

Publications

Europe: the World's Trader, World's Lawyer

by Goran Therborn

In social thought and discourse, the 1990s was the moment of space, of spatiality. "Globalization" was the buzz word worldwide, and Europe was set afloat with spatial programs, the "Single Market," German "unification," the Eastern "extension" of the EU. From Brussels and Paris, notions were spread of "espaces européens," a European "economic area," a "cultural area," and even a "research area."

The notion of "globalization," which has both a connotation of extension from the local and the national and of finitude, of planetary limitation, must be unpacked and specified. This set consists of five major kinds of processes. One of them is a cultural process, with a mental referent, pertaining to the extension of social awareness. It may be subdivided into a global consciousness of world-wide variability and interconnection, and a planetary awareness of human and ecological finitude and vulnerability. Socially, it is a discursive process.

A second process is historical, referring to the path dependence of contemporary economies, polities, and cultures. Between the world distribution of national income in 1820 and in 1999 there is a strong correlation, with a Pearson correlation of 0.85 among ten major countries and regions (Maddison, 1995: table 1-3).

Thirdly, there are the global flows, perhaps the most visible and dramatic of the global processes, including flows of trade, of goods and services, of capital, of people, and of information, in the broadest sense, values, scientific knowledge, music, etc.

Fourthly, there are entanglements of sovereign states in trans-national networks of policies and of norm-generation. Through such inter-locking of the national and the trans-national, the latter affects the former by agenda-setting, policy prescription, policy review, and institution-modeling. Truly global are the institutions of the UN, with its sectoral agencies, agenda-setting conferences, and conventions, including various attempts at a global legal order concerning the planetary environment, particularly destructive weapons, war conduct and crimes, and world trade. Quasi-global are the powerful inter-state economic organizations of conditional aid and credit, the IMF and the World Bank, mainly affecting poor and/or indebted countries. The functioning of the IMF and the World Bank in relation to their dependencies resembles the imperial and colonial operation of individual states or small groups of states a century ago. Beyond these institutions, there are also regional orders of trans-national entanglements.

Finally, global processes include worldwide action. This may in turn be divided into global concert, the rare moments of a truly United Nations, and global reach, once the pride of the Royal Navy of the United Kingdom, later the goal of Soviet Cold War parity and now, to the envy of some Western European politicians, the monopoly of US missiles and bombs.

Where do we find Europe in these global processes? To begin with, not much of it in global action and in global consciousness, whereas the European footprints on global history are still very visible, particularly outside Europe.

The days of European punitive raids on the rest of world are over, by and large. The current terms of global action were aptly captured by a January 2002 cartoon in the conservative German newspaper *Die Welt* featuring a huge American soldier in front of a target named "Saddam," looking down on a bunch of dwarfish European politicians, and saying to the latter: "I suggest the usual division of labour. I shoot, and you clap when I hit."

From the soft evidence of personal experience in Asia and the Americas particularly but also in Africa, it seems to me that "Europe" does not have a major place in global consciousness, or in consciousness of the world. The West and the rest, or the North and the South appear much more salient. On the other hand, humanitarian and environmental concerns indicate a relatively high planetary awareness among Europeans.

Global history, primarily in the form of colonial heritage, assures Europe a major influence in the contemporary world. Most strikingly, colonial background still determines the language of states and élites. Indian and Nigerian states and élites, for example, still operate in the language of their colonial masters, as do Congolese, Ivoirians, and Angolans.

The very names of many states tell of their colonial history. Legal systems, sports preferences, trade and migration routes are still following deep historical furrows of colonial provenience. Bygone colonial supremacy has left fewer traces in contemporary Europe, although the direction of aid, concern, and moral hectoring as well as the sources of overseas immigration still largely follow the old colonial command lines.

While global history has left enduring marks on the face of Europe, it is in some of the global flows, in those of trade and capital particularly, and in normative trans-national entanglements that we find Europe standing out in the current world.

Having been a region of emigration for four and a half centuries, Europe became a destination of net immigration in the early 1960s. Comparison of information flows is very difficult to get at, but clearly the most important flows of scientific knowledge and entertainment run from the U.S. to the rest of the world, although foreign student recruitment and music sales, for instance, show a continuing West European secondary centrality.

In international flows of trade and capital, however, Western Europe is still the center of the world, even if somewhat less so than by the end of the Belle Epoque. In the year 2000, 27 per cent of all global foreign trade took place within Western Europe, 29 per cent took place within all of Europe, and forty per cent of world exports originated in the countries of Western Europe. Western Europe in 2000 still owned more than half of the world's stock of foreign direct investment, 57 per cent, while the US owned a fifth, and Japanese investors barely five per cent.

Europe became the world's lawyer in the 19th century. The newly independent Latin American states adopted Napoleonic legal codes that still weigh upon the hemisphere, not the least in family law. Imperialist expansion brought European extra-territoriality to the threatened and bullied pre-modern polities of Asia, from the Ottoman empire to Japan.

Colonial conquest introduced European law onto Africa and Asia and created a new dual legal system, with domestic customary law, a duality of law persisting till this day in family matters.

In the current world, the weakened power of Europe has diminished the global significance of European law and regulation. The dynamic of US capitalism, and business education, has also meant that international business law is informally gravitating to American conceptions. It is in the normative framework of the UN, and also in the WTO, where Europe continues to play a key part in the global institutional entanglement of states. Europe is pushing the UN Human Rights Conventions, the Kyoto Protocol on the reduction of pollution, and the International Crimes Tribunal.

There is a basis, in Europe's centrality in current global economic flows and in its long experience of trans-national normativity, for a European role as a "power seeking to set globalization within a moral framework," as the Laeken Declaration put it. To what extent this basis, which is economic, normative, and institutional rather than political and military, will be actually used is an open question.

References

Maddison, A. (1995) *Monitoring the World Economy 1820-1992*. Paris: OECD.

This an excerpt from Professor Therborn's plenary speech at the Conference of Europeanists on March 15, 2002. The full address considers the historical background and inter-relation of foreign trade and trans-polity law within Europe in early modern social theory and post-World War II institution-building. A version of this address will be forthcoming in the European Journal of Social Theory.