, and

'supranationalism' as an active value to overcome the demons of the past. He might have added the Dyonesian readiness for common adventure and faith in the dialectics of working together. As provocative as this assessment may appear, it can hardly be challenged. Weiler is more tentative and seems less convinced when looking for alternative motivations for the EU. Here, he ends with questions: Does the EU have the devices necessary for solving industrial problems? Is it the vehicle for adjusting Eastern Europe? Is it a place where communitarian ethos can come to grips with the chronic value conflict between market and solidarity, and freedom and statute?

Christian Joerges' contribution on 'European Economic Law, the Nation-State and the Maastricht Treaty' examines closely one fundamental aspect of Maastricht that is generally overlooked. This aspect could have legal consequences depending on future interpretations by the Court. Undoubtedly, the idea of maximization of resources through competition underlies the EC and some authors have argued that the Community enshrined the market economy as a principle of law. After Maastricht, the market economy has become the Law as a general principle enshrined in Article 3A EC requests Member States and the Community to conduct their activities 'in accordance with the principle of an open market economy with free competition'. Joerges queries if this is the EC's consecration of economic interpretation of the Law.

Francis Snyder's contribution on 'EMU-Metaphor for European Union? Institutions, Rules and Types of Regulation' assesses a new device for economic policy and a common currency. This is done through the usual competitive scheme 'Member States vs. Community (Commission, Parliament, Court)'. Of course, this is a fundamental aspect of the question. The other facet is that of the objective necessary to ensure the minimum autonomy of the monetary power in