A European Internal and Security Policy: Freedom of Movement for Whom?

Juan Díez-Nicolás and Juan Díez-Medrano

1 Introduction

The achievement of European economic integration has required the elimination of internal borders, to facilitate the free circulation of persons, goods and services. The removal of these obstacles has meant, however, not only greater freedom for people in general and workers in particular to move from country to country within the EU, but also new opportunities for terrorists, international criminal organizations, and illegal immigrants. Once inside the European Union, the activities of these groups are no longer bound geographically by international borders. To this new set of problems corresponds the need to develop new mechanisms of police and judicial cooperation, intergovernmental, supranational, or mixed. Finally, European Union citizens must confront not only the advantages of increased freedom of movement but also the new problems created by the increased freedom of movement: Greater vulnerability to crime, to drug trafficking, and to competition for jobs and social services by illegal immigrants. Since European citizens are not very prone yet to move beyond their national borders, not even to work (see *Table 1*), whereas transnational criminal activities have increased (Roth/Frey 1992), the perceived disadvantages may often outweigh the perceived advantages. Consequently, unless crime and illegal immigration are effectively handled, many citizens may end up developing misgivings toward the removal of borders, thus far one of the most salient and popular achievements of the European Union.

There is little information on people's perceptions of these new opportunities and threats, but one might expect these perceptions to vary from country to country, on the basis of their specific problems. German citizens, especially in the East, seem to perceive the new freedoms with more apprehension, because of their location between countries with more tolerant drug legislation and fear of illegal immigration and organized crime coming from Eastern Europe. Spanish citizens, on the other hand, are more receptive to the potential advantages of police cooperation at the European Union level, in terms of fighting terrorism (Díez-Medrano, forthcoming).

Table 1: Proclivity to Geographical Mobility Index[1]

Country	Move within county	Move within state/region	Move within country	Move within continent	Move outside continent
Austria	78	66	50	28	21
Germany (East)	109	85	74	37	31
Germany (West)	126	102	85	58	47
Ireland	83	70	60	39	33
Italy	117	89	75	48	40
Netherlands	132	115	95	61	48
Spain	103	95	80	50	44
Sweden	122	92	80	73	60
United Kingdom	127	109	92	63	63

Source: Author's adaptation of the data contained in the ISSP module on *National Identity*, 1995.

[1] The question was: "If you could improve your work or living conditions, how willing or unwilling would you be to move to ...". Each index was constructed by subtracting the proportions that answered "fairly unwilling" and "very unwilling" from the proportions that answered "very willing" and "fairly willing", adding 100 to avoid negative figures. Therefore, 100 represent the equilibrium level on the scale 0-200. (The index does not include the proportions that answer "neither willing nor unwilling" or that don't answer or don't know).

2 Justice and Internal Affairs in the EU from a Historical Perspective

Cooperation in Justice and Internal Affairs was not one of the original goals of European integration. In fact, internal security within Europe did not rank among the primary concerns of the countries that signed the Treaty of Paris (1951) and the Treaty of Rome (1957) which established the European Economic Community (EEC). In 1975, however, the first major intergovernmental institution, the TREVI Group, was formed to tackle the problem of international terrorism. Its constitution coincided with a period of increased terrorist activity all over Europe

(e.g. ETA, Bader-Meinhof, Red Brigades, IRA or PLO). The TREVI group (Terrorism, Radicalism, Extremism, Violence International) provided a model of cooperation that would be imitated by subsequent institutions in the area of Justice and Internal Affairs and would become the foundation of the Third Pillar of the European Union. At the top of this institutional structure, a Ministerial Group; below, a Group of Senior Officials charged with the bulk of the daily work and assisted by a series of specialized working and ad-hoc groups.

In the 1980s, the TREVI Group expanded its range of activities in order to address the increasingly acute problem of drug trafficking and international organized crime (Stuttgart Declaration, 1983). Thus, the European Drugs Unit was created under its auspices. This organization would be the precursor of EUROPOL, formed in 1995 and active since 1999.

The origins of the Justice and Home Affairs Third Pillar of the European Union can also be traced to the formation of the Schengen Group. The Schengen International Agreement was signed in 1985, coinciding with the European Single Act (1986), and its implementation agreement was signed in 1990, after a wider support was reached through the Palma Declaration (1989). Initially, it included five member states (Germany, France, Belgium, Netherlands, and Luxembourg), that were then joined by Italy, Spain, Portugal, and Greece. Because of the special protocols for Denmark, the United Kingdom, and Ireland, it is an Agreement of "variable geometry" (Bribosia 1998).

The European Single Act (1986) did not yet define with sufficient detail any specific actions to combat corruption or crime within the ECC, nor did it establish any instruments for cooperation among Member States with respect to police or judicial cooperation. The Treaty of the European Union, better known as the Treaty of Maastricht (1992) defined the three pillars. These were to be developed in the following years, once the Single Market and the European single currency (ECU) would be firmly established. The first pillar established cooperation in public health and trade. The second pillar aimed at achieving a common foreign policy and external security. And the third pillar defined the need for cooperation in matters of justice and internal security, to which aspects it devoted Title VI of the Treaty.

The Group of Schengen provided for the elimination of all border controls among its members. It was thus necessary to develop parallel mechanisms to deal with cross-border crime and illegal migration. Some examples are the right of police officers to pursue criminals across borders, or the establishment of the Schengen Information System-SIS-to compensate for the suppression of border controls (Lecocq 1992; Neel 1991; Neel et al. 1996; S.S.A.A. 1994). Furthermore, the removal of cross-border controls demanded the harmonization of visa policy and the development of a mechanism to exchange visa information - The Visa Inquiry System. Finally, the fall of Communism in the Eastern Block has raised the need for closer cooperation between the police of EU countries and that of Eastern

Europe, especially with regard to growing activities by "Mafia" groups (Anderson 1993; Roth/Frey 1992).

The structure of the group of Schengen was similar to that of the Group of TREVI: An executive committee of Ministers, a Central Group to coordinate the work, and a series of working groups and steering committees in charge of different specialized issues.

With the implementation of the Treaty of European Union, the institutional and organizational developments achieved by the TREVI and the Schengen Groups were subsumed under the Third Pillar of the European Union, known as Justice and Home Affairs. The third pillar consists of three main domains: Immigration and Asylum (admission and expulsion of migrants, asylum, visas, external borders, false documentation, etc.). Police and Custom (drug and organized crime, police cooperation, customs cooperation, terrorism, EUROPOL, international fraud, illicit traffic of radioactive and nuclear materials, illicit traffic of vehicles, illegal immigration networks, delinquency of organized bands, and all aspects covered by the TREVI group until then). Civil and Criminal Justice (extradition, criminal law, common law, extension of the Brussels treaty, internationally organized crime, etc.).

The Justice and Home Affairs area is the responsibility of the Council of Interior and Justice Ministers. The K4 Committee of Senior Representatives from the relevant national ministries conducts its main work, however. This Committee coordinates the work of several Steering Committees, which in turn include several working groups. The Steering Committees deal with the general areas of Immigration and Asylum, Policing and Security Matters, and Judicial Cooperation. The Amsterdam Treaty (1997) has hardly modified the content of the Third Pillar of the European Union, if we exclude the fact that it underlines the need for greater cooperation with respect to internal security (Dehousse 1997).

As the Single Market becomes a reality, once the monetary union has been implemented for eleven of the fifteen Member States of the EU and the EURO started to serve as the European currency in January 1999, the vanishing of internal borders will progress even more rapidly. Since economic integration of the EU has been achieved to a great extent, the Amsterdam Treaty intends to accelerate social integration in Europe, and that requires greater efforts to guarantee internal security for all EU citizens. The Amsterdam Treaty establishes a period of five years to achieve social integration, but the signing Member States must yet ratify it.

Like the second pillar of the EU, centered on Foreign Policy and External Security, the third pillar of the EU has primarily an intergovernmental character. There are problems of interpretation of Title VI of the Treaty of European Union, however, regarding the demarcation between the first (Cooperation in Public Health and Trade), and the third pillar. In particular, there has been intense debate on whether or not the European Court of Justice should be involved in settling

disputes. This debate was particularly intense with respect to EUROPOL. National police bureaucracies and ambiguity on the part of governments who, on the one hand, wanted to fight crime, but on the other, wanted to protect their sovereignty, explain why it took so long for this organization to start functioning (Dehousse/Zgajewski 1997). The one aspect where the domain of Justice and Home Affairs has fallen within the sphere of competence of the European Union's Commission is Visa Policy. This is because article 100c of the Treaty of the European Community establishes cooperation on visas as one of its functions.

With regard to progress in terms of cooperation and coordination of policies, the emerging picture is uneven. The most visible achievements are the removal of border controls under the Schengen Agreement, the establishment of EUROPOL, the formulation of a common Visa policy, and the development of SIS. At the meso-level (Benyon 1996), one must also emphasize the development of a large number of formal and informal cooperation networks that undoubtedly contribute to improve police effectiveness and to European integration as a whole. Progress on judicial matters has not been so rapid, however, especially with regard to criminal law (S.S.A.A. 1997a). This is because of the reluctance of some countries to give up sovereignty in order to achieve some degree of harmonization that would prevent negative competition between the different countries (Barbe 1998). The judicial area where more success has been achieved is the area of fight against fraud (Fourgoux 1997; Commission Européenne 1998).

The second and third pillars have experienced very important developments during 1999. Thus, with respect to the establishment of a common foreign policy and external security, the appointment of Mr. PESC has meant the acceptance of responsibilities on the part of the European Union. The creation of this new post can be traced to the bad experience of the Kosovo war. There seems to be now a clear determination to establish and maintain a European defense force that would be autonomous, but not independent, from NATO.

As for the third pillar, impulse for change came from the Tampere Conference of Prime Ministers and Heads of State. The 62 conclusions of this conference, based to a great extent on the common proposal formulated by the United Kingdom and Spain, have contributed very decisively to the construction of a European Space of Freedom, Security and Justice. Three important agreements have been reached: The agreement on a list of problems, the agreement on future common policies (that up to now were intergovernmental), and the agreement on setting deadlines. At the judiciary level, a general agreement has been reached with respect to the establishment of a common judicial space, EUROJUST, equivalent to EUROPOL. There seemed to be general agreement also with respect to mutual recognition of sentences, blocking of bank accounts, elimination of bureaucratic difficulties in procedures of extradition, disqualification of terrorism as political criminality, etc.

At the police cooperation level, the European Council at Tampere gave explicit support to EUROPOL, enlarging its powers to fight against any form of organized

crime, and very especially against money laundering, networks of illegal human trafficking, and exploitation of women and children. The Council also demanded the elaboration of a common European strategy against drugs before the end of the Finnish presidency, and valid for the period 2000-2004. Another agreement referred to the establishment of a European Police Academy and the organization of an operative meeting of Chiefs of Police that will foster greater cooperation among the national police corps and EUROPOL.

Finally, with respect to immigration and asylum, there was agreement to define common policies regarding both domains. More specifically the Council agreed to favor the complete and effective integration of all legal immigrants resident within the European Union until they achieve the same rights and duties than the citizens of the Union. Other agreements dealt with favoring co-development in the main migration countries, fighting human trafficking organizations, and harmonizing the entrance and residence conditions in the Union of nationals from third countries, so that they may have access to medical services, education and work, without any discrimination. Very important progress was made toward defining the content of the Statute of the Refugee as well as toward a common procedure for asylum, anti-racist and anti-xenophobia campaigns, and a common visa policy.

3 New Issues for Research on European Integration

Empirical research on the topics just examined is very scarce, especially with respect to comparing Member States of the European Union. Similarly to what the situation is in many other fields of research, the most important problem is the lack of a comparable set of indicators covering a reasonable period of time for all EU Member States. A group of experts from EU Member States is working on this topic in order to define a basic set of objective indicators to measure different types of criminal acts and illegal activities in all EU countries. A basic set of subjective indicators to measure individual perceptions of personal and collective security or insecurity is also being developed. Indeed, countries with very low levels of objective criminality may have high levels of perceived insecurity, and *viceversa*. The group of EU experts met recently in Palma (Balearic Islands) in January 1999. Its conclusions and recommendations inspired some of the Tampere agreements that were mentioned above, especially those referring to the establishment of a European Police Academy and a meeting of Chiefs of Police to foster cooperation of national police corps with EUROPOL.

The existence of comparable indicators, objective and subjective (attitudinal), seems to be a prerequisite for testing empirically some hypotheses that, up to now, have been taken for granted without empirical support from the data. The presumed direct relationship between the increase in the number of immigrants

(legal or illegal) and the growth of different types of crime (homicides, drug trafficking, and criminality in general) is a case in point.

An example of lack of data for the study of violence and criminality is the report of the UN on Human Development (United Nations 1996). The report includes indicators on the numbers of persons in prisons, homicides in selected cities, drug related delinquency, reported number of raped adult women, and suicides. The real problem, however, is not the small number of indicators that are available, but the fact that most countries in the world do not have (or do not volunteer) the data for those few indicators. Thus, all EU countries report data on the number of prison inmates, only five give information on rapes, and around half of them provide data on drug related delinquents or homicides.

An independent and non-profit research organization has been conducting an annual survey in order to ascertain "experts" perceptions of the degree of corruption in different countries in the world, based on different sources, and with a similar methodology since 1980. All EU countries are included in this survey, which is based on the subjective opinions and judgements of the selected observers. The numbers of countries that are evaluated fluctuate from year to year, but it is usually over 50. All of the fifteen EU countries appear on the first half of the list, that is, among the one corresponding to the least corrupted countries. In fact, only two or three EU countries fall over rank 30, and most are included among the 25 less corrupted countries (Transparency International and Göttingen University, 1980-1998). It should be underlined that there seems to be a pattern of low perceived corruption in the Northern European countries. Perceived corruption is consistently higher in Central and Southern Europe (although Belgium has ranked as the third more corrupted country among the 15 members of the European Union since 1980).

The United Nations has conducted five surveys on Crime Trends and Operations of Criminal Justice Systems between 1970 and 1994, and many data are also available at the Center for International Crime Prevention and Office for Drug Control and Crime Prevention in Vienna.

Some more academically oriented social surveys include questions on attitudes about corruption, perception of corruption in their countries, feelings of street security, perceived delinquency, drug trafficking, attitudes towards immigrants and related issues. Most of these surveys, however, were not conducted in all the Member States of the European Union or they include a short selection of items, but not a coherent and comprehensive study of the different aspects that have been discussed previously. Thus, the 1995 World Values Survey included a couple of questions about perceived corruption in about 50 countries (see *Table 3* and *Table 4*), but only four of them were members of the EU (Germany, Sweden, Finland and Spain) (World Values Survey 1995). Spanish respondents (the only Southern Europeans in this sample), believe in the existence of corruption among public officials in their country in a much greater degree than respondents in the

other four Central and Northern European countries do. One should take into account, however, that the survey was conducted precisely as political scandals concerning the Spanish Socialist Government where unveiled. These data on public perception in Spain confirm the expert perception of corruption shown by Transparency International. 1995 and 1996 are the two years that Spain received the lowest scores (see *Table 2*), meaning more perceived corruption.

Table 2: Perceived Corruption Index, European Union Countries, 1980-98[1]

	1980-85	1988-92	1995	1996	1997	1998
Denmark	8,01	8,88	9,32	9,33	9,94	10
Finland	8,14	8,88	9,12	9,05	9,48	9,6
Sweden	8,01	8,71	8,87	9,08	9,32	9,5
Netherlands	8,41	9,03	8,69	8,71	9,03	9,0
United Kingdom	8,01	8,26	8,57	8,44	8,23	8,7
Ireland	8,28	7,68	8,57	8,45	8,28	8,2
Germany	8,14	8,13	8,14	8,27	8,22	7,9
Austria	7,35	7,14	7,13	7,59	7,61	7,5
France	8,41	7,45	7,00	6,96	6,66	6,7
Portugal	4,46	5,50	5,56	6,53	6,97	6,5
Spain	6,82	5,06	4,35	4,31	5,90	6,1
Belgium/ Luxembourg	8,28	7,40	6,85	6,84	5,25	5,4
Greece	4,20	5,05	4,04	5,01	5,35	4,9
Italy	4,86	4,30	2,99	3,42	5,03	4,6

Source: Adapted from Internet Corruption Perception Index, © Transparency International and Göttingen University.

[1] The higher the index is, the lower the perceived corruption.

Table 3: Extent of Political Corruption Perceived in own Country (in %)[1]

	Finland	East Germany	West Germany	Spain *	Sweden
Almost no public officials are engaged in it	15,8	2,1	1,7	1,7	12,7
A few public officials are engaged in it	51,2	46,1	51,2	31,4	47,3
Most public officials are engaged in it	15,5	39,0	38,4	35,4	32,8
Almost all public officials are engaged in it	10,1	8,8	5,6	24,3	5,5
Don't know (do not read)	7,4	4,0	3,0	7,1	1,8
Total	100	100	100	100	100
(N)	(1.500)	(1.500)	(1.500)	(1.500)	(1.500)

Source: World Values Survey 1995.

[1] When the survey was conducted in Spain, the Party in Government, PSOE, was making the headlines on all news media on accusations of several very important cases of presumed corruption. However, or maybe precisely because of the recent experience of great political scandals, Spaniards (and Finns) are the ones less inclined to justify public officials accepting a bribe.

Table 4: Justification of "Someone Accepting a Bribe in the Course of their Duties" (mean and standard deviation on a scale 1 = Never justifiable to 10 = Always justifiable)

	Finland	East Germany	West Germany	Spain[1]	Sweden
Total	(1.500)	(1.500)	(1.500)	(1.500)	(1.500)
Mean value	1,41	2,01	1,82	1,42	1,80
Standard deviation	1,24	2,31	1,95	1,27	1,59

Source: World Values Survey 1995.

[1] When the survey was conducted in Spain, the Party in Government, PSOE, was making the headlines on all news media on accusations of several very important cases of presumed corruption.

The annual modules of the ISSP do not usually include more than 10 EU countries, and though they have very seldom included some questions on citizens' perceptions of security, none of the modules can really be considered as focusing on the issues that have been discussed here. Nevertheless, some questions refer to the perceived influence of immigrants on crime rates and unemployment (see *Table 5*). In contrast to what was mentioned above with respect to perceived corruption, respondents in Central and Northern European countries believe that immigration increases crime rates to a greater extent than do Spaniards. The belief that immigration increases crime rates and takes jobs away from nationals is greater among East Germans than among the population of any other European country in this sample (Díez-Nicolás 1999a).

Table 5: Agreement-Disagreement Index with Statements about Influence of Immigrants on Crime Rates and in Taking Jobs away from People who were Born in R's Country*[1]

	Total	Influence of Immigrants on Crime Rates	Immigrants take jobs away from people born here
Austria	(484)	141	100
Germany (East)	(612)	149	123
Germany (West)	(1.282)	128	80
Ireland	(994)	45	93
Italy	(1.094)	144	91
Netherlands	(2.089)	103	85
Spain	(1.221)	77	107
Sweden	(1.470)	138	64
United Kingdom	(1.079)'	87	123

Source: Author's adaptation of the data contained in the ISSP module on *National Identity*, 1995.

[1] Each index was constructed by subtracting the proportions who answered "disagree strongly" and "disagree" from the proportions who answered "agree strongly" and "agree" and adding 100 to avoid negative figures. Therefore, 100 represent the equilibrium level on the scale 0-200. (The index does not take into account the proportions that answer "neither agree nor disagree" or those that don't answer or don't know.)

In 1996, however, INRA (Europe) conducted a social survey for the European Commission based on 65.000 interviews in all 15 member states of the EU (Villalgordo/Andrés 1998). The results of this survey demonstrated that EU citizens were very concerned about the growth of delinquency, and claimed for the coordination of European police forces to fight organized crime and drug trafficking, as well as for the reinforcement of the external borders of the EU.

Concern about corruption, however, is not limited to the national sphere. Quite on the contrary, 1999 will be remembered as the year when an investigation committee within the European Commission itself was responsible for the fall of the "European Government" chaired by Mr. Santer. The concluding remarks from the First Report (15 March 1999) of the Committee of Independent Experts were based on the examination of six individual cases (TOURISM, MED, ECHO, LEONARDO, SECURITY OFFICE and NUCLEAR SAFETY) and on the examination of various allegations of favoritism. The report states that "the principles of openness, transparency and accountability are at the heart of democracy and are the very instruments allowing it to function properly", and it assesses the conducts of Commissioners in the light of these and other similar standards. Finally, the report makes some recommendations about reforms to be implemented that refer to control mechanisms, UCLAF, administrative and disciplinary inquiries, and responsibility.

Until now there has been a lack of research on how citizens of EU Member States perceive the effects of eliminating internal borders on their day to day life, what are the advantages and dangers they foresee, etc. Public opinion in this respect may be crucial, as citizens tend to judge policies based on how they influence their own quality of life. There seems to be also a lack of research on how the public officers who have to deal with these problems (police, customs and judicial authorities) view their experience of European cooperation on these issues. Finally, there is hardly any work on the sociological processes driving the development of networks of cooperation in home affairs and internal security and on the impact cooperation has on the dynamics of integration in this policy area.

The suppression of borders between European Union states has created new problems, which contribute to explain the development of the Justice and Home Affairs pillar of the European Union and open a new area for Social Science research on European integration. These new social problems, as outlined above, are terrorism, internationally organized crime, drug trafficking, and illegal immigration. In turn, these new social problems can contribute to the aggravation of previously existing problems in Europe, such as xenophobia. Finally, the development of European institutions in the area of Justice and Home Affairs also raise problems of police and judicial coordination and communication, accountability, and transfer of sovereignty. A summary of the social implications of the removal of internal borders is outlined in the program for a "European Internal Security Union" (EISU) drawn up by the Research Group on European Affairs (Rupprecht/Hellenthal/Weidenfeld 1994). The EUROPOL Convention

also established a computerized European Information System (EIS) that seems to be working very efficiently (Chocquet 1998; Galizi/Myard 1995), as it has permitted a significant increase in arrests for extradition or the discovery of more stolen vehicles.

Surprisingly, social science research in these areas has been lagging behind research on the general process of European integration, the creation of the single market, and the development of a common foreign affairs and defense policy. Most of this work has addressed descriptive issues of legal and organizational development, crime-related issues associated with the abolition of border controls, and the general topic of the rise of xenophobic attitudes and nationalist parties in the European Union.

Regarding the first issue, especially as far as police cooperation is concerned, the most substantive body of work has been conducted by John Benyon and collaborators (1993, 1994 and 1996). A major publication in this area is Anderson and Den Boer's *Policing Across National Boundaries* (1994; see also Gautier 1992; Dehousse/Zgajewski 1997; Margue 1997; S.S.A.A. 1993 and 1997a). Other contributions centered on institutional development, especially the Schengen Agreements, are those of Barbe (1998), Barbier (1997a and 1997b), Curti (1998), Chocquet (1998), Galizi and Myard (1995), Lecocq (1992), Neel (1991). Beyond Schengen, the fall of the U.S.S.R. has revealed the need for closer cooperation between the police forces of EU countries and those of East Europe, especially with regard to growing activities of "mafia" groups (Anderson 1993; Roth/Frey 1992).

On the issue of organized crime, most of the work has been of a descriptive nature (Krause 1998; Margue 1997). The issues of corruption and white-collar crime, in particular, have received special attention (Jamieson 1996; Little/Posada-Carbo 1996; Roth/Frey 1992; Della Porta/Meny 1997; Fourgoux 1997). This literature reflects growing concern with economic and political corruption in EU countries and with the power of Mafia groups both from within and from outside the European Union (e.g. Eastern Europe). Many authors claim the existence of a close connection between the suppression of internal border controls (S.S.A.A. 1995) and the growth of drug traffic (Krause 1998) and of organized international criminality (Margue 1997).

The largest body of literature concerns xenophobia and far-right nationalism in the European Union. This literature has not addressed yet, however, the impact that the implementation of the single market has had both on illegal immigration and xenophobic attitudes among the population, after holding other factors, such as unemployment, constant (Koopmans 1997, 1998; Koopmans/Rucht 1996; Koopmans/Statham 1999; Díez-Nicolás 1999b).

4   An Outline of a Research Agenda

A research agenda in the area of Justice and Home Affairs of the EU ought to take into consideration research conducted in other areas of European integration and the specific issues that concern the third pillar of the European Union.

One first area of potential research concerns the analysis of integration in Justice and Home Affairs within the context of the integration process and of theories of integration. The literature on international relations, for instance, has focused on the contexts that facilitate or hinder cooperation between states and on the role that institutions play in international politics (Axelrod 1984; Baldwin 1993; Haller/Richter 1994; Keohane 1984, 1986 and 1988; Krasner 1983; Powell 1994; Waltz 1979). More specifically, the literature on European integration has addressed the problem of cooperation and coordination strategies between states (Fligstein/Mara-Drita 1996; Garrett/Weingast 1993; Haas 1958; Keohane/Hoffman 1991; Moravcsik 1991; Nelson/Stubb 1994; Pierson 1996; Wallace 1992). These literatures could be applied to the process of integration in the area of Justice and Home Affairs. First of all, in order to understand the factors that have led to integration in this area. One could ask, for instance, what is the value of the functionalist approach in this case? Is integration in this area a natural result of integration in other areas like, for instance, the establishment of the single market? The idea is appealing and the evidence fits the functionalist predictions better than is the case in the area of foreign affairs and security policy. But what about the contribution in this area by the Group of TREVI, launched much before the implementation of SIA? What about Fligstein's and Mara-Drita's hypothesis, according to which integration takes place in spurts, resulting from major crises?

The existence of three pillars in the European Union, each representing a different degree and type of integration offers excellent comparative opportunities that can help better understand the process of European integration in general and put in perspective progress in this particular area. Some of the questions this research should address are why has integration proceeded more slowly in this area than in the economic area, why has it taken a rather intergovernmental road, and what are the prospects for it developing a more supranational character (Cutlet et al. 1989; Morin 1987; Mortensen 1994).

The second area that has generally attracted scholarly attention is that of public opinion in connection with European integration (Springer 1994). We have already mentioned that ordinary citizens have generally welcomed the removal of barriers to the movement of people, goods, and capital. Regarding the latter, people are happy about the possibility to travel without passport controls. This has particular symbolic significance for citizens of countries like Spain or of the former German Democratic Republic, who lived under dictatorship and, in the latter, communism, and thus experienced heavy restrictions on mobility to other countries. At the same time, there is awareness that the elimination of border

controls can translate in the arrival of illegal immigrants and of international organized crime. Thus, the mixed feelings expressed by many East Germans when they reflect on the removal of borders. On the one hand, they view it as one of the main advantages of membership in the European Union; on the other hand, they see it as one of the main causes of rising unemployment and crime rates. Public opinion research would help to determine trends and cross-national-even regional-variation in support for the removal of border controls within the European Union and to what extent these changes are connected to changes and variation in crime rates or the presence of illegal immigrants. It would also help determine to what extent people associate crime and illegal migration to the removal of border controls within the EU. Finally, it would analyze trends and variation in xenophobia and support for far-right nationalist parties before and after the Schengen Agreement.

Another area where public opinion research is needed is in the study of people's attitudes toward integration in Justice and Home Affairs. The literature on support for European integration has focused on diffuse and specific support for European integration in general (Niedermayer/Sinnott 1996; Gabel 1998). But much more work is needed to examine how people conceptualize integration and what are their views on integration in the area of Justice and Home Affairs. Is it the case, for instance, that the ordinary citizens' views on this topic are more favorable to integration than those of their political elites, as in the area of foreign affairs and external security?

Beyond the study of public opinion in general, European Union policy in the area of justice and home affairs would benefit from a systematic assessment of how the main actors in this process-judges and members of the police primarily-evaluate cooperation and integration. What are the major problems they face in terms of communication, coordination of activities, implementation of decisions? What are the effects of cooperation in the development of a pro-integration culture among these groups?

Two specific areas where research is needed are crime (organized crime, drug trafficking, etc.) and illegal migration. The question here is whether, beyond people's perceptions, there is an association between the elimination of internal border controls and increasing crime and illegal immigration rates. This research would throw light on the relative effectiveness of the measures that have been taken by the European Union to compensate for the elimination of internal border controls.

Judicial integration, as stated above, has proceeded at a slower pace than has police cooperation. One important aspect that needs to be studied here is the type of integration that is taking place and the obstacles to harmonization. Regarding the first question, one may ask whether harmonization is taking place at the lowest common denominator or at some median level, as people have argued for foreign affairs and external security (Smith 1994). Regarding the second question, one

could examine the role of culture in explaining the debates around harmonization (Kapteyn 1996).

5   Conclusion

Integration in the area of Justice and Home Affairs has proceeded at an accelerated pace in the last fifteen years. Scholarly contributions to the understanding of this integration process have been far more uncommon, however, than they have in the areas subsumed under the first and second pillar of European integration. The previous pages make a small contribution to delineate the main directions that this research may take in the future, in a way that will contribute both to the theoretical understanding of European integration and policy making at the European Union level.

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