



Bulletin n. 0/2004 - December 2004

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in *Cuadernos de pensamiento político*, n. 1

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Section A) The theory and practise of the federal states and multi-level systems of government

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Erk Jan

Austria: a federation without federalism

in *Publius: The Journal of Federalism*, Vol. 34, n. 1, Winter , 1-20

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Brugger Winfried

Communitarianism as the social and legal theory behind the German Constitution

in *International Journal of Constitutional Law*, Vol. 2 n. 3 , 431 - 460

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Hildebrandt Achim, Wehner Joachim

Deutscher Föderalismus als Exportmodell: Das Beispiel Südafrika

in *Zeitschrift für Politikwissenschaft* , 14. Jahrgang (2004), Heft 1

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Hale Henry

Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse



in **World Politics**, n. 2, vol. 56, january

ABSTRACT: Federal states in which component regions are invested with distinct ethnic content are more likely to collapse when they contain a core ethnic region, a single ethnic region enjoying pronounced superiority in population. Dividing a dominant group into multiple federal regions reduces these dangers. A study of world cases finds that all ethnofederal states that have collapsed have possessed core ethnic regions. Thus, ethnofederalism, so long as it is instituted without a core ethnic region, may represent a viable way of avoiding the most deadly forms of conflict while maintaining state unity in ethnically divided countries.

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Donner Ruth

Dual Nationality, Social Rights and Federal Citizenship in the US and Europe: the Reinvention of Citizenship
in **International and Comparative Law Quarterly**, n. 4, vol. 53, october , 1041-1045

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Coghill Ken

Federalism: Fuzzy Global Trends

in **Australian Journal of Politics & History** , Volume 50, Issue 1, March , pp. 41-56

This article examines the operation of federalism from the perspective of complex evolving socio-political systems. Emerging forms of governance that operate through a mix of formal statutory instruments, culture and the effects of fuzzy logic rather than in accordance with formal constitutional provisions are examined. The paper will canvas the implications of this approach for certain specific areas of public administration within the Australian federation.

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Melica L.

Federalismo e libertà. I modelli di Messico, Argentina e Venezuela

in **Teoria e diritto dello Stato**, Vol. 1 / 04

No abstract available

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Knoblich Tobias J.

Kunst- und Kulturförderung im föderativen System. Hintergründe und Probleme



in *Aus Politik und Zeitgeschichte*, Band 49, 2004

No abstract available

Section A) *The theory and practise of the federal states and multi-level systems of government*

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Omid A. Payrow Shabani

Language Policy and Diverse Societies: Constitutional Patriotism and Minority Language Rights
in *Constellations*, Vol. 11, Issue 2 June , 193-216

No abstract available

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Feldman Jean - Philippe

Les constitutions des Etats confédérés d'Amerique

in *Revue française de droit constitutionnel*, n. 59 , 503 - 531

No abstract available

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Pandey Sanjay

Lessons from Canadian Federalism: Mapping Canadian Federalism for India

in *International Studies*, n. 4, vol. 41, october , 430-433

No abstract available

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Gabriel Paredi

Los Estados federales y el derecho internacional. Las descentralizacion estatal y los sujetos del derecho internacional

in *Relaciones internacionales : revista publ. por el Instituto de Relaciones Internacionales* , VOL.13, Nr. 26 , pag. 195-220

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Fitzpatrick Robert K.

Neither Icarus nor Ostrich: State Constitutions as an Independent Source of Individual Rights
in *New York University Law Review* , Vol. 79 n. 5 , 1833 - 1872

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Riklin Alois

Schweizerisches Staatsverständnis

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 52, 2004 , 457-470

No abstract available

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Gordin Jorge P.

Testing Riker's party-based theory of federalism: the Argentine case

in *Publius: The Journal of Federalism*, Vol. 34, n. 1, Winter , 21-34

No abstract available

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Pickerill J. Mitchell, Clayton Cornell W.

The Rehnquist Court and the Political Dynamics of Federalism

in *Perspectives on Politics*, issue 2, vol. 2, june , 233-248

ABSTRACT: The Rehnquist Court's federalism decisions have sparked contentious debate about the role of the Court in the American political system. This article examines the reasons behind the Court's revival of federalism and the controversy it has produced. The first part reviews the normative jurisprudential debate over the Court's role as it has been cast in the legal academy. In the second part, we turn to an historical-empirical, or "political regimes," framework for understanding the role of the Supreme Court. Although this framework provides a better explanation of the Rehnquist Court's foray into federalism, the connections between this approach and normative jurisprudential debates remain important, and we explore them in the final section. The Court's recent jurisprudence on federalism reflects both consensus and division within the current political regime—consensus that federalism is an important value, but division over how best to protect that value. We argue that competing jurisprudential theories over the role of the Court illustrate these political divisions. Thus, this article highlights the special insights political scientists bring to the subject, but also demonstrates how the two approaches can be usefully combined to provide a more robust understanding of the Court's role in the American political system.



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Krane Dale

The State of American federalism, 2003-2004: polarized politics and federalist principles

in *Publius: The Journal of Federalism*, Vol. 34, n. 3, Summer , 1-54

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Fabbrini Sergio

Transatlantic constitutionalism: Comparing the United States and the European Union

in *European Journal of Political Research*, issue 4, vol. 43, june , 547-570

ABSTRACT: This article contributes to the European constitutional debate with a comparison of the constitutional evolution of the European Union and the United States. The European Union has more to learn from the American experience of constitutionalism than from any of its own Member States. Like the United States, the European Union will have a frame of government constitution that will try to order a system of multiple and concurrent communities of interests, as happened in America, and designed by an indirectly elected assembly. The European Union and the United States will continue to manifest many differences in other crucial aspects of their institutional and cultural development. However, although constrained by their respective historical and institutional paths, their constitutional evolution is making the Atlantic Ocean less wide than it used to be.

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Rubinfeld Jed

Unilateralism and Constitutionalism

in *New York University Law Review* , Vol. 79 n. 6 , 1971-2028

No abstract available

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Requejo Ferran

Value Pluralism and Multinational Federalism

in *Australian Journal of Politics & History* , Volume 50, Issue 1, March , pp. 23-40

This article is mainly concerned with the notion of value pluralism. In the first section I present it as a theory of the structure of moral normativity in liberal democracies, and defend its greater suitability compared with rival theories in attempting to revise democratic liberalism from the perspective of the cultural, national and normative pluralism of present-day democracies. In the second section, I link value pluralism with multinational federations in order to discuss



its role in establishing the recognition of national pluralism, a plurinational division of powers, the participation of the different national collectives in the processes of constitutional reform, and the constitutional regulation of the right of self-determination, following the 1998 decision of the Canadian Supreme Court.

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Truini, A.

Del Senato federale ovvero del potere magico delle parole: III Il Senato all'italiana: A) I precedenti in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 5 , 481-498

No abstract available

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Truini, A.

Del Senato federale, ovvero del potere magico delle parole: IV - B) Verso nuovi assetti costituzionali. Guida al progetto licenziato da Palazzo Madama (capo secondo) in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 11 , 1217-1242

No abstract available

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Truini, A.

Del Senato federale, ovvero del potere magico delle parole: IV. Verso nuovi assetti costituzionali. Guida al progetto licenziato da Palazzo Madama (capo primo) in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 8 , 817-842

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Truini, A.

Del Senato federale, ovvero del potere magico delle parole: V - C) I limiti della proposta di riforma e le soluzioni alternative in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 15 , 1625-1653

No abstract available

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Subsection 2. Constitutional reform

Demasi, C.

Dos procesos innovadores las regformas constitucionales de 1917 en Mexico y en Uruguay
in *Relaciones internacionales* : revista publ. por el Instituto de Relaciones Internacionales , VOL. 13, Nr. 27 ,
pag.91-116

No abstract available

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Andrea De Pretis

Il federalismo tedesco alla prova della riforma
in *Federalismi*, Anno II, n. 3

No abstract available

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Subsection 2. Constitutional reform

Ciaurro Luigi

Il nuovo senato federale della Repubblica
in *Nuovi studi politici*, n. 2/2004 - aprile-giugno , 3-8

No abstract available

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De Petris Andrea

Il progetto di riforma del sistema federale tedesco
in *Quaderni Costituzionali*, numero : 3, settembre , 613-614

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Meyer Hans

Tentativi di riforma dello Stato federale in Germania
in *Filangeri (il) - rivista di diritto pubblico*, n. 4 ottobre - dicembre , 511 - 524

No abstract available



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Subsection 2. Constitutional reform

Guzzetta Giovanni

Una proposta per il Senato

in **Quaderni Costituzionali**, numero : 1, marzo , 118-119

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Bednar Jenna

Authority Migration in Federations: a Framework for Analysis

in **Political Science and Politics**, issue 3, vol. 37, july , 403-408

ABSTRACT: Why does one federation succeed while another fails? Federations may fail for exogenous reasons: foreign invasion, collapse of its currency, or global market forces. If we focus on endogenous factors, the possible reasons for failure include diversity, where populations drift apart or clash too often, or jealousy from redistributive asymmetry, with unequal shouldering of costs or dispersion of benefits, and, of course, corruption and insurrection. While potentially significant, these problems are not particular to federalism; they threaten all democracies. There is, however, one threat that afflicts federations in particular. It is the one that perplexed and animated James Madison in the American context: opportunistic authority migration between levels of government.

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Johne Roland

Bundesrat und parlamentarische Demokratie. Die Länderkammer zwischen Entscheidungshemmnis und notwendigem Korrektiv in der Gesetzgebung

in **Aus Politik und Zeitgeschichte**, Band 50-51, 2004

No abstract available

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Eisenstadt Todd A.

Catching the State Off Guard. Electoral Courts, Campaign Finance, and Mexico's Separation of State and Ruling Party

in **Party Politics**, Volume 10, Issue 6, November , pp. 723-745



This article seeks to understand which model of electoral management body (EMB) best regulates campaign finance excesses in a hard case for EMB independence, Mexico's one-party state during democratization (1977–2003). One would expect that the ombudsman model, where the electoral court is more autonomous from the party-state than EMB models in which the executive supervises elections directly or indirectly, would be the strongest regulatory body. However, I report that, contrarily, the indirect executive supervision EMB has rendered much more autonomous, anti-government decisions. The conclusion I draw is that the contexts in which formal institutions operate may be as important as the institutions themselves. Depoliticized electoral justice, even in the hard case of electoral courts in a fraud-marred one-party system, was largely attained, but under the 'ombudsman' institutional model which preceded the electoral courts' formal incorporation into the judicial branch in the mid-1990s. It took informal political conditions – alternation in power and acceptance of this 2000 electoral watershed by the former ruling party – and a related change in the relationship with their nominators, to resume and accelerate the insulation of electoral case law from the magistrates' nominator, the president. The achievement of true electoral court autonomy in Mexico is best evidenced through its monitoring of party finance

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Hendrickson Kimberly

Conservative perspectives on American federalism: introduction

in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 1-8

No abstract available

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Courtois Stéphane

Démocratie délibérative et sécession

in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 37 - Issue 04 - December 2004 , pp 811-838

Résumé. L'auteur entend défendre dans cet essai une conception de la sécession qu'il appelle délibérative et la justifier par rapport à d'autres théories concurrentes de la sécession. En l'absence d'un encadrement juridique clair et rigoureux des cas de sécession, de plus en plus nombreux, qui échappent aux situations de domination coloniale prévues par le droit international, la question se pose en effet de savoir s'il n'existe pas d'autres moyens de les résoudre dans des conditions pacifiques. L'auteur soutient que la démocratie délibérative pourrait offrir de tels moyens. Le but de l'article est d'examiner dans quelles conditions et à l'intérieur de quelles limites.

Abstract. In this article, the author aims at supporting a deliberative conception of secession and at justifying it against other rival theories. In the absence of clear and rigorous legal regulations of more and more numerous cases of secession going beyond the situations of colonial domination already covered by the international law, the question arises as to whether other means for their pacific solution are available. The author contends that deliberative democracy could provide such a means and examines in what conditions and within what limits this could be achieved.



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Hennigar Matthew A.

Expanding the 'Dialogue'; Debate: Federal Government Responses to Lower Court Charter Decisions

in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 37 - Issue 01 - March 2004
, pp 3-21

The inter-institutional dynamics between courts and elected governments under the Canadian Charter of Rights and Freedoms have recently, and widely, been characterized as a "dialogue" over constitutional meaning. This article seeks to expand the systematic analysis of "dialogue" to lower courts of appeal, using Canadian federal government responses as a case study. In the process, the article clarifies the hotly debated operational definition of this metaphor, and develops two methodological innovations to provide a comprehensive measure of dialogue. The article's findings suggest that there is more dialogue with lower courts than with the Supreme Court of Canada. However, the evidence indicates that dialogue in the form of government appeals to higher courts, which explicitly signal the government's disagreement with the lower court, is as prevalent as legislative sequels, and the dominant form following judicial amendment.

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Manuel Gonzales Oropeza

Federalism and sub-national Constitutions: Mexico

in *Federalismi*, Anno II, n. 8

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Ceccanti Stefano

Federalismo e forme di governo l'inopportunità delle differenziazioni di modello. Le buone e persistenti ragioni della legge costituzionale n. 1 del 1999

in *Filangeri (il) - rivista di diritto pubblico*, n. 1 gennaio-marzo , 69 - 86

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Blatter Joachim

From 'spaces of place' to 'spaces of flows'? Territorial and functional governance in cross-border regions in



Europe and North America

in *International Journal of Urban and Regional Research*, Vol. 28 Issue 3

To what extent are we experiencing a transformation from 'spaces of place' to a 'space of flows' as proposed by Manuel Castells? Applying his thesis to the political system leads to the following implications. Socio-economic processes of 'glocalization' are undermining the gate-keeper position of national governments. Furthermore, governance is becoming 'deterritorialized', an aspect which is characterized by Elkins as an 'unbundling' of identities and jurisdictions. But does this process of unbundling lead to a federal system of multi-level governance where the national level is complemented by supranational and subnational levels of governance; or does it imply an even more radical transformation towards an architecture of governance which is characterized by a proliferation of single-purpose governments with variable and flexible spatial scales? A final implication is the transformation from 'government to governance'— which means a broader array of actors and changing modes of interaction. This article traces these theses by analysing institutions of governance in four cross-border regions in Europe and North America. In all regions we indeed find many cross-border networks and institutions undermining the national gate-keeper position. In Europe, cross-border collaboration is producing another soft, but institutionalized, comprehensive, stable and territorially-defined layer in the European 'multi-level-system'. In North America, by contrast, only informal, fluid, specific and non-territorial institutions are evolving across national borders. Here, the territorially-based nation state is not complemented by similar kinds of political institutions, but is instead being challenged more fundamentally by new kinds of institutions: transnational socio-economic exchange networks and transnational ideological coalitions which embody enormous transformational power. In conclusion, cross-border regional governance in Europe still follows the logic of 'spaces of place', whereas in North America quite different 'spaces of flows' are emerging as complementary logics of community and institution building.

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Gerber Elisabeth, Kollman Ken

Introduction - Authority Migration: Defining an Emerging Research Agenda

in *Political Science and Politics*, issue 3, vol. 37, july , 397-401

ABSTRACT: In every modern political system, power is shared to a greater or lesser extent between levels of government. These power sharing arrangements are perhaps most explicit in formal federal systems like the United States and Canada, where federal constitutions define the relative powers of central and subnational governments. They may be no less important, however, in unitary democracies and even authoritarian regimes where central governments require local actors to implement policy on the ground and often delegate significant authority to them. Indeed, in any large and complex modern society, effective governance requires some sharing of power between higher levels of government, capable of coordinating many disparate actors and interests, and lower levels of government, capable of responding to local conditions.

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Sharp Allen

Justices Seeking the Presidency



in **Journal of Supreme Court History**, November 2004 - Vol. 29 Issue 3 , 286 - 307

The separation of powers in the Constitution of the United States has never been absolute in either theory or practice. This is especially true in the quest for public office. At least one President, William Howard Taft, aspired to be a Supreme Court Justice. Several Supreme Court Justices seriously considered becoming President. These are a few stories about those ambitions.

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François Vergniolle de Chantal

La fin du néo-fédéralisme ? L'Administration Bush et la "dévolution" du pouvoir

in *Politique Etrangère*, 3/2004 (automne 2004).

No abstract available

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Reutter Werner

Landesparlamente im kooperativen Föderalismus

in *Aus Politik und Zeitgeschichte*, Band 50-51, 2004

No abstract available

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Scaccia, Gino

Le competenze legislative sussidiarie e trasversali

in *Diritto pubblico*, n. 2, maggio-agosto , 461-500

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Freitag Markus, Vatter Adrian

Political Institutions and the Wealth of Regions. Swiss Cantons in Comparative Perspective
in *European Urban and Regional Studies*, Volume 11, No. 3 , 273-281

This investigation evaluates the effects of political institutions on the wealth of regions. It provides an empirical test of how consensus democracy, institutional decentralization, and plebiscitary instruments influence economic performance of the Swiss cantons. Our pooled cross-sectional time-series analyses show that direct democracy and institutional centralization are particularly forceful political determinants of economic performance, while the type of democracy is not systematically associated with economic wealth. Moreover, part of the variation in economic power between the Swiss cantons in the 1990s is explained by differences in educational expenditure and in the degree of overall taxation.

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Pavkovic Aleksandar

Secession as Defence of a Political Liberty: A Liberal Answer to a Nationalist Demand

in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 37 - Issue 03 - September 2004 , pp 695-713

Abstract. Unilateral secession breaches the principle of majority rule and the principle of equal rights to which liberal democratic states adhere. How can one justify such a breach in a case in which the seceding state also aspires to be a liberal democratic state? If the government of the parent state, following a pro-secession referendum, refuses to negotiate with the secessionists over their secession, it thereby denies them the liberty of pursuing a politically satisfying life. A unilateral secession in pursuit of such a liberty could be justified within a Rawlsian framework, which ranks liberties higher than economic interests. But within the same framework a unilateral secession is unjustified if, as its consequence, the parent state can no longer protect those citizen rights which it protected before. While useful in assessing some cases of secession, the Rawlsian ranking does not provide universal criteria for assessment of all secessions.

Résumé. La sécession unilatérale rompt avec le principe de la règle majoritaire ainsi qu'avec celui de l'égalité des droits auxquels adhèrent les États libéraux démocratiques. Comment peut-on justifier une telle rupture dans un cas où l'État sécessionniste aspire aussi à être un État libéral démocratique? Si le gouvernement de l'État originaire, à la suite d'un référendum pro-sécessionniste, refuse de négocier avec les sécessionnistes sur leur sécession, il leur refuse ainsi la liberté de poursuivre une vie politiquement satisfaisante. Une sécession unilatérale visant à gagner cette liberté pourrait se justifier dans une optique rawlsienne qui accorde plus d'importance aux libertés qu'aux intérêts économiques. Mais dans cette même optique une sécession unilatérale est injustifiée si, du fait de la sécession, l'État originaire ne peut plus protéger les droits de ses citoyens, qu'il protégeait auparavant. Utile pour l'évaluation de certains cas de sécession, l'ordre de valeurs rawlsien ne fournit pas des critères universels pour les évaluer toutes.

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Guidi Guido



Stati federali senza federalismo

in *Diritto pubblico comparato ed europeo*, n. 2 , 600-606

No abstract available

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Dinan John

Strengthening the political safeguards of federalism: the fate of recent federalism legislation in the U.S. Congress

in *Publius: The Journal of Federalism*, Vol. 34, n. 3, Summer , 55-84

No abstract available

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Boismenu Gérard, Graefe Peter

The New Federal Tool Belt: Attempts to Rebuild Social Policy Leadership

in *Canadian Public Policy* , Volume 30, Number 1 , 71-89

Recent assessments of the federal government's social policy leadership fail to provide a satisfactory linkage between its unilateral actions and its ongoing involvement in intergovernmental bargaining. This paper argues that the federal government is honing old and new tools to shape the direction of provincial policy development. Indeed, many unilateral initiatives appear tied to a broader strategy of assuring the federal government an important place in intergovernmental negotiations. The paper unpacks four key tools (new money, accountability, creation of expertise, and structuring investments) and assesses how they have been employed to rebuild federal leadership to various degrees in the health, child, and labour market policy fields.

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Stulberg Adam N.

The federal politics of importing spent nuclear fuel: inter-branch bargaining and oversight in the new Russia

in *Europe-Asia Studies*, Volume 56, Number 4 (June 2004) , 491 - 520

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Devins Neal



What Brown Teaches Us about the Rehnquist Court's Federalism Revival

in *Political Science and Politics*, issue 2, vol. 37, april , 211-214

No abstract available

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Baldi Brunetta

Assemblee legislative subnazionali: il caso americano

in *Rivista Italiana di Politiche Pubbliche*, Numero 3 / 04, Dicembre , 93-124

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Subsection 4. The legislative branch

Wiest Margarete

Ausgehöhlte Gewaltenteilung. Der Föderationsrat in Putins gelenkter Demokratie

in *Osteuropa*, Heft 1, 54. Jahrgang, Januar , 17-27

Gleich nach seinem Amtsantritt ließ Vladimir Putin in Rahmen seiner föderalen Reformen den Föderationsrat neu bilden. Auf diese Weise sollten sowohl die aufsässigen "Regionalfürsten" als auch die Zweite Kammer gezähmt werden. Unter seinem Vorgänger Boris El'cin war diese zu einer selbstbewußten dritten Kraft im Lande aufgestiegen. Tatsächlich zeigen die Neurungen bislang die von Putin erhofften Ergebnisse. Der Föderationsrat sank von einem eigenständigen "Vetopunkt" zum Erfüllungsgehilfen des Präsidenten herab. Auch seiner Aufgabe als "Kammer der Regionen" wird er nicht mehr gerecht. Die Schwächung des russischen Oberhauses wirkt sich auf die demokratische Entwicklung Rußlands negativ aus, denn sie stärkt die autoritären Tendenzen in Putins "gelenkter Demokratie".

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Calamandrei, G.

Camera federale o Camera delle regioni: scelte possibili. Principio di leale cooperazione o collaborazione

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 16 , 1799-1808

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Dinan John

Consequences of the Rehnquist Court's federalism decisions for congressional lawmaking

in *Publius: The Journal of Federalism*, Vol. 34, n. 2, Spring , 39-68



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Truini, A.

Del "Senato federale", ovvero del potere magico delle parole: Il Uno sguardo al di là dei nostri confini. Itinerari per una modellistica

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 3 , 217-247

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Truini, A.

Del Senato federale, ovvero del potere magico delle parole : note a margine del ddl costituzionale N. 2544/2003. 1, Senato federale e Stato federale : gli elementi deboli di una connessione

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 1 , 1-14

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Truini, A.

Del Senato federale, ovvero del potere magico delle parole: VI - Rilievi conclusivi

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 17 , 1921-1932

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Stüwe Klaus

Konflikt und Konsens im Bundesrat. Eine Bilanz (1949 - 2004)

in *Aus Politik und Zeitgeschichte*, Band 50-51, 2004

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Baldini Vincenzo

La proposta di riforma del senato federale: un'abiura del modello-Bundesrat?



in **Quaderni Costituzionali**, numero : 3, settembre , 610-612

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Leunig Sven

Länder- versus Parteiinteressen im Bundesrat. Realer Dualismus oder fiktive Differenzierung?

in **Aus Politik und Zeitgeschichte**, Band 50-51, 2004

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 4. The legislative branch

Weinstein James

The Federal Common Law Origins of Judicial Jurisdiction: Implications for Modern Doctrine

in **Virginia Law Review**, Vol. 90 n. 1

The Supreme Court's attempt in *Pennoyer v. Neff* to graft federal common law jurisdictional rules onto the Due Process Clause has proven problematic. Although the jurisdictional rules have changed significantly since that decision, contemporary federal limitations on state court jurisdiction continue to reflect their common law origins. Oblivious to the origins of such jurisdictional rules, the Supreme Court has struggled in recent years to explain them in due process terms, unable to construct a due process model that can adequately explain the elements of interstate federalism in current jurisdictional doctrine. Nor will the Court ever be able to fully explain in due process terms rules formulated primarily to vindicate structural values rather than individual rights.

Several commentators have suggested that the Court resolve this dissonance by taking seriously due process as the sole source of authority for the jurisdictional rules and jettisoning all elements that do not fit within the due process model. Such a solution would, however, unnecessarily deny the Court the flexibility to formulate optimal jurisdictional rules. This Article argues that the better course would be to recognize constitutional structure as the primary source of authority for federal common law restrictions on state court jurisdiction, with due process imposing only "modest" restrictions akin to the constitutional restrictions on state choice of law authority. Either of these alternatives is far superior to current doctrine, which erroneously assigns interstate federalism content to a due process source of authority. This mismatch is primarily responsible for the incoherence that plagues personal jurisdiction doctrine. More significantly, because the core restrictions on state court jurisdiction are mistakenly thought to be mandated by a constitutional provision protecting individual liberty interests, current doctrine illegitimately prevents Congress from remedying serious deficiencies in our interstate system of justice, such as the difficulty in obtaining and enforcing child-support judgments.



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Subsection 5. The executive branch

Clement Fatovic

Constitutionalism and Presidential Prerogative: Jeffersonian and Hamiltonian Perspectives

in *American Journal of Political Science*, Vol. 48, Issue 3 , 429-444

Scholars, the courts, and the public have been ambivalent about prerogative, the power of presidents to take extraordinary actions without explicit legal authorization in emergencies, because it seems to defy core principles of liberal constitutionalism. This article examines the relation between prerogative and liberal constitutionalism by comparing the approaches of two Founders with different conceptions of executive power, Jefferson and Hamilton. Although they both endorsed a Lockean conception of prerogative that makes it possible to secure vital substantive ends that might be imperiled by strict adherence to ordinary legal forms in an emergency, they disagreed over the constitutionality of prerogative. Whereas Hamilton located the authority for prerogative within the implied powers of the Constitution, Jefferson expected presidents to admit wrongdoing and seek post-hoc approval from the public, a difference with important implications for both democracy and constitutional practice that can be traced back to ambiguities in Locke's theory of prerogative.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 5. The executive branch

Lopez Marcela, Olvera Vallejo

Executive Federalism in Mexico - a theoretical exeption

in *Federalismi*, Anno II, n. 6

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 5. The executive branch

Cutler Fred

Government responsability and electoral accountability in federations

in *Publius: The Journal of Federalism*, Vol. 34, n. 2, Spring , 19-38

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 5. The executive branch

Sombra Saraiva, J. F.

À busca de um novo paradigma: política exterior, comércio externo e federalismo no Brasil

in *Revista Brasileira de Política internacional* , Vol. 47 n. 2



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Reviewed by Russell Miller

Constitutional Courts in Comparison: The U.S. Supreme Court and the German Federal Constitutional Court
in *International Journal of Constitutional Law*, Vol. 2 n. 3 , 691 - 705

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Biondi A., Balocchini C.

Corti nazionali sotto ingiusto arricchimento e principio di effettività del Diritto comunitario
in *Diritto dell'Unione europea*, Vol. 4 , Pag. 619-632

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Aman, Alfred C.

Federalism Through a Global Lens: A Call for Deferential Judicial Review
in *Indiana Journal for Global Legal Studies*, Volume 11, Issue 1, Winter , 109-137

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Clayton Cornell W., Pickerill J. Mitchell

Guess what happened on the way to revolution? Precursors to the Supreme Court's federalism revolution
in *Publius: The Journal of Federalism*, Vol. 34, n. 3, Summer , 85-114

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Andrea Bianchi

International Law and US Courts: The Myth of Lohengrin Revisited
in *European Journal of International Law*, Vol. 15 n.4 , Pag. 751-781

This paper attempts to shed light on the current attitude of US courts towards international law. Regardless of the



formal instruments of incorporation, the extent to which international law is used by courts within the formal constraints of constitutional provisions largely depends on the legal culture prevailing at any particular time. This sketchy and selective overview of the attitude of US courts unveils a tendency to frame international law within the general framework of the constitutional law discourse. The main tenets of American constitutionalism such as separation of powers and federalism often shape the posture of courts in determining issues bearing on international law. The different nature of international law and its potentially pervasive effects on domestic law are frequently a cause for US courts to reject its proper implementation. At the base of this attitude, which seems to be the prevailing one at the moment, lies the perception that the fundamental postulates of the domestic legal order, as enshrined in the Constitution, cannot be altered by a body of law which does not exclusively emanate from the national societal body.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Jenna Bednar

Judicial Predictability and Federal Stability: Strategic Consequences of Institutional Imperfection

in **Journal of Theoretical Politics**, Volume 16, n. 4, October , 423-446

Institutions structure incentive environments for strategic actors. What is the effect of a flawed institution - one that is not perfectly predictable - on strategic behavior? This paper focuses on the influence of the judiciary on inter-governmental rivalry in a federation, in particular considering how shifts in judicial predictability affect federal opportunism. Results of the model indicate that governments in a federation challenge one another's behavior in court less frequently as the judiciary grows more predictable but the effect of predictability on opportunism depends upon the cost of challenging an agent. When costs are low, increasing the predictability of the court increases opportunism, contrary to intuition. The model is extended to consider the effect of a biased court.

Section A) The theory and practise of the federal states and multi-level systems of government

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Jodi Finkel

Judicial Reform in Argentina in the 1990s: How Electoral Incentives Shape Institutional Change

in **Latin American Research Review**, Volume 39, Number 3

Judicial reform presents a paradox: why would a ruling party agree to judicial reforms that limit its own political power? In the Argentine case, I argue that although the ruling Peronist party could be induced in 1994 to initiate reforms (introduce constitutional revisions to strengthen the judiciary), the party then proved unwilling to accept the costs of an independent judiciary and failed to implement these changes (via enactment of congressional legislation). Only once the Peronists believed that they were unlikely to maintain political power did they implement the revised constitution's judicial advancements. Implementation of judicial reform in such a situation may serve the ruling party as an "insurance policy" in which a stronger judicial branch reduces the risks the ruling party faces should it become the opposition. My research



suggests that the likelihood of implementation, the crucial determinant of judicial reform, increases as the ruling party's probability of reelection declines.

Section A) The theory and practise of the federal states and multi-level systems of government

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Claeys Eric R.

Justice George Sutherland and commerce-clause federalism

in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 9-32

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Vergniolle de Chantal François

La Cour Rehnquist et le fédéralisme aux Etats Unis: peut-on parler d'un projet néofédéral

in *Revue internationale de droit comparé*, Vol. 55 n. 3 , 571 - 602

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Price, M.

Mandatory minimus in the federal system: turning a blind eye to justice

in *Human Rights Review*, Vol. 31 n. 1 , pag. 8-10

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Christopher B. Budzisz

Marbury v. Madison: How History Has Changed John Marshall's Interpretation of the Constitution—A Response to Winfield H. Rose

in *PS: Political Science & Politics* , Vol. 37, Issue 3, July , 385-389

In his April 2003 *PS: Political Science and Politics* article "Marbury v. Madison: How John Marshall Changed History by Misquoting the Constitution," Winfield H. Rose presents an argument in which Chief Justice Marshall knowingly distorted the meaning of the Constitution for strategic gain. The strategic gain was the creation of judicial review (the power of the Court to invalidate acts of other branches of government as violative of the Constitution). The key means to achieve this goal was to intentionally misquote Article III in the Court's most famous of cases, *Marbury v. Madison* (1803). Rose offers his argument as the product of a new discovery (that of detecting Marshall's misquotation), and this discovery as



the product of a fresh reading of the case. The reading is a “fresh” one because Rose looks anew at the actual text of the decision and does not rely on the accepted “textbook wisdom” of the case. He calls us rightly to revisit the case and follow him beyond the “conventional textbook wisdom” regarding the case. However, Rose's analysis fails in the end precisely because it remains so wedded to the textbook wisdom on Marbury and judicial review that he advises against.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Stewart E. Sterk

The Federalist Dimension of Regulatory Takings Jurisprudence

in *Yale Law Journal (The)*, Vol. 114, n. 2, November , 203-271

Federalism concerns, underappreciated in the takings literature, play an important role in shaping the Supreme Court's takings jurisprudence. The Takings Clause does not guarantee any particular property rights; instead, the Clause protects primarily against change in background state law. As a result, the nature and scope of constitutional protection depends heavily on background principles of state law in effect at the time of a challenged enactment. Federalism concerns, therefore, prevent the Supreme Court from articulating and enforcing a comprehensive national takings standard. Instead, the Court's role in the constitutional scheme is to articulate categorical rules that address difficulties that cut across state lines, while leaving primary responsibility for monitoring local land use regulation to state law and state courts. State courts, in turn, should view the Court's Penn Central balancing test not as a finely calibrated analysis of constitutional limits, but as a broad delegation of authority.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Thomas George

The Madisonian vision and the political Constitution

in *Review of Politics (The)*, Vol. 66, N. 2, Spring , 233-256

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

DeMarco Jerry V., Campbell Michelle L.

The Supreme Court of Canada's Progressive Use of International Environmental Law and Policy in Interpreting Domestic Legislation

in *Review of European Community & International Environmental Law*, Volume 13, Issue 3, November , pp. 320-332

No abstract available (free content available on-line)

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch



Langhelle Oluf, Rommetvedt Hilmar

The role of parliament in international relations and WTO negotiations: the case of Norway
in *World Trade Review*, 3 , 189-223

According to traditional constitutional theory, foreign affairs is the prerogative of the executive. However, globalisation and the dual process of internationalisation of domestic affairs and domestication of international affairs imply that the days when foreign policy was the exclusive domain of the executive are over. The article explores the effects of globalisation on the role of Parliament in international relations in general, and WTO negotiations specifically, using the Norwegian Parliament as an illustration. Three findings are presented. First, at the international level attempts are made to develop a 'parliamentary dimension of the WTO'. Second, at the national level the Norwegian Parliament has become more actively engaged in international relations. And, third, the Norwegian Parliament plays an important role in the processes of defining national interests and determining national negotiation positions in the WTO, especially with regard to possible trade-offs between the offensive interests of fisheries and the defensive interests of agriculture.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Boadway Robin, Hayashi Masayoshi

An Evaluation of the Stabilization Properties of Equalization in Canada
in *Canadian Public Policy* , Volume 30, Number 1 , 91-109

The Canadian system of equalization is designed to address differences in revenue-raising capacity across provinces, basing a province's annual entitlements on its actual tax bases. However, the standard against which a given province's equalization entitlements are calculated fluctuates from year to year with all provinces' tax bases and tax rates. The consequence is that, while the redistribution function is fulfilled annually, the stability of provincial revenues suffers. The evidence we present indicates that, at least for the three revenue categories we examine, the equalization system can actually be destabilizing, thereby imposing on provinces volatility in their potential revenue streams that exceeds what would exist in the absence of equalization.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Christopher Taylor

An exchange-rate regime for the euro
in *Journal of European Public Policy* , Volume 11, Number 5 / October , 871-889

Despite efforts in the EMU IGC to keep authority for the exchange rate in the hands of ministers, it was in the event substantially passed to the ECB, along with responsibility for monetary policy. As a result the ECB acquired exclusive control of the only instruments available for influencing the exchange rate in liberalized market economies - key short-term interest rates and exchange-market intervention - and considerable hurdles were put in the way of governments exercising their traditional power over exchange-rate policy. In the event the euro has been worryingly unstable since its launch, and the instability seems likely to persist. This is an unsatisfactory situation that should be remedied, provided it can be done without sacrificing price stability. This paper recalls the relevant treaty rules and how they have been interpreted; assesses the variability of the euro and its predecessors over the past quarter-century; suggests what regime changes would be needed for a policy of euro stabilization; and recommends moving in that



direction. In doing so the paper addresses important questions of economic governance in EMU.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Demertzis Maria , Hughes Hallett Andrew, Viegi Nicola

An independent central bank faced with elected governments

in *European Journal of Political Economy*, Volume 20, Issue 4 , November 2004 , 907-922

The literature argues that the benefits of an independent central bank accrue at no cost to the real side. In this paper, we argue that the lack of correlation between monetary autonomy and output variability is due to the proactive role of fiscal policy when faced with rigid monetary objectives. Few of the attempts to measure these correlations actually allow for a changing fiscal role. Yet, when an independent authority handles monetary policy, fiscal and wage/social protection policies remain instruments in the hands of elected governments. We find that, so long as the two authorities pursue their goals independently of each other, a conflict arises that becomes stronger as preferences diverge. We also find that the establishment of a conservative central bank encourages more divergent preferences among the public (as reflected in the government that is elected). The election of more interventionist governments then makes it harder for either authority to reach its own preferred objectives, unless cooperation is possible.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Rankin David M.

Borderline Interest or Identity? American and Canadian Opinion on the North American Free Trade Agreement

in *Comparative Politics*, Vol. 36 n. 3

North American publics and regional trade liberalization have been little studied. Although the North American free trade arrangement is relatively recent, political debate and grass-roots protest over trade in Canada and the United States are increasingly visible, and a fuller understanding of how citizens in these countries judge trade policy is needed. An analysis of the influences of national identity, economic self-interest, and supranational attitudes on Canadian and American opinion toward NAFTA, using comparative data from the 1995-96 International Social Survey Program, indicates how symbolic predispositions of national identity provide significant and accessible information shortcuts for citizens on trade.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

De Mello, Luiz R. Jr.

Can Fiscal Decentralization Strengthen Social Capital?

in *Public Finance Review*, Vol. 32, No. 1 , 4-35

Countries that are rich in social capital, defined as the social and political institutions that stimulate interpersonal trust, civic cooperation, and social cohesiveness, tend to have more efficient governments, have better governance systems,



and grow faster. This article provides preliminary cross-country evidence for a sample of developing and developed countries that fiscal decentralization—the assignment of expenditure functions and revenue sources to lower levels of government—can boost social capital.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Iain Begg, Waltraud Schelkle

Can Fiscal Policy Co-ordination be Made to Work Effectively?

in **Journal of Common Market Studies**, Vol. 42, Issue 5, December , 1047-1060

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Hay Colin

Common trajectories, variable paces, divergent outcomes? Models of European capitalism under conditions of complex economic interdependence

in **Review of International Political Economy**, Volume 11, Number 2 / May , 231 - 262

Globalization is widely held to circumscribe the parameters of political and economic choice in contemporary Europe, just as it has come to circumscribe the parameters of debate on the future of European models of capitalism. Yet opinions on the question of convergence nonetheless vary markedly, with proponents of the hyperglobalization thesis pointing to a simple and inexorable process of neoliberal convergence while an increasingly influential school of neo-institutionalists point to a rather more complex process of 'dual' or 'co-convergence', reinforcing the distinctiveness of liberal and coordinated market economies. In both accounts, the exhibited pattern of convergence (dual or otherwise) is seen to be driven by globalization. In this paper I provide a theoretical and empirical critique of this important literature, challenging the contextualization of the question of convergence with respect to globalization which both perspectives share. I advance a distinctive variant of the new institutionalism which emphasizes: (i) the contingency of any process of convergence observed; (ii) the frequently political as opposed to economic nature of convergent tendencies; (iii) the counter-tendencies which might be mobilized to such tendencies; and (iv) the invariably far greater significance, in the establishment of common trajectories, of regional rather than genuinely global processes of integration. Though common trajectories are discernible within contemporary Europe, associated in particular with the institutional architecture of EMU and an accelerating process of European economic integration, they have been embraced more or less enthusiastically and at variable paces, leading not to convergent but to divergent outcomes

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Subsection 7.Economic and fiscal federalism

Baker Michael, Fortin Nicole M.

Comparable worth in a decentralized labour market: the case of Ontario

in **Canadian Journal of Economics/Revue Canadienne d'Economique**, Volume 37, Number 4 , 850-878

We document the application of pro-active pay equity legislation to the private sector of the Canadian province of



Ontario in the early 1990s. We report substantial lapses in compliance among smaller firms where the majority of men and women work. We also find that the pay equity law had no effect on aggregate wages in female jobs or on the gender wage gap. This experience provides unique perspectives on (1) the tensions between the workings of a decentralized labour market and the principles of comparable worth and (2) the obstacles to its extension to the private sector.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Powell Benjamin

Competition and Monopoly Power in Local Government: An Extension of Caplan (2001)

in Public Choice, Volume 120, Number 3-4 , 353-357

Caplan (2001) shows that because land is a source of immobile wealth, local governments can use the property tax to avoid competitive pressures of the Tiebout model, allowing them to deviate from citizens' preferences. In this comment I show that the property tax is not the only tax local governments can use to avoid competitive pressure. Most taxes placed on property owners allow local governments to extract some rents despite perfect citizen mobility.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Madiès Thierry

Concurrence fiscale et normes locales d'environnement

in Economie Appliquee, N° 1

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Vander Lucas

Cross-border shopping in a federal economy

in Regional Science and Urban Economics, Volume 34, Issue 4 , 365-385

The purpose of this paper is to consider an economy that incorporates cross-border shopping and where the different levels of government are concerned with the well-being of their citizens. We assume a federal economy with a central government and two regions with specific characteristics. Two kinds of externalities, horizontal and vertical, arise and we show the possibilities of internalising them. With the governments of symmetric regions behaving as Nash players, they would optimally set their tax rates and replicate the unitary nation optimum. Finally, we show how the central government as a Stackelberg leader can adjust its fiscal instruments so that the tax externalities are also internalised.

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Subsection 7.Economic and fiscal federalism

Heinesen Eskil



Determinants of local public school expenditure: a dynamic panel data model

in *Regional Science and Urban Economics*, Volume 34, Issue 4 , 429-453

This paper investigates determinants of local authorities' school expenditure. Hypotheses are derived from an expenditure demand model incorporating a school cost function. The empirical analysis exploits the panel structure of the dataset (for the 275 municipalities in Denmark over the period 1984–1996) by Generalized Method of Moments estimation of a dynamic model taking into account unobserved municipal-specific effects and possible endogeneity of the explanatory variables. Comparing with more standard estimations of the model, the results indicate that flexible estimation of a dynamic model controlling for unobserved municipal-specific effects is needed to avoid biased parameter estimates.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Carlo Altavilla

Do EMU Members Share the Same Business Cycle?

in *Journal of Common Market Studies*, Vol. 42, Issue 5, December , 869-896

The article analyses alternative approaches for dating the business cycles of a set of European monetary union (EMU) member states. First, the framework for analysing cyclical behaviour in economic activity is presented. Second, the dating algorithm is applied to both the classical cycle and the growth cycle in order to recover stylized facts of the business cycle in Europe. Third, the article utilizes different econometric techniques to evaluate the synchronicity of national cycles and the euro area aggregate cycle, and compare the results with that of the USA. A convergence analysis is also employed. Finally, a multivariate extension of the Hamilton-Markov switching model is constructed to analyse the euro area business cycle. The results suggest that, although during the main recessionary periods the euro area economies shared a similar output dynamic, some differences still remain in the size and timing of the business cycle features. The results also suggest that adhesion to the new currency area is likely to lead to stronger synchronization of EMU members' business cycles.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Gordon Nora

Do federal grants boost school spending? Evidence from Title I

in *Journal of Public Economics*, Volume 88, Issues 9-10 , 1771-1792

One of the federal government's main elementary and secondary education programs is Title I, which allocates money for compensatory education to school districts based on child poverty. I use sharp changes in per-pupil grant amounts surrounding the release of decennial census data to identify effects of Title I on state and local education revenue, and how much the program ultimately increases spending by recipient school districts. I find that state and local revenue efforts initially are unaffected by Title I changes, but that local governments substantially and significantly crowd out changes in Title I within in a 3-year period.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Waltraud Schelkle

EMU's second chance: enlargement and the reform of fiscal policy co-ordination

in *Journal of European Public Policy* , Volume 11, Number 5 / October , 890-908

The rules for fiscal policy co-ordination in EMU have been seriously challenged since 2002. The original Stability and Growth Pact was not so much geared towards co-ordinating as towards disciplining members' fiscal policies. Since the Pact failed, another approach is required. The Commission's reform proposals are likely to provide for more co-ordination and mutually stabilizing insurance. The prospect of EMU enlargement suggests further changes in this direction. The stability of financial markets in the candidate countries must be the major concern for revising the rules, rather than containment of price adjustments and fiscal deficits.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Alison M. S. Watson

Economic and Monetary Union: Of Currencies and Clubs

in *Journal of European Integration*, Volume 26, Number 1 / March , 25-39

Over the past two decades, the process of economic and monetary union (EMU) in Europe has brought the politics of exchange rates to the forefront of the policy agenda in international relations. This article will examine the significance of exchange rate policy making in Europe by considering the creation and operation of EMU as an example of club formation. There are two major benefits from viewing the process of EMU in this way. The first is that it allows a more fruitful analysis of any potential enlargement in the membership. Second, and leading on from this, it enables conclusions to be drawn regarding the optimal eventual size of the Euro area.

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Subsection 7.Economic and fiscal federalism

Allen Schick

El Estado que rinde: reflexiones sobre una idea a la que le ha llegado la hora, pero cuya implantación aún está pendiente

in *Reforma y democracia (Venezuela)*, n. 30

There are many paths to performance, but none are sufficiently well marked to assure success. Some rely on administrative procedure, others on political or professional commitment. Some are grounded in New Public Management, others fit comfortably within traditional public administration. It is useful to operationalise performance in sequential terms, arraying various innovations in a logical sequence, so that one builds on others. The approach taken in this paper emphasizes the sequence and conditions under which performance can thrive. It begins with attitudes and moves to managerial actions, and then from management to politics.

The drive for performance has impelled governments to devise ever-stronger means of assuring good service. At one



time, a strong public service ethic was deemed sufficient, then means of maintaining a performance focus were added, followed by an array of measurement tools, management changes, contractual obligations and legal rights. Each device was found somewhat wanting, leading to the next step in the chain of performance, with the possible exception of the last one which confers a legally enforceable right on citizens to good service. Anything that gets in the way of effective exercise of these rights is suspect, even if it is government itself. In effect, government conveys rights, but if it cannot live up to its promises, other institutions may take its place.

Nevertheless, the demand for performance is nibbling at the special status of the State. Fiscal and administrative decentralisation has transferred resources and authority from the centre to local governments; free-standing agencies have gained operational autonomy from the State to which they are nominally subservient; global institutions have made inroads in some of the most vital functions of the State-nation, including criminal justice, national defense, and economic policy; NGOs have become purveyors of public services and often have quasi-governmental status at international forums. Beside, as already discussed, markets are increasingly used to provide public services.

The State cannot perform if its budget does not. No matter how determined government is to orient management and service delivery to results, if budget allocations disregard performance, so too, will politicians and managers. But getting the budget to be an instrument of performance has proven exceedingly difficult to implement. The history of budget reform is laden with many failures and few successes. Yet, it also is true that budgeting can contribute to performance even when the government lacks a formal performance budget. This concluding section explores why performance budgeting is an elusive goal and what can be done within the framework of conventional budgeting to bolster government's commitment to results.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Diaz-Cayeros Alberto

El federalismo y los limites politicos de la redistribucion

in *Gestion y politica publica*, n. 13, numero speciale II semestre

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Smart Michael

Equalization and Stabilization

in *Canadian Public Policy* , Volume 30, Number 2 , 195-208

The federal Equalization transfer program makes fiscal resources of "have-not" provinces depend on fiscal conditions in "have" provinces, which tends to destabilize provincial finances: the data show that equalized revenues of receiving provinces are more volatile than own-source revenues. But this reflects the revenue risks facing the aggregate of all provinces, which an equalization program cannot insure. Controlling for aggregate risk, I find that the program has a significant stabilizing effect on provincial finances. Nevertheless, some improvements in revenue-sharing through the program might be contemplated. For example, a return to a national average capacity standard, from the five-province



standard which has been in place since 1982, would increase insurance for idiosyncratic shocks by about one-third.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Holcombe Randall G.

Factors Underlying the Growth of Local Government in the 19th Century United States

in Public Choice, Volume 120, Number 3-4 , 359-377

Early in the 19th century local governments spent less than either the federal or state governments. By the end of the 19th century local governments spent more than the federal and state governments combined. This growth is obviously related to the growth of cities, but cities continued to grow in the 20th century, while the local government share of total government expenditures fell, so the growth of cities cannot be the complete answer. An examination of expenditures and revenues in two cities – Boston and Baltimore – suggests that no one component of expenditures was responsible for increases in total spending. Rather, it appears that the primary causal factor was revenue growth. Cities rely heavily on property taxes, and the increasing value of taxable property allowed cities to raise increasing amounts of revenue, leading to increased government spending.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Ponomareva Maria, Zhuravskaya Ekaterina

Federal tax arrears in Russia Liquidity problems, federal redistribution or regional resistance?

in Economics of Transition, Volume 12 Issue 3 September , 373-ss

Three hypotheses about the nature of federal tax arrears in Russia in the second half of the 1990s are tested empirically. Tax arrears can be a result of: 1) liquidity problems in firms, 2) redistributive subsidies of the federal government, or 3) regional political resistance to federal tax collectors. Liquidity problems in firms explain a large part of the variation in tax arrears. Regional political resistance to federal tax collectors was also an important factor: For a given level of liquidity, federal arrears accumulated faster in regions where governors had a larger popular base, in regions with a better bargaining position vis-à-vis the centre, and in regions with governors in political opposition to the centre. We find that patterns of federal arrears are inconsistent with the redistributive politics premise that redistribution favours jurisdictions with 'closer races' for the incumbent in the national elections. Variation in authorized tax deferrals can be explained in part by federal redistributive politics

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Cittadino Caterina

Federalismo amministrativo e federalismo fiscale: punti di contatto e metodologie di analisi

in Comuni d'Italia, n. 7-8 , 46 - 50

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Pola Giancarlo

Federalismo fiscale oggi

in *Istituzioni del federalismo*, n. 6 , 1063 -1082

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Pierdzioch Christian

Financial market integration and business cycle volatility in a monetary union

in *Scottish Journal of Political Economy*, Volume 51 (3) August , 422 ss

This paper uses a dynamic general equilibrium two-country sticky-price model to analyze the implications of financial market integration for the propagation of asymmetric productivity and government spending shocks in a monetary union. Financial market integration has a small effect on the propagation of these shocks if households can only trade in risk-free bonds. However, financial market integration has a more substantial effect on the propagation of these shocks in a monetary union with a complete market for state-contingent claims. This result indicates that it may be important to account for threshold effects in empirical analyses of the impact of financial market integration on business cycle volatility in a monetary union.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Brueckner Jan K

Fiscal Decentralization with Distortionary Taxation: Tiebout vs. Tax Competition

in *International Tax and Public Finance*, vol. 11, no 2 , 133 - 153

This paper explores a question that lies at the intersection of two vast literatures. The goal is to gauge whether the good side of fiscal decentralization, as emphasized by the Tiebout literature, dominates the bad side, as studied in the tax-competition literature. The results, which are derived by numerical simulation, show that either answer to this question is possible. Under favorable conditions, where the curvature of the production function and the dispersion of preferences are both high, the gains from Tiebout sorting are likely to outweigh the loss from the capital-tax distortion, so that the good side of fiscal decentralization dominates. If either of these conditions is absent, however, the bad side can win, making decentralization undesirable. When this happens, the lessons of the Tiebout tradition are overturned, with economic efficiency requiring centralized rather than decentralized provision of public goods

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Arikan G. Gulsun

Fiscal Decentralization: A Remedy for Corruption?

in *International Tax and Public Finance*, vol. 11, no 2 , 175 - 195



This paper examines the effect of fiscal decentralization in a country on the level of corruption. Using a tax competition framework with rent-seeking behavior, it is shown theoretically that fiscal decentralization, modeled as an increase in the number of competing jurisdictions, leads to a lower level of corruption. This result is then tested using a small, cross-country data set. The empirical results are not very strong, but they suggest that the hypothesized relationship between decentralization and corruption may indeed exist.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Marco Buti, Paul Van Den Noord

Fiscal Discretion and Elections in the Early Years of EMU

in **Journal of Common Market Studies**, Vol. 42, Issue 4, November , 737-756

An early criticism of the Stability and Growth Pact (SGP) has pointed to its asymmetric nature and the weak mechanisms to prevent politically-motivated fiscal policies: its constraints would bite in downswings but not in upswings, especially if, in the latter, the electoral cycle increases the temptation to run expansionary policies. We find that the experience of the initial years of EMU lends support to this criticism. Overall, unlike the experience in the run-up to EMU, fiscal policies had an expansionary bias, and a 'genuine' discretionary boost took place in correspondence to political elections. Both sign and composition of such discretionary changes are in line with the predictions of the recent literature on electoral budget cycles. Closer fiscal surveillance may help detect such behaviour early on, but it is unlikely to curb the incentives to run politically-motivated fiscal policies when elections approach.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

McLean, Iain

Fiscal Federalism in Australia

in **Public Administration**, March - Volume 82 Issue 1 , 21-38

Australia displays high vertical fiscal imbalance (VFI) for historical and constitutional reasons. It also attempts to achieve the highest degree of horizontal fiscal equalization (HFE) to be found in any democratic federation. The Commonwealth Grants Commission (CGC), a non-partisan body at arm's length from politicians, oversees the regime. A recent report claims that equity, efficiency and transparency would all improve if the regime were abolished. Such a change is politically unachievable, but it raises interesting issues in public finance and public administration, which carry over to other federations and union states.

An economically efficient system would: minimize perverse incentives, especially incentives to seek rent; encourage states to grow; discourage suboptimal location decisions; minimize transaction costs. An equitable system would maximize equity between relevantly similar individuals. Aspects of the Australian system that should be copied include the non-partisan agency and the target of HFE between component parts of the country. Aspects that should be discussed and perhaps copied include the very extensive equalization, including the feature of equalizing away the effects of grants for special purposes. Aspects that should probably not be copied include the cumbersome formulae and some of the perverse methods of calculating for 'needs'. All abbreviations and acronyms are spelt out in the Appendix on page 37.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Chen Kang

Fiscal centralization and the form of corruption in China

in *European Journal of Political Economy*, Volume 20, Issue 4 , November 2004 , 1001-1009

Fiscal recentralization in China in the 1990s introduced incentives that changed the form of corruption at the local government level from the helping-hand to the grabbing-hand type. Against the background of the experience of China, this paper describes how the central–local government revenue-sharing rule introduces strategic considerations that affect the form of corruption and thereby economic growth. Information regarding the possibilities for substitution in the form of corruption is shown to be relevant for decisions regarding fiscal centralization. However, the consequences of the decisions made in China suggest that such information was either not available or was not taken into account.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Bryson Phillip J., Cornia Gary C ., Wheeler Gloria E.

Fiscal decentralization in the Czech and Slovak Republics: a comparative study of moral hazard

in *Environment and Planning C: Government and Policy*, Volume 22, Issue 1, February , pp. 103-113

Fiscal decentralization has provided neither the benefits of decentralization nor an independent revenue source for subnational governments in the Czech and Slovak Republics. In Slovakia political conditions early in the transition led to the relative neglect of revenue transfers from the center. This produced financial stress but also encouraged greater fiscal independence for local governments. It also forced them to seek maximal property tax revenues. The Czech Republic made more substantial transfers to local governments, but the development of fiscal autonomy was stifled as transfers reduced the need for own-source local revenues. The Czech real estate tax has remained nominal, as it was under central planning, and its administration is fraught with moral hazard problems. Thus, the property tax never became a vehicle for generating independent funds, but the prospects for the tax are much brighter in the Slovak Republic. This paper offers several views on why the property tax has been more successful in the Slovak Republic.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Hayo Bernd, Wrede Matthias

Fiscal equalisation: Principles and an application to the European Union

in *Social Choice and Welfare*, Volume 23, Number 3 , 333 - 348

The paper derives a normative model for partial fiscal equalisation based on a number of axioms and makes special allowance for the existence of a specific fiscal need in the jurisdictions. A simple version of this idealised equalisation scheme relates net contributions to the equalisation funds to deviations of a jurisdiction s gross income from average gross income and a jurisdiction s specific needs from average specific needs. The theoretical model is then empirically tested for the case of the European Union using data from 1986–97. It is found that most restrictions of the model appear to hold, in particular, relatively richer countries contribute more and those with greater fiscal needs,



approximated by the importance of the agricultural sector, pay less. However, in the EU, an adjustment of net payments to changes in the actual importance of the specific fiscal need for a country is lacking.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Ogawa Hikaru

Fiscal externality, rent sharing and equalisation transfers in Japan

in **Urban Studies**, Volume 41, Number 1 , 195 - 206

This article describes a quantitative analysis of Japanese equalisation transfers based on the fiscal externality models of Hartwick, Boadway and Flatters. In particular, it examines whether the actual level of equalisation transfers matches the theoretically optimal level from the efficiency point of view. Although the purpose of interregional fiscal transfer is not necessarily in the pursuit of an efficient allocation of resources, equalisation transfer surely affects it. It is often said in Japan that the equalisation transfer may distort efficiency too much and that it is one of the causes of serious fiscal conflict between the metropolitan area and local (rural) prefectures. The quantitative results show that the actual amount of transfers from resource-rich to resource-poor prefectures was below the optimal level in the 1980s. However, the resource-poor prefectures have received an excessive transfer after 1990. Specifically, the direction of the optimal transfer might change in the second half of the 1990s. The estimates for 1997 show that, at most, 1445 billion yen net should be transferred to relatively high-tax and resource-rich prefectures.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Rosefielde Steven, Vennikova Natalia

Fiscal federalism in Russia: a critique of the OECD proposals

in **Cambridge Journal of Economics**, 1 marzo 2004, Volume 28, Issue 2 , 307-318

The OECD proposes to kill two birds with one stone in Russia by simultaneously improving fiscal federalism, and using the financial reform process to press for full market liberalisation. This paper scrutinises the initiative and finds it wanting because the consensus reforms advocated conflate the re-centralisation of fiscal authority with optimal ownership, property rights and effective market building, perpetuating the illusion that there are no bad market systems. The G-7 and Putin must do better. Yeltsin's mis-privatisation and mis-liberalisation, which spawned rent seeking, asset stripping, asset seizing and a disregard for profit maximising from current operations, have proved to be path dependent and need to be rectified. Putin's increasingly visible efforts to rein private property rights must also be taken into account in designing on optimal fiscal federalist regime.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Freitag Markus, Vatter Adrian

Föderalismus und staatliche Verschuldung. Ein makro-quantitativer Vergleich

in **Oesterreichische Zeitschrift für Politikwissenschaft** , 2004/2 , 175-190

FEDERALISM AND GOVERNMENT DEBT. A Macro-Quantitative Analysis



This article analyses the relationship between decentralised state structure and the extent of public debt in the Swiss cantons between 1984 and 2000. From a theoretical point of view, federalism can be associated with both, an expansive and a dampening effect on government debt. On the one hand, federal structures have been argued to lead to a reduction of debt due to inherent competition between the member states and the multitude of veto positions which restrict public intervention. On the other hand, federalism has been claimed to contribute to an extension of public debt as it involves expensive functional and organisational duplications as well as cost-intensive compromise solutions between a large number of actors that operate in an uncoordinated and contradictory way. Our statistical estimations show that the former effect is dominant: public debt tends to be lower in Swiss member states with a more decentralised political structure.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Nicholson-Crotty Sean

Goal Conflict and Fund Diversion in Federal Grants to the States
in **American Journal of Political Science**, Vol. 48, Issue 1 , 110-122

Researchers using fiscal choice models have had limited success predicting fund diversion in federal grant programs. The application of a principal-agent framework to questions of fiscal federalism offered a potentially valuable alternative approach, but the traditional model employed by Chubb (1985) neglected potential variability in the degree of goal conflict between principals and agents. This article proposes an expanded framework, which incorporates the possibility of variation in goal conflict between participants in intergovernmental aid programs. The theory suggests that the level of policy congruence between recipient jurisdictions and the national government will determine the amount of grant funding diverted away from targeted policy areas. Findings from analyses of grant programs in two distinct policy areas support the hypothesis that grant effectiveness is partially a function of goal congruence. The relationship between intergovernmental partners is interactive, with the degree of policy agreement determining fund diversion in subnational jurisdictions, as well as the effectiveness of federal oversight activities. The findings have important theoretical implications for understanding both fiscal federalism and principal-agent relationships more generally.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Uwe Puetter

Governing informally: the role of the Eurogroup in EMU and the Stability and Growth Pact
in **Journal of European Public Policy** , Volume 11, Number 5 / October , 854-870

Comprising the finance ministers of the euro area, the informal Eurogroup plays a central role in the economic governance set-up, albeit one widely unnoticed in the literature on economic and monetary union (EMU). The group not only pre-agrees all critical Council decisions with relevance for the euro area member states, it also functions as a forum where ministers decide on the overall orientation of economic governance in the euro area and establish common interpretations of EMU's core policy instruments. This might seem surprising given that the group is not mentioned by



the Treaty and does not have any formal decision-making competences.

This article responds to the lack of more detailed empirical information on the functioning of the Eurogroup. In theoretical terms the analysis is based on legal approaches to EU comitology, the literature on policy learning and research on the role of arguing and deliberation in international negotiations. The main argument is that the Eurogroup's informal working method creates a negotiation environment which is particularly suited for the conduct of a close policy dialogue among the euro area's key decision-makers. This dialogue supplements EMU's formal co-ordination instruments - the Broad Economic Policy Guidelines and the Stability and Growth Pact. The Eurogroup's emphasis on consensus formation through informal discussion is of particular importance in EMU's decentralized policy framework which lacks any significant concentration of political authority at the supranational level and relies on the voluntary commitment of individual member states to commonly agreed policy objectives.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Miele, T.

Il federalismo fiscale: l'attuazione dell'art. 119 della Costituzione nella prospettiva del federalismo solidale
in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 7 , 689 - 707

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Mintz Jack, Smart Michael

Income shifting, investment, and tax competition: theory and evidence from provincial taxation in Canada
in *Journal of Public Economics*, Volume 88, Issues 6 , 1149-1168

We study corporate income taxation when firms operating in multiple jurisdictions can shift income using tax planning strategies. Because income of corporate groups is not consolidated for tax purposes in Canada, firms may use financial techniques, such as lending among affiliates, to reduce subnational corporate taxes. A simple theoretical model shows how income shifting affects real investment, government revenues, and tax base elasticities, depending on whether firms must allocate income to provinces or not. We then analyze data from administrative tax records to compare the behavior of corporate subsidiaries that may engage in income shifting to comparable firms that must use the statutory allocation formula to determine their taxable income in each province. The evidence suggests that income shifting has pronounced effects on provincial tax bases. According to our preferred estimate, the elasticity of taxable income with respect to tax rates for "income shifting" firms is 4.9, compared with 2.3 for other, comparable firms.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Edgerton Jesse

Institutions, Tax Structure and State-local Fiscal Stress



in *National Tax Journal*, 57, March , 147-58

We discuss budgetary institutions and the evolution of tax systems in the state and local sector, drawing on evidence from New York City. An increasing reliance on personal income taxes and a corresponding de-emphasis on property taxes have made the city's tax revenues significantly less stable and more sensitive to fluctuations in the city's economy. Nonetheless, adjusting the personal income tax rate to smooth revenues over the business cycle may be an effective way of transferring cyclical shocks from an actor who faces borrowing constraints (the city or state) to actors who do not face such constraints (upper income taxpayers).

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Sørensen Peter Birch

International tax coordination: regionalism versus globalism

in *Journal of Public Economics*, Volume 88, Issues 6 , 1187-1214

Tax competition for mobile capital can undermine the attempts of governments to redistribute income from rich to poor. I study whether international tax coordination can alleviate this problem, using a general equilibrium model synthesizing recent contributions to the tax competition literature. The model highlights the crucial distinction between global tax coordination and regional coordination. With high capital mobility between the tax union and the rest of the world, the welfare gain from regional capital income tax coordination is only a small fraction of the gain from global coordination, even if the tax union is large relative to the world economy.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Stefan Collignon

Is Europe going far enough? Reflections on the EU's economic governance

in *Journal of European Public Policy* , Volume 11, Number 5 / October , 909-925

Europe's economic governance is not only highly complex, but also increasingly inefficient and therefore unsustainable in the long run. This conclusion is reached from the theory of collective action and the difficulties in democratic legitimacy. The solution would be the creation of a European government accountable to European citizens.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Mike Artis, Andreas Beyer

Issues in Money Demand: The Case of Europe

in *Journal of Common Market Studies*, Vol. 42, Issue 4, November , 717-736

This article establishes a co-integration analysis for the euro area (sample period: 19832000), identifying three co-integrating vectors: one which can be labelled money demand (in which real M3 money balances are related to



output, with unit elasticity, and the long rate of interest); another pertaining to the spread between the short and long rate of interest; and a third which is an output (IS) relationship in which output is related to the real rate of interest. Currency substitution terms affect the adjustment of real money balances though they do not enter the co-integration space. We use the aggregation procedure for historical Euroland data advocated by Beyer, Doornik and Hendry for application to aggregation of money, GDP and prices when exchange rates were varying. We make use of the German short- and long-term interest rates as benchmarks for own rate and opportunity cost variables.

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Subsection 7. Economic and fiscal federalism

Lucia Quaglia

Italy's policy towards European monetary integration: Bringing ideas back in?

in *Journal of European Public Policy* , Volume 11, Number 6 / December , 1096-1111

This article deals with Italy's policy towards European monetary integration over the period 1978-99 addressing the questions of whether, how and which 'ideas' influenced Italian policy-makers' choices. This theoretically informed and empirically grounded analysis argues that cognitive and normative elements, encompassing both 'economic ideas' and 'foreign policy beliefs', bring significant added value in explaining the 'Italian road' to economic and monetary union (EMU). Secondly, economic ideas alone do not explain Italian policy-makers' choices and, whenever different cognitive factors pulled in opposite directions, it was pro-European foreign policy beliefs that eventually prevailed in shaping policy. Thirdly, both foreign policy beliefs and economic ideas represent an intriguing case of the Europeanization of the Italian élites and the impact that such processes had on the trajectory of the country within the European Union.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Vergnolle de Chantal François

La fin du néo-fédéralisme ? L'Administration Bush et la La fin du néo-fédéralisme ? L'Administration Bush et la "dévolution" du pouvoir

in *Politique Etrangère*, 3/2004 (automne 2004).

Par tradition, le Parti républicain s'est toujours opposé à l'extension des pouvoirs de l'État fédéral au détriment des États fédérés. Mais les attentats du 11 septembre ont bouleversé dans ce domaine la scène politique américaine et l'Administration Bush a considérablement renforcé les pouvoirs de Washington en ce qui concerne la sécurité intérieure et la lutte contre le terrorisme, notamment avec le vote du Patriot Act et la création du Department of Homeland Security. En matière budgétaire, les quatre années de présidence Bush marquent un retour, en plus radical, au néo-fédéralisme de Ronald Reagan : pour rassurer une partie de son électorat, l'Administration a résolument réduit la base fiscale de l'État fédéral, plaçant celui-ci devant un déficit abyssal, tout en permettant aux groupes chrétiens d'étendre leur marge d'action en matière d'éducation ou de politique sociale. Parallèlement, des responsabilités nouvelles ont été transférées aux États fédérés, mais sans les capacités de financement correspondantes, ce qui a fait qu'ils ont aggravé leurs difficultés budgétaires, déjà considérables à la fin de l'année 2000.



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Giorgio Giraudi

La regolazione amministrativa nell'Unione Europea. Fattori di successo e fallimento delle reti transnazionali di regolazione

in *Rivista Italiana di Scienza Politica*, Numero 2, Agosto , 223-248

The creation of an efficient Common Market has been, and for many aspects still is, the main goal of European regulation. Until the Single European Act, European regulation was mainly implemented through judicial policies, but during the Nineties the development of regulatory reforms called the EU for moving to a new form of regulation: administrative regulation. Today, in fields of policy like monetary policy, competition policy, telecommunication policy and energy policy, the EU is called to implement European rules in a permanent, focused, sustained and homogeneous way. Transnational networks made of national independent regulatory agencies has been created in order to achieve an efficient and effective regulation. Agency theory gives theoretical support to the creation of transnational regulatory networks. Nevertheless, an empirical analysis of successes and failures proves that institutional design of the network (independence, communication and coordination) is only one out of four factors that can determine efficiency and effectiveness of European administrative regulation. The other factors are: the level of political support of the policy, the quality of European rules, and the structure of the policy field (fragmentation rather than the presence of one dominant powerful actor). Thus, in order to evaluate the probability of success or failure of transnational regulatory networks agency theory must be integrated in substantial ways.

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Subsection 7. Economic and fiscal federalism

Campbell Rebecca J.

Leviathan and Fiscal Illusion in Local Government Overlapping Jurisdictions

in *Public Choice*, Volume 120, Number 3-4 , 301-329

This paper integrates two models of local government behavior, leviathan and fiscal illusion, into the framework of overlapping jurisdictions. Estimation of the leviathan and fiscal illusion variables without accounting for vertical effects between overlapping jurisdictions results in overestimation of the horizontal effects. Using a median voter model and municipal and county data we find support for the leviathan model using traditional tests. These effects are largely offset, however, when the test is set within the context of the vertical relationship. We find that municipal per capita expenditures and county per capita expenditures are symmetrically complementary.

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Subsection 7. Economic and fiscal federalism

Besfamille Martin

Local public works and intergovernmental transfers under asymmetric information

in *Journal of Public Economics*, Volume 88, Issues 1-2 , 353-375

This paper studies local public works decisions in a hierarchical setting under bidimensional asymmetric information. A



local authority plans to undertake a public work and delegates its construction to a firm. The federal government decides whether to fund the project, without being informed of either the project's benefit or the constructor's efficiency. The local authority knows these values. To deal with this informational gap, the federal government designs a public work contract, specifying transfers to the local authority and to the firm. We show under which circumstances cost-sharing and compensations emerge as incentive devices. Then we identify which projects are effectively constructed. More works with low (high) benefits are undertaken (shut down) than under full-information.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Nikifarava Khelena

L'autonomia tributaria delle Regioni e degli enti locali: lo stato di attuazione dell'art. 119 Costituzione alla luce della giurisprudenza della Corte costituzionale

in *Istituzioni del federalismo*, n. 6 , 955-977

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Dermot Hodson

Macroeconomic co-ordination in the euro area: the scope and limits of the open method

in *Journal of European Public Policy* , Volume 11, Number 2 / April , 231-248

A co-ordinated approach to fiscal policy in the euro area is desirable from a political economy standpoint if it protects against the harmful side effects which can arise from member states' fiscal policies. At the same time, however, closer economic co-ordination between national governments is perceived by some as a threat to the independence of the European Central Bank and with it the credibility of its price stability mandate. A variant of the open method, which is known as multilateral surveillance, has been assigned the unenviable task of minimizing the costs of macroeconomic co-ordination, while at the same time delivering the benefits. Whilst the open method poses little threat to the independence of the ECB, its effectiveness is contingent, in the absence of legal obligation and the threat of financial penalties, on the impact of peer pressure and consensus- building mechanisms. This paper assesses the potential of these mechanisms and then draws lessons about the scope and limits of the open method in the light of Portugal's recent breach of the Stability and Growth Pact.

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Subsection 7. Economic and fiscal federalism

Takag Shinji i, Shintani Mototsugu, Okamoto Tetsuro

Measuring the Economic Impact of Monetary Union: The Case of Okinawa

in *Review of Economics and Statistics*, Vol. 86, Issue 4 , 858 - 867

Data from Okinawa's monetary union with the United States in 1958 and with Japan in 1972 are used to obtain a



quantitative indication of how monetary union might affect the behavior of nominal and real shocks across two economies. With monetary union, the variance of the real exchange rate between two economies declines, and their business cycle linkage becomes stronger. A VAR analysis of output and price data for Okinawa and Japan further indicates that the contribution of asymmetric nominal shocks in business cycles becomes smaller. Monetary union thus seems to facilitate both nominal and real convergence.

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Subsection 7.Economic and fiscal federalism

Vigdor Jacob L.

Other People's Taxes: Nonresident Voters And Statewide Limitation Of Local Government

in Journal of Law and Economics (The), Volume 47, Number 2 (October 2004) , 453-476

Why would voters resort to a statewide tax limitation to force change in their own local government? This paper develops and tests the hypothesis that property tax limitations succeeded because they allowed voters to lower tax rates in other communities. Statewide limitations effectively extend the voting franchise to individuals who have no standing in local elections. Voters may have preferences for tax and expenditure levels in other jurisdictions because they receive rents from employment in those jurisdictions, because they directly own taxable assets in those jurisdictions, or because changes in other jurisdictions might influence their own residential location choice. Empirical tests of this hypothesis focus on the Massachusetts experience with Proposition 2 , which passed in 1980. Voting patterns, household mobility patterns, and postproposition growth in property values all support the nonresident hypothesis

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Chris O. Ikporukpo

Petroleum, Fiscal Federalism and Environmental Justice in Nigeria

in Space and Polity, Volume 8, Number 3 / December , 321-354

This paper analyses the issue of fiscal federalism in Nigeria from an environmental justice perspective, using the case of the oil-producing Niger Delta region. Within Nigeria, this is the region most affected by oil--certainly in terms of its environmental impact. In spite of this, areas of the country that do not produce petroleum--the majority--derive increasing benefits from financial flows and development consequent on oil production and refining. This situation raises issues of environmental justice. Two conflicting schools of thought have emerged. One, championed by governments and people in the oil-producing area, with the active support of environmental NGOs, argues that considerably more financial resources from oil revenue should be allocated to the area in order to compensate for environmental risk and damage. The cliché 'resource control' is commonly associated with this school. The opposing school, made up mainly of the central government and the governments and people of the northern states, asserts that the current level of compensation is adequate. The establishment of environmental justice is impeded by several factors, chief of which is the command nature of federalism in the country.

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 7.Economic and fiscal federalism

David Mayes, Matti Virén

Pressures on the Stability and Growth Pact from asymmetry in policy

in *Journal of European Public Policy* , Volume 11, Number 5 / October , 781-797

We identify pressures on the SGP that stem from asymmetries in economic behaviour and macroeconomic policy in the euro area. The asymmetry in the way the euro economy operates with respect to inflation, growth and unemployment merits an asymmetric policy response. While Eurosystem monetary policy appears to match the concerns, the asymmetry of fiscal policy in the member states means that they tend to develop their stance in a way that is inconsistent with a long-run sustainable balance and debt ratio. This could be because they are persistently too optimistic about growth, thus generating pressure on the deficit limit which they then blame on cyclical causes. However, the main asymmetry is a failure to adjust sufficiently in the up phase of the cycle, either by cutting taxes less or controlling expenditures to offset the unwillingness to raise taxes and control expenditures in the down phase. The asymmetry in the SGP through the excessive deficit procedure helps to offset this political problem.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Daniel Gros

Profiting from the Euro? Seigniorage Gains from Euro Area Accession

in *Journal of Common Market Studies*, Vol. 42, Issue 4, November , 795-814

This article puts forward a methodology to assess the fiscal implications for the new EU members from central and eastern Europe (CEECs) of joining the euro area. An application of this methodology under a specific set of conditions shows that the rules of the ECB on the distribution of seigniorage favour poorer countries so that one would expect the new member countries to benefit from participating in the distribution of the profits of the ECB. For two countries the gains could indeed be sizeable, initially almost 1 per cent of GDP, per annum. But for others the gains are more modest. Two factors have tended to reduce the expected financial gains for the new Member States: firstly, since the introduction of the euro, cash use has fallen considerably in the euro area; and secondly, some of the new CEEC members have in general much higher cash-to-GDP ratios and therefore earn, for the time being, relatively high domestic seigniorage revenues. Illustrative calculations show that, in present value terms, the gains could reach up to 10 per cent of GDP for poorer countries that catch up only slowly to the EU average. But countries that enter with a GDP per capita above about one-half of the EU average might actually lose if initially their cash ratios are much above the euro area value.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Giarda Piero

Quale modello di federalismo fiscale nella nuova costituzione italiana?

in *Rivista italiana degli economisti*, vol. 8 fasc 1 , 21-56

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Ruggeri, Giuseppe C.

Redistribution in a Federal State

in *Rivista Internazionale di Scienze Economiche e Commerciali (International Review of Economics)*, 51 (2) ,

243-263

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Canaleta Carlos Gil , Arzoz Pedro Pascual , Garate Manuel Rapun

Regional economic disparities and decentralisation

in *Urban Studies*, Volume 41, Number 1 , 71 - 95

The study of the influence of decentralisation on economic growth has received some attention in recent years, but very few studies deal with its impact on regional inequalities. This paper analyses the impact of both fiscal and political decentralisation on regional inequalities using alternative measures for a sample of 17 OECD countries. In order to check for other possible influences, the study also includes measures of public-sector size and the type of party in government. The final section studies the relevance of fiscal decentralisation in the regional convergence process observed by several authors during the past two decades. The research reveals a strong negative correlation between decentralisation, especially fiscal decentralisation, and regional inequalities, and also a positive influence of decentralisation on regional convergence

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Figuières Charles , Hindriks Jean, Myles Gareth D

Revenue Sharing versus Expenditure Sharing in a Federal System

in *International Tax and Public Finance*, vol. 11, no 2 , 155 - 174

Problems of intergovernmental policy coordination can take many forms and are becoming increasingly important with continuing economic integration. In this paper we focus on the fiscal competition problem where the non-cooperative choice of taxes and transfers among governments typically leads to a suboptimal outcome. We look at the effect of two widely used corrective policies: revenue sharing and expenditure sharing (or intergovernmental matching grants). Our main result is that these two corrective policies have opposite effects depending on the form of competition between governments, namely whether governments compete in taxes or expenditures. More precisely, for any form of competition, revenue sharing is desirable exactly when expenditure sharing is not and vice versa. The implication is that the choice of the optimal corrective policy requires a complete understanding of the underlying non-cooperative behavior among governments. Our second main result is that neither revenue sharing or expenditure sharing can be sustained as a Nash equilibrium among governments, although all governments would benefit from one of these two corrective policies. Central intervention is therefore inevitable unless governments can pre-commit to the optimal corrective policy



before setting their fiscal policies

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Carla Borra

Riflessioni sul federalismo fiscale

in *Federalismi*, Anno II, n. 21

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Jacques Mélitz

Risk-sharing and EMU

in *Journal of Common Market Studies*, Vol. 42, Issue 4, November , 815-840

What are the prospects that risk-sharing in EMU will ever attain the levels in the US? So far as risk-sharing in the US depends on interregional transfers through the budget of the federal government, those prospects are poor. So far as the risk-sharing in the US takes place through market channels, they are much better. This article addresses the theory and evidence on the subject. The evidence would indicate that EMU still lags far behind the US as regards the pooling of risks through portfolio diversification. But there already seems to be little to distinguish the euro area from the US in the ability to borrow to smooth shocks. Thus, some extra risk-sharing should already be taking place in the euro area through this channel. But how much? Further, there is also evidence that the progress of European economic and monetary integration over the last decade has increased the symmetry of business cycles. But this evidence is difficult to interpret. It could even be a sign of remaining capital-market imperfections. With respect to the theoretical aspects, one of the issues in the article is the adequacy of the general framework that Asdrubali, Sørensen and Yosha have proposed for dealing with all of these questions.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Oldenski Lindsay

Searching for Structure in the Federal Excise Tax System: An Excise Tax Expenditure Budget

in *National Tax Journal*, 57, September , 613-37

This paper was originally presented as part of a 2004 National Tax Association Spring Symposium panel honoring Bruce Davie. It builds off of an article that Davie wrote for the National Tax Journal in 1994 in which he developed a typology for classifying excise taxes and identifying tax expenditures in the federal excise tax system. This paper continues where Davie left off, updating his model, adjusting for new trends in taxation, and producing an excise tax expenditure budget consistent with the normal structure of excise taxes as defined by Davie in 1994.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Dermot Hodson, Imelda Maher

Soft law and sanctions: economic policy co-ordination and reform of the Stability and Growth Pact
in *Journal of European Public Policy* , Volume 11, Number 5 / October , 798-813

The highly formalized Stability and Growth Pact gives ECOFIN power to impose sanctions on states that breach the Pact's budgetary targets. As the ECOFIN meeting in November 2003 showed, it has considerable but not unlimited discretion. The Commission has called for a more flexible interpretation of the Pact, the strengthening of sanctions against non-compliant member states and successfully litigated the legality of the ECOFIN decision. We argue that the predominance of soft law in EMU's fiscal framework is functionally suited to the uncertainty that surrounds economic co-ordination over the medium term. This suggests an inherent tension in the Commission's proposals: although a more flexible interpretation of the Pact gives more room for fiscal manoeuvre to states that start from healthy budgetary positions, it also makes it more difficult for ECOFIN to measure compliance. This uncertainty re-emphasizes the soft law elements of the Pact, rather than bolstering the efficacy of its sanction mechanisms.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Takahashi Takaaki

Spatial competition of governments in the investment on public facilities
in *Regional Science and Urban Economics*, Volume 34, Issue 4 , 455-488

I study competition of the governments that make a decision on the investment in their public facilities, which yield an excludable good with nonrivalry. Special attention is paid to their strategic interaction, their spatial relationship, an opportunity to exploit third party regions, and a discrete nature of some of their choices. Their decision making process is analyzed as a two-stage game in a model of a linear economy. I characterize equilibria and discuss welfare implications.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Cai Hongbin, Treisman Daniel

State corroding federalism
in *Journal of Public Economics*, Volume 88, Issues 3-4 , 819-843

Competition among local governments in a decentralized political system is often thought to discipline lazy or corrupt officials, improving public good provision and increasing welfare. Some scholars note possible distortions due to spillovers or a 'race-to-the-bottom', but suggest that central transfers or regulations can remedy these. Both arguments take for granted a framework of constitutional order in which the central government can collect taxes, allocate transfers, and enforce regulations autonomously. But what if it can't? We show that if central enforcement capacity is endogenous, interjurisdictional competition may itself erode the center's ability to channel competition in welfare-enhancing directions. Regional governments may compete for capital by shielding firms from central tax collectors, bankruptcy courts, or



regulators. The equilibrium result is weaker central law enforcement and usually lower welfare: interjurisdictional competition corrodes the state. We illustrate with three examples—from Russia, China, and the US—of cases in which such competition apparently encouraged subnational politicians to help firms evade central taxes or regulations.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Keen Michael J., Kotsogiannis Christos

Tax competition in federations and the welfare consequences of decentralization

in **Journal of Urban Economics**, Volume 56, Issue 3 , 397-407

This paper explores the impact of intensified tax competition within federal systems characterized by the presence of both horizontal tax externalities between the states and vertical tax externalities between states and federal government. It shows that although these push tax rates in opposite directions (horizontal towards state taxes that are too low, vertical towards state taxes that are too high), leaving the net outcome unclear, intensified tax competition always worsens their combined effect. That is, intensified lower-level tax competition—in the form of an increase in the number of lower-level jurisdictions—is sure to reduce welfare, but this is not because, as usually supposed, it makes excessively low state taxes even lower; rather, it is welfare-reducing either for that reason or because it makes excessively high state taxes even higher.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Cukierman Alex, Goldstein Itay, Spiegel Yossi

The Choice of Exchange-Rate Regime and Speculative Attacks

in **Journal of the European Economic Association**, Vol. 2, Issue 6 - December , 1206 - 1241

We develop a framework that makes it possible to study, for the first time, the strategic interaction between the ex ante choice of exchange-rate regime and the likelihood of ex post currency attacks. The optimal regime is determined by a policymaker who trades off the loss from nominal exchange-rate uncertainty against the cost of adopting a given regime. This cost increases, in turn, with the fraction of speculators who attack the local currency. Searching for the optimal regime within the class of exchange-rate bands, we show that the optimal regime can be either a peg (a zero-width band), a free float (an infinite-width band), or a nondegenerate band of finite width. We study the effect of several factors on the optimal regime and on the probability of currency attacks. In particular, we show that a Tobin tax induces policymakers to set less flexible regimes. In our model, this generates an increase in the probability of currency attacks.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

David Howarth

The ECB and the Stability Pact: policeman and judge?

in **Journal of European Public Policy** , Volume 11, Number 5 / October , 832-853

The European Central Bank (ECB) has taken a forceful position in demanding that Euro-zone member states (acting collectively in the Eurogroup) maintain a strict interpretation and enforcement of the Stability Pact rules. This article



challenges Artis and Winkler's (1997) use of the 'chicken game' as a model to capture the strategic interaction of the ECB with the Eurogroup with regard to the Stability Pact. It is argued that the ECB has been involved in an iterative strategic interaction with the Eurogroup, threatening to adopt 'tighter' monetary policy in order to punish fiscally wayward Eurogroup members, while for the purposes of actual monetary policy-making focusing upon its inflation target alone. The article proposes refinements in the strategic interaction to improve its analytical usefulness: the interaction involves the ECB and multiple players at once and the interaction must take into consideration the complexities of ECB monetary policy decision-making, notably the two-pillar strategy. The ECB has modified its monetary policy strategy given the potential economic and political difficulties created by the singular pursuit of Euro-zone wide monetary stability without accepting a 'lax' policy position in the iterative game.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Hellerstein Walter, McLure Charles E. Jr.

The European Commission's Report on Company Income Taxation: What the EU Can Learn from the Experience of the US States

in *International Tax and Public Finance*, vol. 11, no 2 , 199 - 220

The European Union Commission has proposed using consolidated base taxation and formulary apportionment to tax the EU-source income of multinational companies. This paper examines US state experience with a similar approach. Despite some positive lessons, especially the need to consolidate income of affiliated companies, lessons are mostly negative, especially regarding the choice of apportionment formula, the use of economic criteria to define the group whose income is to be consolidated, and complexity caused by lack of uniformity. US experience says nothing about using value added to apportion income—an approach that is conceptually attractive, but subject to transfer pricing problems.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Wildasin David E.

The Institutions of Federalism: Toward an Analytical Framework

in *National Tax Journal*, 57, June , 247-72

Mature federations have relatively transparent delineations of authority among levels of government; subnational governments enjoy considerable autonomy in their expenditure, revenue, and debt policies. In other countries, problems of soft budget constraints, bailouts, and fiscal and financial instability demonstrate the difficulties of institutional design in a federation. This paper outlines an analytical framework within which interjurisdictional spillovers may create incentives for higher-level governments to intervene in the control and financing of lower-level governments ("bailouts"). This framework helps to identify directions for theoretical and empirical research that can illuminate important features of observed institutions and guide policy analysis

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 7.Economic and fiscal federalism

Paul D. Poast

The Wall and Maastricht: exogenous shocks and the initiation of the EMU and EPU IGCs
in *Journal of European Integration*, Volume 26, Number 3 / September , 281-307

Scholars disagree about the role of exogenous shocks in initiating the European political and economic intergovernmental conferences leading to the Maastricht Treaty. Initially, scholars viewed the intergovernmental conferences (IGCs) as a response to German reunification. Over time, the literature began emphasising the role of wider financial market instability. This article reconsiders the role of exogenous shocks prior to and including the fall of the Berlin Wall. It concludes that the initiation of the Maastricht Treaty was significantly influenced by a series of shocks starting well before, but not excluding, the collapse of the Berlin Wall. These shocks provoked the parties, particularly Germany and France, to alter their preferences and align their interests.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Gilbert Guy , Rocaboy Yvon

The central government grant allocation problem in the presence of misrepresentation and cheating
in *Economics of Governance*, Volume 5, Number 2 , 137 - 147

This study deals with the central government grant allocation problem under conditions of asymmetric information. Using a simple model, we examine herein the optimal design of random audit and incentive mechanisms to encourage the grantee (the local government authority) to report truthfully on local parameters required in the granting process. The local government authority must choose between two possibilities: a menu of contracts that could be considered as a matching grant programme with random auditing vs. a lump-sum grant without any audit mechanism. We will show that addressing the optimal grant system problem is similar to comparing slopes on the graph of the indirect local government welfare function at two distinct points.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Martin Heipertz, Amy Verdun

The dog that would never bite? What we can learn from the origins of the Stability and Growth Pact
in *Journal of European Public Policy* , Volume 11, Number 5 / October , 765-780

This article analyses the creation of the Stability and Growth Pact. It examines the economic and political factors behind it, including the role of economic ideas, experts, politicians, institutional arrangements in the Maastricht Treaty, domestic politics, and the exceptional position of Germany in the realm of monetary integration. It concludes that a set of commonly held beliefs together with a corresponding power-political constellation explain the creation of the SGP. As these parameters change, they inform our understanding of the current crisis.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Christoph O. Meyer

The hard side of soft policy co-ordination in EMU: the impact of peer pressure on publicized opinion in the cases of Germany and Ireland

in *Journal of European Public Policy* , Volume 11, Number 5 / October , 814-831

The European Union's Stability and Growth Pact (SGP) and the Broad Economic Policy Guidelines (BEPG) rely heavily on 'soft' means of applying pressure on member state governments both behind closed doors and also through publicized recommendations and reprimands. But do these sanctions bite and if so, how? Do they lead to learning, blame-shifting or technocratic public discourse? These questions are not only relevant in the context of assessing the effectiveness of economic policy co-ordination, but they also help us to better understand new modes of governance. The article investigates how peer review impacts on publicized domestic discourse by drawing on the results of a media content analysis in the case of a critical recommendation addressed to Ireland in January 2001 (BEPG) and an early warning (SGP) proposed in the case of Germany one year later. Both case studies confirm that proposals for recommendations were given considerable media attention and forced governments to justify themselves. However, while the German government failed to deflect press criticism, the Irish administration could increasingly rely on media support for its defence of budgetary sovereignty. The article considers some explanations of why these debates developed differently. It concludes by arguing that naming and shaming in its present form has not fully realized its potential to induce learning and policy change.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Shoup Donald C.

The ideal source of local public revenue

in *Regional Science and Urban Economics*, Volume 34, Issue 6 , 753-784

Free or underpriced curbside parking creates a classic commons problem. Studies have found that between 8% and 74% of cars in congested traffic were cruising in search of curbside parking, and that the average time to find a curbside space ranged between 3 and 14 min. Cities can eliminate the economic incentive to cruise by charging market-clearing prices for curbside parking spaces. Market-priced curbside parking can yield between 5% and 8% of the total land rent in a city, and in some neighborhoods can yield more revenue than the property tax.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Jonakin Jon, Stephens Mark

The impact of structural adjustment on government spending and debt in Latin America

in *Defence and Peace Economics*, Volume 15, Number 2 / April , 1 - 20



In theory, the policies associated with adjustment and stabilization (AS) in Latin America were designed to contain wasteful government spending, enhance economic efficiency, and forestall recurrent debt and liquidity crises. In practice, AS succeeded in shrinking the size of government, but regional debt rose and debt servicing remained historically high. Government spending on physical infrastructure and subsidies fell sharply, while military spending in much of the region escalated. The changing magnitude and relative pattern of government expenditures corresponded with slower economic growth, higher unemployment, and continued liquidity crises.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Redoano Michela, A. Scharf Kimberly

The political economy of policy centralization: direct versus representative democracy
in **Journal of Public Economics**, Volume 88, Issues 3-4 , 799-817

This paper analyzes policy centralization outcomes in a two-jurisdiction model of public good provision choices with heterogeneous policy preferences and interjurisdictional policy spillovers under two alternative political procedures, direct referendum and representative democracy. We show that policy centralization is more likely to occur if the choice to centralize is made by elected policymakers rather than by referendum. In these situations, centralized policies converge to the preferred level of the jurisdiction that least favours centralization, rather than to a compromise between the two jurisdictions' preferred levels.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Wilson Kumanan, McCrea-Logie Jennifer, Lazar Harvey

Understanding the Impact of Intergovernmental Relations on Public Health: Lessons from Reform Initiatives in the Blood System and Health Surveillance
in **Canadian Public Policy** , Volume 30, Number 2 , 177-194

Establishing effective intergovernmental relations is a key challenge to the development of successful public health policy. The first step in establishing a literature on this subject is to create a framework for characterizing the different forms of intergovernmental relations that exist in public health. This article provides a framework for synthesizing existing relevant literature, identifying gaps in knowledge, and ultimately developing national policies more favourable to public health. We apply this model to the case of blood safety, draw comparisons with health surveillance and derive a set of proposals to optimize the impact of intergovernmental relations on public health.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Trotignon Jérôme

Une union monétaire de l'Argentine et du Brésil est-elle réalisable?
in **Economie Appliquée**, N° 4

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Kollman Robert

Welfare Effects of a Monetary Union: The Role of Trade Openness

in **Journal of the European Economic Association**, Vol. 2, Issues 2-3 - April-May , 289 - 301

This paper evaluates the welfare effects of a monetary union (MU), compared to a floating exchange rate regime, using a quantitative business cycle model of a two-country world with sticky prices. It is assumed that, under a float, there are shocks to the uncovered interest rate parity (UIP) condition. These shocks are shown to have a negative effect on welfare—the detrimental effect is stronger, the higher the degree of trade openness. A MU eliminates UIP shocks, and it may thus raise welfare. The welfare gain from MU is positively linked to openness.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Marco Buti, Lucio R. Pench

Why Do Large Countries Flout the Stability Pact? And What Can Be Done About It?

in **Journal of Common Market Studies**, Vol. 42, Issue 5, December , 1025-1032

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Siklos Pierre L.

Central Bank Behavior, the Institutional Framework, and Policy Regimes: Inflation Versus Noninflation Targeting Countries

in **Contemporary Economic Policy**, Volume 22, Number 3 , 331-343

This article estimates central bank reaction functions for 20 OECD countries. It bridges the gap between the Taylor reaction function literature and the political-economy literature. Central banks react to both inflation and the output gap. Moreover, inflation-targeting countries have been able to reduce nominal interest rate to a greater extent than have non-inflation-targeting countries. Countries with fixed exchange rates react more strongly to inflation but not at all to the output gap, unlike countries with floating rates. Political influences also seem relatively more important in fixed exchange rate countries. Central bank independence also helps reduce nominal interest rates.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

David G. Mayes

The European Central Bank in 2003

in **Journal of Common Market Studies**, Vol. 42, Issue s1, September , 73-77



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Burger John D.

**The Policy Anticipation Hypothesis: Evidence from the Federal Funds Futures Market
in Contemporary Economic Policy**, Volume 22, Number 4 , 544-554

In an era of increasingly transparent policy making by the Federal Reserve, market participants appear to interpret each economic announcement based on the implication for monetary policy. As a result, when macroeconomic news arrives economic agents revise their expectations of upcoming policy decisions and interest rates move accordingly. This article provides empirical support for this policy anticipation hypothesis utilizing the Federal funds futures market to proxy for policy expectations. The results indicate that once one controls for the role of policy anticipation the impact of many announcements on bond yields becomes statistically insignificant.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Jakob De Haan, Fabian Amtenbrink, Sandra Waller

The Transparency and Credibility of the European Central Bank

in Journal of Common Market Studies, Vol. 42, Issue 4, November , 775-794

The European Central Bank (ECB) ranks highly on our proposed central bank disclosure indicator, measuring activities of central banks to enhance the public's understanding of their policies. Nevertheless, our survey evidence suggests that private-sector economists do not consider the ECB transparent. We argue that this may be caused by the quality of the information provided by the ECB. In addition, the way intermediaries report on the ECB may influence the public's perceptions. The ECB also does not rank highly in terms of credibility; still, most ECB policy decisions were in line with financial markets' expectations.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

BUITER WILLEM H.

Two Naked Emperors? Concerns about the Stability & Growth Pact and Second Thoughts about Central Bank Independence

in Fiscal Studies, Vol. 25 Issue 3 , 249

This paper addresses two sets of issues relevant to current and prospective future E(M)U members: the consequences of the Stability & Growth Pact for fiscal-financial sustainability and macroeconomic stability, and some risks associated with operational independence of the central bank. To be effective as a lender of last resort or to stabilise demand when short nominal interest rates are close to their zero lower bound, the central bank must coordinate and cooperate with the fiscal authorities. Central bank independence is unlikely to survive if such coordination and cooperation are not forthcoming.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8.The Central Bank(s)

Pfeiffer Hermannus

Zentralbank will in die Verfassung

in *Blätter für deutsche & internationale Politik*, Juni, 2004 , 759-761

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9.Local government(s)

Sullivan Hellen, Knops Andrew, Barnes Marian, Newman Janet

Central-Local Relations in an Era of Multi-Level Governance: The Case of Public Participation Policy in England, 1997-2001

in *Local Government Studies*, Vol. 30 n. 2 , 245-265

The election of a 'New Labour' UK government in 1997 promised a new era of central-local relations facilitated by a programme of local government reform which recognised local government's 'community leadership' role. Other aspects of the agenda supported the development of multi-level governance, for example, the establishment of sub-national institutions such as the Scottish Parliament and the promotion of neighbourhoods as key sites for action. Despite these actions this paper will argue that in England the central state retains considerable influence over the key agents of local governance. Using the example of public participation policy, and drawing on the findings of a recent study in two English cities, the paper will explore how national policy aspirations were reflected locally. It concludes that while local action generally complemented national priorities, there were important points of contrast, and that localities' capacity to act in their own interests is supported by the opportunities presented in a multi-level governance environment.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9.Local government(s)

Stahre Ulf

City in Change: Globalization, Local Politics and Urban Movements in Contemporary Stockholm

in *International Journal of Urban and Regional Research*, Vol. 28 Issue 1

In this article contemporary city change in Stockholm is first described against a background of theories on global cities. Stockholm cannot be seen as a global city, but displays many typical signs of the ongoing development in global cities. In the article this is shown by examining the situation in Stockholm regarding the economic structure, especially the expanding IT-sector, social and economic polarization, local politics and the efforts to improve the infrastructure. In the change of the city social movements have been very active. Since the 1960s three different kinds of movements have existed, which are described and analysed against a background of theories on social movements. The first of these, the so-called neighbourhood movement, emerged at the end of the 1960s and had all the typical signs of the so-called 'new' social movements of that time. In the 1990s a new environmental movement acted mainly against proposed big traffic-routes. This movement reflected in its structure some important features of today's society: fragmentation, individualization and globalization. At the end of the 1990s a third movement emerged as a reaction against the new



competitive urban politics and the ongoing change of the city. Finally, the modifying impact that movements and local factors in Stockholm have had on globalization is discussed, as well as the difficulty in estimating the impact of movements on local politics.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Decker Frank

Das parlamentarische System in den Ländern - Adäquate Regierungsform oder Auslaufmodell?
in *Aus Politik und Zeitgeschichte*, Band 50-51, 2004

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Boisier, Sergio

Desarrollo territorial y descentralización. El desarrollo en el lugar y en las manos de la gente
in *EURE - Revista latinoamericana de estudios urbano regionales*, vol. 30, n. 90 , 27-40

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Cole Alistair

Devolution and decentralization in Wales and Brittany: a framework for evaluation
in *International Journal of Urban and Regional Research*, Vol. 28 Issue 2

We set out in this article to deepen our understanding of processes of comparative regional governance by investigating two historic regions (Wales and Brittany) in two neighbouring European Union states. We offer a framework for analysis that combines criteria drawn from institutions, relationships, identities, political opportunity structures, and environmental constraints and opportunities. If Welsh devolution is above all shaped by the institutional avenues opened in the Government of Wales Act of 1998, regional capacity in Brittany is built upon a dense network of relationships and tested forms of horizontal and vertical linkage. Political opportunity structures are vital for understanding comparative regional dynamics, notably the political space available for the development of a regionalist party, the interlocking of regional and social movements and the structure of incentives for regional players to engage in local, regional, national or European games. The linkage between identity, territory and institutions is primordial for comparing regions, the Wales-Brittany comparison suggesting that politicized identities do not necessarily add value to regional political institutions. Understanding regional governance also requires cognisance of the overarching environment: the importance of constitutional rules, mechanisms of financial transfer, inter-institutional linkages, the capacity of central government to intervene in devolved areas, or the Europeanization of specific policy sectors.

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 9. Local government(s)

Faguet Jean-Paul

Does decentralization increase government responsiveness to local needs? Evidence from Bolivia
in *Journal of Public Economics*, Volume 88, Issues 3-4 , 867-893

This paper examines whether decentralization increases the responsiveness of public investment to local needs using a unique database from Bolivia. Empirical tests show that investment patterns in human capital and social services changed significantly after decentralization. These changes are strongly and positively related to objective indicators of need. Nationally, these changes were driven by the smallest, poorest municipalities investing devolved funds in their highest-priority projects. The findings contradict common claims that local government is too corrupt, institutionally weak, or prone to interest-group capture to improve upon central government's allocation of public resources.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Lawton Alan, Macaulay Michael

Ethics at the Crossroads? Developments in the Ethical Framework for Local Government
in *Local Government Studies*, Vol. 30 n. 4 , 624-638

This article discusses the current state of the ethical framework for local government, which developed under the broader Modernisation Agenda of the Local Government Act 2000. It argues that the local government framework stands at a crossroads between the high road and the low road of ethics. Whereas the low road leads down the path of compliance and quantifiable performance measures, the high road is far more ambitious and leads to a culture of ethical governance. Recent developments - such as upcoming Section 66 regulations and the expansion of the role of the monitoring officer - have highlighted the choice between these two paths. This article will analyse the scope of unethical activity in local government, primarily in England, and map the regulatory terrain of the local government ethical framework. It identifies precursors to the framework and examines the way in which the Local Government Act 2000 built upon, and deviated from, the recommendations of the third report of the Committee for Standards in Public Life. Finally it discusses what has happened since the LGA 2000 Act was implemented, and assesses whether the framework is now poised to go down the high road of ethical culture or low road of compliance.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Jacobs A.J.

Federations of Municipalities: A Practical Alternative to Local Government Consolidations in Japan?
in *Governance*, Vol. 17, n. 2, April , 247-274

This article examines the merits of Wide Area Federations of Municipalities (MFs) as a public service delivery alternative to local government consolidation in Japan. It argues that MFs provide localities with a reasonable option to mergers where amalgamations are politically or geographically impractical, such as in sparsely populated, mountainous, and agricultural areas. Conversely, it maintains that MFs are less practical, efficient, and common in urbanized regions. These findings, the article concludes, suggest a new era of local government in Japan has begun. In this period, to be known as The Race for Local Power, national policies have provoked a new wave of municipal mergers.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Llera, F.

Gobernabilidad y sistema de partidos: dimensión territorial e identitaria.

in *Cuadernos de pensamiento político*, n. 3

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Siracusano Paolo

**Il significato del principio di sussidiarietà nel procedimento per l'approvazione delle grandi infrastrutture .
L'esigenza di garanzia degli interessi comunali.**

in *Giurisprudenza Costituzionale*, fasc. 2 , 1449 - 1465

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Dacks Gurston

Implementing First Nations Self-Government in Yukon: Lessons for Canada

in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 37 - Issue 03 - September 2004 , pp 671-694

Abstract: The experience of implementing self-government in the Yukon offers important insights into the future of self-government nationally. Yukon First Nations have created institutions that reflect their traditional values, that achieve creditable levels of accountability and that have limited their responsibilities to what their staff resources can handle. Yukon First Nations have assumed relatively few jurisdictional responsibilities because they reject the financial terms presented by the federal and territorial governments. This pattern is likely to weaken inherence-based governments as they appear elsewhere in Canada. This prospect raises the question of how First Nations should divide their energy and resources between pursuing inherence and strengthening the capacity of their existing institutions.

Résumé. La mise en oeuvre d'un gouvernement autonome au Yukon offre d'importants aperçus sur l'avenir de l'autonomie sur le plan national. Les autochtones du Yukon ont créé des institutions qui reflètent leurs valeurs traditionnelles, atteignent des niveaux estimables de responsabilité et ont limité leurs engagements en fonction de leurs ressources en personnel. Les autochtones du Yukon ont assumé relativement peu de responsabilités juridictionnelles parce qu'ils rejettent les conditions financières présentées par le gouvernement fédéral et le gouvernement territorial. Ce dilemme va vraisemblablement affaiblir les gouvernements inhérents qui verront le jour ailleurs au Canada. La question se pose dès lors de savoir comment les autochtones devraient diviser leur énergie et leurs ressources entre la poursuite de l'inhérence et le renforcement de la capacité de leurs institutions existantes.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Ferrara Antonio

L'incerta collocazione dell'ordinamento degli enti locali tra federalismo e municipalismo e il nodo delle "funzioni fondamentali"

in *Federalismi*, Anno II, n. 5

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Baldini Gianfranco

La devolution in Inghilterra: Londra, i Sindaci, le Regioni

in *Istituzioni del federalismo*, n. 4 , 649- 676

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

De Miras C.

La décentralisation dans tous ses états: municipalisation, services en réseaux et gouvernances urbaines ouest et nord-africaines

in *Economies et Sociétés*, Juillet (série "Développement, croissance et progrès" N° 42)

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Hiscock-Lageot, Céline

La fin d'une anomalie ou la reconnaissance d'une autonomie de gestion pour Londres

in *Revue administrative (la)*, n. 341 Septembre , 359-367

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Oraison, A.

La montée en puissance de la Polynésie Française sur la scène internationale dans le cadre de son nouveau statut d'autonomie renforcée



in *Journal du droit international*, n. 4 , 1123 - 1163

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Pratchett Lawrence

Local Autonomy, Local Democracy and the 'New Localism'

in *Political Studies*, Volume 52, Issue 2, June

Most studies of local autonomy and local democracy fail to distinguish adequately between the two terms. As a consequence, there is an assumed bilateral relationship between them in which changes in one are always deemed to affect the other particularly in policy formulations. This article develops a stronger analytical distinction between them by considering local autonomy in three separate ways: as freedom from central interference; as freedom to effect particular outcomes; and as the reflection of local identity. Each of these conceptualisations raises different challenges for local democracy and its relationship to broader forms of democratic practice. When used to analyse the recent emergence of the 'new localism' as a policy approach within Britain, this separation also shows significant limitations in current policies towards democratic renewal and central policies that are supposedly focused on outcomes rather than processes. Although localities are being afforded some autonomy, most initiatives are not supporting the enhancement of local democracy.

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Subsection 9. Local government(s)

Posner, Paul W.

Local Democracy and the Transformation of Popular Participation in Chile

in *Latin American Politics & Society*, Vol. 46, Nr. 3

Structural reforms, institutional arrangements, and the dominant mode of political party-base linkage all militate against effective popular participation in Chilean local democracy. Structural reforms have constrained local leaders' resources as well as their policymaking prerogatives; institutional arrangements limit public officials' accountability to their constituents and citizens' opportunities for input in decisionmaking. The parties of the center-left Concertación have reinforced this vicious cycle by pursuing a mode of linkage with civil society designed to promote their electoral success with only minimal organization and participation by their grassroots constituents. Such conditions fit well with the desire of elites of the Concertación and the right to depoliticize civil society in order to preserve macroeconomic and political stability. Yet they leave in doubt the efficacy of popular participation and the strength of local democracy in Chile.

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Subsection 9. Local government(s)

Bulliard Pascal



Local Government in Switzerland

in *Federalismi*, Anno II, n. 20

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Goldsmith Mike, Larsen Helge

Local Political Leadership: Nordic Style

in *International Journal of Urban and Regional Research*, Vol. 28 Issue 1

In a context where changes brought about by globalization and Europeanization, and where local governments increasingly operate in a governance mode, different countries place increasing stress on the importance of strong local leadership. This article reviews local political leadership in Denmark, Finland, Norway and Sweden. Outside of a few major (mainly capital) cities, local government in the Nordic area remains small scale and frequently rural, is strongly partisan, yet relies on a strong tradition of consensual, corporatist style of decision-making. Furthermore, this social democratic consensus places a stress on the continued production and delivery of high quality welfare state services. This domestic environment produces a style of local leadership which is essentially collective in nature and in which the strong mayor concept is alien. The article reviews the experience of local political leadership in the four Nordic countries and concludes that, though there is some small country variation and without many examples of strong mayors, local political leaders play an important role, especially in managing and maintaining the consensual style of politics.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Zhu Jieming

Local developmental state and order in China's urban development during transition

in *International Journal of Urban and Regional Research*, Vol. 28 Issue 2

Rules and order in urban construction, and thus the relationship between the market and the state, are a fundamental issue for urban development. In China, a transition economy, marketization has been actively promoted under the economic reforms to replace central-planning and has contributed significantly to the subsequent dynamic urban growth. However, the role of the state in defining an institutional framework for the market is lagging behind. Fiscal deficiency in conjunction with a pro-growth position undermines the capacity of the local developmental state to exercise effective developmental controls. Without effective state enforcement of rules, market order does not emerge when uncertainty pervades the marketplace. The phenomenon of urban villages and the case of Luohu's redevelopment clearly show that the absence of the state both in constructing the market and as a third-party gives rise to the logic of the commons or quasi-commons in the land development market. Inferior and suboptimal developments ensue.

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Subsection 9. Local government(s)

Zhang Xiaobo, Fan Shenggen, Zhang Linxiu, Huang Jikun

Local governance and public goods provision in rural China



in *Journal of Public Economics*, Volume 88, Issues 12 , 2857-2871

In developing countries, identifying the most effective community-level governance mode is a key issue in rural development; therefore, empirical evaluation of these different modes is desperately needed. Since the 1980s, tens of thousands of villages in rural China have held local government elections, providing a good opportunity to investigate the effect of democratization on the level of public goods provision. Using a recent village survey conducted over a significant period of time, this article compares two different governance modes. It finds that elections affect little on the size of revenue but significantly shift the distribution of taxation from individuals to enterprises if possible. However, privatization has made taxation or levies on rural enterprises more difficult. It also shows that elections and power sharing are conducive to improve the allocation of public expenditures.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Fuller Crispian, Bennett Robert J., Ramsden Mark

Local government and the changing institutional landscape of economic development in England and Wales

in *Environment and Planning C: Government and Policy*, Volume 22, Issue 3, June , pp. 317-347

This paper assesses the response by local authorities to the new institutional structure introduced in England and Wales since 1997: of Regional Development Agencies (RDAs), the Welsh Assembly and Welsh Development Agency (WDA), subregional partnerships, the Learning and Skills Council (LSC), Education and Learning Wales (ELWa), and local government new well-being and Best Value initiatives. The paper demonstrates, using new survey evidence, that RDAs are beginning to promote a regional framework for local organizations, but the strategic impact is limited to county, unitary, and metropolitan areas, which are focused heavily on programme delivery. More generally, regional strategy inputs have added yet another dimension to local government partnerships. RDAs are not yet, therefore, the strategic bodies for all areas that was originally planned. Regional Chambers and the Welsh Assembly have weak influence on local government and are not yet effective monitoring bodies on the RDAs/WDA. Subregional partnerships offer potential for regional-local government strategy, but are chiefly involved in programme design (especially for regeneration) and their future importance appears limited. The transfer from TECs to the LSC/ELWa has had much less impact than expected: local government was already leader and financier of most of the projects in which TECs were involved. However, a reduction in level of activity, effectiveness, and resources has occurred for most projects in England, though to a lesser extent in Wales. Overall, the paper demonstrates that as yet changes in institutions have produced little real changes in how economic development occurs or how local government operates. The complexity and fragmentation of economic development institutions by government, on balance, appear to have increased rather than diminished.

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Subsection 9. Local government(s)

Michael Libonati

Local government in the USA

in *Federalismi*, Anno II, n. 10

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Steinacker Annette

Metropolitan governance: voter support and State legislative prospects

in *Publius: The Journal of Federalism*, Vol. 34, n. 2, Spring , 69-94

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Rossi Ugo

New Regionalism contested: some remarks in light of the case of the Mezzogiorno of Italy

in *International Journal of Urban and Regional Research*, Vol. 28 Issue 4

This article attempts to re-consider the debate that has recently developed around the so-called New Regionalism with reference to the studies regarding the emergence of a 'new' competitive Mezzogiorno of Italy. The first two sections of the article are devoted to a critical analysis of the literature on the New Mezzogiorno. It is argued that this literature has, on the one hand, fruitfully called attention to the emerging experiences of regional development in the South of Italy; yet, on the other hand, in throwing positive light on local economic development in the South of Italy, it has underestimated the more troublesome phenomena that these experiences reveal, especially from the point of view of capital-labour relations. The third section of the article is devoted to showing how the limits and contradictions of the new regionalist approach to local development are reflected in the new course of regional policy that has been embraced in Italy in recent years. Finally, in the concluding section, the article argues for a shift towards a critical approach to research on the Italian southern regions and local productive systems

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Subsection 9. Local government(s)

Knight Brian

Parochial interests and the centralized provision of local public goods: evidence from congressional voting on transportation projects

in *Journal of Public Economics*, Volume 88, Issues 3-4 , 845-866

Local public goods financed from a national tax base provide concentrated benefits to recipient jurisdictions but disperse costs, creating incentives for legislators to increase own-district spending but to restrain aggregate spending due to the associated tax costs. While these common pool incentives underpin a variety of theoretical analyses, which tend to predict inefficiencies in the allocation of public goods, there is little direct evidence that individual legislators respond to such incentives. To test for reactions to such incentives, this paper analyzes 1998 Congressional votes over transportation project funding. The empirical results provide evidence that legislators respond to common pool incentives: the probability of supporting the projects is increasing in own-district spending and decreasing in the tax burden associated with aggregate spending. Having found that legislators do respond to such incentives, I use the parameter estimates to calculate the efficient level of public goods, which suggest over-spending in aggregate,



especially in politically powerful districts, and large associated deadweight loss.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Navarro Yáñez Clemente J.

Participatory democracy and political opportunism: municipal experience in Italy and Spain (1960-93)

in *International Journal of Urban and Regional Research*, Vol. 28 Issue 4 , 819

The relationship between local scale and participatory democracy is one of the main issues of normative theory of democracy. This article tries to show that the development of this model of democracy also depends on institutional factors. In his political opportunism hypothesis the author proposes that local governments have to develop adaptive strategies to make electoral victory compatible with offers of opportunities of participation: on the one hand, because the parties have to make government or opposition action compatible between local and central political levels; on the other, because the supply of participation presupposes the redistribution of power among local interest groups and the possibility of imposing limits over local government actions. To test this hypothesis, the author analyses data on citizen participation among Italian and Spanish local governments by qualitative comparative analysis (QCA). In conclusion, the author argues that political opportunism could limit local democratization and new urban governance initiatives.

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Subsection 9. Local government(s)

Hardy Jane

Rebuilding Local Governance in Post-Communist Economies. The Case of Wrockaw, Poland

in *European Urban and Regional Studies*, Volume 11, No. 4 , 303-320

At the beginning of the transformation process in Poland in 1990, local and regional governance structures were practically non-existent. The 'voivodship' was the regional administrative centre, which simply acted as a conduit for the policies of various government departments in Warsaw. The article reviews dominant perspectives on the transformation of regions in post-communist economies. While the evolutionary approach is a good critique of neoliberal approaches, it is argued that it assumes a consensus and congruity of local interests and underplays the role of exogenous influences in shaping emerging governance structures at both the local and national level. The framework adopted in the article is institutionalist, drawing on the importance of informal institutions in shaping local and national economies. Further, power and differentiated interests are seen as central to understanding emerging structures. Finally, the role of exogenous influences such as aid and investment are highlighted in understanding how the regions of Central and Eastern Europe (CEE) are fitting into the emerging international division of labour. The empirical focus of the article is the Wroc aw local economy, with particular reference to changes in the municipality. Transformation is explored in relation to three agents of change. First, the 'nomenklatura' who have converted their social capital of the past into economic capital during the process of transformation. Second, the role of workers is seen as important in either contesting or cooperating with the restructuring process. Finally, the role of imported intellectual capital through foreign investment, consultants and aid is viewed as central to instituting a new set of informal institutions compatible with the market.

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Subsection 9. Local government(s)

Gualini Enrico

Regionalization as 'experimental regionalism': the rescaling of territorial policy-making in Germany
in *International Journal of Urban and Regional Research*, Vol. 28 Issue 2

The federal system of intergovernmental relationships in Germany was greatly affected in the 1990s by the increased importance of transnational rationales and by strong orientations to competitiveness in domestic political discourse. New territorial imperatives have given rise to a variety of innovative institutional approaches to policy-making, the main focus of which is the need to jointly identify new political arenas and new territorial domains for development policies. The result has been a plurality of highly differentiated experimental approaches to regionalization, challenging nested systems of territorial jurisdictions and consolidated policy styles. German initiatives in 'experimental regionalism' are addressed in a perspective that highlights their dimension of institutional coevolution in the framework of emerging multi-level governance practices at a European level: they are hence not only seen as responses to exogenous factors, but also as outcomes of endogenous factors of innovation and change, related to the need for new forms of political regulation in dealing with intergovernmental policy-making deadlocks and new 'local' claims for representation and mobilization. Building on interpretations of regional governance based on a regulationist- and state-theoretical perspective, elaborated in economic and political geography, recent German approaches to 'experimental regionalism' are interpreted as new modes of policy-making that redefine the state's role in political-economic regulation through a dual process involving a reframing of state-local relationships and a rescaling of territorial policy arenas.

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Subsection 9. Local government(s)

Conlan Timothy J., Dudley Robert L., Clark Joel F.

Taking on the world: the international activities of American State legislatures
in *Publius: The Journal of Federalism*, Vol. 34, n. 3, Summer , 183-200

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Governa Francesca, Salone Carlo

Territories in action, territories for action: the territorial dimension of Italian local development policies
in *International Journal of Urban and Regional Research*, Vol. 28 Issue 4 , 796

Current changes in territorial organization are interpreted by focusing on two main aspects that are different yet closely interrelated. The first aspect concerns relationships between unfolding processes of territorial redefinition and changes imposed by globalization processes and by European integration, and by the loss of centrality and of part of the power of nation-state government. The second aspect concerns the change in forms and procedures of collective action in urban and territorial policies, recognizing, in particular, the consolidation including in practices of forms of partnership, inter-institutional cooperation, strategic planning and governance. Within this general context, this article aims to present and discuss changes, both ongoing and recent, by (1) presenting the changes that are emerging in the framework of Italian urban and territorial policies; and (2) discussing critically, with reference to the Italian case, the relationship between change in the idea of local territories and change in urban and territorial policies. Our aim is to verify whether,



within what limits and from what point of view, the innovations introduced in the Italian context may be interpreted as changes that are moving towards more place-focused forms of urban and territorial governance

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Wolff Stefan

The Institutional Structure of Regional Consociations in Brussels, Northern Ireland, and South Tyrol in Nationalism and Ethnic Politics, Volume 10, Number 3, Autumn 2004 , 387-414

After some initial observations on the origins of regional consociations and a brief background to the conflicts in Brussels, Northern Ireland and South Tyrol, this article compares and contrasts the institutions of three regional consociations with respect to the types of institutional structures; the ways in which horizontal and vertical forms of power-sharing are combined, the distribution of powers among, and the coordination of policies between different vertical and horizontal layers of authority, and the mechanisms to guarantee the preservation of the agreed structures. On this basis, it establishes the common features of regional consociations and how far these are different from sovereign consociations. The article concludes with pointing out the potential and limitations of regional consociationalism as an approach to resolving ethnic conflicts.

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Subsection 9. Local government(s)

Johnson Nigel

The Principle of Subsidiarity and Sub-national Government in the UK: Devolution to the English Regions in European Union Review, Vol. 10 n. 2-3

Cet article examine l'état actuel de la discussion sur le gouvernement régional au Royaume Uni qui est l'un des rares pays dans l'EU sans aucune forme de gouvernement régional. Suite au succès de la dévolution qui a été accordée à l'Ecosse, au Pays de Galles, à l'Irlande du Nord et à Londres, le gouvernement travailliste « New Labour » a maintenant donné son accord au principe de dévolution asymétrique aux régions anglaises. Le gouvernement propose une approche en vagues successives qui permettrait aux régions où il y a une « demande » active en matière de dévolution d'avoir le droit de voter dans un référendum. Une mesure de décentralisation administrative sera accordée aux régions qui ne veulent pas de gouvernement régional. Le gouvernement a adopté un projet de loi sur les assemblées régionales (2004) qui définit les pouvoirs légaux et les fonctions des assemblées régionales élues. Parmi les divers modèles possibles le gouvernement a choisi un modèle d'assemblées régionales dotées de pouvoirs principalement stratégiques disposant de budgets modestes et ayant de l'influence sur de développement économique, aménagement du territoire et dans une certaine mesure sur la culture et le sport. Pour éviter un conflit avec le gouvernement local on va réduire le pouvoir central. Au mois de novembre 2004 il doit y avoir un référendum dans la région du Nord-Est de l'Angleterre et, si tel est le souhait des électeurs, la première assemblée régionale élue pourrait voir le jour après mai 2005 dans cette région.

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Subsection 9. Local government(s)

Brink Anna

The break-up of municipalities: Voting behavior in local referenda
in **Economics of Governance**, Volume 5, Number 2 , 119 - 135

This paper examines the economic and political conditions that influence peoples attitudes regarding a municipality break-up. The theoretical model predicts intra-municipal differences in tax bases, political preferences, and population size to affect the expected gain from secession. The predictions of the model are tested using data on local referenda about municipality partitioning in Sweden. The data support one of the three effects; voters in municipality parts that are wealthy compared to other parts of the same municipality are more positive to secession.

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Subsection 9. Local government(s)

Wollmann Hellmut

Urban Leadership in German Local Politics: The Rise, Role and Performance of the Directly Elected (Chief Executive) Mayor
in **International Journal of Urban and Regional Research**, Vol. 28 Issue 1

In the post-1945 rebuilding of local democracy and local government in West Germany the local government statutes enacted by each of the regions (Länder) created a conspicuous variety of local governments that ranged from the council/directly elected (chief executive) mayor form (installed in the South German Länder of Baden-Württemberg and Bayern) to that of the (British local government-derived) council/council-elected mayor, and the city director form (introduced in the Land of Nordrhein-Westfalen). This made almost for a natural experiment with different local government models. Since the early 1990s, in a striking sequence of legislative moves, all Länder have adopted the ('South German') directly elected (chief executive) variant. The legislative motives behind this shift were twofold: first, to strengthen the direct democratic rights of citizens ('local democracy'); and, second, to improve the capacity of local leadership in running and managing the city ('governability'). The article argues that — as evidenced by the 50 year-long practice in the South German Länder — the directly elected (chief executive) mayor form seems capable of fulfilling the double goal of strengthening the administrative leadership in local government and of enhancing its political accountability to the citizens. Furthermore, experience indicates that the potentially 'over-powerful' position of the directly elected mayor (as political and administrative leader) has been counterbalanced and held in check by an active local council and by vigorous local political parties.

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Subsection 9. Local government(s)

Laurila Hannu

Urban governance, competition and welfare
in **Urban Studies**, Volume 41, Number 3 , 683 - 696

The market mechanism of spatial resource allocation is examined in a system of cities, where social welfare depends on city size. The competitive dynamics of the system is a product of the interplay between people's individual exit-type choices (migration) and their collective voice-type choices (urban governance). It is shown that the use of efficiency-enhancing measures of urban governance depends on the pressure of exit. A necessary condition for



dynamic efficiency is that the market equilibrium of migration is non-stable, which sounds somewhat paradoxical. Dynamic efficiency is more likely to emerge between initially small cities, in which agglomeration economies dominate, than between initially large cities, in which agglomeration diseconomies dominate. The incentives for proper urban governance are somewhat ambiguous in the most relevant case, where cities are of asymmetrical size. It is therefore important to strengthen the incentives by means of national urban policy.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Adrian Reilly

'Governance': Agreement and divergence in responses to the EU white paper

in *Regional and Federal Studies*, Volume 14, Number 1 / Spring , 136-156

Debates on governance have been under way simultaneously in the European Union and, in the context of devolution, the UK. Twice as many responses were made by UK actors to the EU debate as from any other member state. Whilst there are many similarities between basic understandings of governance shown between the European Commission and UK actors there are conspicuous inconsistencies between these and responses from other member states. This article addresses the question of how different national conceptions of governance are helping to shape the debate in the EU.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Steinman Erich

American federalism and intergovernmental innovation in State-tribal relations

in *Publius: The Journal of Federalism*, Vol. 34, n. 2, Spring , 95-114

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Hopkins, W. John

An England of Regions? The UK Government's Proposals for English Regional Devolution

in *European public Law*, Vol. 10 Issue 2 - Jun2004 , 245-261

Outlines proposals for regional devolution of government in Great Britain. Institution of a program of constitutional reform in the political wilderness; Details on the process of regional reform; Variation of proposals for regional assemblies.

Section A) The theory and practise of the federal states and multi-level systems of government

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Robert Agranoff



Autonomy, devolution and intergovernmental relations

in *Regional and Federal Studies*, Volume 14, Number 1 / Spring , 26-65

The concept of autonomy as self-rule is delineated by examination of intergovernmental relations within eight devolutionary situations: Belgium, Crimea (Ukraine), Ethiopia, Greenland (Denmark), Mexico, Scotland (United Kingdom), South Africa and Spain. After autonomy and devolution are profiled, the autonomy situations are comparatively examined through their intergovernmental institutional structures, fiscal arrangements and political channels. These three processes are at the core of post-devolution autonomy situations, and their sufficiency within a polity contributes to meaningful self-rule. While in most of the eight autonomy situations effective institutional and political channels exist, the fiscal ties are weaker and non-existent in some cases, leading to fiscal dependence. In those situations where one-party rule prevails, institutional and political autonomy is also weaker, attenuating autonomy through devolution.

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Lius Riffo

Cambio estructural y desarrollo regional en Espana

in *EURE - Revista latinoamericana de estudios urbano regionales*, vol.29 n.89 , Pag.113-114

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Brancati Dawn

Can Federalism Stabilize Iraq?

in *Washington Quarterly (The)*, Vol. 28, Issue 2 - Spring 2005 , pp. 7-21

The United States devoted nine months to planning the war in Iraq and a mere 28 days to planning the peace, according to senior U.S. military officials. Much more time has to be invested in the peace, however, if the military achievements of the war are to be preserved and a stable democracy is to be created in Iraq. Establishing a governmental system that can accommodate Iraq's different ethnic and religious groups, previously kept in check by the political and military repression of the Saddam Hussein regime, is paramount to securing that peace. In the absence of a system uniquely designed toward this end, violent conflicts and demands for independence are likely to engulf the country. If not planned precisely to meet the specific ethnic and religious divisions at play, any democratic government to emerge in Iraq is bound to prove less capable of maintaining order than the brutal dictatorship that preceded it.

By dividing power between two levels of government—giving groups greater control over their own political, social, and economic affairs while making them feel less exploited as well as more secure—federalism offers the only viable possibility for preventing ethnic conflict and secessionism as well as establishing a stable democracy in Iraq. Yet, not just any kind of federal system can accomplish this. Rather, a federal system granting regional governments extensive political and financial powers with borders drawn along ethnic and religious lines that utilize institutionalized



measures to prevent identity-based and regional parties from dominating the government is required.

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Sarah Ayres and Graham Pearce

Central government responses to governance change in the English regions

in *Regional and Federal Studies*, Volume 14, Number 2 / Summer , 255-280

The consequence of recent devolution is that territories in the UK are now governed in different ways. Elected government has yet to be extended to the English regions but they, too, have experienced institutional change in the form of administrative decentralization. Regional governance should provide the opportunity for increased co-ordination of regional strategies but it is frustrated by lack of policy co-ordination within central government. Drawing upon recent interviews with Whitehall civil servants the article examines how government is responding to this challenge. It suggests that responses among central government departments to 'regional working' are far more diverse than had previously been realized and that there are considerable obstacles to more 'joined up' approaches to policies with a regional dimension. We conclude that while the government has made some progress in responding to the need to build a territorial dimension into its activities, the prospect of regional government will give rise to pressures for new government machinery to manage intergovernmental relations.

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Paola Mattei

Changing pattern of centre-periphery relations in Italy: Sidney Tarrow revisited

in *Regional and Federal Studies*, Volume 14, Number 4 / Winter , 538-553

The purpose of this article is to determine how the intergovernmental pattern of integration between subnational levels of government in Italy has evolved in the 1990s and departed from the conclusions of Sidney Tarrow in the 1970s, which emphasized political entrepreneurialism and clientelism in centre-periphery relations in Italy. The decentralization of administrative responsibilities to regional governments for health care services has increased the demand for formalization of integration mechanisms between regions and communes. The traditionally central role of the latter in health care policy has been challenged by the organizational reconfiguration of traditional bases of political control, such as local health authorities. Sidney Tarrow's assumptions need to be revisited in light of the 1990s consolidation of regional welfare bureaucracies. This article argues that intergovernmental relations between regions and communes are increasingly shaped by the formalization of administrative arrangements, aimed at efficient planning and policy coherence.

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Said Adejumobi

Civil society and federalism in Nigeria

in *Regional and Federal Studies*, Volume 14, Number 2 / Summer , 211-231

In the last two decades, Nigeria's federal system has come under enormous stress and pressure, with the Nigerian state sliding into apparent crises, anarchy and disorder. A xenophobic consciousness and sense of group insecurity have fuelled an unprecedented level of communal, ethno-regional and religious conflicts in the country. Thus agitation for the restructuring or redesign of the Nigerian federal system has become heightened, with the civil society being a key agency of the discourse. The article examines the intervention of the civil society in the federal discourse in Nigeria. It argues that there is no consensual view by civil society organisations on the modalities and details of federal restructuring in Nigeria. Spatial location, interests and orientation of the different civil society organizations are some of the factors that shape their differing positions on the future of Nigerian federalism. Positions articulated range from a loose federal arrangement to a confederacy, balanced federal system and centrist federal arrangement. However, the convergent, but notable point for many of these groups is the inviolability of the Nigerian state and the need to maintain the corporate existence of the country in spite of the trails and travails of Nigeria's federalism.

Section A) The theory and practise of the federal states and multi-level systems of government

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Rodden Jonathan

Comparative Federalism and Decentralization: On Meaning and Measurement

in *Comparative Politics*, Vol. 36 n. 3

A first generation of studies of the causes and consequences of decentralization and federalism viewed decentralization as a simple zero-sum transfer of authority from the center to subnational governments, drew upon the assumptions of welfare economics and public choice theory, and employed blunt measures of expenditure decentralization and federalism. More detailed pictures of decentralization and federalism that help explain the growing disjuncture between theory and cross-national evidence can be obtained by defining several alternative forms of federalism and fiscal, policy, and political decentralization, then measuring them and exploring interrelationships across countries and time. This approach points the way toward a second generation of more nuanced empirical research that takes politics and institutions seriously.

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Jackson Vicki C.

Comparative constitutional federalism and trasnational judicial discourse

in *International Journal of Constitutional Law*, Vol. 2 n. 1 , 91 - 138

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 10. Processes of federalization and decentralization

James Hughes, Gwendolyn Sasse, Claire Gordon

Conditionality and Compliance in the EU's Eastward Enlargement: Regional Policy and the Reform of Sub-national Government

in *Journal of Common Market Studies*, Vol. 42, Issue 3, September , 523-552

Studies of EU conditionality assume one basic premise: that it exists and works because there is a power asymmetry which enables the Commission to impose the adoption of the *acquis* on the CEECs as a precondition of their entry to the Union. Thus this literature posits that there are clear causal relationships in the use of conditionality to ensure policy or institutional outcomes. Existing studies of enlargement conditionality analyse its correlation with macro-level democratization and marketization. This article, however, takes a policy-tracking approach to analyse how conditionality was actually put into operation in policy-making and institution-building in the fields of regional policy and regionalization in the CEECs. The research draws on interviews conducted with officials in the Commission and in CEEC delegations in Brussels to illustrate the views of key actors, and to examine the interactions between the Commission and the candidate countries. By studying the policy process, the article demonstrates the fluid nature of conditionality, the inconsistencies in its application by the Commission over time, and the weakness of a clear-cut causal relationship between conditionality and outcome in this policy area. By charting the changes in the Commission's approach over time, and illustrating the diverse responses of the CEECs, this study confirms the need for a more nuanced approach to the concept of EU conditionality, and argues for a logic of differentiation in the study of its impact on the CEECs.

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Hernandez Antonio M.

Consideration of subnational constitutions in Argentina

in *Federalismi*, Anno II, n. 11

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Lijphart Arend

Constitutional Design for Divided Societies

in *Journal of Democracy*, Volume 15, Number 2, April , pp. 96-109

Scholarly experts can be more helpful to democratic constitution-writers in ethnically divided countries by formulating specific recommendations than by overwhelming them with a barrage of options. Especially the following deserve the highest priority and should be the points of departure in constitutional negotiations: elections by proportional representation (specifically, closed-list proportional representation in not overly large districts), a parliamentary form of government, a cabinet in which power-sharing is prescribed in ethnic or partisan terms, a constructive vote of no confidence, a head of state elected by parliament or whose office is combined with the prime minister's, federalism and decentralization, a federal chamber that is less powerful than the lower house and in which the smaller states are only slightly over-represented, publicly funded autonomous schools for religious groups, and little or no use of the



referendum.

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Zhurzhenko Tatiana

Cross-border cooperation and transformation of regional identities in the Ukrainian-Russian borderlands: towards a Euroregion "Slobozhanshchyna"? - Part 2

in **Nationalities Papers**, Volume 32, Number 2, June 2004

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Zhurzhenko Tatiana

Cross-border cooperation and transformation of regional identities in the Ukrainian-Russian borderlands: towards a Euroregion "Slobozhanshchyna"? Part 1

in **Nationalities Papers**, Volume 32, Number 1, March 2004 , 207 - 232

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Dario Restrepo

De la descentralizacion a la regionalizacion. Nuevo escenario de la guerra y oportunidad para la paz

in **EURE - Revista latinoamericana de estudios urbano regionales**, vol.29 n.89 , Pag. 81-96

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Ryan, Jeffrey J.

Decentralization and Democratic Instability: The Case of Costa Rica

in **Public Administration Review**, February - Volume 64 Issue 1 , 81-91

This article examines the consequences of the decentralization process that is under way in Costa Rica and which may undermine, rather than bolster, democracy in that country. I first outline three key contextual variables relating to the reform process: existing sociopolitical realities (constructing local legitimacy), the dynamics of the reform process (bottom-up versus top-down), and the timing or sequencing of the proposed reforms (what is being decentralized and when). Though I focus here on Costa Rica, these three variables are generally applicable in any case of decentralization. After considering these contextual factors, I evaluate the likelihood of four negative side effects arising from the ongoing decentralization process: party-system fragmentation, reinforced or mutated clientelism, intermunicipal



conflict and polarization, and local government instability. Early evidence suggests that some of these effects, particularly party-system fragmentation and municipal instability, have begun to manifest themselves.

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La Plant James T., Baun Michel, Lach Jiri, Marek Dan

Decentralization in the Czech Republic: the European Union, political parties and the creation of regional assemblies

in *Publius: The Journal of Federalism*, Vol. 34, n. 1, Winter , 35-52

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Dragan Đukanović

Decentralization of Kosovo

in *Review of International Affairs (The)* , Vol. LV, n. 1115, July–September

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Lockwood Ben

Decentralization via Federal and Unitary Referenda

in *Journal of Public Economic Theory*, Vol. 6 Issue 1

This paper studies a model where the power to set policy (a choice of project) may be assigned to central or regional government via either a federal or unitary referendum. The benefit of central provision is an economy of scale, while the cost is political inefficiency. The relationship between federal and unitary referenda is characterized in the asymptotic case as the number of regions becomes large, under the assumption that the median project benefit in any region is a random draw from a fixed distribution, G . Under some symmetry assumptions, the relationship depends only on the shape of G , not on how willingness to pay is distributed within regions. The relationship to Cremer and Palfrey's "principle of aggregation" is established. Asymptotic results on the efficiency of the two referenda are also proved.

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Anna Mastromarino

Decentrare "alla francese": la legge di riforma costituzionale n. 2003 – 276

in *Politica del diritto*, n. 2 , 347 - 364



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Lee Tahirih V.

Democracy and Federalism in Greater China

in Orbis: a Journal of World Affairs, issue 2, vol. 48, spring , 275-283

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

ARACHI GIAMPAOLO, ZANARDI ALBERTO

Designing Intergovernmental Fiscal Relations: Some Insights from the Recent Italian Reform

in Fiscal Studies, Vol. 25 Issue 3 , 325

During the last decade, the Italian system of intergovernmental fiscal relations has been involved in a radical process of reform that is still under way. The reform has assigned Regions new taxing powers and has introduced a new system of interregional transfers. This paper provides a review of the recent reform and offers some tentative answers to the issues still open, relying on a series of simulations and projections. A number of conclusions have been reached. First, when the long-run performance of the new financing systems is investigated, regional resources may no longer be adequate to meet future health needs. Second, the incentives for active tax policies seem either to prove too weak or even to cause undesirable results. Finally, the complete devolution to the Regions of some significant public expenditure functions risks strengthening the polarisation of financial flows between the Northern and Southern Regions in the long run.

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Eaton Kent

Designing Subnational Institutions. Regional and Municipal Reforms in Postauthoritarian Chile

in Comparative Political Studies , Vol. 37 n. 2 , 218-244

This article conceptualizes decentralization as a change in the institutional rules that divide political authority and governing capacity between levels of government. By emphasizing the institutional dimension, the author argues that different approaches to the study of institutions, namely, rational and historical institutionalism, can generate analytical leverage on the contemporary trend of decentralization. In the Chilean case, rationalist perspectives illuminate the country's continued status as one of Latin America's most centralized polities. Comparatively weak subnational institutions directly reflect the strategic design considerations of national politicians. However, concepts central to historical institutionalism, including critical junctures and unanticipated consequences, explain how and why decentralization gained steam in the postauthoritarian period. Specifically, Chile's shift to more decentralized institutions is the legacy of Pinochet-era reforms of subnational government, sequencing patterns that devolved governing capacity before political authority, and the emergence of new organizational actors who have struggled to decentralize Chile



against the opposition of powerful national politicians.

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Lundell Krister

Determinants of Candidate Selection. The Degree of Centralization in Comparative Perspective in Party Politics, Volume 10, Issue 1, January , pp. 25-47

The purpose of this article is to examine whether party characteristics and contextual variables explain varying degrees of centralization of intra-partisan candidate selection methods. By means of statistical analyses and a larger dataset than in earlier studies, possible associations are studied. In order to carry out the study, an index of the degree of centralization is constructed. Of the party characteristics, only party size affects the dependent variable: large parties tend to apply more centralized selection methods than small parties. None of the institutional variables determines the degree of centralization of candidate selection. For instance, earlier assertions about the importance of the electoral system and territorial organization are falsified. However, some distinct regional patterns emerge: Southern European parties apply centralized selection methods, whereas candidate selection in Nordic countries is decentralized.

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Cartei, Gian Franco

Devolution and the Constitution: the Italian Perspective. in European public Law, Vol. 10 Issue 1 - Mar2004 , 33-32

Presents an Italian Perspective on devolution and the constitution. Effect of reforms in organization of health services, schools, management of scholastic and training institutes and local police; Aim of the reform proposal to allocate all decisions concerning the public service to the complete discretion of the regions; Assumption that the attribution of exclusive legislative competence to the Regions cannot be taken to mean a constriction of the functions of the municipalities; Expectation of a shift of the state monopoly to the level of relations between the power of public authority and the citizens' economic freedom with constitutional reform.

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Richards, Claudina

Devolution in France: the Corsican Problem in European public Law, Vol. 10 Issue 3 - Sep2004 , 481-502

This article analyses how successive French governments have sought to resolve the problem of political violence in Corsica by introducing measures of decentralisation for the island. The adoption of provisions specific to Corsica has proved problematic given the traditional understanding of the constitutional principles of national unity and equality as applied by the Constitutional court. The article examines the transformation of the region of Corsica, created in 1982



with an Assembly unique in its organization and attributes, into the 'collectivité territoriale de Corse' with increased powers distinct from those of mainland local authorities. Measures to recognise legally the people of Corsica, to introduce the compulsory teaching of Corsican in schools and, most controversially, to permit the Assembly to derogate from Parliamentary laws have, however, been held unconstitutional. Finally, consideration will be given to the implications for Corsica of the constitutional reforms of 2003, ending with the rejection by the Corsican electorate in a referendum of further institutional reforms for the island

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Cole Alistair, Baudewyns Pierre

Devolution, Decentralization and Public Opinion in Wales and Brittany
in Comparative European Politics, n. 1, vol. 2, april , 73-96

ABSTRACT: This article is based on a large research project that investigates processes of regional governance in two cognate yet distinctive 'regions': Wales and Brittany. Using a mix of most similar and (especially) most different comparative methodologies, we compare two similar regions at different stages of institutional development in two rather distinctive state settings faced with a range of comparable policy problems. We use support for forms of political autonomy in the main as a dependent variable, allowing elucidation of similarities and differences between Wales and Brittany. We also treat support for regional political autonomy as an intervening variable, in order to throw light upon the interplay between processes of institutional path dependency, policy convergence and 'territory' and to draw some more general conclusions from the Wales-Brittany comparison.

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Cuocolo Fausto

Devolution: rischio o opportunità?
in Quaderni Regionali , n. 2 , 671 - 678

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Trench Alan

Devolution: the withering-away of the Joint Ministerial Committee?
in Public law, autumn 2004 , 513-517

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Konstantinos J. Papadoulis

EU Integration, Europeanization and Administrative Convergence: The Greek Case

in **Journal of Common Market Studies**, Vol. 42, Issue 5, December , 349-370

Analyses of how national administrative systems and styles respond to EU integration and Europeanization processes have so far focused mainly on formal/ institutional aspects. It is expected that common rules and regulations within the European Union (EU) should lead to administrative convergence. However, culture and civil service structure and function of national administrative systems and styles vary. Responsiveness is not only a matter of formal and institutional reform. It is conditioned by a variety of informal and extrainstitutional processes relative to state-society and politics-administration relationship and interaction. Research on the implementation of EU air-transport public policy in Greece shows a gap between the formal rules and informal practices, which inhibits convergence.

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Frans J. Schrijver

Electoral performance of regionalist parties and perspectives on regional identity in France

in **Regional and Federal Studies**, Volume 14, Number 2 / Summer , 187-210

Often, the existence and strength of regional identities is regarded as a foundation for the thriving of regionalist political parties. Apart from a subjective and an objective dimension of the concept of regional identity, a connecting dimension expressing the perception and recognition of characteristics of the region can be distinguished. This article describes the various regionalist parties in different regions in France AND compares differences found between regions in terms of electoral success of regionalist parties with regional variations in subjective notions of regional identity. The aim of this approach is to determine whether the degree to which different perspectives on the concept of regional identity are relevant determinants of the spread and election results of regionalism in France.

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Forster, C

Entre comunidad y nacion: La historia de Guatemala revisitada desde lo local y lo regional

in **Hispanic American Historical Review (The)**, Vol. 84 n.4

Section A) The theory and practise of the federal states and multi-level systems of government

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Bauer Michael W.

Erweiterungsdynamik? Das Europa der Regionen

in *Osteuropa*, Heft 5-6, 54. Jahrgang, Mai-Juni , 160-179

Das Ergebnis des Konvents zur Zukunft der Europäischen Union bestätigt und erweitert die regionale Dimension der europäischen Integration. In diesem Zusammenhang sind auch regionale Mobilisierungseffekte für die neuen EU-Mitglieder aus Mittel- und Osteuropa zu erwarten. Die ambitionierten Forderungen der deutschen Länder wurden allerdings nur zum Teil erfüllt. Von der Erweiterung der Union wird nun mancherorts erwartet, daß sie regionale Tendenzen in der EU stützen wird bzw. gar eine neue Dynamik zum „Europa der Regionen“ auslösen könnte. Die von den neuen Mitgliedern im Konvent geäußerten Präferenzen weisen jedoch darauf hin, daß die anstehende Erweiterung den regionalpolitischen Druck auf die EU nicht vergrößern wird.

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Ferhad Ibrahim

Ethnischer oder territorialer Föderalismus - Der Irak vor der Neuordnung

in *Blätter für deutsche & internationale Politik*, März, 2004

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Marco Giuliani

Europeizzazione come istituzionalizzazione: questioni definitorie e di metodo

in *Rivista Italiana di Politiche Pubbliche*, Numero 1 / 04, Aprile , 141-161

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Lawrence M. Anderson

Exploring the paradox of autonomy: federalism and secession in North America

in *Regional and Federal Studies*, Volume 14, Number 1 / Spring , 89-112

Many social scientists have recommended autonomy as a cure-all for territorially-based intrastate conflict. Lately, however, social scientists have begun to explore the possibility that autonomy may actually contribute to, rather than ameliorate, intrastate conflict by creating new opportunities for conflict and providing state-like institutions through which regional groups in conflict are able to pursue secession. This article fills a gap in the recent literature by specifying the dynamic interaction between autonomy and secessionism. Federalism - a common form of autonomy - provides groups in conflict with state-like institutions that provide crucial short-cuts on the path to secession, not the least of which is that these state-like institutions will hold over into independence. This article explores the dynamic of federalism and secession through an analysis of the secession movements that have developed in the United States and Canada. The



article demonstrates that autonomy may actually contribute to, rather than resolve, secessionism and secessionist conflict.

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Wilkins Roger B.

Federalism: Distance and Devolution

in *Australian Journal of Politics & History* , Volume 50, Issue 1, March , pp. 95-101

Is the current federal system in Australia still relevant? Have the historical forces which made federation a necessary step in Australia's journey toward nationhood largely disappeared? Australian federalism has united six disparate states into one nation and established national infrastructure to enhance our position domestically and internationally. The geographic tyranny of distance that divided the colonies has been overcome through improved transport, telecommunications and information technology. This article explores the historical basis of Australian federalism and asks whether federalism remains relevant for meeting the challenges facing Australia in the twenty-first century.

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Cassese Sabino

Federalismo e Mezzogiorno

in *Rivista giuridica del mezzogiorno*, n. 4, dicembre 2004 , 989-996

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Frosini, Tommaso Edoardo

Federalismo e riforma costituzionale

in *Rivista giuridica del mezzogiorno*, n. 1, marzo , 93-114

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Xavier Philippe

France: The emendment of the French Constitution "on the Decentralized organization of the Republic

in *International Journal of Constitutional Law*, Vol. 2 n. 4 , 691 - 705



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Oommen T.K.

Futures India: society, nation-state, civilisation

in *Futures*, issue 6-7, vol. 36, august-september , 745-755

ABSTRACT: The future of a phenomenon can only be understood in terms of (a) the conceptual construction one makes of it and (b) the changes in empirical content of that phenomenon. In turn, the empirical reality ought to be discerned in terms of the past-present-future dialectic. Keeping this in view, this paper begins with conceptual clarifications of the terms society, nation-state and civilization and situates India in terms of these notions. It is suggested that India's future as a society and as a civilisation is durable although some changes in their content are inevitable. But as a 'nation-state' India may radically change given the contestations about it. Four competing value-orientations—cultural monism, cultural pluralism, cultural federalism and cultural subalternism—about the contemporary Indian nation-state have been identified. India's future as a nation-state will depend upon the legitimacy these value orientations achieve in future.

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Camarda, L.

Il cammino da uno Stato centralista ad uno Stato federalista

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 3 , 322-330

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Cassetti Luisa

Il regionalismo italiano e la multilevel governance dopo le recenti riforme costituzionali

in *Istituzioni del federalismo*, n. 1 , 111-122

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

I. Pálné Kovács Ilona, C. J. Paraskevopoulos, Gy. Horváth

Institutional 'legacies' and the shaping of regional governance in Hungary

in *Regional and Federal Studies*, Volume 14, Number 3 / Autumn , 430-460

This article focuses on the regionalization process in Hungary in light of the increasing Europeanization of regional



policy. Its underlying assumption is that, although the Europeanization process plays a crucial role in the transformation of the domestic governance structures, the adaptation process is significantly dependent on the learning capacity of the pre-existing institutional infrastructure. In that respect it evaluates the learning capacity of the domestic regional policy network by concentrating on the structure of the state and the centre-periphery relations, the presence of veto points and resistance to change, the level of social capital and cooperative culture, and the role of non-state actors - namely the private sector, experts and NGOs - in the policy process.

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Raffaella Y. Nanetti, Helena Rato, Miguel Rodrigues

Institutional capacity and reluctant decentralization in Portugal: the Lisbon and Tagus Valley Region
in *Regional and Federal Studies*, Volume 14, Number 3 / Autumn , 405-429

This article focuses on the transformation of the centre-periphery relations and the governance structures in regional policy in Portugal, as a consequence of the country's accession into the EU in 1986 and its engagement with the EU policy-making structures. In particular, the article emphasizes Portugal's reluctance to decentralize its political and administrative structures, while at the same time it underscores learning and adaptive patterns on the part of the country's centralized institutions as well as its civil society. The Lisbon and Tagus Valley Region, encompassing the Lisbon Metropolitan Area, has been chosen for in-depth fieldwork to illustrate the modalities of change.

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Alistair Cole, Colin Williams

Institutions, identities and lesser-used languages in Wales and Brittany
in *Regional and Federal Studies*, Volume 14, Number 4 / Winter , 554-579

In this article we compare and contrast the very different approaches adopted towards 'regional' languages in Wales and the French region of Brittany. Consistent with our interest in the dynamics of devolution, decentralization and regional governance, we focus principally upon the interplay between institutions, actors and opinion at the meso-level, using structured interviews, documentary evidence and survey material to back up our findings. In their own way, the Breton and Welsh cases both demonstrate the resilience of national paths and the effects of institutions on political outcomes.

Section A) The theory and practise of the federal states and multi-level systems of government

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Sasse Gwendolyn, Hughes James

Integration mit Tiefgang? Regionalisierung in Ungarn und Polen



in **Osteuropa**, Heft 5-6, 54. Jahrgang, Mai-Juni , 180-195

Das asymmetrische Verhältnis zwischen der EU und den beigetretenen Ländern sowie deren institutionelle Schwäche lassen auf einen erheblichen Spielraum für EU-Konditionalität und eine Konvergenz von Institutionen und Politikfeldern in Ostmitteleuropa schließen. Subnationale Reformen spielen für die EU-Regionalpolitik eine wichtige Rolle. Die formale EU-Konditionalität ist schwach, der *acquis* gibt wenig Vorgaben, für Regionalisierung fehlen der EU Kompetenzen und ein kohärentes Modell. Widersprüchliche Präferenzen und unbestimmte Forderungen der Kommission nach „regionaler administrativer Kapazität“ schürten die innenpolitischen Debatten über Regionalisierung und hatten Einfluß auf die Abfolge und das Design der institutionellen Reformen. Ein Vergleich der Regionalisierung in Ungarn und Polen zeigt, daß der Einfluß der EU begrenzt und die Europäisierung der Eliten auf subnationaler Elite noch schwach ist. Das könnte zu Problemen bei der Umsetzung von EUPolitik führen.

Section A) The theory and practise of the federal states and multi-level systems of government

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Gerard W. Horgan

Inter-institutional relations in the devolved Great Britain: quiet diplomacy

in **Regional and Federal Studies**, Volume 14, Number 1 / Spring , 113-135

The establishment of the Scottish Parliament and National Assembly for Wales in 1999 was accompanied by the introduction of a new system of what is commonly referred to as 'intergovernmental relations' (IGR). Four themes emerge from an analysis of the early development of the British system of IGR: the executive dominance of relations; a reliance on both multilateral and bilateral mechanisms; an increasing predominance of informal relations; and the pervasiveness of concern for confidentiality. Taken together, these attributes embody a distinctive British version of the executive-focused IGR characteristic of the parliamentary federations.

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Christos J. Paraskevopoulos, Robert Leonardi

Introduction: adaptational pressures and social learning in European regional policy - cohesion (Greece, Ireland and Portugal) vs. CEE (Hungary, Poland) countries

in **Regional and Federal Studies**, Volume 14, Number 3 / Autumn , 315-354

This introduction to the special issue concentrates on the theoretical, methodological and conceptual aspects of the research project, as well as on the synoptic presentation of the main research findings of the comparative study. The article draws on the theoretical debate on the impact of Europeanization of regional policy on the EU multi-level system of governance, and discusses the conceptual variation and underpinnings of the learning process, the crucial conceptual tool of institutional and policy adaptation at the domestic level of governance. It presents the methodology adopted for the comparative study, including the logic of the comparison, the choice of cases and ways the results are measured, and draws the main conclusion and lessons for both the Cohesion and CEE countries under investigation.



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Donatella della Porta, Manuela Caiani

L'europizzazione della sfera pubblica in Italia: un processo "top-down"?

in *Rivista Italiana di Scienza Politica*, Numero 3, Dicembre , 459-490

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Cammelli Marco

L'impasse delle regioni e il federalismo

in *Italiani Europei*, n. 5 , 7-16

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Pedrazzini Luigi

La Svizzera e la democrazia regionale e locale in Europa

in *Federalismi*, Anno II, n. 19

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Gianfranco Baldini

La devolution in Galles: verso il modello scozzese?

in *Rivista Italiana di Scienza Politica*, Numero 3, Dicembre , 433-458

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Groppi Tania

La garantie des droits et des libertés au niveau fédéral e provincial au Canada

in *Federalismi*, Anno II, n. 10

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Lorenzo Chieffi

La nuova dimensione costituzionale del rapporto tra regioni e Unione Europea

in *Democrazia e diritto*, Anno XLII, n. 2

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Larat Fabrice

Le Regioni nel sistema di multilevel governance. Adattare e trasformare la governance e le sue sfide

in *Istituzioni del federalismo*, n. 1, 89 - 110

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

De Marco Eugenio

Lo Stato istituzionalmente decentrato tra Costituzione e realtà

in *Rassegna parlamentare*, n. 2/2004 - aprile-giugno, 477-515

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Robert Kaiser, Heiko Prange

Managing diversity in a system of multi-level governance: the open method of co-ordination in innovation policy

in *Journal of European Public Policy*, Volume 11, Number 2 / April, 249-266

This article explains why open policy co-ordination has not yet gone very far in innovation policy. We claim that the multi-level character of innovation policies and the diversity of national innovation systems are major stumbling blocks to applying the OMC in this policy area. So far, these two peculiarities of innovation policies prevented 'vertical policy co-ordination' and 'horizontal policy learning', which have both been heralded as the main goals of applying the OMC. Acknowledging these features of innovation policies, this article argues that the OMC is only likely to constitute a valuable mode of governance if national and regional specificities are carefully taken into account, if actors at each territorial level are considered during the entire policy process, and if qualitative benchmark indicators are developed which consider the diversities of national innovation systems and regional idiosyncrasies. We explore our argument with respect to Austria, Germany, the Netherlands and Sweden.



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Birner Regina, Wittmer Heidi

On the 'efficient boundaries of the state': the contribution of transaction-costs economics to the analysis of decentralization and devolution in natural resource management

in Environment and Planning C: Government and Policy, Volume 22, Issue 5, October , pp. 667-685

Decentralization and devolution - also referred to as 'rolling back the boundaries of the state' - are important policy trends in natural resource management. Drawing a parallel with the efficient-boundary problem in industrial organization, the authors show how transaction-costs economics can be applied to identify the efficient boundaries of the state in natural resource management. The following extensions of the transaction-cost framework are proposed: (1) introduction of care intensity and contest intensity as additional key attributes of transactions; (2) introduction of cooperative types of organization as a third governance structure besides market and hierarchies; and (3) introduction of natural resource characteristics, social capital, and state capability as contextual variables. The authors also discuss the possibilities for empirical application.

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Rodden Jonathan

On the Migration of Fiscal Sovereignty

in Political Science and Politics, issue 3, vol. 37, july , 427-431

ABSTRACT: As authority over public expenditures has shifted from central to provincial and local governments in countries around the world over the last two decades, prevailing approaches to the study of decentralization in welfare economics and public choice from the 1970s and 1980s have given way to new political economy approaches. The first generation of theories envisioned central and lower-level governments as distinct sovereigns within their own spheres of activity. Recognizing a more complex reality, the political economy literature is rethinking the notion of sovereignty in multi-tiered systems. Motivated by recent difficulties with fiscal decentralization and fiscal discipline, this essay rethinks the notion of fiscal sovereignty, viewing it as an evolving set of beliefs in the context of a dynamic game of incomplete information played between central and subnational governments. 1 Provincial or local governments, along with their creditors and voters, attempt to assess the credibility of the central government's commitment to abide by pre-specified intergovernmental fiscal arrangements. When higher-level governments dominate the field of taxation and take on heavy co-financing obligations—as central governments do in virtually all newly decentralizing countries—the central government's commitment not to bail out subnational governments in the event of debt-servicing crises is not credible. In other words, subnational governments without significant tax autonomy will not be viewed as sovereign borrowers, and this has important implications for their fiscal behavior.



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Jens Henrik Haahr

Open co-ordination as advanced liberal government

in *Journal of European Public Policy* , Volume 11, Number 2 / April , 209-230

This article applies a Foucauldian analytics of government to recent developments in the European Union (EU), focusing particularly on open methods of co-ordination (OMCs) in the EU. It argues that in the perspective of an analytics of government, the open method of co-ordination can fruitfully be understood as 'advanced liberal government', a particular conceptualization of government constituted of 'practices of liberty'. These practices continuously presuppose, depend on and enable their subjects - in the case of the OMC most often the relevant national government agencies. At the same time, however, they shape and reshape them. There is thus a dual nature to the open method which is typical of advanced liberal government: the method enables and opens up new possibilities for its subjects and at the same time restrains these subjects as they are subjected to a certain calculative and disciplinary regime.

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Tagliagambe Silvano

Organizations and Work in the century: Global, European, State and Local Issues Discussed

in *Rivista di politica economica*, January - February No 1-2

La nostra non è affatto l'epoca della conoscenza globale: al contrario si sta affermando sempre più l'idea che ciò che chiamiamo razionalità sia il risultato di un'operazione di «incollamento» tra spazi di razionalità locali. Sta infatti emergendo un modello di «intelligenza connettiva» che si pone come obiettivo l'identificazione di conoscenze distribuite (distributed knowledge) o condivise da un gruppo di agenti (common knowledge) e l'analisi e la traduzione in atto dei percorsi, attraverso i quali ciascuno di essi acquista la capacità di ragionare non solo sui propri punti di vista, ma anche su quelli altrui.

Section A) The theory and practise of the federal states and multi-level systems of government

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Morton F.L. Ted

Provincial Constitutions in Canada

in *Federalismi*, Anno II, n. 18

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Editoriale

Quale federalismo, per quale Italia



in *Amministrare*, n. 2 , 167-211

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Rotelli ettore

Regionalismo (Voce del Dizionario di Politica, 2004)

in *Amministrare*, n. 3 , 335 - 356

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Ziblatt Daniel

Rethinking the Origins of Federalism: Puzzle, Theory, and Evidence from Nineteenth-Century Europe

in *World Politics*, n. 1, vol. 57, october , 70-98

ABSTRACT: This article examines the paradox of how federal political institutions are created: how can a state-building core be unyielding enough to forge a union but accommodating enough to grant federal concessions to subunits? A comparison of the trajectories of national unification in nineteenth-century Germany and Italy indicates that the formation of federations does not come about exclusively through voluntary "contract"; instead, coercion and cooperation go hand in hand in the formation of all states, including federations. Whether the outcome is federal or unitary depends on the level of subunit infrastructural capacity at the moment of founding.

The article finds that where the constituents of a potential federation are parliamentary and well governed, they can deliver the benefits of state formation, assuring their continued existence in a federation. Where such subunits are patrimonial and poorly governed, they are absorbed within a unitary model of governance. This institutional explanation supplements accounts emphasizing the cultural sources of federalism and revises arguments that only militarily weak founding cores make federal concessions to their constituents.

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Eaton Kent

Risky Business: Decentralization from Above in Chile and Uruguay

in *Comparative Politics*, Vol. 37 n. 1

Chile and Uruguay have not figured prominently in the theoretical debate over decentralization. Absent from each are the types of powerful subnational actors who have forced national politicians to decentralize in many countries in recent years. Nevertheless, national politicians in both countries decided to decentralize in pursuit of partisan advantages,



demonstrating that decentralization can occur even when subnational officials are structurally weak within their parties. Decentralization has delivered several gains anticipated by reformers, but it has also created important new challenges, including the weakening of traditional sources of national control over subnational officials.

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Oommen T. K.

Socio-Political Transition in the Indian Republic and the European Union

in *European Journal of Social Theory*, Volume 7, No. 4, November 2004 , 519-537

In spite of their drastically different historical trajectories, the ongoing socio-political transition in the European Union (EU) and the Indian Republic (IR), two of the most complex polities in contemporary world, suggests that they aspire to combine political federalism and cultural pluralism. This is evident from their endorsing equality, identity and inclusivity as values; implementing political decentralization and facilitating differentiation between state, civil society and market. To meet the emerging challenges both the EU and the IR endorse the idea of unity in diversity. The article suggests that two coping strategies, transforming cultural diversity (a fact) into cultural pluralism (a value) and decoupling the identities of citizenship and nationality are imperatives.

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Saxton Gregory D.

Structure, Politics, and Ethnonationalist Contention in Post-Franco Spain

in *Journal of Peace Research*, Volume 41, Issue 1, January , pp. 25-46

Previous models of nationalism have been unable to adequately account for variation in forms or levels of contentious nationalist activity. Building on the most important theoretical tools from the literatures on social movements and nationalism, an alternative model is proposed in which structure, politics, and action assume equal roles in an interdependent causal system. It is further proposed that violent and nonviolent contention, though conceptually distinct phenomena, are the products of a fundamentally similar set of factors. The model posits that sociostructural 'root causes' are vital to the development of ethnonationalist contentious politics, but indirectly via mobilization. The direct determinants of protest and rebellion are a conjunction of organizational mobilization and political opportunity structures. In particular, a shared identity gives groups of people the basis for organizational mobilization; mobilizational resources provide the means for such mobilization; grievances lend the reason; and a series of political factors structure the opportunities of mobilized groups to contend in a conventional, violent or nonviolent manner. The opportunity structures are then themselves transformed by the nature of the contention that takes place. Using a 3SLS structural equation model and original data from the 17 autonomous communities of Spain between 1977 and 1996, the results show that structure, politics, and action are, as predicted, three fundamental components of an interdependent causal system. The vital, yet indirect role of grievances and group identity in the generation of ethnonationalist conflict is confirmed, and a number of powerful relationships obtain with the individual elements of the political opportunity structure. Higher levels of democracy are related to increased protest, more intense repression is associated with lower levels of contentious activity, and the level of regional autonomy has no apparent impact on conflict. In the short term, moreover, Spain's



major democratic transition is shown to exacerbate existing conflict propensities.

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Karpen Ulrich

Subnational constitutionalism in Germany

in *Federalismi*, Anno II, n. 12

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Loughlin John

The "Transformation" of Governance: New Directions in Policy and Politics

in *Australian Journal of Politics & History*, Volume 50, Issue 1, March, pp. 8-22

The terms transformation and governance are used increasingly in the academic literature but often in a confused way. This article attempts to define both terms. It argues that there are three kinds of transformation: pseudo-change; incremental evolutionary transformation (IET), which is the most common form; and revolutionary transformation (RT). It applies this model of change to three paradigm shifts in developed countries since 1945: the Welfare State; the neo-liberal state; and the so-called Third Way. It argues that each of these paradigms involves a particular dominant mode of governance: statist; pluralist; and network respectively. It examines both the causes and consequences of these transformations for politics and policy.

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Ortega, Luis

The Decentralization Alternatives on the Spanish Constitutional System

in *European public Law*, Vol. 10 Issue 3 - Sep2004, 469-481

In Spain, within the constitutional period which starts with the Cadiz Constitution of 1812, the subject of political decentralization has been one of the four big concerns that have traditionally divided the "two Spains," summarized very schematically in its maximum poles of tension: the first, the centralist, catholic, monarchic and capitalist Spain and the second, the federal, secular, republican and socialist Spain. In Spain decentralization has been a process derived from the concept of democracy itself as well as the recognition of the nationalisms

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Eaton, K.

The Politics of Re-centralization in Argentina and Brazil

in *Latin American Research Review*, Volume 39, Number 1



In response to the growing salience of re-centralization in several Latin American countries that decentralized in the 1980s and 1990s, this paper examines presidential efforts to re-centralize fiscal power in the 1990s. In our study of re-centralization in Argentina and Brazil, we assess the utility of four common political economy explanations: the presence of economic crisis; the partisan powers of the president; the division of formal powers between the branches; and the extent of intra-bureaucratic conflict. We find that the success of economic stabilization measures facilitated re-centralization in both countries, though the pathways connecting the two phenomena were partially distinct. In Argentina, key re-centralization measures were rapidly achieved after stabilization as the result of the president's strong partisan powers and in the form of political deals within the Peronist party. Subsequently, the dissipation of President Carlos Menem's powers over the course of his second term facilitated the "return of the governors." In Brazil, Fernando Henrique Cardoso re-centralized despite weak partisan powers, largely by using his reputation as a successful stabilizer to build a broad reform coalition. In Cardoso's Brazil, strong partisan cohesion in important cabinet posts also served as a partial substitute for the lack of partisan power in the legislature. These findings suggest the need for a closer examination of re-centralization efforts, particularly in the wake of macroeconomic stabilization and economic reform.

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Salikov Marat

The Russian Federal System: Sub-National and Local Levels

in *Federalismi*, Anno II, n. 9

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Sergio Fabbrini, Daniela Sicurelli

The federalization of the EU, the US and 'compound republic' theory: the convention's debate

in *Regional and Federal Studies*, Volume 14, Number 2 / Summer , 232-254

This article compares the process of federalization of the EU with the American federal experience. It argues that both the EU and the US share features of compound polities, according to James Madison's conceptualization of these during the Philadelphia convention debate. Regardless of the specific institutional structures derived from the compound republic theory, the article stresses the importance of that theory for an understanding of the European integration process and its development. The article advances the conclusion that the Brussels convention, charged with drafting a new constitutional treaty for the EU, had to necessarily preserve the compound nature of the EU.

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Ross Bond, David McCrone

The growth of English regionalism? institutions and identity



in **Regional and Federal Studies**, Volume 14, Number 1 / Spring , 1-25

This article assesses the current state and possible future development of English regionalism through a specific focus on the question of identity in the North East and South East of England. Although popular regionalism is comparatively weak, and identity in the form of cultural resources does not tend to be available or mobilized at an institutional level, it is argued that a modest popular and institutional base, together with the capacity for nascent regional organizations to present a more region-centred perspective based on economic attributes, creates the potential for the future growth of regionalism in England.

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Anderson Lawrence M.

The institutional basis of secessionist politics: federalism and secession in the United States

in **Publius: The Journal of Federalism**, Vol. 34, n. 2, Spring , 1-18

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Susana Borrás, Kerstin Jacobsson

The open method of co-ordination and new governance patterns in the EU

in **Journal of European Public Policy** , Volume 11, Number 2 / April , 185-208

The aim of this article is to establish an analytical framework for studying the impact of the open method of co-ordination (OMC) on three levels of political action within the EU, namely the policy, politics and polity. First, the article examines the novelties of the OMC vis-à-vis the soft law tradition in the EU, and looks at how the three dominant logics of co-ordination are linked to diverse modes of the OMC. The subsequent sections focus on the potential impact of the OMC on the policy and politics dimensions of the EU. Theoretically inspired assumptions about policy learning and partial delegation of power are the driving forces behind the inquiry. The article then scrutinizes the potential constitutional dimension of the OMC. Finally, it discusses the theoretical challenges that the OMC poses for our understanding of the EU as a polity and the concept of integration.

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Malgorzata Czernielewska, Christos J. Paraskevopoulos, Jacek Szlachta

The regionalization process in Poland: an example of 'Shallow' Europeanization?

in **Regional and Federal Studies**, Volume 14, Number 3 / Autumn , 461-495



This article focuses on the attempts towards regionalization in Poland in light of the increasing Europeanization of regional policy-making. It attempts to evaluate in a comprehensive way the learning capacity of the domestic regional policy network, by concentrating on the structure of the state and the centre-periphery relations, the presence of important veto points and resistance to change, the level of social capital and cooperative culture, and the role of non-state actors, namely the private sector, experts and NGOs in the policy process. The article points to the importance of socio-cultural traditions at the territorial level for the shaping of Poland's regional policy-making structures, while simultaneously assessing the impact of EU structural policy rules on facilitating or inhibiting this process. The Lodz region has been chosen for fieldwork research to assess the learning capacity of the domestic policy network.

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Panayiotis Getimis, Leeda Demetropoulou

Towards new forms of regional governance in Greece: the Southern Aegean Islands

in Regional and Federal Studies, Volume 14, Number 3 / Autumn , 355-378

This article studies the impact of Europeanization on the Greek regional administrative structures, policy-making processes and institutions, using as a case study the Region of Southern Aegean Islands. While acknowledging the significance of the adaptational pressure exerted by the EU, the authors argue for the significance of certain pre-existing facilitating conditions for the adaptational outcome. Elaborating on the results of a recent Social Network Analysis conducted in the region and a series of semi-structured interviews with key national and sub-national actors, the article analyses the impact of the pre-existing national structures and sub-national institutions and their interaction on the capacity of local systems of governance to learn and to adapt to the changing conditions brought about by the Europeanization of regional policy-making in Greece. The article studies the conditions that facilitate and promote regional institutional changes, as well as those that limit the regional institutional capacity to learn and to adapt. It concludes with some broader considerations with regard to the current regional governance trends in Greece, potential learning and adaptation.

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Giovanetti Pierangelo

Trent'anni di "devolution". L'esperienza del Trentino-Alto Adige

in Mulino (il), n. 3, maggio-giugno, 2004

ABSTRACT: Il Trentino-Alto Adige è l'unica regione italiana dove la «devolution» è di fatto in vigore da anni, in base al secondo Statuto di autonomia speciale del 1972. Le due province autonome di Trento e Bolzano dispongono nella sostanza del 100% del prelievo fiscale raccolto sul loro territorio, ed hanno autonomia legislativa e amministrativa in quasi tutti gli ambiti, scuola, sanità e polizia locale comprese.



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Brenner Neil

Urban governance and the production of new state spaces in western Europe, 1960–2000

in Review of International Political Economy, Volume 11, Number 3 / August , 447 - 488

Against the background of contemporary debates on globalization and the crystallization of a post-Westphalian world order, this article develops an interpretation of state spatial restructuring in post-1970s western Europe. While many analyses of globalization and the changing state have focused on the construction of new supranational political regimes, such as the European Union, it is argued here that subnational scales, particularly those of major urban regions, represent strategic institutional arenas in which far-reaching transformations of state spatiality are unfolding. I suggest, in particular, that processes of urban governance represent a key mechanism for the rescaling of state space. First, managerial-welfarist forms of urban governance are shown to have played a major role in the consolidation and eventual crisis of Keynesian welfare national states between the 1950s and the mid-1970s. Second, the entrepreneurial approaches to urban governance that have proliferated during the post-1970s period are interpreted as significant expressions and catalysts of 'glocalization strategies' oriented towards a fundamental rescaling of national state space. In contrast to the project of national territorial equalization associated with Keynesian welfare national states, glocalization strategies promote the formation of Glocalizing Competition State Regimes (GCSRs) in which (a) significant aspects of economic regulation are devolved to subnational institutional levels and (b) major socioeconomic assets are reconcentrated within the most globally competitive urban regions and industrial districts. Urban governance therefore represents an essential institutional scaffolding upon which the national and subnational geographies of state regulation are configured as well as one of the major politico-institutional mechanisms through which those geographies are currently being reworked. The article concludes by underscoring the ways in which GCSRs exacerbate intra-national uneven spatial development, leading in turn to the introduction of new crisis-management strategies that further differentiate the institutional and scalar landscapes of state regulation.

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Subsection 10. Processes of federalization and decentralization

Brewer-Carias Allan R.

Venezuela - Some problems of the centralized federation

in Federalismi, Anno II, n. 9

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Ludvig Alice

Why should Austria be different from Germany? The two recent nationality reforms in contrast

in German Politics, Volume 13, Number 3, September , pp. 499-515

The article compares and evaluates the two recent reforms of nationality law in Austria and Germany. Before the changes both countries were very similar cases in terms of their nationality and immigration policy. Both relied on strict 'jus sanguinis', the principle of descent which is anchored in their nationality laws. One implication of jus sanguinis is that



it constantly reproduces 'new-born' foreigners, as the only way for foreign residents to obtain national citizenship is via naturalisation. This includes the obligation to renounce any former nationality. In its recent amendment in 2000, Germany has softened the principle of descent by introducing limited 'jus soli' with the obligation to opt for one nationality at the age of 23 at the latest. Austria, on the other hand, has stuck to its tradition and introduced restricted reform. The article will outline the context of the two amendments. Why has the outcome been so different although both countries have faced so many similar experiences and circumstances? I will trace the development of both amendments and highlight the backgrounds of these two so contrasting decisions: two different attempts to deal with naturalisation of long-term immigrants and new-born foreigners.

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Scott Radnitz

Working with the warlords: designing an ethnofederal system for Afghanistan

in *Regional and Federal Studies*, Volume 14, Number 4 / Winter , 513-537

This article asks what type of ethno-federal system would best suit a post-Taliban Afghanistan. It surveys Nigeria and India to extract lessons for Afghanistan in terms of geographic divisions, representation and rules. It argues that aspects of both systems can be used, such as creating cross-cutting cleavages, granting large ethnic groups majority status in several regions, and generating incentives for interethnic cooperation at the national level. Although arguing that Afghanistan could function well under a federal system, it also identifies several problems distinct to Afghanistan, such as the need to co-opt local leaders and ensure power-sharing among ethnic groups.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Chadwick Elizabeth

A tale of two courts: the 'creation' of a jurisdiction?

in *Journal of Conflict and Security Law*, Volume 9, Number 1, SPRING , 71-101

Two projects to create the international criminal courts were devised during the 20th century. On 1 July 2002, the Rome Statute of the International Criminal Court entered into force. On 16 November 1937, the Convention for the Creation of an International Criminal Court was opened for signature at Geneva. The latter never entered into force, an event made contingent on the coming into force of its companion Convention for the Prevention and Punishment of Terrorism, which also never occurred. The use to be made of law in each court forms the core of this discussion: the Rome Statute Court will rely on both vertical and horizontal approaches to the exercise of jurisdiction, and will utilise a harmonised approach to substantive criminal law; the 1937 court would have utilised domestic criminal law, in that the intent behind the 1937 convention was to make available an alternate forum, should the need arise. It is argued in particular that a horizontal approach to international criminal law may hold more seeds of future discord than a vertical approach, as harmonised law-making and enforcement lack a much-needed critical foundation. Crucially, the new International Criminal Court could greatly disturb the existing distribution of power and authority originally designed into the United Nations Charter, and effect a major shift in power politics, thus upsetting the balance between the principle of non-interference in state domestic affairs and the maintenance of international peace.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Archibugi Daniele

C'è un futuro per le Nazioni Unite?

in *Lettera Internazionale*, n. 80, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hayden Patrick

Cosmopolitanism and the Need for Transnational Criminal Justice: The Case of the International Criminal Court

in *Theoria*, 104 (August 2004)

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Sutter Patrick

Das humanitäre Völkerrecht in der Krise?

in *Aus Politik und Zeitgeschichte*, Band 43, 2004

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Varwick Johannes

Die Reform der Vereinten Nationen - Weltorganisation unter Anpassungsdruck

in *Aus Politik und Zeitgeschichte*, Band 43, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fassbender Bardo

Die souveräne Gleichheit der Staaten - ein angefochtenes Grundprinzip des Völkerrechts



in *Aus Politik und Zeitgeschichte*, Band 43, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Paech Norman

Epochenwechsel im Völkerrecht? Über die Auswirkungen der jüngsten Kriege auf das UNO-Friedenssystem
in *Aus Politik und Zeitgeschichte*, Band 43, 2004

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fehl Caroline

Explaining the International Criminal Court: A 'Practice Test' for Rationalist and Constructivist Approaches
in *European Journal of International Relations*, Vol. 10, n. 3, September, 357-394

Unlike other articles on the International Criminal Court (ICC) that focus on the question of the court's future effectiveness, this article seeks to explain the creation of the court and its institutional design as established in its statute. It applies theoretical arguments from the rationalist and constructivist literature on international institutions to the ICC case; and demonstrates how both theoretical perspectives can be combined in different ways. The ICC's establishment can be explained with rationalist arguments focusing on cooperation problems and transaction cost, yet a constructivist view can 'deepen' the argument by explaining the perception of problems, and provide an alternative argument focusing on legitimacy concerns. Regarding institutional design, rationalist theory helps identify a tradeoff between a weak court backed by the US and a strong court without US support; a complementary constructivist approach can explain why states opted for the latter.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Bobbio Norberto

Il ruolo dell'ONU nel nuovo assetto internazionale. Problemi giuridici, etici e politici in un mondo trasformato
in *Comunità Internazionale (La)*, n. 1, vol. LIX, primo trimestre, 47-52

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Neethling Theo



International peacekeeping trends: the significance of African contributions to African peacekeeping requirements

in *Politikon: South African Journal of Political Studies* , Volume 31, Number 1 / May , 49 - 66

This article provides an overview of UN peacekeeping operations with special reference to the African continent. More specifically, it reflects on current UN peacekeeping operations and discusses international contributions to African peacekeeping requirements. In this regard, it focuses on the nature and profile of international involvement in the UN's most challenging missions on African soil, namely the missions in Sierra Leone and the Democratic Republic of Congo with a view to assessing current international trends. In addition, the article also reflects on developments among African regional organisations in undertaking operations in the realm of peace and security. Two pressing questions are especially addressed: To what extent are developed (industrial) states still involved in peace support in Africa and to what extent have African states assumed greater responsibility for providing the UN and other multinational organisations with peacekeeping personnel?

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hensmans Philippe

Justice internationale: du reve à la réalité

in *Revue de droit militaire e de droit de la guerre*, Vol. 1-2 , 73 - 98

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ago Roberto

L'organizzazione internazionale dalla Società delle Nazioni alle Nazioni Unite

in *Comunità Internazionale (La)*, n. 3, vol. LIX, terzo trimestre , 505-524

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Weyl Monique, Weyl Roland

La Charte des Nations-Unies, révolution du droit international

in *Pensée (La)*, Fascicule 04/338 , 97-105

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Glasius Marlies

La Corte dell'Aja: una conquista da consolidare

in *Lettera Internazionale*, n. 80, 2004

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ablin, G.

La désignation des juges et du Procureur de la Cour pénale internationale

in *Journal du droit international*, n. 2, 464 - 490

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Papisca Antonio

La sfida del "coordinamento" nel sistema delle Nazioni Unite: riequilibrare i "capitoli" della Carta riguardanti il Consiglio di Sicurezza e il Consiglio Economico e Sociale (ECOSOC)

in *Pace Diritti Umani*, n. 3, anno 1, settembre-dicembre, 103-114

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Power Jonathan

Le Nazioni Unite: molto discusse, ma molto richieste

in *Affari Esteri*, Anno XXXVI, n. 143, 498-500

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Armillotta Giovanni

L'Italia, l'ONU e i Paesi afro-asiatici

in *Affari Esteri*, Anno XXXVI, n. 144, 838-850



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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Bersellini Guido

Nazioni Unite o pericolosa illusione?

in *Federalista (Il)/Federalist (The)*, Anno XLVI, n. 3, 185-190

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Delors, J.

Pour un Conseil de Sécurité économique: contribution à la réflexion sur la réforme des Nations Unies dans le cadre des analyses sur la gouvernance mondiale

in *Revue du droit de l'Union Européenne*, n. 3

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Yevgeny M. Primakov

Rather the United Nations Than US Unilateralism

in *New Perspectives Quarterly*, Vol. 21, Issue 2, March, 49-59

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Donald Blinken, Pera Wells

Reforming the United Nations: Back to First Principles

in *American Foreign Policy Interests*, Vol. 26, n. 3 / June, 235-240

Changing the UN Charter is not the way to achieve reform, the authors maintain; nor will legal tinkering produce the desired result. Instead, galvanizing public opinion by engaging with civil society will allow the world organization to reform itself.

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Vedovato Giuseppe

S.d.N.-O.N.U.: gestire la pace

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 4 , pp. 625-646

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Mani, V. S.

Six Decades of The United Nations -- An Indian Perception

in *Indian Journal of International Law*, Volume 44, Issue 1 , 1-73

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Pellet Alain

Strengthening the Role of the International Court of Justice As the Principal Judicial Organ Of The United Nations

in *Law and Practice of International Courts and Tribunals (The)*, n. 2, vol. 3, june , 159-180

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Papisca Antonio

The "Conventional Way" for the Reform of the United Nations: Lessons from the European Integration Process

in *Pace Diritti Umani*, n. 1, anno 1, gennaio-aprile , 125-131

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fassbender Bardo

The Better Peoples of the United Nations? Europe's Practice and the United Nations

in *European Journal of International Law*, Vol. 15 n. 5 , 857-884

ABSTRACT: Are the Europeans indeed, as they think, the 'better peoples' of the United Nations? In this article, the author takes a closer look at this flattering European self-image by selecting a few issues of the general theme of



'Europe's practice and the UN'. Having recalled, in Section 2, Europe's marginal role in the foundation of the UN at the end of World War II, and the fragmented existence of Europe in the Organization in the long period of the Cold War (Section 3), the article turns to its central subject – Europe's compliance with the rules of the UN Charter. Here, in Section 4, matters which the author considers particularly important or characteristic are singled out, among them the prohibition of the use of force, the obligation of states to settle their disputes by peaceful means, the protection of human rights, and decolonization and economic cooperation with developing countries. In Section 5, the article reflects on the efforts of the EU Member States to coordinate their foreign and security policies with regard to, and in, the United Nations. In the sixth and last section, it seeks to explore the future place and role of Europe in the UN. In his conclusion, the author suggests that Europe has no choice but to remain loyal to the idea of a multilateral international system based on the fundamental rules of the UN Charter. Intellectually and conceptually, the EU and the UN are built on the same foundations, so that a failure of multilateralism on the global level would necessarily have negative repercussions on the European project.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Jason Ralph

The International Criminal Court and the 'Uneasy Revolution' in international society
in *International Journal of Human Rights (The)*, Vol. 8 Nr. 2 Summer , Pag. 235 - 247

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hall Christopher Keith

The Powers and Role of the Prosecutor of the International Criminal Court in the Global Fight against Impunity
in *Leiden Journal of International Law*, issue 1, vol. 17, march , 121-139

ABSTRACT: On 16 June 2003, the first Prosecutor of the newly established International Criminal Court (Court), Luis Moreno Ocampo, was inaugurated. He faces enormous challenges ahead in the short term, including the need to increase the number of states ratifying and implementing the Rome Statute of the International Criminal Court and to demonstrate that criticisms of the Court and his powers made by the current administration of the United States of America in the course of its campaign to undermine the Court are unwarranted. This article describes the background to the establishment of a permanent independent Prosecutor within the Court, able to open, subject to extensive statutory and judicial constraints, investigations on the Prosecutor's own initiative. It then describes the statutory provisions establishing the post and defining the powers and duties of the Prosecutor. The article concludes with a discussion of the imaginative way in which he is setting up the Office of the Prosecutor and his innovative overall strategy as a leader in the global fight against impunity. As the Prosecutor demonstrates his independence, impartiality, fairness, and effectiveness in conducting trials, and his ability to inspire states to fulfil their obligations to complement his efforts by investigating and prosecuting these crimes themselves, the long-term prospects for the Court will become increasingly promising.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Mazower Mark

The Strange Triumph of Human Rights, 1933 - 1950

in **Historical Journal (The)**, Volume 47, Issue 02, June, pp 379-398

This article explores the origins of the UN's commitment to human rights and links this to the wartime decision to abandon the interwar system of an international regime for the protection of minority rights. After 1918, the League of Nations developed a comprehensive machinery for guaranteeing the national minorities of eastern Europe. But by 1940 the League's policies were widely regarded as a failure and the coalition of forces which had supported them after the First World War had disintegrated. German abuse of the system after 1933, and the Third Reich's use of ethnic German groups as fifth columns to undermine the Versailles settlement were cited by east European politicians as sufficient justification for a new approach which would combine mass expulsion, on the one hand, with a new international doctrine of individual human rights on the other. The Great Powers supported this because they thereby escaped the specific commitments which the previous arrangements had imposed on them, and which Russian control over post-war eastern Europe rendered no longer practicable. But they also supported it because the new rights regime had no binding legal force. In respect, therefore, of the degree to which the principle of absolute state sovereignty was threatened by these arrangements, the rights regime of the new UN represented a considerable weakening of international will compared with the interwar League. But acquiescing in a weaker international organization was probably the price necessary for US and Soviet participation.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Berdal Mats

The UN after Iraq

in **Survival**, n. 3, vol. 46, september, 83-101

ABSTRACT: The argument, widely made in the run-up to the war in Iraq, that the UN was on the verge of permanent marginalisation in the field of peace and security has turned out to be misplaced. The clearest sign of revitalisation has come not from its role in post-war Iraq but from the dramatic growth of UN peace operations in Africa since May 2003. While prophecies of doom may have been confounded, there is, within the Secretariat and among member states, still a deep sense that the war in Iraq 'brought to the fore a host of questions of principle and practice', whose implications have yet to be addressed. To do this, the Secretary General has set up a High-Level Panel on Threats, Challenges and Change, and indicated that 'far-reaching institutional' reform should be on the Panel's agenda. While references to institutional issues are politically unavoidable, the long-term value of the Panel's work will lie, more subtly, in its contribution to the quality of the discussion among member states about the threats and challenges facing them, not in proposals for radical Charter reform.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Visvanathan Muthukumarar

**The UN is still Relevant, but Needs Restructuring
in Federalist Debate (The)**, Year XVII, n. 1, March

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Urquhart Brian

**The United Nations Rediscovered?
in World Policy Journal**, n. 2, vol. XXI, summer , 1-5

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Madeleine Albright

**The United Nations: The Indispensable Institution
in New Perspectives Quarterly**, Vol. 21, Issue 3 , July , 19-23

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

White Nigel D.

**The Will and Authority of the Security Council after Iraq
in Leiden Journal of International Law**, issue 4, vol. 17, december , 645-672

ABSTRACT: One year after the invasion of Iraq, what lessons are to be drawn about the role of the Security Council in peace and security? This article looks at the issue by considering the nature of the Security Council in its dual functions as a forum for diplomacy and a corporate body for executive action. The idea of the Security Council's possessing a separate will in its executive function is developed. The article stresses the importance for the authority of the Council of that organ expressing its will within the legal parameters of the Charter and international law. It is argued that similar legal parameters are also applicable to the permanent members in exercising their power of veto and in interpreting resolutions. Further, when interpreting resolutions member states should not misconstrue the will of the Council. The Iraq crisis of 2003 raised all these issues and, further, necessitated a reappraisal of the rules of international law governing the use of force. This article considers the relationship between diminution in Council authority and erosion of the rules of the UN Charter governing the threat or use of force in international relations.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Struett Michael

The meaning of the International Criminal Court

in *Peace Review*, n. 3, vol. 16, september , 317-321

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Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Alfredo Märker

UNO und Völkerrecht in der Weltordnungskrise

in *Aus Politik und Zeitgeschichte*, Band 43, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

William A. Schabas

United States Hostility to the International Criminal Court: It's All About the Security Council

in *European Journal of International Law*, Vol. 15 n.4 , Pag. 701-720

The now abundant literature on the hostility of the United States towards the International Criminal Court speaks to the litany of criticisms invoked by Washington, from the vulnerability of American nationals to prosecution to such issues as the lack of trial by jury. But these so-called shortcomings are also features of the international tribunals to which the United States has accorded enthusiastic support, from Nuremberg and Tokyo to the more recent generation. Had the 1994 draft of the International Law Commission remained more or less intact, it is likely that today the United States would be a keen supporter of the Court. The distinctions between the 1994 draft and the final version of the Rome Statute unlock the mystery of United States opposition. At the heart of the changes during the four-year drafting process is the relationship between the Court and Security Council. The ILC had conceived of what was in effect a permanent ad hoc tribunal, perfectly subordinate to the Security Council and interlocked with the Charter of the United Nations. But the drafters adjusted this conception, with the result that the Court has significant independence from the Security Council, notably with respect to the triggering of prosecutions, the deferral of cases and the definition of aggression

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

World Bank

A Better Investment Climate for Everyone



in **World Bank Development Report**, per il 2005

Firms and entrepreneurs of all types—from microenterprises to multinationals—play a central role in growth and poverty reduction. Their investment decisions drive job creation, the availability and affordability of goods and services for consumers, and the tax revenues governments can draw on to fund health, education, and other services.

The World Development Report 2005 argues that improving the investment climates of their societies should be a top priority for governments. Drawing on surveys of nearly 30,000 firms in 53 developing countries, country case studies, and other new research, the Report explores questions such as:

- What are the key features of a good investment climate, and how do they influence growth and poverty?
- What can governments do to improve their investment climates, and how can they go about tackling such a broad agenda?
- What has been learned about good practice in each of the main areas of the investment climate?
- What role might selective interventions and international arrangements play in improving the investment climate?
- What can the international community do to help developing countries improve the investment climates of their societies?

In addition to detailed chapters exploring these and related issues, the Report contains selected data from the World Bank's new program of Investment Climate Surveys, the Bank's Doing Business Project, and World Development Indicators 2004—an appendix of economic and social data for over 200 countries. This Report offers practical insights for policymakers, executives, scholars, and all those with an interest in economic development.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Lorenzo Bini Smaghi

A Single EU Seat in the IMF?

in **Journal of Common Market Studies**, Vol. 42, Issue 2, June , 229-248

This article examines the rationale for consolidating EU Member States' position in the International Monetary Fund (IMF). Although a substantial amount of co-ordination already takes place, particularly on issues related to the euro area and the single monetary and exchange rate policy, co-operation between EU countries in the IMF remains a relatively new phenomenon and divergences still prevail. The current institutional set-up, whereby the 15 EU countries are spread in nine constituencies, undermines effectiveness. Although there is scope for further improving co-operation, there are natural limits to what can be achieved within the existing co-operation framework. A single EU constituency would enable EU Member States to have a strong impact on IMF policies, potentially as strong as that of the US. However, this may not be an objective for all EU countries in the current conjuncture.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Momani Bessma

American politicization of the International Monetary Fund

in **Review of International Political Economy**, Volume 11, Number 5 / December , 880 - 904



The International Monetary Fund claims that its loan conditions are apolitically devised because loans are negotiated by the technocratic staff and away from the possibly politicized Executive Board. Previous studies have suggested IMF Executive Board politicization but have not analyzed internal IMF documentation. Recently released IMF Article IV Consultations from the IMF Archives provide the opportunity for a new methodology based on searching for slippages in staff recommendations. It was found that two lenient IMF–Egyptian agreements had considerable slippages and two strict IMF–Egyptian agreements had little evidence of slippages. It was further found that the United States intervened in both the 1987 and 1991 agreements by usurping staff recommendations and undermining negotiations to ensure that these two agreements were lenient. The United States intervened in the 1987 and 1991 negotiations to preserve the political stability of the pro-Western Egyptian regime during a particularly turbulent time.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Paugam Jean-Marie

Après Cancun : la double crise de l'OMC

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 477, avril , pp. 230-234

After Cancun: the double crisis of the WTO.

Relaunching the Doha Round must start with a shared understanding of the causes that led to the failure of Cancun, amongst the WTO membership. Yet the North and the South currently maintain parallel interpretations. Growth crisis on one hand: the developed countries concentrate their approach on improving the governance of the WTO and adjusting the ambitions of its regulatory mission. Crisis of trust on the other hand: the developing countries remain in disarray with the free-trade user's guide and doubt the priority given to meeting their demands in the Doha Agenda. In fact, the two lines of thought are simultaneously right. The WTO suffers a classical teen-age crisis characterised by body growth and psychological distrust. These two dimensions of the crisis must be tackled simultaneously to overcome the present DDA deadlock. Recognising the double crisis of the multilateral trading system is a precondition to rebuilding a global political consensus over the role of the WTO in international economic cooperation.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Petersmann Ernst-Ulrich

Challenges to the legitimacy and efficiency of the world trading system: democratic governance and competition culture in the WTO

in *Journal of International Economic Law*, 7 (3) , 585-603

In June 2003, the annual conference on Preparing the Doha Development Round – WTO Negotiators Meet Academics was held at the Robert Schuman Centre for Advanced Studies of the European University Institute (EUI) in Florence and discussed Challenges to the Legitimacy and Efficiency of the World Trading System – Democratic Governance and Competition Culture in the WTO. As in the 2002 conference, academic experts presented reports on subjects related to the Doha Development Round negotiations, and WTO negotiators commented on these reports, leading to stimulating discussions among WTO ambassadors, other practitioners from developed and less-developed WTO member countries, economists, political scientists, and legal academics. This short conference report, written by the workshop organizer, summarizes the main arguments made during the discussions, without disclosing the identity of WTO negotiators since



their statements presented their personal views and not necessarily their government's official position. The summary is followed by six conference papers, and by four written comments, that served as a basis for the discussions.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Hocking Brian

Changing the terms of trade policy making: from the 'club' to the 'multistakeholder' model

in *World Trade Review*, 3 , 3-26

In the light of the events surrounding the Seattle Ministerial in December 1999 and the fate of the Multilateral Agreement on Investment, increasing attention is being paid not only to the substance of trade policy but to the processes through which it is effected. Growing realization of the need to enhance transparency and legitimacy in trade policy decision-making is reflected in debates on the openness of the multilateral processes most obviously represented by the World Trade Organization. Somewhat less attention has been paid to ways in which national trade policy processes are adapting to these pressures. The article argues the need to redress the balance and suggests that it is possible to analyse the development of at least some national trade policy environments in terms of a shift from a 'club', through an 'adaptive club' to a 'multistakeholder' model. These are examined with specific reference to the development of the latter in the Canadian and European Union contexts.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Ng Linda F. Y. , Tuan Chyau , Yu Eden

China and East Asia after the WTO Accession: Introduction

in *World Economy*, Volume 27, Number 10 , pp. 1499-1500

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Chan G.

China and the WTO: the theory and practice of compliance

in *International Relations of the Asia-Pacific*, Volume 4, Issue 1, February , 47-72

Since China joined the World Trade Organization (WTO) in December 2001, attention has turned to the issue of whether or not China is a responsible member of the organization and how compliant China is with WTO rules. This article discusses the difficulties faced by China, as a responsible rising power, in trying to adjust itself to global trading norms. It examines the theory of compliance in international relations from the perspectives of neo-realism, liberal institutionalism and social constructivism, and then tests these perspectives by examining the mechanisms used to gauge China's compliance, both bilaterally by the United States and multilaterally through the Dispute Settlement Mechanism and the Transition Review Mechanism of the WTO. The result is mixed: different opinions exist as to how compliant China has been but, on the whole, most monitors agree that China has tried hard to comply with WTO requirements in various areas, though much remains to be done. The most severe tests will come in the next few years when China's financial



and service sectors will have to face fundamental changes to the way they operate.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Mei-Ying Hung, Veron

China's WTO Commitment on Independent Judicial Review: Impact on Legal and Political Reform
in *American Journal of Comparative Law*, vol. 52 - n. 1 , 77 - 132

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Wolfe Robert

Crossing the river by feeling the stones: where the WTO is going after Seattle, Doha and Cancun
in *Review of International Political Economy*, Volume 11, Number 3 / August , 574 - 596

When we ask where the WTO is going after its debacle in Seattle its success in Doha, and the failure in Cancun, we find neither imminent collapse nor a new grand design. My analysis of the difference between these ministerial meetings separates the inter-linked themes of inadequate WTO procedure, the evolving trade policy agenda, and the changing role of developing countries. The first frame is the effort to make the institution stronger by improving internal and external transparency. The second frame is about the demands to deepen WTO disciplines in the era of globalization, when the meaning of liberalization moves from border measures to domestic regulations. The third frame is about making the WTO wider, where the context includes debates on the meaning of 'development'. After exploring these frames, and their implications for where the WTO is going, I speculate on what the Single Undertaking of the Doha round might contain. I use a metaphor to simplify a complex story about the difference between bargaining in incremental time and negotiating in conjunctural time: the WTO is 'crossing the river by feeling the stones'.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Dabroy, J.

DR- Cafta: que sectores economico y social saldran perdiendo?
in *Panorama centroamericano : reporte politico* , n. 199

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kahler M.

Defining Accountability Up: the Global Economic Multilaterals
in *Government and Opposition* , Vol. 39, n. 2, April , 132-158



Critics of the global economic multilaterals (GEMs) – the International Monetary Fund, the World Bank, and the World Trade Organization – allege that these organizations fail the test of democratic accountability. Two distinct measures of democratic accountability have been applied to the GEMs. To the degree that these organizations display ‘accountability deficits’, those deficiencies are the result of choices by the most influential national governments. Three techniques have been deployed to enhance the accountability of the GEMs: transparency (more information for those outside the institution), competition (imitation of democratic accountability) and changes in rules of representation (accountability to stakeholders rather than shareholders). Each of these may impose costs, however, and may conflict with other valued aims of the organizations.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kapoor Ilan

Deliberative democracy and the WTO

in Review of International Political Economy, Volume 11, Number 3 / August

Habermas's 522 - 541 rules-based deliberative democratic perspective underscores issues of power, legitimacy and justice. The article deploys this perspective to reveal how the lack of legitimating procedures and rational deliberation at the World Trade Organization (WTO) yields power politics and unjust outcomes. It examines the rule-making process in the successive trade Rounds that led up to the WTO, as well as the politics of the organisation's rule-application and consensus-making practices.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Méon Pierre-Guillaume, Sekkat Khalid

Does the Quality of Institutions Limit the MENA's Integration in the World Economy?

in World Economy, Volume 27, Number 9 , 1475-1498

Using a large sample of countries over the 1990s, this paper examines the extent to which institutions' functioning disables a greater participation of the Middle East and North Africa (MENA) in the world economy. It focuses on the impact on manufactured exports and FDI attractiveness and considers a broad index of political risk as well as indices targeted toward specific aspects of governance (corruption, government effectiveness and the rule of law). The results are robust to different econometric approaches and lend strong support to the hypothesis that the functioning of institutions may disable the participation of MENA countries in the world economy. They suggest that the impact of an improvement in the quality of institutions may result in a sensitive increase of FDI inflows and manufactured exports. That increase is comparable to the one resulting from liberalisation policies. Hence, although institutional reforms can take time, they deserve the necessary efforts given their outcomes as compared to other reforms.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Hans-Jurgen Burchardt

El nuevo combate internacional contra la pobreza, perspectivas para America Latina?



in *Nueva Sociedad*, n. 193 , Pag. 119-132

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Oliver Dörr

Gewalt und Gewaltverbot im modernen Völkerrecht

in *Aus Politik und Zeitgeschichte*, Band 43, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Broadman Harry G.

Global Economic Integration: Prospects for WTO Accession and Continued Russian Reforms

in *Washington Quarterly (The)*, Vol. 27, Issue 2 - Spring 2004 , pp. 78 - 98

Soon after the breakup of the Soviet Union, the Russian government recognized that, to transition successfully from a centrally planned economy to one based on market institutions, the country's economy would need to integrate with the global economy. This realization led almost immediately to initiatives to liberalize Russia's foreign-trade regime. The government lowered tariffs significantly, reduced quotas, diminished import trade subsidies, and formally applied in June 1993 to become a member of the General Agreement on Tariffs and Trade (GATT); the predecessor of today's World Trade Organization (WTO).

Since 1993, Russia has continued to liberalize its trade regime and to pursue membership in the WTO, which has nearly 150 members that account for more than 97 percent of world trade at present. Russia has the largest economy of the more than 30 countries currently negotiating membership. Today, Russian officials—most visibly President Vladimir Putin himself—repeatedly and increasingly emphasize Russia's desire, if not commitment, to accede to the WTO as a critical policy objective for the country's integration into the world economy. The world's major trading powers, including the Group of Seven (Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States), also have come to realize the importance of Russia's WTO accession.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Wolf Martin

Globalization and Global Economic Governance

in *Oxford Review of Economic Policy*, Volume 20, Issue 1 , 72-84

This article focuses on the World Trade Organization (WTO) and the International Monetary Fund (IMF). It starts by noting that the case for creating such institutions is not self-evident, since the liberal order of the nineteenth century lacked comparable ones. Nevertheless, these institutions perform valuable functions. The article then considers the



criticisms of the WTO and the IMF. It finds most, though not all, unjustified. It concludes that the WTO could be improved. But, without it, the big powers would do what they want to an even greater extent than they already do. Similarly, while the IMF has made significant mistakes, notably in its promotions of capital-market liberalization, prior to the Asian financial crisis, the charges against it are exaggerated. Finally, the article considers the possibility of creating new institutions to cover investment, migration, taxation, and the environment.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Spaventa A.

Il fondo monetario internazionale e la banca mondiale a sessant'anni da Bretton Woods

in *Queste istituzioni*, n. 133-134 inverno primavera , 12-21

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Smith James

Inequality in international trade? Developing countries and institutional change in WTO dispute settlement

in *Review of International Political Economy*, Volume 11, Number 3 / August , 542 - 573

The dispute settlement mechanism of the World Trade Organization (WTO) is a controversial exercise in legalization at the international level, with direct implications for inequality between developed and developing countries. Conventional wisdom suggests that moves to establish binding, third-party arbitration in international law generally favor smaller, less powerful states. Nevertheless, many of the most pointed criticisms of the new WTO system and the most radical reform proposals have come from developing countries, its presumed beneficiaries. To unravel this paradox, I examine the role of the Appellate Body, which has become the principal engine of institutional change in the WTO system. Like all quasi-judicial actors, the Appellate Body has a certain level of delegated authority, especially over procedural issues. Despite objections from WTO members, the Appellate Body has brought about several significant procedural reforms. It has broadened the access of third parties in appellate proceedings; opened the door to amicus curiae submissions by private individuals and organizations; and endorsed the representation of governments by private counsel. In all three moves, the Appellate Body—whose legitimacy remains contested—generates information about the political context and potential consequences of its rulings. Its institutional interests, however, at times conflict with those of developing countries in the WTO, as these decisions on balance threaten to exacerbate existing inequalities, at least in the short term.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Levchenko Andrei A.

Institutional Quality and International Trade

in *IMF Policy Discussion Papers*, December, 2004

No abstract available



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Sampson Gary P.

Is there a need for restructuring the collaboration among the WTO and UN agencies so as to harness their complementarities?

in *Journal of International Economic Law*, 7 (3) , 717-727

Given the broad objectives of the WTO, it is not surprising that there is need for effective collaboration with a number of UN agencies. One specific example relates to sustainable development. At the launching of the WTO Doha Development Agenda in Qatar in November 2001, the trade ministers strongly reaffirmed their 'commitment to the objective of sustainable development'. At the United Nations World Summit on Sustainable Development in September 2002 in Johannesburg, ministers committed themselves to continue 'to promote open, equitable, rules-based, predictable and non-discriminatory multilateral trading'. Notwithstanding such declarations, it is argued that there is scope for a clearer appreciation of the relationship between the work of the WTO and the United Nations Agencies. To achieve this, however, what is important is to identify the specific areas where there are complementarities and overlaps in their work. A selection of such areas are presented by way of example. They include the WTO Trade Related Intellectual Property Rights Agreement and its relationship to the Convention on Biological Diversity, and recent dispute settlement cases at the WTO dealing with the environment and public health. The relationship between WTO rules and those of Multilateral Environment Agreements is also reviewed, and attention is also drawn to human rights and labour standards where the everyday work of the WTO impacts on matters dealt with by United Nations Agencies. What emerges from this review is that an increasing number of non-traditional (in trade terms) issues are gravitating towards the WTO. Against this backdrop, a strong argument can be made that a trade policy organization such as the WTO should not be responsible for the non-trade issues that are gravitating towards it. One way to address this situation would be to strengthen those UN Agencies with the mandate and expertise to deal with the elements of sustainable development – economic development, the environment, and social matters. It seems, however, that the requisite political will is not forthcoming to pursue this root. Against this backdrop, two proposals are advanced as to how to proceed in the WTO.

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Subsection 2. The economic and financial international organizations

Petiteville Franck

L'hégémonie est-elle soluble dans le multilatéralisme ? Le cas de l'OMC

in *Critique Internationale*, N°22 - Janvier 2004

L'Organisation mondiale du commerce est analysée ici à l'aune des différentes théories des relations internationales relatives au multilatéralisme. Il est aujourd'hui évident que l'OMC invalide la théorie réaliste de la « stabilité hégémonique », puisqu'elle ne vit pas sous la domination des États-Unis. La vision inspirée par les approches néomarxistes et altermondialistes d'une OMC instrumentalisée dans le rapport Nord-Sud doit être également révisée, face la montée en puissance des pays en développement, dont le pouvoir d'influence et de blocage est susceptible, le cas échéant, de paralyser l'Organisation. C'est en définitive la théorie libérale du multilatéralisme, fondée sur la possibilité de gains mutualisés pour tous les participants, que l'OMC vérifie le mieux. Même s'il faut tenir compte du fait que son fonctionnement est encore



sous-optimal par rapport à l'idéal-type libéral du multilatéralisme, l'OMC apparaît comme un espace de multilatéralisme relativement préservé dans l'après-guerre froide.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Garcia, F.

OMC: Organizacion Mundial de Comercio avanza en el compromiso del DOHA in Panorama centroamericano : reporte politico , n. 198

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kelkar V., Yadav V., Chaudhry P.

Reforming the Governance of the International Monetary Fund in World Economy, Volume 27, Number 5 , 727-743

Democratising the governance of the IMF will significantly improve the institution's capacity to manage crises. The implementation of a democratic framework requires a reform of the Fund's 'quota regime,' which mediates the distribution of voting power. An optimal reform of the quota regime that reflects the increased weight of emerging economies requires matching the number of policy objectives with the number of policy instruments. Presently, there is a classic 'assignment problem' whereby one policy instrument (i.e., the quota regime) is aimed at achieving three objectives (i.e., member contribution obligations, access rights, and voting rights). Three different instruments need to be adopted. Member contributions should be based on member's capacity to pay; access to resources should be based on need; and voting rights should balance the rights of creditors with the principle of sovereign equality. These reforms will enhance the Fund's legitimacy and accountability as a forum for global economic policy-making.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Head Keith, Ries John

Regionalism Within Multilateralism: The WTO Trade Policy Review of Canada in World Economy, Volume 27, Number 9 , 1377-1399

The World Trade Organisation published a Trade Policy Review of Canada in 2003. In this paper, we discuss the WTO Review and augment the discussion by presenting original data and reviewing the empirical literature. The WTO concludes that Canada's trade regime is open and transparent but maintains barriers in a few important sectors. We subject this claim to empirical scrutiny, comparing Canada's actual imports to a multilateral benchmark based on the gravity equation. We show that Canada imports about what should be expected given the size of its economy and its location. In a second benchmarking exercise, we show that Canada's anti-dumping initiations are in proportion to its imports and that Canada's exports are targeted less by other countries' anti-dumping investigations than what might be expected based on Canadian export levels. Like many other countries, Canada has pursued trade liberalisation through



the World Trade Organisation while simultaneously signing multiple regional trade agreements. Our summary of the recent literature indicates that Canada's regional trade agreements have generated more trade creation than trade diversion. Canada has also spurred imports from the least developed countries by unilaterally eliminating tariffs and quota barriers on 48 of the world's poorest countries in January 2003. We also discuss Canadian progress in opening its agriculture and clothing industries. Overall, we conclude that Canada appears committed to advancing globalisation through multilateral trade liberalisation supplemented by unilateral and bilateral initiatives.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Mason Michael

Representing Transnational Environmental Interests: New Opportunities for Non-Governmental Organisation Access within the World Trade Organisation?

in *Environmental Politics*, Volume 13, Number 3, September , pp. 566-589

What opportunities does the World Trade Organisation (WTO) offer for the representation of transnational environmental concerns by non-governmental organisations (NGOs)? Even prior to the Seattle protests in 1999, social movement pressure prompted WTO to increase its engagement with civil society groups, derestrict documents, facilitate NGO-oriented symposia and briefings, and extend access to ministerial meetings. A survey of NGO participants in recent WTO environment briefings reveals their positions on current and proposed modes of civil society input, the feasibility and legitimacy of which are discussed. Their recent coalition-building with development NGOs on specific trade campaigns is evidence that transnational environmental NGOs have grasped the need to appeal to developing country interests in order to widen political support for ecological concerns within the WTO.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Magnoli Alessandro

Riformare la banca mondiale?

in *ItalianiEuropei*, n. 5 , 97-120

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Hoekman B., Michalopoulos C., Winter L.A

Special and Differential Treatment of Developing Countries in the WTO: Moving Forward After Cancún

in *World Economy*, Volume 27, Number 4 , 481-506

The issue of special and differential treatment (SDT) for developing countries in the WTO has become a source of tension in North-South trade relations. The absence of an effective SDT regime clearly contributed to the failure of the Cancún Ministerial meeting of the WTO. This paper argues for a new approach that puts the emphasis on efforts to



improve the development relevance of WTO rules and create mechanisms which allow greater differentiation across WTO members in determining the applicability of WTO disciplines; complemented by non-discriminatory liberalisation of trade in goods and services in which developing countries have an export interest. The former is key in allowing the WTO to expand its reach to new 'behind the border' policies; and the latter is important to establishing a development dimension in multilateral trade negotiations.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Marquette Heather

The Creeping Politicisation of the World Bank: The Case of Corruption

in **Political Studies**, Volume 52, Issue 3, October , pp. 413-430

This paper looks at the increasing politicisation of the World Bank through its work on corruption. Historically, the Bank's Articles of Agreement, which forbid it from involving itself in the politics of its recipient countries, have excluded work on corruption. In the 1990s, internal and external demands grew for the Bank to address the problem of corruption, despite earlier reticence. Much research done over the past decade, often commissioned by the Bank or done in-house, has worked to turn corruption into an economic and social issue, rather than a political one, in order to conduct anti-corruption work while evading accusations that it is violating this non-political mandate. Now this pretence is gradually slipping away and the Bank is becoming overtly political, despite its Articles and a lack of international consensus that this is the direction in which it should be heading.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kol Jacob, Winters L. Alan

The EU after Cancun: Can the Leopard Change its Spots?

in **European Foreign Affairs Review**, Volume 9, Issue 1 , pp. 1-25

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Zissimos Benjamin

The Economics of the World Trading System

in **Economic Journal**, June 2004 - Vol. 114 Issue 496

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Hornig Der-Chin



The European Central Bank's External Relations with Third Countries and the IMF
in *European Foreign Affairs Review*, Volume 9, Issue 3 , pp. 323-346

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Alasdair R. Young

The Incidental Fortress: The Single European Market and World Trade

in *Journal of Common Market Studies*, Vol. 42, Issue 2, June , 393-414

The European Union's role in international trade contains two significant contradictions: first, although its trade policy, with some notable exceptions, is generally fairly liberal, it has been the respondent in a number of high-profile trade disputes; second, although a champion of multilateralism, the EU has had problems complying with World Trade Organization (WTO) judgments. I argue that these contradictions in the EU's trading persona are due to the internal dynamics of European policy-making, which create 'regulatory peaks' where the member governments' rules diverge, and render the resulting rules difficult to alter.

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Subsection 2. The economic and financial international organizations

Dreher Axel

The Influence of IMF Programs on the Re-election of Debtor Governments

in *Economics and Politics*, Volume 16 Issue 1 , 53-76

The paper develops a model explaining why IMF programs are less likely to be concluded before national election dates. Since conclusion of an IMF arrangement may signal the incumbent's incompetence, rational voters use this signal when deciding upon his re-election. In order to demonstrate competence, politicians may therefore decide not to conclude IMF programs prior to elections. The model also shows that re-election probabilities of politicians who nevertheless conclude arrangements at election times depend on the state of the economy. Using panel data for 96 countries between 1976 and 1997, the model is tested empirically. The results show that conclusion of an IMF arrangement within six months prior to an election increases re-election probabilities when GDP growth is low, but reduces the chance to win an election with high growth rates.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Pauwelyn Joost

The Puzzle Of WTO Safeguards And Regional Trade Agreements

in *Journal of International Economic Law*, 7 (1) , 109-142

So far WTO jurisprudence has not resolved the puzzle of how WTO Members that are part also of a regional trade



agreement (such as NAFTA or MERCOSUR) should conduct safeguard investigations and apply eventual safeguards in line with WTO rules. Can or must they exclude regional imports from the injury determination? Can or must they apply the eventual safeguard only to third parties, or are they under an obligation rather to apply all safeguards on a non-discriminatory basis? Those are the questions examined in this paper. The paper refocuses some of the attention to GATT Article XIX and criticizes the Appellate Body's requirement of parallelism as well as its jurisprudence under GATT Article XXIV. It also offers an alternative way forward and ends with a list of options for WTO safeguards by members of customs unions or free trade areas

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Neumayer Eric

The WTO and the Environment: Its Past Record is Better than Critics Believe, but the Future Outlook is Bleak in Global Environmental Politics, Volume 4, Issue 3, August , pp. 1-8

This article argues that the WTO's past environmental record is much better than critics would have it. Its jurisprudence has become increasingly environmentally friendly and many charges against the dispute settlement process are based on misunderstandings. WTO rules have, so far at least, not deterred any multilateral environmental agreements. The lack of ambitious environmental protection measures is not the fault of the WTO, but the responsibility of policymakers from its member states. At the same time, the WTO has done little to actually promote environmental protection and the treatment of the precautionary principle in WTO rules is highly unsatisfactory. Unfortunately, this is unlikely to change in the future. The reason for this is that there is not enough support among member countries, particularly those from the developing world, to render the multilateral trade regime more environmentally friendly. The challenge is to green WTO rules in a way that is beneficial and therefore acceptable to developing countries.

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Subsection 2. The economic and financial international organizations

Charnovitz Steve

The WTO and world cosmopolitics

in **Journal of International Economic Law**, 7 (3) , 675-682

The relationship of the WTO to the international community and to its individual denizens continues to be a contentious topic in trade law and policy. In 2001, European Commissioner for Trade Pascal Lamy suggested the need for 'cosmopolitics' in global governance in order to improve decision-making and enhance legitimacy. In this article, Steve Charnovitz shows how the WTO already engages in various practices of cosmopolitics, despite the continuing pull of the mantra that only Members are of relevance within the WTO. Following this review of current practice, the article points several additional ways in which the WTO could boost transparency and deepen public participation.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Athukorala Prema-chandra

Trade Policy Making in a Small Island Economy: The WTO Review of the Maldives

in **World Economy**, Volume 27, Number 9 , 1401-1419



The purpose of this paper is to examine trade policy regime and trade-related development issues in the Maldives on the basis of the Trade Policy Review Maldives 2003 of the WTO. The key theme of the paper is that, given the narrow resource base and small domestic market, openness to foreign trade and investment remains the 'natural' policy choice for a small developing economy like the Maldives. Since the late 1980s, the Maldivian government has made considerable progress in implementing policy reforms driven by this conviction. However, the reform process is far from complete. High import tariffs maintained predominantly on revenue considerations, a large direct role played by the public sector in foreign trade and some key sectors of the economy, lack of transparency in duty concessions and other investment incentives, failure to incorporate environmental concerns as part of the national development policy, and delays in meeting reform commitments under the WTO are among the key items of the unfinished reform agenda

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Gasiorek Michael

Trade Reform and the Southern Mediterranean

in World Economy, Volume 27, Number 9 , 1421-1427

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Thomas Urs P.

Trade and the Environment: Stuck in a Political Impasse at the WTO after the Doha and Cancun Ministerial Conferences

in Global Environmental Politics, Volume 4, Issue 3, August , pp. 9-21

This article assesses the political dynamics and the legal status of environmental concerns in WTO case law and in the recent WTO negotiations. It explains how the WTO's Dispute Settlement Body plays a crucial role in the determination of the profile of environmental concerns in a trade policy context. It is not only respected by the biggest economic powers but it often has to assume a law-making function due to the vagueness of parts of the WTO agreements. The trade regime takes the environment into consideration only as exceptions to the trade disciplines. The article argues that the political dynamics are stacked against a balanced consideration of trade and environmental priorities, and the perspectives for a significantly improved treatment of environmental issues in today's negotiation climate are assessed pessimistically

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Graz Jean-Christophe

Transnational mercantilism and the emergent global trading order

in Review of International Political Economy, Volume 11, Number 3 / August , 597 - 617

It is often argued that the problems currently facing the World Trade Organization stem from an important shift in the trade agenda from tariff reduction to the harmonisation of domestic regulations considered as non tariff barriers. From



this perspective, the lack of harmonisation of domestic regulations severely impairs the capacity of the WTO to fulfil its mission. This article argues, in contrast, that the underlying problems facing the contemporary trade agenda are different, and are caused by a lack of differentiation in the regulatory framework of the WTO. To substantiate this claim, a conception of transnational mercantilism is derived from recent scholarly revisions of classical mercantilism. This clarifies a continuity between the external dimension and the comprehensive pattern of social organisation involved in the political economy of international trade. This framework is used to appraise four structures upon which trade policy is predicated: the implementation of market mechanisms, the embeddedness of trade in state-society relations, the link between trade and the natural environment, and special and differential treatment for developing countries.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kerremans Bart

What Went Wrong in Cancun? A Principal-Agent View on the EU's Rationale Towards the Doha Development Round

in *European Foreign Affairs Review*, Volume 9, Issue 3, pp. 363-393

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Fatos, N.

Albania, the Balkans, and the Process of Transatlantic Integration

in *Mediterranean Quarterly*, Vol. 15 Nr. 3 summer

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Armand Clesse

America's Classical Security Dilemma Search for a New World Order

in *World Affairs*, Vol. 8, n. 2, April - June

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Lantis Jeffrey

American Perspectives on the Transatlantic Security Agenda

in *European Security*, Volume 13, Number 4, Winter, pp. 361-380

This article explores US perspectives on the new transatlantic security agenda in the context of the evolution of strategic



culture. The war on terrorism and the Iraq War of 2003 serve as focal points to examine sources of divergence and convergence between US and European security policies. The article explores key questions including: Have we seen the collapse of a shared, transatlantic security culture since September 11? How have US leaders manipulated strategic cultures to achieve security objectives in the new era? Why has the Bush administration willingly engaged (and even encouraged) the intra-European divide? How significant to the United States is the shift in "old" and "new" European perspectives on the war on terrorism? The article concludes with an assessment of the implications of recent events for the future of transatlantic security ties.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Smith Michael

Between Two Worlds? The European Union, the United States and World Order in International Politics , Vol. 41, n. 1, March , 95-117

This paper explores the current and recent tensions in EU-US relations by reference to questions of world order: in other words, questions about the role of leadership, the distribution of power, the development of institutions and the articulation of ideas and values about the nature of the world arena. It asks 'How do the EU and the US differ on questions of world order, and how and how much does this matter, to the parties or to world order more generally?' The first part of the paper asks whether we have seen this all before, in the 1970s, the 1980s or the early 1990s, and attempts to establish what is distinctive about the current conjuncture. It also reviews the current debate about concepts in the EU-US context: sovereignty, leadership, power, institutions and values. On the basis of this review, the article proposes a distinction between 'warrior states' and 'trading states' in approaches to world order, and assesses the extent to which this leads to different languages and images of world order. It is argued that the US in the present conjuncture has assumed the position of a 'warrior state' and the EU that of a 'trading state', and that this has fundamental implications for their approaches to world order.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Angel Marin

Bulgaria in NATO and the Security of Southeast Europe in Review of International Affairs (The) , Vol. LV, n. 1114, April-June

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Shen Dingli

Can Alliances Combat Contemporary Security Threats? in Washington Quarterly (The), Vol. 27, Issue 2 - Spring 2004 , pp. 165 - 179



As long as states continue to perceive that external threats to their national security exist, alliances;the traditional means for states to ensure national security;will continue to matter. Although a security or military arrangement is not necessarily a prerequisite (alliances can also exist as a more informally codified political alignment among willing states), alliances are only legitimate if they establish security partnerships for defensive purposes that together provide a system of collective security for all parties involved. In the military context, all members of an alliance expect to maximize the deterrent effect of the arrangement to protect them from potential hostile acts against any individual member. The collective strength of the whole is perceived to be greater than that of its parts; an alliance thus increases the effectiveness of deterrence as well as the credibility of the will to use collective hard power in response to external aggression should deterrence fail. In contrast, alliances formed for aggressive purposes, such as World War II;s fascist Axis powers, inherently lack lasting legitimacy and subsequently lose relevance.

Modern alliances were created primarily to deter and defend against Cold War threats. In this context, NATO was established to ally Western European nations with the United States (and Canada) against the threat posed by Soviet expansionism and communism. The Warsaw Pact formed NATO;s eastern counterpart, allying Eastern European nations with the Soviet Union against potential Western (U.S.-led) aggression. In the Pacific arena, the United States forged several crucial bilateral alliances, including those with Japan, South Korea, Australia, and others to protect against the shadow of the Soviet Union as well as to prevent the rise of Red China.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Kruger, Erin, Mulder, Marlene, Korenic, Bojan

Canada after 11 September: Security Measures and "Preferred" Immigrants
in *Mediterranean Quarterly*, Vol.15 Nr.4 fall 2004

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Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Dunkerley Craig G.

Considering Security Amidst Strategic Change: The OSCE Experience
in *Middle East Policy*, Volume 11, Issue 3, Fall , full text available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Erik Jones

Debating the transatlantic relationship: rhetoric and reality
in *International Affairs* , issue 4, vol. 80, july , 595-612



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Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Prakash, B. S.

Doctrine and Legal Issues in International Peace Operations : An Indian Perspective

in Indian Journal of International Law, Volume 44, Issue 1 , 113-126

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

F. Stephen Larrabee

ESDP and NATO: Assuring Complementarity

in International Spectator (The), Vol. XXXIX, n. 1, January-March

How ESDP develops, whether as a complement or rival to NATO, will depend on both EU and US policy. Europe will also have to eschew efforts to develop the EU as a counterweight to the United States and create more deployable forces which can operate alongside US forces in a broad spectrum of contingencies. The United States needs to be willing to share responsibility genuinely with its European allies and take their views more seriously into consideration in formulating a more comprehensive global strategy which balances hard power with soft power and effective diplomacy. US and European defence transformation processes and priorities need to be closely harmonised. As ESDP proceeds, the US and Europe must ensure that it strengthens, rather than weakens, transatlantic relations.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Barry R. Posen

ESDP and the Structure of World Power

in International Spectator (The), Vol. XXXIX, n. 1, January-March

Since the end of the Cold War, the theme of unipolarity or US hegemony has assumed increasing importance among foreign policy scholars and practitioners. The origin of the European Union Security and Defence Policy (ESDP) is generally traced to numerous factors including both high and low politics at the EU and national level. This essay argues that the timing, extent and pace of ESDP's recent progress is best explained as a general European reaction to the real world implications of the unusual relative power position of the United States. This is not quite balance-of-power politics, but a "kinder and gentler" version thereof. Over time, if ESDP develops and enjoys some practical successes, transatlantic relations will subtly change, as Europeans begin to feel more confident of their ability to manage their own security affairs.



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Ingo Peters

ESDP as a Transatlantic Issue: Problems of Mutual Ambiguity

in *Review of International Studies (The)*, Volume 6, Issue 3, September , 381-402

European Security and Defense Policy (ESDP) has become a contentious subject in transatlantic security relations. This essay identifies the ambiguities that have occurred in the policymaking on both sides of the Atlantic that appear to have generated a basic lack of confidence and trust in the other side's good intentions and commitment to cooperation. It does so by sketching three historical time periods—1981–1986, 1988–1996, and 1998–2004—that convey the recurrent patterns and outcomes in the ESDP dispute. These three cases cover the periods (1) from the London Report on European Political Cooperation to the Single European Act and the Western European Union Security Platform, (2) the Maastricht Negotiations on a Common Foreign and Security Policy, and (3) the evolution of ESDP from St. Malo to Brussels.

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Subsection 3. Security communities and organizations

Portero, F.

Estados Unidos y Europa ante un nuevo escenario estratégico.

in *Cuadernos de pensamiento político*, n. 1

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

John Peterson

Europe, America, Iraq: Worst Ever, Ever Worsening?

in *Journal of Common Market Studies*, Vol. 42, Issue s1, September , 9-26

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Hyde-Price Adrian

European Security, Strategic Culture, and the Use of Force

in *European Security*, Volume 13, Number 4, Winter , pp. 323-343

This article examines post-cold war European attitudes to the use of force, focusing on the UK, France, Germany and Poland. It argues that European strategic culture reflects the security environment of the second half of the Twentieth century, and increasingly acts as an impediment to developing new European security strategies relevant to the early



twenty-first century. The author argues that new thinking about security and strategy is required in Europe, and suggests six principles that should inform a revised European security strategy appropriate to the post-9/11 world.

Section B) Global governance and international organizations

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Eric A. Heinze

Humanitarian intervention: morality and international law on intolerable violations of human rights
in *International Journal of Human Rights (The)*, Vol. 8 Nr. 4 Winter , Pag.471-490

Using the concept of 'gross violations of human rights' as a guiding principle for humanitarian intervention, this essay argues that a hierarchy of human rights is supported not only by moral reasoning, but by an overwhelming body of international law and jurisprudence. I first put forth a normative argument that suggests the violation of certain rights - and the extent to which these violations occur - are morally intolerable and grounds for the use of force to protect individuals from such abuses. I then argue that a commensurate hierarchy of rights (violations) can be distilled from an analysis of international crimes to which universal jurisdiction is attached. This essay concludes that the principle of universal jurisdiction provides a legal standard that suggests certain human rights violations are morally intolerable, thus subject to humanitarian intervention.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Overhaus Marco

In search of a post-hegemonic order: Germany, NATO and the European security and defence policy
in *German Politics*, Volume 13, Number 4, December , pp. 551-568

This article explores the erosion of the conditions which supported Germany's emergence as a 'Civilian Power', in particular fundamental changes in the US perspective on the transatlantic relationship and international security, but also the increased sensitivity of German foreign policy to domestic circumstances. It explores Germany's so far ambivalent and inconsistent role in the pursuit of a post-hegemonic order for Euro-Atlantic security, focusing in particular on the emerging European Security and Defence Policy.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Pier Domenico Tortola

La Nato e l'egemonia americana dopo la guerra fredda
in *Teoria Politica*, Vol. 20, Fascicolo 1

NATO's persistence (and enlargement) after the end of bipolarity is today a major riddle of international relations theory. Attempts to justify the endurance of what has often been called a «Relic of the Cold War» so far have been led by two main schools of thought, namely Waltzian Structural Realism and the New Liberal Institutionalism. Although both



approaches offer valuable aids to understanding today's Euro-American relations, neither of them can provide a full explanation of the survival of the Atlantic Alliance after 1989-91. The aim of this article is to analyse these two perspectives, identify their shortcomings and their strong points, and synthesize the latter into an alternative theoretical framework. More specifically, building on Robert Gilpin's hegemonic theory, the author offers an interpretation which posits the Atlantic Alliance as the chief institutional provider of security as a public good within the current US-led international system. In order to substantiate these assertions, he then analyses the evolution of NATO's attitude towards the external environment as it results from the two Strategic Concepts elaborated by the North Atlantic Council after 1989.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Bajec Alessandra

La difesa europea e gli Stati Uniti

in **Affari Esteri**, Anno XXXVI, n. 143 , 543-560

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Migliavacca Paolo

La nuova NATO, gli Stati Uniti, l'Europa e la Russia

in **Affari Esteri**, Anno XXXVI, n. 143 , 517-527

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Di Paola Giampaolo

Le forze di reazione rapida della NATO e dell'Unione Europea

in **Affari Esteri**, Anno XXXVI, n. 143 , 507-516

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Andrea Cagiati

L'Europa e i rapporti transatlantici

in **Affari Esteri**, Anno XXXVI, n. 141 , 148-156

No abstract available



Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Aldis Anne, Herd Graeme

Managing Soft Security Threats: Current Progress and Future Prospects

in European Security, Volume 13, Numbers 1-2, Spring , pp. 169-186

This concluding essay explores the development of the concept of security since the end of the Cold War, in a world characterized by failing states, and the rise of non-state actors. It revisits the competing paradigms of 'The End of History' and 'The Clash of Civilisations' within globalization trends as a whole, and security in particular. Post September 11, 2001, the boundaries between hard and soft security have been blurred as the relationship between terrorism and illegal trade have become apparent. The paper highlights three challenging processes of particular relevance for soft security: the still growing gap between rich and poor; the technological revolution; and the changing role of and attitudes to military force. Environmental, economic and population pressures elsewhere fuel the soft security threats in Europe, and the problems cannot be solved by improved policing or border mechanisms alone. Rather, the solution lies in treating them at a global level.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Douglas T. Stuart

NATO and the wider world: from regional collective defence to global coalitions of the willing

in Australian Journal of International Affairs, Vol. 58, n. 1 / March , 33-46

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Barany Zoltan D.

NATO's Peaceful Advance

in Journal of Democracy, Volume 15, Number 1, January , pp. 63-76

Scholars, policy-makers, and pundits have long debated the impact of the North Atlantic Treaty Organization on East European democratization. This article argues that NATO has been an essential instrument of democratic transition and consolidation because it has a) guaranteed security, a fundamental precondition of democratization; b) exerted a positive general influence on political processes; and c) urged and helped shape specific policies in the military-security domain. After explaining the East European states' interest in gaining full membership in the Alliance, the article analyzes the debates preceding the 1997 and 2002 enlargement decisions and the ways in which 9/11 has changed NATO's expansion.

Section B) Global governance and international organizations



Subsection 3. Security communities and organizations

Tanner Fred

NATO's Role in Defence Cooperation and Democratisation in the Middle East
in *International Spectator (The)*, Vol. XXXIX, n. 4, October-December

How can NATO's rich experience with democratic security governance in Eastern Europe be used in the framework of NATO's Mediterranean Partnership - despite the problematic US-European relations regarding the Middle East and particularly Iraq. Promotion of defence reform and democratisation in the Middle East requires a common alliance strategy. Moreover, NATO will have to work with the EU on Mediterranean partnership building because cooperative defence reform can only be achieved in a sound environment of sustainable development and political reform.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Sedivy Jiri, Zaborowski Marcin

Old Europe, New Europe and Transatlantic Relations

in *European Security*, Volume 13, Number 3, Autumn , pp. 187-214

This article establishes the broader framework for the rest of the volume by addressing the contemporary context of transatlantic relations and secondly by establishing strategic culture as the conceptual tool for the collection. The article takes issue with realist/material explanations of recent transatlantic disputes, as posited, for example, by Rober Kagan, which tend to portray the transatlantic divide as the US on one side and Europe on the other. In fact Europe itself was very much divided over Iraq and the conduct of US foreign policy. Moreover, the sources of this division, manifest vividly in the notion of Old and New Europe, were based on cultural, historical as well as material factors and as such are best understood by invoking the concept of strategic culture. Thoughtful Europeans know that Europe must unite in some form if it is to play a major role in the long run. They are aware, too, that Europe does not make even approximately the defense effort of which it is capable. But European unity is stymied and domestic politics has almost everywhere dominated security policy. The result is a massive frustration which expresses itself in special testiness toward the United States. (Henry Kissinger, 1969)¹

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Helene Sjursen

On the identity of NATO

in *International Affairs* , issue 4, vol. 80, july , 687-704

Although we may well be missing the point about NATO if we conceptualize it as just another military alliance, defining NATO as a community of liberal democratic values and norms is problematic. A distinction must be made between a community of values linked to particular experiences and a particular context and a community based on democratic principles. What has kept NATO together beyond the Cold War is a sense of shared history and fate. If such a 'value-hypothesis' about NATO is correct, the continued survival of the organization does not depend only on the marginal costs of maintaining it continuing to outweigh those of creating a new organization. The future of NATO will also depend on the extent to which it is possible to restore (or reestablish) a sense of shared fate and mutual confidence



across the Atlantic.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Richard A. Bitzinger

**Overcoming Impediments to Transatlantic Armaments Collaboration
in *International Spectator (The)*, Vol. XXXIX, n. 1, January-March**

Despite powerful military, political, and economic drivers, transatlantic armaments collaboration seems even more remote and problematic than ever. But while there exist many obstacles to expanded US-European arms collaboration - including the capabilities and spending gaps, and the "Fortress Europe/Fortress USA" mentalities - they are not as difficult to overcome as the lack of serious, sustained, and actionable resolve and commitment to the idea of such cooperation, especially on the part of critical, highly placed US actors in government and in industry. Until the United States is as ready as its European allies to globalise defence production, transatlantic armaments collaboration will always be a half-hearted and sporadic affair and will only further corrode an already strained transatlantic alliance.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Pierangelo Isernia and Philip P. Everts

**Partners Apart? The Foreign Policy Attitudes of the American and European Publics
in *Japanese Journal of Political Science*, Volume 5, Issue 2, November , 229-258**

It is often argued today that a deep and troublesome gap across the Atlantic has been developing and that Europeans and Americans no longer share the same view of the world. On the basis of data gathered in the 2002 Transatlantic Trends Survey, held in the USA and six European countries, this article assesses whether there is indeed such a gap at the mass level. It focuses on three major dimensions of world views: (1) perceptions of threats (2) the sense of affinity with other countries in terms of allies, friends or foes, and (3) attitudes toward the use of force, both in general and in specific circumstances, more particularly the war over Iraq. It concludes that European publics in 2002 looked at the world in a way that is rather similar to that of many ordinary Americans including harbouring deep reservations about the conduct of certain aspects of U.S. foreign policy. Both publics share fundamental worldviews. On Iraq, Europeans and Americans agreed in some respects (such as the necessary role of the UN) but disagreed on other. In many respects at the mass level the differences across the Atlantic are of degree, and not fundamental. They result from disaffection with the present administration rather than with US policies in general. Moreover, the alleged European 'anti-Americanism' is a misnomer, which hides the considerable sympathies and warm feelings towards America, and the perceived common interests and values.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Beneyto, J. M.



Reforzar el vínculo transatlántico, profundizar Europa

in *Cuadernos de pensamiento político*, n. 2

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Powers Kathy L.

Regional Trade Agreements as Military Alliances

in *International Interactions*, n. 4, vol. 30, october-december , 373-395

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Cimbalo Jeffrey L.

Saving NATO from Europe

in *Foreign Affairs*, November/December - Vol 83, Number 6, 2004

Long the bulwark of the transatlantic security relationship, NATO now faces a threat from within Europe itself. The proposed EU constitution makes clear that the new Europe seeks to balance rather than complement U.S. power-making European political integration the greatest challenge to U.S. influence in Europe since World War II. Washington must begin to adapt accordingly.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Calder Kent E.

Securing security through prosperity: the San Francisco System in comparative perspective

in *Pacific Review (The)* , Volume 17, Number 1, March , pp. 135-157

The integrated system of political-economic relations that has prevailed in the Pacific since the September 1951 treaty of peace with Japan, known here as the San Francisco System, is distinctive in comparison with subregional systems elsewhere in the world. This paper outlines key defining features, such as (1) a dense network of bilateral alliances; (2) an absence of multilateral security structures; (3) strong asymmetry in alliance relations, both in security and economics; (4) special precedence to Japan; and (5) liberal trade access to American markets, coupled with relatively limited development assistance.

After contrasting this system to analogous arrangements elsewhere, especially in the Atlantic, it explores both the origins and the prognosis of this remarkably durable political-economic entity. Complementary domestic political-economic interests on both sides of the Pacific, reinforcing a brilliant original Japan-centric design by John Foster Dulles, account for persistence, it is argued, while forces for change center on the dynamic emerging role of China.



Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Obiora Chinedu Okafor

The African system on Human and Peoples' Rights, quasi-constructivism, and the possibility of peacebuilding within African states

in *International Journal of Human Rights (The)*, Vol. 8 Nr. 4 Winter , Pag.413-450

This article examines the influence that IHIs (such as the African System on Human and Peoples' Rights) can exert within states, with the facilitative work of local popular forces, and relates that to the possibility of valuable IHI contributions to peacebuilding within deeply fragmented African states. Of all the existing approaches to the study of IHIs, constructivism comes the closest to accounting for the highly significant incidences of IHI-fostered (and popular forces-facilitated) 'correspondence' that occurs outside the 'compliance radar'. In this sense the article is a contribution to the growing constructivist human rights and institutional literature sets. In particular the article explores the brighter possibilities for peacebuilding thinking and practice that are revealed by a broader and less conventional analysis of the African system's continuing engagement with elements of the local popular forces that operate within Nigeria.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Dana H. Allin

The Atlantic crisis of confidence

in *International Affairs* , issue 4, vol. 80, july , 649-664

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Tetraï Bruno

The Changing Nature of Military Alliances

in *Washington Quarterly (The)*, Vol. 27, Issue 2 - Spring 2004 , pp. 135 - 150

The increasingly apparent similarities between the global context in the early days of the post-September 11 world and that of the early Cold War era appear to lend some prescience to President George W. Bush's choice of Dwight D. Eisenhower, when asked to pick the portrait of one of his predecessors to hang in the White House. History will mark both presidential administrations as the onset of new strategic eras in international relations, characterized by new predominant threats and global divisions. The two presidents pledged to intervene in the Middle East, defend Taiwan, reaffirm the religious background of the United States, and develop nuclear energy. And just as the creation of the system of U.S. military alliances was one of Eisenhower's main legacies, so the reshuffling of world alliances may be one of the main geopolitical legacies of the Bush administration.



The threats of terrorism and proliferation have strengthened many old alliances and have fostered the creation of new alignments. At the same time, Washington's policies have also put some long-standing U.S. alliances under strain. There are also deeper historical forces at work that are forcing permanent alliances increasingly to give way to ad hoc coalitions and multilateral alliances to give way to bilateral ones. Most importantly, the ever more complex nature of the strategic environment and the diversity of security arrangements devised by contemporary nations test the very notion of "alliance"; causing one to wonder if it even remains a useful strategic concept.

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Subsection 3. Security communities and organizations

Campbell Kurt M.

The End of Alliances? Not So Fast

in Washington Quarterly (The), Vol. 27, Issue 2 - Spring 2004 , pp. 151 - 163

The traditional U.S. alliance system, comprised of nearly 100 formal treaty arrangements and security commitments that the United States negotiated and maintained during the last half century, has been one of the defining features of post-World War II U.S. foreign and national security strategy. Once considered force multipliers, some now see these arrangements as deadweight anchors that effectively slow U.S. response time to urgent challenges and reduce U.S. freedom of movement in the international arena in the post-September 11 environment. This view has led to increasingly frequent arguments that the post-World War II U.S. alliance system is in fast decline, if not already dead.

In a new strategic age and in the face of pressing security challenges, are traditional alliances losing their relevance? The U.S. alliance system is neither dead nor necessarily in decline, but rather, its nature and purpose are changing in response to the challenges of a new era. The emerging U.S. alliance system, constructed in part from the rich legacy of post-World War II alliances, is predictably quite different from what it was during the Cold War. It may also result in greater burdens on the United States. New trends suggest greater reliance on ad hoc coalitions (of the willing;) that can be assembled rapidly and on countries that might possess greater enthusiasm for U.S. aims but have less capability and experience than traditional U.S. partners. The new global context of inchoate and multifaceted international challenges in the wake of the 2001 terrorist attacks on the U.S. homeland calls for new security structures; no question. Yet, the added flexibility afforded by ad hoc coalitions is likely to be offset by the burdens of greater U.S. military responsibility and less-able partners.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Longhurst Kerry, Zaborowski Marcin

The Future of European Security

in European Security, Volume 13, Number 4, Winter , pp. 381-391

The transformation of transatlantic security relations after 9/11 remains the subject of extensive scrutiny. Academics and practitioners alike continue to seek an explanation for the stark divergences in national security policies that transpired in the period between 2001 and 2003. This paper argues that the existence of national strategic cultures in shaping states security policies and perspectives towards the use of force in particular is crucial to any comprehensive understanding of recent developments in transatlantic security. Furthermore, only when the perspectives of states from Central and



Eastern Europe are brought more centrally into analysis can a clearer prognosis of the longer term consequences for both transatlantic security and Europe's own ambitions to become a security actor be reached.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Rob de Wijk

The Reform of ESDP and EU-NATO Cooperation

in *International Spectator (The)*, Vol. XXXIX, n. 1, January-March

Although the EU has taken over the former NATO operation in Macedonia and carried out an autonomous operation in Congo, there is still reluctance to take responsibility for more demanding tasks. Nevertheless, American unilateralism and the Iraq crisis have accelerated the formation of a consensus among the major players that a credible European foreign, security and defence policy is needed. With the Berlin Plus agreements, all necessary institutional arrangements are in place to carry out EU-led operations. At the same time, the survival of NATO depends largely on the development of credible European military capabilities. Since Europe's inefficient defence spending can only be overcome by European defence integration, the US should support rather than hinder further development of ESDP.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

David S. Yost

The US Nuclear Posture Review and the NATO allies

in *International Affairs*, issue 4, vol. 80, July, 705-730

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Robert E. Hunter

The US and the European Union: Bridging the Strategic Gap?

in *International Spectator (The)*, Vol. XXXIX, n. 1, January-March

The United States and European Union have each put forward a basic strategy regarding challenges facing the world: Washington's 2002 "National Security Strategy" and the EU's 2003 "A Secure European in a Better World". Despite the recent difficulties in the Atlantic Alliance, these documents are remarkably similar in identifying shared threats of terrorism, weapons of mass destruction, cross-border crime and "failed" states. They differ in what to do, with the US putting more emphasis on military solutions and the EU more on dealing with the causes of conflict, especially global terrorism. Both sides of the Atlantic, however, now have no choice but to work together, particularly in the Middle East, and with a renewed, central role for NATO.



Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Eyal Benvenisti

The US and the Use of Force: Double-edged Hegemony and the Management of Global Emergencies
in *European Journal of International Law*, Vol. 15 n.4

Absent a clear case of an armed attack, the UN Charter severely restricts the ability of individual states to react to what they perceive as their national security risks, relegating such a task to the collective decision-making of the Security Council. Contemporary global security risks pose serious challenges to this regime. Stopping terrorist groups and rogue regimes from obtaining weapons of mass destruction or ending incidents of mass atrocities against civilian populations often require swift and resolute collective responses. Not all those who can respond to such threats are willing to do so, and the collective response of the Security Council frequently proves ineffective. As the stronger military power, the US has both the ability and the motivation to provide the public good of global security unilaterally, while other countries rely on international law to explain their inaction. The so-called 'Bush Doctrine', which asserts an authority to act unilaterally and pre-emptively, can thus be understood as an earnest effort to respond to these security challenges. But this doctrine upsets the existing UN regime, and in turn creates other risks to global stability. This essay seeks to lay out the prevailing global security risks as a collective action problem. It assesses the tensions that exist between existing legal constraints on the use of unilateral force and the proposals for their modification, and evaluates the ramifications of such proposals.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Bernard E. Brown

The United States and Europe: Partners, Rivals, Enemies?
in *American Foreign Policy Interests*, Vol. 26, n. 2 / April , 129-138

An analysis framed within the classification scheme of partners, rivals, and enemies. It explains the contradictions between economic unification and political disunity that characterize the current state of transatlantic relations.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Richard J. Aldrich

Transatlantic intelligence and security cooperation
in *International Affairs* , issue 4, vol. 80, july , 731-754

Despite recent advances in transatlantic intelligence and security cooperation, significant problems remain. The



bombings in Madrid in March 2004 have demonstrated how terrorists and criminals can continue to exploit the limits of hesitant or partial exchange to dangerous effect. Intelligence and security cooperation remain problematic because of the fundamental tension between an increasingly networked world, which is ideal terrain for the new religious terrorism, and highly compartmentalized national intelligence gathering. If cooperation is to improve, we require a better mutual understanding about the relationship between privacy and security to help us decide what sort of intelligence should be shared. This is a higher priority than building elaborate new structures. While most practical problems of intelligence exchange are ultimately resolvable, the challenge of agreeing what the intelligence means in broad terms is even more problematic. The last section of this article argues that shared NATO intelligence estimates would be difficult to achieve and of doubtful value.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Alyson J. K. Bailes

US and EU Strategy Concepts: A Mirror for Partnership and Difference?

in *International Spectator (The)*, Vol. XXXIX, n. 1, January-March

The differences in US and EU strategic visions that emerged during 2001-03 can be analysed in terms of underlying strategic interests; public opinion trends; or a comparison of the US' 2002 "National Security Strategy" and the EU Security Strategy document of 2003. All three approaches yield evidence that the exclusive, existential nature of US-Europe ties has weakened since the Cold War. Europe now has strategic "values" of its own, such as a multilateral and multi-functional approach, a preference to minimize and legitimize the use of force, and readiness to absorb past enemies. The new EU strategy makes the EU a more self-conscious and ambitious actor. Its effect on US-European cooperation will also depend on the US' evolution - and on which approach proves to mesh better with reality.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Heisbourg François

US-European relations: from lapsed alliance to new partnership?

in *International Politics*, Vol. 41, n. 1, March, 119-126

Major changes in the international system in the context of the war on terror have irrevocably changed the character of the transatlantic relationship in general and NATO's war fighting role in particular. There will be no return to the multilateralism of old therefore; however, this does not mean that a new partnership cannot be established between the United States and Europe in the future.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Alain de Benoist



United States and Europe

in *World Affairs*, Vol. 8, n. 4, October - December

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Guazzaroni Cesidio

Un'Unione Europea in un sistema multilaterale rafforzato

in *Affari Esteri*, Anno XXXVI, n. 142, 288-298

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Nicola Vallinoto

A Coalition for a World Parliament

in *Federalist Debate (The)*, Year XVII, n. 1, March

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

John Pinder

A European Response to the Global Challenges

in *Federalist Debate (The)*, Year XVII, n. 1, March

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Niall Ferguson

A World Without Power

in *Foreign Policy*, Issue 143, July / August

Critics of U.S. global dominance should pause and consider the alternative. If the United States retreats from its hegemonic role, who would supplant it? Not Europe, not China, not the Muslim world—and certainly not the United Nations. Unfortunately, the alternative to a single superpower is not a multilateral utopia, but the anarchic nightmare of a new Dark Age.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Haas Peter M.

Addressing the Global Governance Deficit

in **Global Environmental Politics**, Volume 4, Issue 4, November , pp. 1-15

There is mounting concern about a global governance deficit for managing international environmental problems and sustainable development. This article reviews the proposals and justifications for reform, and suggests an alternative model of global governance based on diffuse networks of diverse actors performing multiple and overlapping functions. Some reform proposals are offered to improve the prospects of network-based global governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cameron Fraser

After Iraq: The EU and Global Governance

in **Global Governance**, n. 2, vol. 10, april-june

ABSTRACT: The EU faces the twin challenges of speaking with one voice whenever possible and nudging the United States back into the multilateral fold. As the former is a necessary precondition for European effectiveness in addressing the latter, this article addresses the obstacles Europe confronts in its effort to build a coherent foreign and security policy. It discusses the EU's multiple and overlapping lines of authority and then examines how the EU's complex mandates and decisionmaking structures play out within several key international institutions and functional areas. Underlying many of these other problems are continuing differences between member states on major issues before multilateral institutions, and disagreements about the extent to which the states constituting the Union should transfer or retain their sovereign prerogatives.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Pratt Nicola

Bringing politics back in: examining the link between globalization and democratization

in **Review of International Political Economy**, Volume 11, Number 2 / May , 311 - 336

This article considers current explanations of the link between globalization and democratization in light of an empirical case study: that of a 1998-99 campaign led by Egyptian NGOs against government restrictions on the freedom of association. The article calls attention to the need to 'bring politics back in' to theories of the link between globalization and democratization, by studying the political strategies of actors, the longer-term local, historical context against which these strategies are formed and their impact upon existing relations of power. The first part of this article reviews some of the major arguments regarding the link between globalization and democratization in order to highlight their focus on structural changes in explaining democratization. The second part proposes an alternative explanatory framework,



based on the Gramscian concepts of hegemony and counter-hegemony. The third and fourth parts operationalize this framework through presenting the context for the actions of NGOs in Egypt and the case study of NGO efforts for greater democratization. Finally, the conclusion brings together the conceptual and empirical discussions.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Fuyuki Kurasawa

**Cautionary Tales: The Global Culture of Prevention and the Work of Foresight
in Constellations**, Vol. 11, Issue 4 December , 453-476

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Raffaele Marchetti

**Cittadinanza cosmopolitica e migrazione
in Teoria Politica**, Vol. 20, Fascicolo 1

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Scholte J.A.

**Civil Society and Democratically Accountable Global Governance
in Government and Opposition** , Vol. 39, n. 2, April , 211-233

This article explores the ways and extents that civil society associations can bring greater public accountability to global governance. The analysis first reviews the growth of civil society engagement of global governance. Second, the article elaborates four general ways that civil society associations have promoted increased accountability in global governance: by increasing the public transparency of global governance operations; by monitoring and reviewing global policies; by seeking redress for mistakes and harms attributable to global regulatory bodies; and by advancing the creation of formal accountability mechanisms for global governance. Third, the article identifies six broad circumstances that have affected (and often limited) the extent of civil society achievements with respect to accountability in global governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vicki Birchfield and Annette Freyberg-Inan

**Constructing opposition in the age of globalization: the potential of ATTAC
in Globalizations** , Vol. 1, n. 2, December , 278-304



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Archibugi Daniele

Cosmopolitan Democracy and its Critics: A Review

in European Journal of International Relations , Vol. 10, n. 3, September , 437-473

The victory of Western liberal states ending the Cold War inspired the hope that international relations could be guided by the ideals of democracy and the rule of law. In the early 1990s, a group of thinkers developed the political project of cosmopolitan democracy with the aim of providing intellectual arguments in favour of an expansion of democracy, both within states and at the global level. While some significant successes have been achieved in terms of democratization within states, much less has been attained in democratizing the global system. The aim of this review article is twofold — on the one hand, to reassert the basic concepts of cosmopolitan democracy; on the other, to address the criticisms coming from Realist, Marxist, Communitarian and Multicultural perspectives.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Enslin Penny, Tjiattas Mary

Cosmopolitan Justice: Education and Global Citizenship

in Theoria, 104 (August 2004)

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

May C.

Cosmopolitan Legalism Meets 'Thin Community': Problems in the Global Governance of Intellectual Property

in Government and Opposition , Vol. 39, n. 3, July , 393-422

The making of knowledge and information into property, through intellectual property rights (IPRs) has commonly been justified using a set of cosmopolitan norms. These norms of justification have been extensively deployed within the structures of global governance for IPRs. However, the political community that underpins such norms in national jurisdictions is lacking at the global level. Many of the political problems now recognized with the globalized protection of IPRs stem from this tension between cosmopolitan legalism and the contemporary 'thin' global community.

Section B) Global governance and international organizations

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Miller Richard W.

Cosmopolitanism and Its Limits: Comments on Cosmopolitan Justice
in *Theoria*, 104 (August 2004)

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vicuña Francisco Orrego

Creación del Derecho en una sociedad global: ¿Importa todavía el consentimiento?

in *Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile*, Vol. 37 /
2004 / Nr. 146 , 81-104

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Albert S. Yee

Cross-National Concepts in Supranational Governance: State–Society Relations and EU Policy Making

in *Governance*, Vol. 17, n. 4, October , 487-524

The emergence of multiple and shifting modes of governance both intranationally and supranationally has posed difficulties for analysts accustomed to refining or testing singular types of politics. When confronted with this changing complexity, a comprehensive framework can be a very useful diagnostic and organizational tool. This article devises one such conceptual framework to clarify and systematize varieties of state autonomy and state–society relations. By combining fundamental conceptions of action, elemental control mechanisms, and basic types of interaction, a comprehensive framework is constructed for characterizing and comparing governance modes in a conceptually coherent manner. Many of the abstract spaces within this conceptual field share affinities with types of state autonomy and state–society relations depicted in major theoretical approaches to national politics (i.e., authoritarianism, statism, pluralism, corporatism, institutionalism, and Marxism). This article uses this conceptual framework to systematize these major governance modes and to illuminate their coexistence in supranational governance by examining the European Union policy process.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Müller Harald

Das transatlantische Risiko - Deutungen des amerikanisch-europäischen Weltordnungskonflikts

in *Aus Politik und Zeitgeschichte*, Band 3-4, 2004

No abstract available



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vargas Hernandez, J. G.

Del Estado-nacion al Estado cosmopolita

in *Nueva Sociedad*, n. 191 , pag. 25-37

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Held D.

Democratic Accountability and Political Effectiveness from a Cosmopolitan Perspective

in *Government and Opposition* , Vol. 39, n. 2, April , 364-391

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Papisca Antonio

Democrazia internazionale per la democrazia interna: fiaccola sopra il moggio, non bagliori di guerra

in *Pace Diritti Umani*, n. 3, anno 1, settembre-dicembre , 7-16

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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bogdandy Armin von

Democrazia, globalizzazione e futuro del diritto internazionale

in *Rivista di diritto internazionale*, fascicolo 2, vol. LXXXVII , 317-344

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cheneval Francis

Der kosmopolitische Republikanismus – erlautert am Beispiel Anacharsis Cloots’

in *Zeitschrift fur Philosophische Forschung*, Band 58(2004), Heft 3

Der Artikel erlautert mit dem kosmopolitischen Republikanismus einen Aspekt, der in der nationalstaatlich fixierten und



meist euroskeptischen Republikanismus-Forschung vernachlässigt worden ist, aber in der frühen Phase der Französischen Revolution eine wichtige Rolle spielte. In der Perspektive des hier vorliegenden Artikels erscheint der revolutionäre Republikanismus zumindest in seinen Anfängen nicht als Inbegriff nationalstaatlich gehegter Demokratie und Autonomie, sondern als kosmopolitische oder zumindest Europa einigende Idee. Das Beispiel von Cloots zeigt, dass der Republikanismus in jener Zeit des Umbruchs und am historischen Ursprung der modernen europäischen Demokratie nicht partikularstaatlich, sondern kosmopolitisch konnotiert war. Heutige Versuche, den Republikanismus kosmopolitisch zu transformieren, wie sie von R. Bellamy und D. Castiglione unternommen werden, können in die Tradition des kosmopolitischen Republikanismus gestellt werden. Der Artikel würdigt sechs systematisch bedeutende Merkmale von Cloots' Theorie und stellt diese in Beziehung zum kantischen Kosmopolitismus, der sich hauptsächlich durch seinen prozessualen, historisch-hermeneutisch reflektierten Charakter von Cloots' kosmopolitischem Republikanismus unterscheidet.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Reiter Erich

Die Sicherheitsstrategie der EU

in *Aus Politik und Zeitgeschichte*, Band 3-4, 2004

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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Brumlik Micha

Die politische Form der globalisierten Welt - Jürgen Habermas zum 75. Geburtstag

in *Blätter für deutsche & internationale Politik*, Juni, 2004 , 675-681

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Slaughter A-M.

Disaggregated Sovereignty: Towards the Public Accountability of Global Government Networks

in *Government and Opposition* , Vol. 39, n. 2, April , 159-190

Networks of government officials – police investigators, financial regulators, even judges and legislators – are a key feature of world order in the twenty-first century. Yet, these networks present significant accountability and legitimacy concerns. This article identifies and responds to the potential problems of government networks by suggesting means to increase their accountability and proposing norms to govern the relations of members of government networks with one another. Finally, the article develops the concept of disaggregated sovereignty, arguing that government networks have the capacity to enter into international regulatory regimes of various types and thereby are independently bound by the existing corpus of international law.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hans Peter Schmitz

Domestic and Transnational Perspectives on Democratization

in Review of International Studies (The), Volume 6, Issue 3, September , 403-426

The disciplinary separation between comparative politics and international relations is regularly challenged but persists as a result of institutional inertia and hiring practices. This essay uses the issue of democratization in an attempt to go beyond rhetoric and to develop a framework that integrates the role of transnational activism into the analysis of domestic regime change. Comparative research on democratization confirms that underlying socioeconomic conditions affect the long-term sustainability of democratic reforms. The initiation of such reforms, as well as the process they take, can best be understood using an agency-based framework that links domestic and transnational forces. Outside interventions are a potent factor in challenging authoritarian practices, but they do not simply displace existing domestic practices and conditions. Although transnational activists and scholars often celebrate the empowering role of networking and mobilization, the long-term effects of such interventions are still poorly understood. Transnational ties may distract domestic activists from building effective coalitions at home or undermine their legitimacy overall. Transnational scholars and activists can learn from comparative research how different domestic groups use outside interventions to promote their interests at home.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Robert Went

Economic globalization plus cosmopolitanism?

in Review of International Political Economy, Volume 11, Number 2 / May , 337 - 355

Since the mid-1970s sales, finance and production (i.e. all three circuits of capital), as well as the concentration and centralization of capital, have been internationalized to an extent that has never been seen before in history. This unprecedented economic globalization has been accompanied by the strengthening of international organizations and regulation to facilitate the internationalization of trade, finance and production, but serious attempts to globalize social rights, the provision of public goods, democracy, and environmental norms have been weak or hardly existent. The so-called 'anti-globalization movement' challenges the negative consequences of this one-dimensional internationalization, and as it has gained strength policymakers and academics from various disciplines have increasingly come to discuss trajectories and possible alternatives for the future development of the international system. This paper takes up the incipient debates about cosmopolitanism and argues that any project towards a more just and democratic world order will necessarily have to turn the current one-dimensional internationalization of regulation and governance upside down.

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Subsection 4. Global governance, supranational federalism and democracy



Moncayo, Edgard

El debate sobre la convergencia económica internacional e interregional :enfoques teóricos y evidencia empírica

in *EURE - Revista latinoamericana de estudios urbano regionales*, vol. 30, n. 90 , 7-26

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Sen Amartya

Elements of a Theory of Human Rights

in *Philosophy and Public Affairs*, Volume 32, Issue 4, October 2004 , 315-356

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Ewan Harrison

Engagement or empire? American power and the international order

in *International Affairs* , issue 4, vol. 80, july , 755-768

Three recent surveys of American foreign relations lie at the intersection of topical academic and policy debates. Robert Lieber's *Eagle rules?* makes a case for American primacy as a precondition for global stability, and in so doing reflects an agenda for US foreign policy that is broadly associated with the current Bush administration. By contrast, Joseph Nye's *The paradox of American power* argues against US unilateralism, and may be read as an implicit critique of the apparent recent shift in American strategy. Nevertheless, both Lieber and Nye make a case for extensive American engagement with the world as a basis for international stability. By contrast, Chalmers Johnson's *Blowback* views America's global 'engagement' as a thinly disguised diplomatic veil for imperialism. Although they make very different arguments, these three books are usefully considered together. Nye's stress on the importance of soft power, multilateral diplomacy and wider structural changes in the nature of world politics is a useful corrective to Lieber's emphasis on US primacy. But Johnson is right to criticize the excessive and ultimately counter-productive level of military involvement of the United States around the world. In the absence of a more effective global balance of power, the preconditions for a robust system of international diplomacy as well as the management of globalization will not be satisfied.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vengoa Hugo Fazio

Estados Unidos Y Europa. Venus Y Marte: dos propuestas enfrentadas de reorganizacion del mundo

in *Analisis politico* , n. 51 , pag. 86-89



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bohman James

Expanding dialogue: The Internet, the public sphere and prospects for transnational democracy
in *Sociological Review*, Vol. 52, Issue s1, June 2004 , 131-155

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Smith Jackie

Exploring Connections between Global Integration and Political Mobilization
in *Journal of World-Systems Research*, n. 1, vol. X, winter , 254-285

With the end of the Cold War, military security issues declined on the international agenda as environmental, economic, and social issues rose. As superpower conflict faded from the international agenda, space was created for new attempts at multilateral problem-solving. How have these changes affected the prospects for transnational organizing? Using data from the Yearbook of International Associations this paper explores changes in the size, issue focus, geographic makeup, and organizational structure of the population of transnational social movement organizations (TSMOs) in recent decades. While not the only form of transnational cooperation, these formal organizations provide important infrastructures for sustained transnational political work. Key findings are that while the transnational social movement sector has continued to grow since the mid- 20th century, its rate of growth has slowed in the 1990s. Also, human rights and environment predominate on TSMO issue-agendas, but during the 1990s more groups emphasized economic issues and adopted multi-issue organizing frames over single-issue focuses. Newer groups were more likely to be organized regionally, that is within the global North or South, which may reflect efforts to develop structures to better connect local settings with global networks.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

McLaughlin Lisa

Feminism and the political economy of transnational public space
in *Sociological Review*, Vol. 52, Issue s1, June 2004 , 156-176

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Andreas L. Paulus

From Neglect to Defiance? The United States and International Adjudication



in *European Journal of International Law*, Vol. 15 n.4

Recent decisions by the three branches of the US Government have displayed contradictory attitudes towards international adjudication. The executive branch disputed the reasoning of the International Court of Justice in the *Avena*, *Oil Platforms*, and *Wall* cases, but continues to appear before the Court. While the US Supreme Court confirmed the 'recognition' by the US legal order of international law in general and human rights law in particular, it also denied the review of the death penalty for a Mexican national, *Osvaldo Torres*, despite the *Avena* proceedings. Yet, following the 2004 ICJ *Avena* decision, Oklahoma reversed the death penalty for *Torres*. At the same time, the US Congress prepared the implementation of the WTO dispute settlement ruling on *Foreign Sales Corporations*, and the Senate considered giving its advice and consent to the ratification of the UN Convention on the Law of the Sea, and thus to new mandatory dispute settlement. US attitudes are heavily influenced by the effects of international adjudication on domestic constituencies. In the eyes of many Americans, popular sovereignty renders decisions of international judges dubious. But the US, as the world's only superpower, has considerable stakes in international order and is thus unlikely to withdraw from international dispute settlement altogether.

The answer to Lord Ellenborough's famous rhetorical question, 'Can the Island of Tobago pass a law to bind the rights of the whole world?' may well be yes, where the world has conferred such binding authority through treaty.

Justice Stephen Breyer

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Krebs Angelika

Gleichheit ohne Grenze? Die Kosmopolitische Überforderung

in *Information Philosophie*, Band 32, Heft 5

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Risse T.

Global Governance and Communicative Action

in *Government and Opposition*, Vol. 39, n. 2, April, 288-313

This article discusses arguing and communicative action as a significant tool for non-hierarchical steering modes in global governance. Arguing is based on a logic of action that differs significantly from both the rational choice-based 'logic of consequentialism', and from the 'logic of appropriateness' theorized by sociological institutionalism. Arguing constitutes a learning mechanism by which actors acquire new information, evaluate their interests in light of new empirical and moral knowledge, and – most importantly – can reflexively and collectively assess the validity claims of norms and standards of appropriate behaviour. As a result, arguing and persuasion constitute tools of 'soft steering' that might improve both the legitimacy problems of global governance by providing voice opportunities to various



stakeholders and the problem-solving capacity of governance institutions through deliberation.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Zürn M.

Global Governance and Legitimacy Problems

in Government and Opposition , Vol. 39, n. 2, April , 260-287

Whereas traditional institutions used to be seen as an international complement to a dominantly national paradigm, today's international institutions are an expression of political denationalization. The new international institutions are much more intrusive into national societies than the traditional ones. They increasingly contain supranational and transnational features and thus undermine the consensus principle of international cooperation. When society and political actors begin to comprehend this change, they begin to reflect on the features of a legitimate and effective political order beyond national borders. As a result, denationalization becomes reflexive and thus politicized. At the same time, the politicization of international politics harbours the potential for resistance to political denationalization, which increases the need – both from a normative and descriptive perspective – for the legitimation of such international institutions.

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Subsection 4. Global governance, supranational federalism and democracy

Nanz P.; Steffek J.

Global Governance, Participation and the Public Sphere

in Government and Opposition , Vol. 39, n. 2, April , 314-335

We argue that the democratization of global governance will ultimately depend upon the creation of an appropriate public sphere that connects decision-making processes with transnational constituency. The emergence of such a public sphere would require more transparency in international organizations as well as institutional settings in which policy-makers respond to stakeholders' concerns. Organized civil society plays a key role by exposing global rule-making to public scrutiny and bringing citizens' concerns onto the agenda. We illustrate the prospects and difficulties of building a transnational public sphere with the example of the WTO.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Barrie Axford

Global civil society or 'networked globality': beyond the territorialist and societalist paradigm

in Globalizations , Vol. 1, n. 2, December , 294-264

No abstract available



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Randall D. Germain

Globalising Accountability within the International Organisation of Credit: Financial Governance and the Public Sphere

in *Global Society*, Vol. 18, n. 3, July , 217-242

Recent developments concerning the international financial architecture have drawn attention to what many perceive to be an accountability deficit at the level of global decision making. This problem is explored here within the framework of an increasingly globalised structure of financial governance, drawing attention to the institutional barriers that stand in the way of operationalising traditional forms of accountability. In order to strengthen a global form of accountability in the absence of traditional democratic links between citizens and decision-making institutions, it is argued that accountability needs to be better internalised within those institutions that actually make decisions with global consequences. To be effective, however, this form of accountability demands the formation of a global financial public sphere, where norms of inclusion and publicness can be established and progressively instantiated. The first step towards realising such a development must be to understand accountability itself in terms of what can be called a logic of participation. This article therefore considers how such a logic can be formulated and grafted onto the existing foundations of global financial governance, and advances several strategies to strengthen accountability framed in this way.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bogdandy Armin von

Globalization and Europe: How to Square Democracy, Globalization, and International Law

in *European Journal of International Law*, Vol. 15 n. 5 , 885-906

ABSTRACT: Fundamental controversy reigns in Europe over how to understand globalization. This is particularly true with respect to globalization's impact on democracy. The spectrum of relevant diagnoses ranges from those which identify an extreme danger to democracy to others which find that democracy is undergoing a substantive strengthening. The spectrum of proposals is similarly divergent. Some recommend the acceptance of a loss of democracy, some call for national self-preservation, others advocate a global democratic federation. The paper provides a stocktaking from a European perspective of influential scholarly positions on the basis of categorized diagnoses and proposals, and examines their conceptions of the further development of international law. This project is carried out in three steps. The first step serves to outline the concepts of globalization and democracy. The second presents important conceptions relating to the impact of globalization on the reality of democracy in a world organized around statehood. The third step puts forward ideas for the protection and development of democracy in the process of globalization and relates them to conceptions on the future development of international law. The article concludes with perspectives for future research.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Allen Michael H.

Globalization and Peremptory Norms in International Law: from Westphalian to Global Constitutionalism?
in International Politics , Vol. 41, n. 3, September , 341-353

Constitutionalism in international law is shifting from a Westphalian to a global framework. This shift is driven by globalist social forces who are ideologically committed to neo-liberalism and have an interest in free trade. They have succeeded in making free trade the next peremptory norm in international law after non-aggression, and have pre-empted the emergence of countervailing peremptory norms on Human Rights and environmental imperatives. There is no clear juridical authority to pronounce between calls for justice from a Westphalian frame, and property claims enshrined in global supranational institutions. The emergence of such authority in global constitutionalism, will depend upon both bargaining power and ideological alternative to neo-liberalism. The territorial state is still an important site for mobilizing the necessary bargaining power to reshape global authority.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

David S. Meyer

Globalization from Below: Democracy after the Cold War
in Review of International Studies (The), Volume 6, Issue 2, June , 297-301

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Mansell Wade

Goodbye to All That? The Rule of Law, International Law, the United States, and the Use of Force
in Journal of Law and Society, Volume 31: Issue 4, December , 433 - 456

The attitude of past United States administrations to public international law, particularly but not exclusively governing the use of force, has often seemed ambivalent, or sometimes decidedly hostile (where the conduct of the United States itself was called in to question). This paper considers the attitude of many of those with power or influence in the Bush administration (particularly that of the 'neo-conservatives'), and the implications of their often thinly disguised contempt for public international law which might seek to constrain the exercise of United States power. The conclusion is that while the academic arguments which seek to justify this American 'exceptionalism' are worthy of serious examination, they are ultimately inadequate and in the interests of neither the rest of the world, nor, finally, the United States itself.

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

Mark Beeson

Governance goes global: power, authority and order in the twenty-first century
in *Australian Journal of International Affairs*, Vol. 58, n. 4 / December , 511-521

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Miles Kahler, David A. Lake

Governance in a Global Economy: Political Authority in Transition
in *PS: Political Science & Politics* , Vol. 37, Issue 3, July , 409-414

Contemporary debate over globalization casts its political effects as both revolutionary and contradictory. Globalization, it is claimed, drains political authority from nation-states, long the dominant form of political organization in world politics. The state's monopoly of familiar governance functions erodes as authority migrates down to newly empowered regions, provinces, and municipalities; up to supranational organizations; and laterally to such private firms and transnational nongovernmental organizations (NGOs) that acquire previously "public" responsibilities.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Blanke, H. J.

Government e governance nel ventunesimo secolo
in *Teoria del diritto e dello stato*, n. 1 - 2004 , pag. 89-115

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Walter Christian

Grundrechtsschutz gegen Hoheitsakte internationaler Organisationen
in *Archiv des öffentlichen Rechts* , Band 129 (2004), Heft 1, März 2004

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Longo Michael

Hostile Receptions: Dilemmas of Democracy, Legitimacy and Supranational Law
in *Australian Journal of Politics & History* , Volume 50, Issue 2, June , pp. 211-228



The increasing resonance of international humanitarian law in the domestic sphere, primarily through the implementation of treaty obligations in domestic legislation, gives international law a relevance to local communities never before seen. Whilst the effects of this phenomenon defy generalisation in Australia today, it is possible to discern a range of responses from indignation at the overarching reach of international law to the domestic space, to vindication of historical claims of mistreatment at the hands of colonial oppressors. Recent shifts in Commonwealth legislation and policy have sparked debate on whether the federal government has breached its international obligations. Notwithstanding the importance and currency of this question, and irrespective of one's views on it, there is a broader issue raised by the question, which is more amenable to academic investigation. It may be framed in the following terms. How can, and should, the ideal of democratic control of legislation and the legal system generally be reconciled with the development of an autonomous international legal system? The article will approach this question from a comparative perspective, drawing on legal and political developments in the EU and Australia. It seeks to justify a comparative analysis on the basis that Australia (an established federation) and the EU (an emerging federation) are both dealing with issues of reception of supranational law within domestic systems. It concludes that there is a need to reaffirm the legitimacy of supranational law both as an expression of national sovereignty and as an outcome of rational discourse i.e. it has come into being with right process and is considered binding.

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De Nardis Fabio

I New Global al Forum Sociale Europeo: Politica, Democrazia e Partecipazione negli Atteggiamenti dei Giovani Antiglobalisti

in *Quaderni di Scienza Politica*, n. 1, 2004

ABSTRACT: A new collective actor has arisen in the world political scenario. It is neither a party nor a complex organization, but a movement, a fluid aggregation of groups, associations, networks and individuals that pursue common ideals and issues by producing a common sense of solidarity. By using some data from a survey carried out during the First European Social Forum (Florence, 2002), the paper aims to draw the social scientist's attention to a number of important questions. How do the young people participating in the movement relate to Traditional Politics? What is their relation with the territorial dimension of collective action? How do they think about democracy and how do they experience their political participation? What are their opinions about violent conflict? An analysis of their opinions reveals that they have a hostile attitude towards the non-democratic nature of the main supranational institutions but also a general trust in the UN and the European Union, which they considered as good barricades against global capital and war. They propose new life styles and new forms of political participation. Their democratic discussions in local social forums, everywhere around the world, show a positive attitude toward a democratic deliberative practise from the small community to the transnational dimension of political contentious. They do not contest the existence of traditional political institutions but pursue their reform in a democratic way.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Mascia Marco

I coordinamenti transnazionali di società civile globale: la prassi del networking per una diplomazia dal basso

in *Pace Diritti Umani*, n. 3, anno 1, settembre-dicembre, 27-56



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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Umberto Allegretti

Il movimento internazionale come attore costituzionale

in *Democrazia e diritto*, Anno XLII, n. 1

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Pendlebury Michael

Individual Autonomy and Global Democracy

in *Theoria*, 103 (April 2004)

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Chimni B.S.

International Institutions Today: an Imperial Global State in the Making

in *European Journal of International Law*, Vol. 15 n. 1 , 1-37

ABSTRACT: The article argues that a growing network of international institutions — economic, social, and political — constitute a nascent global state, whose current task is to realize the interests of an emerging transnational capitalist class in the international system to the disadvantage of subaltern classes in the third and first worlds. The evolving global state formation can therefore be described as having an imperial character. Underpinning the emerging imperial global state is a web of sub-national authorities and spaces that represent, along with non-governmental organizations, its decentralized face. These developments, it is contended, seriously undermine substantive democracy at both inter-state and intra-state levels. Eight possible objections to the thesis that a nascent global state having an imperial character has evolved are next considered and rejected. The concluding section briefly explores the question as to whether international institutions can be reformed, the vision that should inform change, and some concrete proposals in this regard. It argues the case for a complex internationalism in which statist reforms are necessary in the short and medium terms. These reforms can only be brought about by a powerful global social movement.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Michèle Knodt

International embeddedness of European multi-level governance

in *Journal of European Public Policy* , Volume 11, Number 4 / August , 701-718



The focus of this article is to find out how governance functions in an expanded multi-level system. The aim is to analyse institutional change within the EU which is caused by the EU's international embeddedness. The paper develops and empirically tests the hypothesis that embeddedness of the EU within an international context does not only affect the formal organization of the European decision-making process. It includes effects on routines, guiding ideas and concepts of legitimate order as well. The World Trade Organization (WTO) serves as a case to analyse these effects. The empirical research covers the overall European institutional changes within the different issue-areas of WTO (GATT, TRIPS and GATS), including its dispute settlement system, as well as the discussion about the involvement of civil society in the WTO's decision-making and its effects on the EU.

Section B) Global governance and international organizations

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Moravcsik A.

**Is there a 'Democratic Deficit' in World Politics? A Framework for Analysis
in Government and Opposition** , Vol. 39, n. 2, April , 336-363

Many scholars, commentators and politicians assert that international organizations suffer from a severe 'democratic deficit'. This article proposes a basic framework for evaluating this applied ethical critique of global governance. It rests on two criteria. The first, philosophical coherence, dictates consistent adherence to one or more conception of democratic legitimacy (libertarian, pluralist, social democratic or deliberative). The second, pragmatic appropriateness, requires that any philosophical standard be calibrated to reasonable expectations in the 'second-best' world constrained by transaction costs, commitment problems, and justice claims. The latter judgement is in large part empirical, for which existing constitutional practices in advanced industrial democracies provide the most reasonable baseline. By these two criteria – regardless of which specific conception of democracy is adopted as a starting point – the European Union appears to be democratically legitimate. This establishes a point of democratic legitimacy on the continuum of international institutions that could be analysed using this framework.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Orend Brian

**Just Wars and Cosmopolitan Hope
in Theoria**, 104 (August 2004)

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Frost Mervyn

**Justice and Sovereignty
in Theoria**, 104 (August 2004)



No abstract available

Section B) Global governance and international organizations

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John R. Mathiason

Keeping the Peace: Regional or Global Responsibility?

in *Review of International Studies (The)*, Volume 6, Issue 3, September , 453-456

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Blacher, Philippe

L'État dans la doctrine progressiste du droit international public

in *Cité, philosophie, politique, histoire*, n. 18/2004

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Alberta M. Sbragia

La democrazia post-nazionale: una sfida per la scienza politica

in *Rivista Italiana di Scienza Politica*, Numero 1, Aprile , 43-68

Issues related to "post-national democracy" are most clearly delineated in the context of a politically and economically integrating Europe. Post-national democracy in Europe should be conceptualized as an ongoing evolutionary process of democratization, with institutional arrangements being the contested focal point of that process. The absence of a "demos" will not stop the demands for greater citizen involvement in the governance of the European Union, an involvement which would increase the EU's legitimacy. The EU's lack of a common political community, however, will prevent it from developing a traditional "government". The EU therefore will be characterized by governance without the kind of government found in national democracies. Nonetheless, an original executive institution will be constructed. The executive of the future will carry out many (but not all) of the key functions of an executive without, however, benefiting from the kind of legitimacy which national government executives enjoy. In institutional terms, the character of the executive will render European post-national democracy distinctive, and the electoral link between the citizenry and that executive will be the most contested issue as democratization proceeds. Institutional originality and innovation are likely, therefore, to continue to characterize the process of European integration.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Guyer Paul

La possibilità della pace perpetua



in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 3 , 11-27

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Leslie Elliott Armijo

Lamenting Weak Governance: Views on Global Finance

in *Review of International Studies (The)*, Volume 6, Issue 3, September , 447-452

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Kymlicka Will

Le mythe de la citoyenneté transnationale

in *Critique Internationale*, N°23 - Avril 2004

Même si des spécialistes de sciences sociales considèrent les phénomènes transnationaux tels que les migrations, le développement des ONG et les mobilisations en faveur des droits de l'homme comme une remise en question de l'Etat-nation, y compris dans sa version libérale-démocratique, ce système politique demeure le cadre le plus pertinent pour la citoyenneté, comme en témoigne le manque de confiance des sociétés européennes dans le Parlement européen, qui est pourtant la tentative la plus évoluée de promotion des institutions démocratiques au niveau international. Il s'avère en fait que les citoyens des démocraties libérales pourront faire face à la mondialisation en ayant recours non aux outils transnationaux mais à ceux de leurs propres institutions nationales, qui sont partie prenante dans les organisations internationales

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Burchell Jon, Lightfoot Simon

Leading the way? The European Union at the WSSD

in *European Environment/Environmental Policy and Governance*, Volume 14, Issue 6, November-December , pp.

331-341

The 2002 World Summit on Sustainable Development (WSSD) presented an important test of how far the European Union's (EU's) commitment to sustainable development had evolved. This article applies the conception of the EU as a normative power to the EU's role at Johannesburg. It examines how the EU operationalized the concept of sustainable development before analysing the role the EU played in the outcomes of the WSSD and the factors that facilitated or constrained the potential extension of an EU norm in this field. In doing so, the article questions the depth of the EU's current commitment to sustainable development, suggesting that while it may represent a leader in some fields of environmental policy it remains some way short of a coherent adoption of sustainable development as an EU norm. As a result, the factors constraining the development of a norm prevented the EU offering strong leadership at the WSSD.



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Zlatko Skrbis, Gavin Kendall, Ian Woodward

**Locating Cosmopolitanism: Between Humanist Ideal and Grounded Social Category
in Theory, Culture & Society**, Volume 21, n. 6, December , 115-136

The emerging interdisciplinary body of cosmopolitanism research has established a promising field of theoretical endeavour by bringing into focus questions concerning globalization, nationalism, population movements, cultural values and identity. Yet, despite its potential importance, what characterizes recent cosmopolitanism research is an idealist sentiment that considerably marginalizes the significance of the structures of nation-state and citizenship, while leaving unspecified the empirical sociological dimensions of cosmopolitanism itself. Our critique aims at making cosmopolitanism a more productive analytical tool. We argue for a cosmopolitanism that consists of conceptually and empirically identifiable values and outlooks. While there has been some progress made in this direction in the recent literature on cosmopolitanism, most writing still considers cosmopolitanism as something so delicate that it cannot be measured. Furthermore, in order to appreciate the full currency of the concept, we argue that researchers must not only agree on some common determinants of cosmopolitanism and cosmopolitan dispositions, but also ground their analyses of cosmopolitanism in the context of enduring nation-state structures.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Ziller Jacques

**L'interrégulation dans le contexte de l'intégration européenne et de la mondialisation
in Revue française d'administration publique**, n° 109 , 17-22

Aucun secteur ne relève aujourd'hui d'un seul niveau de décision: la fin des anciens monopoles, l'extension géographique et la déspecialisation des activités économiques, ont multiplié les autorités publiques compétentes: locales, régionales, nationales ou européennes, voire mondiales. Les anciens modes de régulation sont obsolètes et, depuis quelques années, une véritable interrégulation se met empiriquement en place afin d'intégrer cette complexification. Qualifiée d'intersectorielle ou de pluri-niveaux, cette interrégulation pose un problème de coordination des compétences entre les régulateurs ; pourtant déterminante pour l'organisation communautaire, une telle coordination est particulièrement difficile à mettre en œuvre dans le cadre européen.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Young Iris

**Modest Reflections on Hegemony and Global Democracy
in Theoria**, 103 (April 2004)



No abstract available

Section B) Global governance and international organizations

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Benner T.; Reinicke W.H.; Witte J.M.

Multisectoral Networks in Global Governance: Towards a Multisectoral Networks in Global Governance in Government and Opposition, Vol. 39, n. 2, April, 191-210

This paper outlines the elements of a pluralistic system of accountability with regard to one of the most ambitious institutional innovations in global governance: multisectoral public policy networks. These networks bring together the public sector (governments and international organizations), civil society and business around issues ranging from corruption, climate change and fighting malaria to environmental and labour standards. We argue that multisectoral networks should be embedded in a pluralistic system of accountability making use of a combination of accountability mechanisms on a number of dimensions (actors, process, outcomes). The paper discusses some of the key conceptual, empirical and practical challenges of a 'learning model' of accountability in networks.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hilary Cunningham

Nations Rebound?: Crossing Borders in a Gated Globe

in Identities: Global Studies in Culture and Power, Volume 11, Number 3 / July-September, 329-350

This article engages critically with the proposal that flow, fluidity, and mobility are the central and organizing features of globalization. By focusing on the growing obstacles that people- most of them from poorer nations- encounter as they attempt to cross national borders, I explore global interconnection and mobility as stratified and highly regulated. My adoption of crossing borders as a central analytic grows out of a broader discussion within border studies about the problematic way in which "crossings" have been used, namely in cultural studies and Border Theory. This article therefore explores crossing borders as moments in which differences can be powerfully reinforced and opportunities for transnationality systematically denied. Here, I attempt to look at the transnational as occurring within established structures of power (a militarized border) and probe the politics of "border crossings" by focusing on a group of social movement actors as they contest the state's authority to organize and manage movement across its southern border. In this analysis I attempt to frame the United States-Mexico border as a "diagnostic" site where anthropologists can study the dynamics of power and flows across global landscapes in the context of specific political fields and histories. Consequently, this line of analysis leads to a different set of metaphors for globalization-one rooted not so much in an iconography of a world in ceaseless motion, but in an image of a "gated globe."

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

P.B. Sawant

Need for New World Organisation

in Federalist Debate (The), Year XVII, n. 1, March



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Metz Thaddeus

Open Perfectionism and Global justice

in *Theoria*, 104 (August 2004)

No abstract available

Section B) Global governance and international organizations

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Ferrara Alessandro

Per una Seconda Dichiarazione dei diritti

in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 2 , 33-45

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Michalak Stanley

Post-Democratic Cosmopolitans: The Second Wave of Liberal Internationalism

in *Orbis: a Journal of World Affairs*, issue 4, vol. 48, fall , 593-603

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Wooldridge Blue

Preparing Public Administrators for an Era of Globalization and Decentralization: a Strategic-Contingency Approach

in *International Review of Administrative Sciences* , Vol. 70, No. 2 , 385-403

For public sector management development professionals to be given the recognition and resources that we deserve, we must be seen to contribute to the organization's 'bottom-line', which is to prepare employees to perform at the level needed to achieve the organization's strategic mission and objectives. Governments can only respond effectively to the challenges of increased globalization and decentralization if we, as instructors in schools and institutes of administration, prepare adequate learning experiences for public administrators. The objectives of this article are to describe the steps in my strategic-contingency approach to management development, an instructional design approach which links the strategic mission of the organizations in which our clients work to the instruction that we prepare. I believe that following the steps of my strategic-contingency approach to management development will produce a curriculum that is more



responsive to the needs of the client organization and to the participants. Such instruction will not only benefit the organizations we serve but will also enhance our professional reputations

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Condé Pierre - Yves

Quatre témoignages sur la justice pénale internationale : entre ordre public international et politiques de justice in Droit et société, n. 58

In this article, four prominent witnesses explain what is at stake in regards to international criminal justice. Although its development should be seen against a certain political background, international criminal justice is based on the guarantee of a fair trial and its construction is closely linked to the transformation of international humanitarian law and to the development of international criminal law. Embedded in international society, it has to bring, nevertheless, a sense of justice to societies confronted with large-scale atrocities. The concept of international criminal justice raises several issues, particularly national-supranational relations, connections to other forms of justice, and the place of victims or that of attorneys.

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Ruggie John Gerard

Reconstituting the Global Public Domain — Issues, Actors, and Practices in European Journal of International Relations , Vol. 10, n. 4, December , 499-531

This article draws attention to a fundamental reconstitution of the global public domain — away from one that for more than three centuries equated the ‘public’ in international politics with sovereign states and the interstate realm to one in which the very system of states is becoming embedded in a broader and deepening transnational arena concerned with the production of global public goods. One concrete instance of this transformation is the growing significance of global corporate social responsibility initiatives triggered by the dynamic interplay between civil society actors and multinational corporations. The UN Global Compact and corporate involvement in HIV/AIDS treatment programs are discussed as examples. The analytical parameters of the emerging global public domain are defined and some of its consequences illustrated by the chain of responses to the Bush Administration’s rejection of the Kyoto Protocol by a variety of domestic and transnational social actors.

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Ludolfo Paramio

Reforma política y reforma del Estado in Reforma y democracia (Venezuela), n. 30

Según muestran las encuestas, los ciudadanos latinoamericanos se han sentido claramente desasistidos por las instituciones democráticas en momentos de crisis económica, como las de años pasados. Esto parecería exigir una



transformación de estas instituciones para superar las razones de la insatisfacción ciudadana.

Las reformas estructurales supusieron una drástica reducción de los recursos del Estado, que afectaba inevitablemente su capacidad para paliar los efectos de situaciones económicas adversas. La reaparición de la crisis ha replanteado la necesidad de mecanismos públicos que compensen las desigualdades y protejan contra la adversidad. Pero ahora, los gobiernos no parecen ya capaces de ofrecer ninguna red de seguridad ante las crisis de mercado. La novedad es que la nueva inseguridad afecta también a quienes antes se habían visto a salvo de la pobreza y de la exclusión tradicionales en América Latina.

Por razones de eficiencia del propio modelo económico se han ido planteando reformas de segunda generación destinadas a mejorar la cualificación de la administración, del sistema judicial, y de la policía y las fuerzas del orden. Sin embargo, el programa de las reformas de segunda generación mantiene una lógica casi exclusivamente económica.

La propuesta alternativa (PNUD, 2004) consiste en construir una democracia de ciudadanía, fundamentada en la idea de equidad, en la que la propia democracia sirva para determinar los derechos sociales efectivos mínimos para que los ciudadanos puedan decidir libremente sobre las opciones existentes de organización de la economía y la sociedad. Pero para ello es preciso que el debate político se centre en las demandas sociales y en los problemas y vías para satisfacerlas, no en promesas imposibles y excusas de última hora.

No sólo se trata de reformar las instituciones de la democracia para lograr parlamentos más eficientes y gobiernos más responsables, o de modificar los sistemas bajo los que se eligen legisladores y gobernantes, sino también de reformar los partidos para hacerlos más responsables y menos tentados de sacrificarlo todo a la rentabilidad electoral inmediata.

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Oberthür Sebastian, Gehring Thomas

Reforming International Environmental Governance: An Institutionalist Critique of the Proposal for a World Environment Organisation

in International Environmental Agreements: Politics, Law and Economics, Volume 4, Number 4, December , pp. 359-381

This article argues that a World Environment Organisation (WEO) does not promise to enhance international environmental governance. First, we claim that the establishment of an international organisation alone in a policy field currently populated by regimes cannot be expected to significantly improve environmental governance because there is no qualitative difference between these two forms of governance institutions. Second, we submit that significant improvement of international environmental governance through institutional re-arrangement must rely on a modification of decision-making procedures and/or a change of institutional boundaries. Third, we develop three principal models of a possible WEO. A WEO formally providing an umbrella for existing regimes without modifying issue-areas and decision-making procedures would be largely irrelevant. A WEO integrating decision-making processes of existing regimes so as to form comprehensive world environment rounds of intergovernmental bargaining would be largely dysfunctional and prone to a host of negative side-effects. A supranational WEO including large-scale use of majority decision-making and far-reaching enforcement mechanisms across a range of environmental issues might considerably enhance international environmental governance, but it appears to be grossly utopian. In conclusion, a WEO cannot be



at the same time realistic, significant and beneficial for international environmental governance. Available political resources should be invested in advancing existing and emerging sectoral environmental regimes rather than in establishing a WEO.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

James Bohman

Republican Cosmopolitanism

in *Journal of Political Philosophy*, Vol. 12, Issue 3, September , 336-352

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Iris Marion Young

Responsibility and Global Labor Justice

in *Journal of Political Philosophy*, Vol. 12, Issue 4, December , 365-388

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Shale Horowitz

Restarting Globalization after World War II. Structure, Coalitions, and the Cold War

in *Comparative Political Studies* , Vol. 37 n. 2 , 127-151

The present period of economic globalization originated following World War II. Given the strongly protectionist tendencies prevailing at the time, how did this happen? Structural economic and military causes, along with intervening coalitional and institutional factors, are considered. Trade policy change is examined in the five largest trading economies—Britain, France, the Federal Republic of Germany, Japan, and the United States. Structural economic causes best explain why protectionist tendencies were so strong, and why they were weakest in the United States and the Federal Republic. The liberalizing trend inaugurated in the United States and the Federal Republic was also facilitated by coalitional side payments to agriculture. Cold War–related military interests appear to have been the strongest impetus behind the unilateral form of the liberalization.

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Krasner, Stephen D.

Sharing Sovereignty: New Institutions for Collapsed and Failing States

in *International Security*, n. 2, vol. 29, fall



Conventional sovereignty assumes a world of autonomous, internationally recognized, and well-governed states. Although frequently violated in practice, the fundamental rules of conventional sovereignty—recognition of juridically independent territorial entities and nonintervention in the internal affairs of other states—have rarely been challenged in principle. But these rules no longer work, and their inadequacies have had deleterious consequences for the strong as well as the weak. The policy tools that powerful and well-governed states have available to "fix" badly governed or collapsed states—principally governance assistance and transitional administration (whether formally authorized by the United Nations or engaged in by a coalition of the willing led by the United States)—are inadequate. In the future, better domestic governance in badly governed, failed, and occupied polities will require the transcendence of accepted rules, including the creation of shared sovereignty in specific areas. In some cases, decent governance may require some new form of trusteeship, almost certainly *de facto* rather than *de jure*.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lagrée Jean Charles

Société civile internationale, un concept à réévaluer

in *Esprit Critique*, Vol. 06, No. 02, Printemps 2004

At the time of globalisation, transformations that affect the (post) modern societies invite to reconsider the concepts and tools of analysis that let us grasp the ongoing changes. This article lies in the wake of a thinking initiate in this journal in Autumn 2002, proposing a re-evaluation of some of the concept of the conventional sociology. The civil society concept - even though it belongs more to the Philosophical tradition than to a empirical sociology, is one of them. The re-discovery and the renewal of interest for this concept has without any doubt, something to do with the questioning of the state, the state institutions, politics and more precisely the representative democracy. However, we will regard as a lax drift the reduction of the "civil society" concept to the organizations of the civil society, as if NGOs, associations, movements to exhaust the sociological thickness of our modern societies.

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Kotzur Markus

Souveränitätsperspektiven - entwicklungsgeschichtlich, verfassungsstaatlich, staatenübergreifend betrachtet

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 52, 2004 , 197-218

No abstract available

Section B) Global governance and international organizations

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de Senarclens P., Badie B., David D., Djalili M-R., Braillard P.

Sovereignty in the Era of Globalization



in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 10, Issue 1, April 2004

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dan Sarooshi

Sovereignty, Economic Autonomy, the United States, and the International Trading System: Representations of a Relationship

in *European Journal of International Law*, Vol. 15 n.4

The meaning of the concept of sovereignty is largely contingent upon the text in which it figures. There is no objective concept that is universally applicable and yet it is of foundational importance to the concept of a state and indeed of modern political knowledge. Much of the literature on sovereignty in international legal journals has been devoted to discussing the relationship between sovereignty and international law and organizations and the limitations that are said to flow therefrom for the exercise by the sovereign state of its powers within, and external to, its territory. This approach to sovereignty, as being mainly concerned with the locus of the exercise of powers of government, featured largely in debates in the US Congress when deciding whether the US should accept and implement the results of the Uruguay Round of trade negotiations. The approach of this article, however, is different: it conceives of sovereignty as an essentially contestable concept — with a normative character and value content — and then goes on to consider what implications this conceptual approach has for the issue of the US relationship to the international trading system. A specific focus of inquiry is the controversial US value of economic autonomy — in casu, the capacity of corporations and states to make independent decisions about their respective economic futures — and a consideration of the extent to which US contestations of sovereignty within the GATT, the WTO, and also within its domestic legal and political system can be viewed as a contestation or even projection internationally of this value.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Eric J. Hobsbawm

Spreading Democracy

in *Foreign Policy*, Issue 144, September / October

No abstract available

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Subsection 4. Global governance, supranational federalism and democracy

Kleingeld Pauline

Stato mondiale o Nazioni Unite?



in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 3 , 29-45

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Etzioni Amitai

The Capabilities and Limits of the Global Civil Society

in *Millennium: Journal of International Studies*, n. 2, vol. 33, march , 341-353

ABSTRACT: We need more transnational governing capacity, as both national governments and intergovernmental organizations are unable to cope with rising transnational problems. Can a global civil society make major contributions along these lines? This article argues that the answer is yes with a significant "but". Global civil society can make major contributions, but no nearly sufficient ones without the formation of some form of a global state

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Shaw Timothy M.

The Commonwealth(s) and Global Governance

in *Global Governance*, n. 4, vol. 10, october-december

ABSTRACT: Both inter- and nonstate Commonwealths have been overlooked to date in comparative studies of global governance. This essay seeks to rectify this neglect in the post-9/11 and –post-bipolar era. My thesis is that the official and unofficial Commonwealths have much to contribute to the analysis and practice of multilateralism in the new millennium. The Commonwealth became an epistemic community in relation to the end of apartheid. This legacy informs its subsequent advocacy of good governance. But I am skeptical about whether it can become a network for human development/security in the twenty-first century. Nevertheless, I conclude that attention to the Commonwealths can contribute to a range of disciplines and debates around global governance and multilateralism.

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Subsection 4. Global governance, supranational federalism and democracy

Gordillo A.

The Draft EU Constitution and the World Order

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 281-294

No abstract available

Section B) Global governance and international organizations

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Najam Adil, Christopoulou Ioli, Moomaw William R.

The Emergent “System” of Global Environmental Governance

in *Global Environmental Politics*, Volume 4, Issue 4, November , pp. 23-35

A de facto “system” of global environmental governance already exists. The de facto system of global environmental governance is neither neat nor simple; it works in a rather messy, non-linear, non-hierarchical, and intertwined fashion. However it is a system that has proved to be resilient as well as prolific. This paper argues that although there is no real reason to make the system less messy, it can be made more effective by taking a number of steps that would (a) support the positive trends already apparent in the emergent system (b) strengthen the system as it evolves, and (c) articulate a clear vision for the eventual system that we wish to move towards.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Amitai Etzioni

The Emerging Global Normative Synthesis

in *Journal of Political Philosophy*, Vol. 12, Issue 2, June , 214-244

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Halabi Y.

The Expansion of Global Governance into the Third World: Altruism, Realism, or Constructivism?

in *Review of International Studies (The)*, Volume 6, Issue 1, March , 21-48

This essay examines the expansion of global governance into developing countries. Its central thesis is that in the present era of globalization, competitiveness has become a major concern for developed countries, in particular, those facing tough competition from the developing states that have improved their terms of trade through state-led development strategies and have become major exporters of manufactured products. Developed countries seek the expansion of global governance in order to regulate the behavior of these developing states, thereby opening their economies to foreign investment and augmenting their wealth. Yet, a successful expansion of global governance requires the creation of internal institutions in the developing countries that may alter their political cultures. Given the unique problems of the developing states, this task cannot be achieved simply by internationalizing the countries in the Global South. This essay relies on the theory of social constructivism and contends that the creation of internal institutions compatible with global governance has been achieved only when developing countries have become convinced that global regulations will benefit them, not just the more developed states.

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Mattias Kumm

The Legitimacy of International Law: A Constitutionalist Framework of Analysis

in *European Journal of International Law*, Vol. 15 n. 5



Does international law suffer from a legitimacy crisis? International law today is no longer adequately described or assessed as the law of a narrowly circumscribed domain of foreign affairs. Its obligations are no longer firmly grounded in the specific consent of states and its interpretation and enforcement is no longer primarily left to states. Contemporary international law has expanded its scope, loosened its link to state consent and strengthened compulsory adjudication and enforcement mechanisms. This partial emancipation from state control means that domestic accountability mechanisms are becoming ineffective as a means to legitimate international law. Correspondingly, the legitimacy of international law is increasingly challenged in domestic settings in the name of democracy and constitutional selfgovernment. This article addresses this challenge. It develops a constitutionalist model for assessing the legitimacy of international law that takes seriously the commitments underlying constitutional democracy. At the heart of this model are four distinct concerns, each captured by a distinct principle. These principles are the formal principle of international legality, the jurisdictional principle of subsidiarity, the procedural principle of adequate participation and accountability as well as the substantive principle of achieving outcomes that are not violative of fundamental rights and are reasonable. Such a framework provides a middle ground between national and international constitutionalists. Whereas the former sometimes suggest that any law not sufficiently connected to domestic legal actors is suspect legitimacy-wise, the latter tend to underplay what is lost democracy-wise as decision-making is ratcheted up from the national to the international level.

Section B) Global governance and international organizations

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Zolo Danilo

The Political And Legal Dilemmas of Globalisation

in *Theoria*, 103 (April 2004)

No abstract available

Section B) Global governance and international organizations

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Levi Lucio

The Significance of Kant's Design of Perpetual Peace for the Contemporary Man

in *Pace Diritti Umani*, n. 1, anno 1, gennaio-aprile , 29-37

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Smith Jackie

The World Social Forum and the challenges of global democracy

in *Global Networks*, n. 4, vol. 4, october , 413-421



ABSTRACT: Protests against economic globalization helped give birth to the World Social Forum (WSF) as a space for civil society groups to coordinate actions and articulate shared visions for global change. Since 2001 the WSF has brought together hundreds of thousands of activists from all parts of the world. But creating an inclusive political space that is also effective at generating unified action has proved challenging. In this article I explore the central tensions in the 2004 WSF and explore the possibilities for the Forum to overcome these obstacles and expand global democracy.

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Heikki Patomäki, Teivo Teivainen

The World Social Forum: An Open Space or a Movement of Movements?

in Theory, Culture & Society, Volume 21, n. 6, December , 145-154

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Peter J. Taylor

The new geography of global civil society: NGOs in the world city network

in Globalizations , Vol. 1, n. 2, December , 265-277

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Schwarz Rolf

The paradox of sovereignty, regime type and human rights compliance

in International Journal of Human Rights (The), Vol. 8 Nr. 2 Summer , Pag. 199 - 215

Constructivism as a theory of International Relations (IR) asserts the primacy of norms over material considerations in domestic and international politics. This article criticises the constructivist approach to the field of human rights with a focus on the Arab Middle East. It points to the deficiencies of this approach in not taking state sovereignty into account as a possible limitation to international efforts in protecting human rights. Furthermore, it contends that the constructivist approach does not properly consider regime type and other more complex nuances, such as 'mixed' human rights records. The article concludes by proposing an alternative explanation for the successful implementation of international human rights norms in domestic practice of authoritarian regimes which concentrates on a state's economic and financial vulnerability. Central to this competing explanation are the theoretical concepts of 'rentier states' and of 'rhetorical action'



Section B) Global governance and international organizations

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El Menyawi, Hassan.

Toward Global Democracy: Thoughts in Response to the Rising Tide of Nation-to-Nation Interdependencies
in *Indiana Journal for Global Legal Studies*, Volume 11, Issue 2, Summer , 83-133

No abstract available

Section B) Global governance and international organizations

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Diane Stone

Transfer agents and global networks in the 'transnationalization' of policy
in *Journal of European Public Policy* , Volume 11, Number 3 / June , 545-566

This paper focuses on the role of international actors in policy/ knowledge transfer processes to suggest a dynamic for the transnationalization of policy results. The paper seeks to redress the tendency towards methodological nationalism in much of the early policy transfer literature by bringing to the fore the role of international organizations and non-state actors in transnational transfer networks. Secondly, attention is drawn to 'soft' forms of transfer - such as the spread of norms - as a necessary complement to the hard transfer of policy tools, structures and practices and in which non-state actors play a more prominent role. Thirdly, transnational networks are identified as an important vehicle for the spread of policy and practice not only cross-nationally but in emergent venues of global governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Koenig-Archibugi M.

Transnational Corporations and Public Accountability
in *Government and Opposition* , Vol. 39, n. 2, April , 234-259

This article considers the issue of public accountability of transnational corporations (TNCs) in the light of the experiences of the past 30 years. It discusses the problem of accountability of corporations in general and examines the accountability gaps that are particularly severe as a result of the global reach and power of TNCs, notably those related to the collusion between government officials and TNCs, to regulatory competition, to state weakness and breakdown, and to political subversion. Then existing attempts to close those gaps are assessed, including intergovernmental cooperation, business 'self-regulation' and initiatives that involve nongovernmental organizations and supranational agencies in defining standards of conduct for companies and monitoring their compliance.

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

Kate O'Neill

Transnational Protest: States, Circuses, and Conflict at the Frontline of Global Politics
in *Review of International Studies (The)*, Volume 6, Issue 2, June , 233-252

Transnational antiglobalization protests have become a hallmark of global activism since 1999. Over this time, the transnational protest movement has generated its own internal and external dynamics of conflict and cooperation, playing them out on a global scale. This essay addresses these dynamics, focusing on the role of performance and theater as a means of generating cooperation within a diverse transnational movement, on intramovement conflict, and on the role of the state with respect to transnational protest. By breaking down dominant conceptions of the state as a unitary actor, transnational protests have helped fuel an as yet understudied form of cooperation: that among policing agencies, across local and national levels of law enforcement, and across national borders. Cross-national police cooperation has become particularly important in the context of the war against terrorism. However, it has also been shaped by the need to maintain public order that has arisen as a result of the large, and often disruptive, street protests against globalization, which have involved activists from many countries.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Geoffrey Stokes

Transnational citizenship: problems of definition, culture and democracy
in *Cambridge Review of International Affairs* , Vol. 17, n. 1, April , 119-135

There is widespread disagreement over whether transnational citizenship provides defensible extensions of, or meaningful complements to, national citizenship. A significant strand of criticism relies upon empirical arguments about political motivation and the consequences of transnationalism. This paper addresses two questions arising from empirical arguments relating to the nation state and democracy. Do the alleged cultural requirements for effective political action provide an insuperable barrier to transnational citizenship? Does transnational citizenship necessarily require a commitment to transnational democracy? I argue that these largely empirical criticisms do not succeed in casting doubt upon the normative plausibility or practical viability of transnational projects. On the first question, I point to a growing transnational political culture that serves to motivate transnational citizens. On the second question, I argue for a legitimate category of transnational citizenship that, although inspired by cosmopolitan morality, is different from it, and that does not require transnational democracy.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Sanwal Mukul

Trends in Global Environmental Governance: The Emergence of a Mutual Supportiveness Approach to Achieve Sustainable Development
in *Global Environmental Politics*, Volume 4, Issue 4, November , pp. 16-22

The experience of the last ten years of global environmental negotiations suggests that a new and different approach to international cooperation is required if we are to achieve sustainable development. While multilateral environmental



agreements have provided a valuable framework for building a consensus on broad objectives, their implementation requires a focus on the underlying activities that cause environmental degradation. Moreover, globalization encourages the development and use of innovative technologies, leading to a large degree of overlap between global environmental concerns and national sustainable development objectives. These shifts require wholly new perspectives that are based less on determining responsibilities and more on supporting mutually reinforcing transformations. The new approach also looks beyond the state to other stakeholders as contributors to achieving sustainable development

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Danilo Zolo

Usi contemporanei di "impero"

in *Filosofia Politica*, n. 2, Agosto, 183-198

The author offers us a critical analysis of the uses of 'empire' that today recur in the western scholarship regarding political science and international relations. At the same time the essay aims at offering a contribution to the clarification of the theoretical-political concept of 'empire' and a justification, under certain circumstances, of its contemporary use. The imperial archetype that today is becoming hegemonic is that of the Roman empire. According to the author, starting from the last decade of the 20th century the United States have positioned themselves at the centre of a phenomenon of international power concentration, global military intervention and universal ability of ideological and normative control one can easily define as "global empire".

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Liogier Raphaël

Vers le familialisme global, la famille mondiale après l'État-Nation

in *Cité, philosophie, politique, histoire*, n. 18/2004

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Louis Jean-Victor

Vers un renforcement de la gouvernance économique?

in *Cahiers de Droit Européen*, n. 5 - 6, 521 - 530

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Habermas Jürgen



Wege aus der Weltunordnung

in *Blätter für deutsche & internationale Politik*, Januar, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

J. Timmons Roberts, Bradley C. Parks and Alexis A. Vásquez

Who Ratifies Environmental Treaties and Why? Institutionalism, Structuralism and Participation by 192 Nations in 22 Treaties

in *Global Environmental Politics*, Volume 4, Issue 3, August , pp. 22-64 (free article - full text)

International environmental accords have become important mechanisms by which nations make promises to administer natural resources and manage the global environment. Previous studies, relying mainly on single cases or small-n data sets, have shed light on the proximate political causes of participation in these agreements. However, no study has yet systematically explained the deeper social determinants of why nations sign, ignore or resist environmental treaties. We offer a theoretically-sequenced model that exploits complementarities between rational choice institutionalism and world-systems theory. Key variables posited by realists and constructivists are also examined, using a new environmental treaty participation index based on ratifications of 22 major environmental agreements by 192 nations. Cross-sectional OLS regression and path analysis strongly supports the institutionalist claim that credibility—the willingness and ability to honor one’s international environmental commitments—“matters.” But these measures also lend considerable support to the world-systems hypothesis that state credibility is strongly influenced by a legacy of colonial incorporation into the world economy. Narrow export base—our proxy for disadvantaged position in the world-economy—directly and indirectly (through institutions and civil society strength) explains nearly six-tenths of national propensity to sign environmental treaties. A nation’s natural capital, its ecological vulnerability, and international environmental NGO memberships had no explanatory power in the path analysis. Our results indicate that new theoretical, methodological and policy approaches are needed to address structural barriers to international cooperation.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cohen Jean L.

Whose Sovereignty? Empire versus International Law

in *Ethics and International Affairs*, n. 3, vol. 18, winter , 1-24

ABSTRACT: This article focuses on the impact of globalization on international law and the discourse of sovereignty. It challenges the claim that we have entered into a new world order characterized by transnational governance and decentered global law, which have replaced “traditional” international law and rendered the concepts of state sovereignty and international society anachronistic. We are indeed in the presence of something new. But if we drop the concept of sovereignty and buy into the idea that transnational governance has upstaged international treaty organizations, we will misconstrue the nature of contemporary international society and the political choices facing us. In the contemporary context where there is a powerful imperial project afoot (on the part of the United States) that seeks to develop a useful version of global (cosmopolitan) right to justify its self-interested interventions, proposals to abandon



the default position of sovereignty and its corollary, the principle of nonintervention in international law, are both premature and dangerous. Instead, we should rethink the normative dimensions of the concept of sovereignty in light of the new principle of sovereign equality articulated in the UN Charter, and show how it can complement cosmopolitan principles such as human rights and collective security. The task is to strengthen, not abandon, international law and supranational institutions, and to foster a global rule of law that protects both the sovereign equality of states, based on a revised conception of sovereignty, and human rights.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Mercedes Bresso

World Organization of United Cities and Local Governments

in Federalist Debate (The), Year XVII, n. 1, March

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kurasawa Fuyuki

A Cosmopolitanism from Below: Alternative Globalization and the Creation of a Solidarity without Bounds

in European Journal of Sociology, Volume 45, Issue 02, August 2004 , 233-255

This paper aims to demonstrate that cosmopolitanism should be understood as a transnational mode of practice, whereby actors construct bonds of mutual commitment and reciprocity across borders through public discourse and sociopolitical struggle. This practice oriented perspective allows us to question three of the main assumptions imbedded within most frameworks theorizing global solidarity, namely cultural homogenization, political fragmentation, and social thinness. To illustrate my argument, I draw upon examples taken from the alternative globalization movement.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Purdy, Jedediah

A World of Passions: How to Think about Globalization Now

in Indiana Journal for Global Legal Studies, Volume 11, Issue 2, Summer , 1-49

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Peterson J.



America as a European power: the end of empire by integration?

in *International Affairs* , issue 4, vol. 80, july , 613-629

Is the postwar partnership between Europe and America now a historical artefact? Much depends on whether the notion of America as a 'European power' still holds. The US attained this status through a strategy of 'empire by integration', extending its postwar 'empire' through negotiation and support for European integration, and envisaging a collectively powerful Europe as fundamental to the health of its most important security alliance. The election of George W. Bush, the terrorist attacks of 9/11, and the war in Iraq are often seen as producing deep ruptures both in American policy towards Europe and the transatlantic alliance. Yet, the embrace of a new US policy of 'disaggregation' of Europe is unproven, and in any event unlikely to mark a permanent shift. The US and Europe are surprisingly close to agreement on ends for the international order. Conflict over Iraq has obscured a significant increase in policy cooperation and convergence of strategy in the war on terrorism.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Robert B. Ahdieh

Between Dialogue and Decree: International Review of National Courts

in *New York University Law Review* , Vol. 79 n. 6 , 2029-2163

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Chandler David

Building Global Civil Society 'From Below'?

in *Millennium: Journal of International Studies*, n. 2, vol. 33, march , 313-339

ABSTRACT: Whereas state-based political action is held to reinforce frameworks and hierarchies of exclusion, new social movements, said to constitute a global civil society 'from below', are seen to herald new forms of emancipatory political action that recognise and include diversity and build new forms of global 'counter-hegemonic' politics. This paper seeks to examine and challenge these claims. It suggests that, rather than expanding the sphere of inclusiveness, global civic activism tends to undermine community connections. This is because the political ethics it advocates are deeply corrosive of social engagement and prone to elitist rather than inclusive consequences. The argument that the individual should have no higher political allegiance beyond their own moral conscience merely reflects and legitimises the radical rejection of collective political engagement and its replacement by elite advocacy and personal solipsism.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Luigi Bonanate

Capire il mondo: globalizzazione e guerre oggi



in *Democrazia e diritto*, Anno XLII, n. 1

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Cheung Gordon C. K.

Chinese Diaspora as a Virtual Nation: Interactive Roles between Economic and Social Capital

in *Political Studies*, Volume 52, Issue 4, December , pp. 664-684

This paper attempts to analyse how and in what ways the Chinese diaspora interacts with globalisation in Southeast Asia through their economic and social capital. It explores the theories of globalisation and contrasts them with the thematic changes of Southeast Asia studies, and it conceptualises the economic power, the geographical dispersal nature and the social networking of Chinese diaspora in order to understand how a virtual nation is being constructed. It then examines empirical studies of that economic power using the specific case of Indonesia; comparative studies of Chinese companies in Southeast Asian countries; and foreign direct investment in China from the Association of Southeast Asian Nations. Finally, it surveys the building of the virtual community through ethnicity, languages, associations and Confucianism, from which social capital has been generated among the Chinese diaspora in Southeast Asia.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Gready Paul

Conceptualising globalisation and human rights: boomerangs and borders

in *International Journal of Human Rights (The)*, Vol. 8 Nr. 3 Autumn , Pag. 345 - 354

This article attempts to address a basic question in relation to human rights: are there conceptual frameworks that can be applied usefully to the entire terrain of globalisation, cutting across its layered processes and the activities of both supporters and critics? Two, inter-related, frameworks are discussed here: boomerangs and borders. Three boomerangs are identified: the advocacy boomerang, the boomerang as campaigning strategy, and the (in)security boomerang. The boomerang is one pattern of global linkage that can originate in either the North or South, with the powerful or powerless, that both potentially undermines human rights and suggests possible forms of activism, prevention and redress. While boomerangs indicate that globalisation is characterised by interconnectedness, borders outline patterns and processes of difference, inequality and division. First, a concern with borders must address the considerable residual importance of the state. But border regimes are being redrawn by globalisation, as borders increasingly transcend state structures and control, highlighting new human rights actors and concerns. The article highlights violent borders, violently policed, dividing the world into those who have and those who have not and 'relations of disjuncture' within globalisation itself. Underpinning the discussion is a final question: are human rights part of a neo-liberal globalisation agenda or attempts to challenge its current supremacy? It is still an open question, and one crucial to the future of both human rights and globalisation, for which side human rights will ultimately be secured.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Zhengyi Wang

Conceptualizing economic security and governance: China confronts globalization

in *Pacific Review (The)* , Volume 17, Number 4 , pp. 523-545

With the expansion and deepening of globalization, as well as China's entry into the World Trade Organization, the nexus between economic growth and national security has gained prominence in China since the mid-1990s. How to ensure socio-economic security while maintaining its robust economic growth is now the most serious concern of the Chinese Communist Party (CCP) and the Chinese government. This paper addresses three questions: first, it explores why and how the transformation of economic growth and national security as two separate logics to a single domain evolved conceptually over the past two decades in China; second, what kinds of insecurities are generated by China's robust economic growth coupled with the expansion and deepening of globalization, and in which way and to what extent do they challenge China's government; third, what kinds of mechanisms or policy instruments have been adopted by China's government to address emerging economic insecurities while maintaining robust economic growth. The paper concludes that in the case of China, globalization has posed new challenges to economic security, but given that economic insecurity has its particular salience in individual countries, national institutional adjustment or adaptation becomes increasingly important for each country to govern in the interests of economic security while maintaining economic growth.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Tarak Barkawi

Connection and constitution: locating war and culture in globalization studies

in *Globalizations* , Vol. 1, n. 2, December , 155-170

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Leonid Shershnev

Contours of a New World Structure - The Civilisational Approach

in *World Affairs*, Vol. 8, n. 4, October - December

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Gugler Klaus, Mueller Dennis C., Yurtoglu B. Burcin

Corporate Governance and Globalization



in **Oxford Review of Economic Policy**, Volume 20, Issue 1 , 129-156

This survey gives an overview of the current state of knowledge on the question of whether corporate-governance structures worldwide are determinants of differences in economic performance. We look at the identities of owners, monitoring boards, and legal systems and find that some, though not all, corporate-governance structures give rise to differences in performance. The paper ends with a tentative look at the prospects of corporate-governance structures converging worldwide.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Williams, David Glyndwr Tudor

Courts and Globalization

in **Indiana Journal for Global Legal Studies**, Volume 11, Issue 1, Winter , 57-69

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Boyle Alan

Derecho internacional y desarrollo sustentable

in **Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile**, Vol. 37 / 2004 / Nr. 147 , p. 5

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bradlow Daniel D.

Development decision-making and the content of international development law

in **Boston College International and Comparative Law Review**, Vol. 27 n. 2 , 195-218

International development law deals with the rights and duties of states and other actors in the development process. As the consensus view of the development process disintegrated during the 1970s and 1980s, the agreement on the content of international development law also began to break down. Today there are two competing idealized views of development. The first, the "traditional view," maintains that development is about economic growth, which can be distinguished from other social, cultural, environmental, and political development issues in society. The second, the "modern view," maintains that development is an integrated process of change involving intertwined economic, social, cultural, political, and environmental dimensions. These two views of development lead to different perceptions of the substantive content of development law, of the importance of sovereignty, and of the relationship between national and international law in the law applicable to development



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Saraceni G.

Discussione su Persone e Stati: le conseguenze della “globalizzazione” e dell’innovazione tecnologica in Teoria e diritto dello Stato, Vol. 1 / 04

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Saraceni, G.

Discussione su persone e stati : le conseguenze della globalizzazione e dell'innovazione tecnologica in Teoria del diritto e dello stato, n. 1 - 2004 , pag. 139-148

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bjorvatn Kjetil

Economic integration and the profitability of cross-border mergers and acquisitions in European Economic Review, Volume 48, Issue 6 , December , 1211-1226

The 1990s was a decade of increased economic integration. The decade also witnessed a sharp increase in cross-border mergers and acquisitions. From a theoretical perspective, the increase in international mergers in more integrated economies is rather puzzling. It is a well-established result that due to the "business stealing effect", mergers in integrated markets are not likely to be profitable. A reasonable conjecture would therefore be that closer integration of markets would reduce the attractiveness of cross-border mergers and acquisitions. The present paper demonstrates that this is not necessarily the case: Economic integration may trigger cross-border acquisitions by reducing the business stealing effect and by reducing the reservation price of the target firm. The paper thus provides explanations to the observed increase in cross-border mergers in a world of more integrated economies.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kahler Miles

Economic security in an era of globalization: definition and provision in Pacific Review (The) , Volume 17, Number 4 , pp. 485-502

Globalization has undermined the traditional definition of economic security that centered on economic vulnerability to other states. At the same time, globalization has produced a redefinition of economic security in light of the risks posed by cross-border networks of non-state actors and by the economic volatility of the new global environment. The relationship between economic globalization and undesirable economic and political outcomes must be specified precisely and assessed carefully, however. Judgements about economic security must weigh the effects of increased



volatility introduced by globalization against the benefits of improved economic performance in the longer run. Institutions can offset economic insecurity through the provision of insurance, shoring up policy credibility, and guiding adaptation to the new environment. National institutions will remain central to the provision of economic security under conditions of globalization. Regional and global institutions can complement one another (and national institutions) in their alleviation of the new economic insecurity. Although some regional institutions drifted in the wake of the Asian financial crisis, new regional alternatives have emerged that promise to stake out new modalities of economic security.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Clodomir Santos

Geopolítica y goeconomía en tres escenarios de la globalización

in *Geosur : publicación mensual* , Vol.25 n. 285-286 , Pag.18-24

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Reid Anthony

Global and Local in South-East Asian History

in *International Journal of Asian Studies (The)*, issue 1, vol. 1, january , 5-21

ABSTRACT: This article revisits the same author's Southeast Asia in the Age of Commerce (1988–93) through the lens of a pattern of alternating globalization and localization in Southeast Asian History. It highlights the effects of the intense globalization of the “age of commerce” (centuries) on Southeast Asian performance traditions, notably the state theatre of the great entrepôts. Reid considers the critiques of his emphasis on a seventeenth-century crisis in the region in the decade since publication, and defends most of his original position against Victor Lieberman and Andre Gunder Frank in particular. He pursues the theme forward in time, to note another period of significant trade expansion and globalization in roughly 1780–1840; the following high-colonial period which paradoxically had more of a localizing effect on most Southeast Asian populations, and the nationalist reaction which (again paradoxically) marked extreme globalization in some respects between the 1930s and the 1960s.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Ghose Ajit K.

Global inequality and international trade

in *Cambridge Journal of Economics*, 1 marzo 2004, Volume 28, Issue 2 , 229-252

The paper analyses the effect of widespread trade liberalisation on global income inequality. The analysis of the trend in global inequality during 1981–97, presented in the first part of the paper, shows that the apparent growth of income inequality among countries conceals a process of convergence. Some developing countries achieved significantly faster



economic growth than the advanced industrialised countries and, though small in number, they actually account for a majority of the population of the developing world. Thus international inequality (i.e., the inequality of distribution of per capita incomes among the world's population) in fact declined even though the inter-country income inequality increased. The analysis in the second part of the paper shows (i) that while improved trade performance did have a stimulating effect on growth performance of countries, trade liberalisation had extremely varied effects on trade performance across countries, and (ii) that the distribution of benefits and costs of trade liberalisation across countries has been such as to reduce international inequality without affecting inter-country inequality.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mols Manfred

Globale Zivilisation und Religion

in *Zeitschrift für Politikwissenschaft*, 14. Jahrgang (2004), Heft 3

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Crafts N.

Globalisation and Economic Growth: A Historical Perspective

in *World Economy*, Volume 27, Number 1, 45-58

This paper reviews the historical evidence on the relationship between globalisation and economic growth. Divergence in the growth of income and industrialisation in the twentieth century is documented but it is also noted that international income inequality appears to have decreased since about 1870 and that long-run trends in the Human Development Index are much less pessimistic about the experience of developing countries. It is argued that trade liberalisation has been good for growth on average but that successful capital liberalisation requires high institutional quality and that the developmental state may have an important role to play in the early stages of development. The recent claim by Robert Lucas that the 21st century will see a massive reduction in income inequality across countries in a globalised world economy is sceptically discussed in the context of empirical evidence that bad institutions are often persistent and that geography is still a major factor in explaining international income differences.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kolodko G. W

Globalisation and Equity Issues in Post-socialist Transition Economies

in *Acta Oeconomica*, Volume 54, Issue 3, 273-296

Equity issues in policymaking are difficult to resolve because they are linked not only to the economic situation but also to social constraints and political conflicts within a country. This is even more true in the case of post-socialist economies during their transition to a market system in the era of globalisation. The historical and irreversible process of liberalisation and integration of capital, goods and services, and labour markets into one world market, as well as the



gradual construction of new institutions and the process of privatisation cause a significant shift in the income pattern of post-socialist emerging markets. Contrary to expectations, inequality increases affecting the standard of living and long-term growth. While globalisation contributes to the long-term acceleration of economic growth and offers a chance for many countries and regions to catch up with more advanced economies, it results in growing inequality both between the countries and within them. On average, the standard of living increases, but so does the gap between the rich and the poor. Therefore, equality issues should always be of concern to policymakers, especially in the early years of the change of regime in post-socialist transition economies.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Girish Luthra

Globalisation and Unipolarity - Walking the Tightrope

in *World Affairs*, Vol. 8, n. 3, July - September

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Marek Glogoczowski

Globalisation but no Dialogue of Civilisations Ahead

in *World Affairs*, Vol. 8, n. 4, October - December

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Erik Swyngedouw

Globalisation or 'glocalisation'? Networks, territories and rescaling

in *Cambridge Review of International Affairs*, Vol. 17, n. 1, April, 25-48

This paper argues that the alleged process of globalisation should be recast as a process of 'glocalisation'. 'Glocalisation' refers to the twin process whereby, firstly, institutional/regulatory arrangements shift from the national scale both upwards to supra-national or global scales and downwards to the scale of the individual body or to local, urban or regional configurations and, secondly, economic activities and inter-firm networks are becoming simultaneously more localised/regionalised and transnational. In particular, attention will be paid to the political and economic dynamics of this geographical rescaling and its implications. The scales of economic networks and institutional arrangements are recast in ways that alter social power geometries in important ways. This contribution, therefore, argues, first, that an important discursive shift took place over the last decade or so which is an integral part of an intensifying ideological, political, socioeconomic and cultural struggle over the organisation of society and the position of the citizen. Secondly, the pre-eminence of the 'global' in much of the literature and political rhetoric obfuscates, marginalizes and silences an intense and ongoing socio-spatial struggle in which the reconfiguration of spatial scale is a key arena. Third, both the scales of economic flows and networks and those of territorial governance are rescaled through a process of



'glocalisation', and, finally, the proliferation of new modes and forms of resistance to the restless process of de-territorialisation/re-territorialisation of capital requires greater attention to engaging a 'politics of scale'. In the final part, attention will be paid to the potentially empowering possibilities of a politics that is sensitive to these scale issues

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Borghesi Simone, Vercelli Alessandro

Globalisation, Inequality and Health

in **International Journal of Global Environmental Issues**, Volume 4, Issue 1-2-3 - Special Issue on Economic Growth and Sustainable Development , pp. 89-108

As we suggested in a previous work (Borghesi and Vercelli, 2003), the process of globalisation affects the sustainability of development mainly through three channels: economic growth, inequality and environmental degradation. This conceptual framework may help us to understand also the causal influence of globalisation on health that represents a fundamental dimension of the quality of life enjoyed by the people and of sustainability. For this purpose, the present paper aims to investigate both the direct and the indirect effects of post-war globalisation, with particular attention to the role played by inequality in the globalisation-health relationship. A few policy implications emerging from the analysis are also discussed, suggesting a policy strategy that can at the same time improve health and make the current globalisation process more compatible with sustainable development.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Brandl Sebastian, Stelzl Bernhard

Globalisierung als Chance

in **Blätter für deutsche & internationale Politik**, November, 2004 , 1309-1312

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Schambeck H.

Globalisierung und Subsidiarität

in **Teoria e diritto dello Stato**, Vol. 2 / 04

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Tønnesson Stein

Globalising national states

in **Nations and Nationalism**, Vol. 10, Issue 1-2, January 2004 , 179-194



Globalisation has ambiguous effects on states. On the one hand, it favours national states since citizens' identification with their state provides for political and social stability. On the other hand, globalisation makes it difficult for states to be national because the scope of sovereign decision-making is reduced, and many citizens prioritise trans-national networks over national ones. Hence well-established national states, which are sufficiently resilient to maintain a national culture while also engaging with the wider world, enjoy a comparative advantage over such states who either fail to maintain national cohesion or seek to protect it by rejecting foreign influence. The present article revisits the most common typologies of nations and national states, and discusses how four main types of nations (ethnic, civic, plural and class) cope with globalisation. The article builds on the assumption that the 'foreign policy' field, notably the capacity of states to shape popular global policies, must be included in discussions of the future of the national state.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Zlata Drnas de Clemente

Globalizacion y regionalismo

in *Cuaderno de federalismo*, vol. 18

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Allard Neuman Raúl

Globalización, rol del Estado y relaciones internacionales en el realismo de Robert Gilpin

in *Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile*, Vol. 37 / 2004 / Nr. 146 , 5-40

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Armin von Bogdandy

Globalization and Europe: How to Square , Globalization, and International Law

in *European Journal of International Law*, Vol. 15 n. 5

Fundamental controversy reigns in Europe over how to understand globalization. This is particularly true with respect to globalization's impact on democracy. The spectrum of relevant diagnoses ranges from those which identify an extreme danger to democracy to others which find that democracy is undergoing a substantive strengthening. The spectrum of proposals is similarly divergent. Some recommend the acceptance of a loss of democracy, some call for national self-preservation, others advocate a global democratic federation. The paper provides a stocktaking from a European perspective of influential scholarly positions on the basis of categorized diagnoses and proposals, and examines their



conceptions of the further development of international law. This project is carried out in three steps. The first step serves to outline the concepts of globalization and democracy. The second presents important conceptions relating to the impact of globalization on the reality of democracy in a world organized around statehood. The third step puts forward ideas for the protection and development of democracy in the process of globalization and relates them to conceptions on the future development of international law. The article concludes with perspectives for future research

Section B) Global governance and international organizations

Subsection 5. The Globalization process

James H. Mittelman

Globalization debates: bringing in microencounters

in **Globalizations** , Vol. 1, n. 1, September , 24-37

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Jan Aart Scholte

Globalization studies: past and future: a dialogue of diversity

in **Globalizations** , Vol. 1, n. 1, September , 102-110

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Garrett Geoffrey

Globalization's Missing Middle

in **Foreign Affairs**, November/December - Vol 83, Number 6, 2004

Both friends and foes of globalization overlook one of its critical effects: although it has served rich countries well and poor ones even better, globalization has left middle-income countries struggling to find a niche in world markets. Because these countries cannot compete in either the knowledge or the low-wage economy, without help, they will fall by the wayside.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bislev Sven

Globalization, State Transformation, and Public Security

in **International Political Science Review** , n. 3, vol. 25, july , 281-296

ABSTRACT: Globalization changes the context, the structure, and the institutions of the nation-state. Even the



traditional core area of public security is being affected, and rationalities from business and the market are being introduced to the security field. The most recent security technologies build less on public authority and more on management and markets. The San Diego region of Southern California, a region thoroughly affected by globalization, illustrates this process through its introduction of management methods in police work and the growth of gated communities as a defensive technology.

Section B) Global governance and international organizations

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Went Robert

Globalization: can Europe make a difference?

in *Review of International Political Economy*, Volume 11, Number 5 / December , 980 - 994

In a rather unambitious working document,[4.5pc] the European Commission (2002) has presented its analysis of globalization and views on how Europe should respond to its challenges. Provoked by the blandness of this disappointing report, this paper examines whether the EU has other options than pursuing its current policies, which stay within the framework of neoliberal globalization and are roughly equivalent to the ones followed and propagated by the United States.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Jerry H. Bentley

Globalizing history and historicizing globalization

in *Globalizations* , Vol. 1, n. 1, September , 69-81

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Di Gaspare Giuseppe

Globalizzazione, mercati finanziari ed investimenti in beni pubblici: spunti per un dibattito in corso.

in *Jus*, n. 2 , 179-188

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Ismail Shariff

Growing Discontent with Globalisation

in *World Affairs*, Vol. 8, n. 3, July - September

No abstract available



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Armellini, S.

Il premio come minaccia. Le ragioni dell'antimperialismo

in *Teoria del diritto e dello stato*, n. 1 - 2004 , pag. 1-32

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Colombo Emilio

Il ruolo dell'Europa nel mondo

in *Affari Esteri*, Anno XXXVI, n. 143 , 486-490

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Tancredo, Thomas G.

Immigration, Citizenship, and National Security: The Silent Invasion

in *Mediterranean Quarterly*, Vol.15 Nr.4 fall 2004

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Golub Philip S.

Imperial politics, imperial will and the crisis of US hegemony

in *Review of International Political Economy*, Volume 11, Number 4 / October , 763 - 786

Under George W. Bush, the United States has chosen to revolutionize world affairs by abandoning successful forms of hegemonic governance, based on the institutionalization of collective economic and security regimes, in favor of militarism, or the pursuit of global domination through force. Starting from a critique of structuralist approaches, this paper examines the ideational transformation of the American right and situates it within the context of the US's emergence in 1991 as a unipolar strategic actor and as the core state in the newly globalized capitalist political economy. While these synchronous transformations considerably augmented America's autonomy, giving the US the opportunity to reconfigure the world system to its advantage, one must distinguish between the current imperial expansionism of the revived and expanded US national security state and earlier forms of US hegemonic rule. The aim: to account for a fundamental shift of the way in which the US has governed the capitalist world system since 1945



Section B) Global governance and international organizations

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Edward Goldsmith

Implications of Climate Change: How to Feed the World?

in *World Affairs*, Vol. 8, n. 3, July - September

No abstract available

Section B) Global governance and international organizations

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Bergesen Albert J., Lizardo Omar

International Terrorism and the WorldSystem

in *Sociological Theory*, Vol. 22, Issue 1, March 2004 , 38-52

Theories of international terrorism are reviewed. It then is noted that waves of terrorism appear in semiperipheral zones of the worldsystem during pulsations of globalization when the dominant state is in decline. Finally, how these and other factors might combine to suggest a model of terrorism's role in the cyclical undulations of the worldsystem is suggested.

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Nesadurai Helen E. S.

Introduction: economic security, globalization and governance

in *Pacific Review (The)* , Volume 17, Number 4 , pp. 459-484

This introductory article examines different approaches to conceptualizing economic security by drawing on the broader social science literature beyond realism/neorealism. Arguing that traditional conceptions of economic security that see economics as a source, or instrument of state power are insufficient, it draws on a growing literature that looks directly at the economic roots of conflicts, particularly those arising from the manner in which capitalist production is organized in distinct settings. While the paper identifies a range of ways in which scholars, policy practitioners and communities think about economic security depending on the particular circumstances different states and societies find themselves in, the paper, nonetheless, argues for a notion of economic security that also emphasizes issues of justice/fairness and distributive equity. Under conditions of globalization, it is important for us to think of the needs of those made insecure by prevailing systems of market governance but in ways that do not undermine the integrity of the market nor sanction protection for chronically uncompetitive firms. Drawing on insights from International Political Economy and Economic Sociology, the paper suggests one useful way of conceptualizing economic security under conditions of globalization: that of ensuring a low probability of damage to (a) the income and consumption streams that are deemed appropriate for individual well-being; (b) the income-generating potential of an economy; and (c) some minimal level of distributive equity. To this end, appropriately designed national, regional and global institutions can function as mechanisms of governance in the interests of economic security. The rest of the papers in this Special Issue provide empirical case studies drawn from East Asia on many of the points raised in this introduction.



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Poujol Catherine

Islam et mondialisation en Asie centrale. Une trajectoire entre Islam local et Islam global
in *Pensée (La)*, Fascicule 04/338 , 5-21

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Castresana Fernandez Carlos

Justice, globalization and human rights
in *Peace Review*, n. 2, vol. 16, june , 199-205

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Denninger Erhard

L'impatto della globalizzazione sulle democrazie contemporanee
in *Rassegna parlamentare*, n. 1/2004 - gennaio - marzo , 26-41

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Marchal, R.; Messiant, C.

La guerras civiles en la globalizacion
in *Analisis politico* , n. 50

Al terminar la guerra fría, y dada la nueva configuración de las relaciones internacionales, ciertos analistas tuvieron por un tiempo la esperanza un tanto mesiánica del logro de la paz universal y de la constitución de un nuevo orden internacional. Sin embargo, a mediados de los años noventa, esta esperanza se encontraba fuera de lugar, y varios teóricos se esforzaban por dar cuenta de la naturaleza perenne de ciertos conflictos, o del surgimiento de nuevas guerras.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Horchani, F.



Le droit international des investissements à l'heure de la mondialisation

in *Journal du droit international*, n. 2 , 367 - 427

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Rouba Luc

Les paradoxes de l'État post-moderne

in *Cité, philosophie, politique, histoire*, n. 18/2004

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

James N. Rosenau

Many globalizations, one international relations

in *Globalizations* , Vol. 1, n. 1, September , 7-14

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Forst Rainer

Moralità, potere e giustizia globale

in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 2 , 21-32

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kaldor Mary

Nationalism and Globalisation

in *Nations and Nationalism*, Vol. 10, Issue 1-2, January 2004 , 161-177

This article argues that the current wave of nationalism has to be understood as a response to globalisation and not as evidence for the enduring nature of the national idea, as Smith suggests. It defends the modernist paradigm as a way of explaining nationalism and emphasises the role of war in the construction of nationalism. It puts forward an explanation for the current wave of nationalism in terms of changes in the division of labour, in communications and in war and it describes the key characteristics of what the author calls the 'new nationalism'. The final section defends the idea of a cosmopolitan or European identity.



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Jan Nederveen Pieterse

Neoliberal Empire

in *Theory, Culture & Society*, Volume 21, n. 3, June , 119-140

If neoliberal globalization was a regime of American economic unilateralism, has this been succeeded by or combined with political and military unilateralism? This discussion probes the emerging features of a hybrid formation of neoliberal empire; a mélange of political-military and economic unilateralism, an attempt to merge geopolitics with the aims and techniques of neoliberalism. This is examined in relation to government, privatization, trade, aid, marketing and the occupation of Iraq. A further question is what kind of wider strategy is taking shape amid the turmoil of the new wars.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mahnkopf Birgit

Neoliberale Globalisierung und globaler Krieg

in *Blätter für deutsche & internationale Politik*, Januar, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Cohen Samy

ONG, altermondialistes et société civile internationale

in *Revue française de science politique*, Volume 54, Numéro 3, Juin , 379-398

Ce travail a pour objectif l'analyse du rôle et de la place d'une des " composantes " de la mouvance altermondialiste : les ONG. Celles-ci apparaissent souvent comme une des forces majeures de la " contestation de la mondialisation libérale ". Les noms d'Oxfam, de Médecins sans frontières, de Médecins du monde, d'Amnesty international, de Human Rights Watch, de Greenpeace, du Comité catholique contre la faim et pour le développement (CCFD) sont souvent associés à la " nébuleuse altermondialiste ". Le positionnement des ONG n'est ni neutre ni indifférent. Implicitement ou explicitement, il s'articule avec un enjeu important, celui de la représentativité et de la légitimité des altermondialistes. Mais l'analyse comparée du positionnement de quelques grandes ONG internationales fait apparaître des clivages importants au sein de ce monde.

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Subsection 5. The Globalization process

Wessely Uli

Politische Bildung in der globalen Wissensgesellschaft
in *Aus Politik und Zeitgeschichte*, Band 7-8, 2004

No abstract available

Section B) Global governance and international organizations

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Morales-Moreno, I.

Postsovereign Governance in a Globalizing and Fragmenting World: The Case of Mexico
in *Review of Policy Research*, Vol. 21 issue 1, pag. 107-128

Globalization and "global governance" have become the buzzwords at the turn of the century in order to name and explain the emerging post-Cold War international order. The first one makes reference to the technological revolution that is modifying our notions of space, time, and production, while the latter attempts to illustrate how power and its regulatory practices are being transformed among polities. We discuss these two notions in the first part of this essay to argue that, in fact, the emerging "global" order will be different from that grounded on state-centered notions of territory and sovereignty. Our arguments focus on the Mexican case to highlight how this country is moving from an inward-looking, state-centered, authoritarian machinery of governance, to a postsovereign, principle-based, multilayered governance structure. This transition has mainly manifested in the governance mechanisms of corporate and human rights. This does not mean that policy tools of the "ancient regime" have completely disappeared. State-centered structures of governance will remain important during this stage of economic and political change. Areas moving into postsovereign and principled regulatory practices will overlap with those that remain under the monopoly of national bureaucracies. Though Mexico's economic and political change could be explained as a reactive movement against the collapse of the state-centered authoritarian model, an important conclusion of this essay is that the emerging pattern of postsovereign and principled bureaucratic governance will play a major role in shaping the future of those changes.

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Micheline Ishay

Promoting human rights in the era of globalization and interventions: the changing spaces of struggle
in *Globalizations*, Vol. 1, n. 2, December, 181-193

No abstract available

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Martha A. Starr

**Reading The Economist on Globalisation: Knowledge, Identity, and Power
in Global Society**, Vol. 18, n. 4, October , 373-395

The UK-based magazine The Economist portrays globalisation as a positive extension of liberal capitalism. While consistent with the magazine's pro-market bent, the rationale for the coverage is complex, since many readers presumably share the magazine's dominant code and do not need persuasion. This paper first explores tactics used to limit discourse on globalisation to realms of economic knowledge, while devaluing knowledge from other domains. Then, using cultural theories of how people read, I argue that coverage provokes reader anxieties about a changing world--while allaying them through tales of a future in which growth continues, the lot of the poor improves, and power remains vested in the institutions, knowledge, and people that have it currently. As such, The Economist provides a utopian vision of the future and tools for shaping identity to fractions of dominant groups seeking to define their strategies in a changing world.

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Sam Ashman

Resistance to Neoliberal Globalisation: A Case of 'Militant Particularism'?
in Politics, Vol. 24, Issue 2, May , 143-153

This article seeks to help redress the relative lack of discussion of the movement against neoliberal globalisation and the relative lack of empirical work about this movement. Firstly it argues that this movement is not opposed to globalisation per se but instead is developing a new internationalism in the course of challenging the neoliberal nature of contemporary globalisation. Secondly it argues that this challenge is producing a universalising dynamic which is moving the movement beyond being a series of isolated militant particularist struggles. The article uses interviews with leading participants within the movement to help clarify these arguments.

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Horowitz Shale

Reversing Globalization: Trade Policy Consequences of World War I
in European Journal of International Relations , Vol. 10, n. 1, March , 33-59

How did World War I reverse decades of apparently irresistible economic globalization? Why, in particular, did World War I produce a worldwide surge in international trade protection? Three mechanisms are investigated: (1) The War diverted production and international trade in a way that strengthened protectionist coalitions of industries relative to free-trading coalitions. (2) The War reduced financial interdependence and altered exchange rates in a manner that advantaged protectionist coalitions. (3) The War altered military alliances and rivalries such that stronger national interests in trade protection developed. These mechanisms are examined for the five largest trading economies — Britain, France, Germany, Japan, and the United States. There is evidence of all three mechanisms operating. The first



— involving war-induced diversion of production and international trade — appears to have had the largest and most consistent impact.

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Kamrava Mehran

Structural Impediments to Economic Globalization in the Middle East

in **Middle East Policy**, Volume 11, Issue 4, Winter , full text available

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Alberto Buela

Teoria del diseno en el debate geopolitico

in **Geosur : publicacion mensual** , Vol. 26 n. 295-296 , pag.22-26

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Glyn Andrew

The Assessment: How Far has Globalization Gone?

in **Oxford Review of Economic Policy**, Volume 20, Issue 1 , 1-14

There is a widespread perception that international economic integration has been proceeding faster and further than ever before. A careful examination of the appropriate indicators reveals that such a dramatic account of recent developments applies only exceptionally (notably to China); the general rule is for steadily increasing trade shares and foreign investment, which still leaves the majority of workers employed in sheltered sectors. Differences in rates of social spending have survived pressures on countries to 'race to the bottom'. Profitability has not converged, even in fiercely competitive manufacturing. Declines in absolute poverty and perhaps inequality still leave rising absolute differences between North and South, while expectations are probably converging faster

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Straubhaar Thomas

The Euro Is Our Currency, and the Dollar Is Your Problem

in **Intereconomics**, Volume 39, n° 6 , 286 ss



The dollar is falling and falling. The exchange rate of 1.32 \$/€ at the end of November was the lowest ever in the still young history of the euro. And an end to the fall of the dollar is not in sight. Alan Greenspan has made one thing very clear, however: the Fed is not going to intervene in favour of a stronger dollar. Why should it? The devaluation of the dollar has been expected for quite some time. There are good reasons for a weaker dollar. So what good would intervention by the central banks do? None! Exchange rates are prices. There is a supply of, and a demand for, foreign currencies. A currency becomes weaker if the supply exceeds the demand. Goods markets and financial markets both determine simultaneously the supply of, and demand for, dollars. The balance on current account and the balance on capital account are Siamese twins. They are inseparable. A current account deficit has to be covered by a capital account surplus. The exchange rate is the mechanism which brings the two sides together. It changes until they are exactly the same size and is the outcome of an iterative adjustment process determined simultaneously by international trade and capital flows. What consequences result from the interdependence of current account and capital account for the further development of the dollar? First, it is apparent that two forces will interact. One is the impact of the large and still increasing US current account deficit. The other is the future of the capital account surplus. The US current account deficit reached about \$500 billion in 2003. In 2004 it will increase further to about \$620 billion, which is about 5½% of the US GDP. A current account deficit, even of this size, is not a problem as long as the capital account shows a surplus of the same size. This was the case for the USA in recent years. The strength of the US economy and the comparably high returns on investments attracted capital from all over the world. International investors brought their liquidity to the USA by buying government bonds or shares in American firms. Day for day more than one billion dollars in foreign capital flowed into the USA. In 2003, altogether about US \$450 billion were invested in the USA from abroad. Most of the capital came from Japan and China. Japanese and Chinese investors have financed the American current account deficit almost on their own.

Where do the Japanese and Chinese get the capital to buy American bonds and shares? The answer is easy: from the sales of goods to American customers. What the Japanese and Chinese have earned by selling goods to the Americans, they have returned by buying bonds and shares from the Americans. By exporting goods and services to the USA, Japan has accumulated a stock of foreign currency reserves of about \$800 billion, and China has about \$500 billion. This was a win-win situation for everybody. The US customers were happy to get cheap products from Asia. This has increased the purchasing power of American wages, which has also led to an increased demand for domestic goods and services and has thus stimulated the growth of the American economy. Japan and China were positively affected by their strong exports to the USA. This has allowed them to increase their production significantly, to employ more people and to grow faster. For that reason the Japanese and Chinese central banks were very eager to keep the dollar strong and their own currency weak. Since 1995 the Chinese renminbi yuan has been strongly pegged to the US dollar even although the real value has spoken for a quite substantial revaluation of the yuan.

At this point the second force becomes important. What will happen if the international investors in Japan, China and the rest of the world are unwilling to keep their American shares and bonds? What will happen if they sell their dollar investments en masse to buy euro, pound or Swiss franc investments instead? This might be the case if investors expect that the return on investments outside the USA will exceed returns in the USA. More and more people all over the world are sceptical about some recent developments and trends in the US economy. The public deficit continues to increase. Total public debt has accumulated to about \$4300 billion. It is growing by about \$400 billion per



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annum. The savings of the private sector are modest. The savings rate is low, i.e. less than 1% of disposable income. The social security system is not fully financed. Public education is facing many severe problems. The public health system is extremely expensive but not very efficient. The prices of medical treatment and medicines are increasing. No other industrialised country is hit as hard as the USA by poor nutrition and obesity. More and more Americans cannot afford private health insurance. In his election campaign President Bush promised financial aid for the poorest without saying how he is going to finance this support. The uncovered cheques of the future in the fields of the public pension system and health system may amount to more than US \$1000 billion.

In view of these problems more and more international investors are starting to sell off dollar investments. As a result the capital account surplus is diminishing. Consequently, the current account deficit has also begun to decrease. This is the time for devaluation. Devaluation helps automatically. It makes imports more expensive and exports cheaper. This brings down the US current account deficit. But it presents a challenge to the rest of the world. For the world economy a weak dollar means that the driving force of worldwide growth (i.e. exports to the USA) becomes weaker. Firms from abroad become less competitive – not only on the US market but also in their home markets. Thus, a weak dollar is good for the US economy but bad for Asian or European exporters. A weak dollar might help President Bush a little to solve some of the problems of the US economy, especially because the devaluation of the dollar will increase import prices, which will fuel inflation, making nominal public debts less severe in real terms.

The devaluation of the dollar forces Europe to change the horses that pull the economies. The weaker the dollar, the more important it becomes to have stronger European legs to push ahead economic developments. What is needed is a strengthening of the dynamic factors to bring Europe onto a steeper path of growth. The Lisbon declaration was not much more than rhetoric. What is needed is a return to the old principle of more self-responsibility and fewer public activities. This also means that interventions by the ECB to strengthen the dollar would be completely false policy. The weakness of the dollar is the logical consequence of current trade and capital flows and changes in the expectations of international investors. Neither political action nor intervention by central banks could make a fundamentally weak dollar strong. Of course the devaluation of the dollar has a negative influence on European export sectors or the European tourism industry. However, the strong euro lowers import prices and makes daily life for European customers cheaper. Furthermore, it allows European investors to buy bonds, shares and firms from all over the world more cheaply. Finally, a strong euro means an increase in European wealth. Each revaluation of the euro makes Europeans wealthier. This is definitely positive for a region with an ageing society that more and more has to be financed by wealth and capital income.

The weakness of the dollar is for Europe not only a challenge but also a chance to reverse the understanding of international dependencies. The old American saying is still valid: "The dollar is our currency, but your problem." Europe should do everything to turn the saying around: "The Euro is our currency and the dollar is your problem." The opportunities for Europe to achieve this turnaround are not too bad. The eastward enlargement of the EU has provided the single market with some fast growing economies. They will increase the demand for European products. Furthermore, many European firms have used the difficulties of recent years to make themselves better for the future.

They have reorganised themselves, their processes and production. They are ready for an economic



take-off. To learn where the trip will go Europeans do not necessarily have to look to the USA. It was Europeans that made America into the most powerful economy. Risk-taking, pioneering and entrepreneurship are not foreign to Europeans. They are well-known and well-developed European characteristics. However, they were smothered by a rather naïve belief in the goodness of state activities. It is time to wipe away the dust of history. It is time to rely on old European traditions. It is time to rely on our own strength. It is time to make the euro our currency, and the dollar the problem of others.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Cassel Douglass

The Globalization of Human Rights: Consciousness, Law and Reality

in *Northwestern University Journal of International Human Rights*, vol. 2, spring

No abstract available

Section B) Global governance and international organizations

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Reis Elisa P.

The Lasting Marriage between Nation and State Despite Globalization

in *International Political Science Review*, n. 3, vol. 25, july, 251-257

ABSTRACT: The merger of authority and solidarity that the nation-state accomplished for about 200 years is now threatened by the winds of globalization. As a consequence, the author emphasizes the ways in which the state interacts with both market and civil society are changing significantly. New developments such as the private provision of law and order, the adoption of managerial principles and values in state administration, and the spread of corporate social responsibility ideologies into the universe of firms, all discussed in subsequent articles, make it clear that the very idea of market and authority as contrasting principles of social organization is now being called into question.

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Anatoli A Zoubtchenko

The Necessity for a Dialogue of Civilisations

in *World Affairs*, Vol. 8, n. 4, October - December

No abstract available

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Axtmann Roland



The State of the State: the Model of the Modern State and Its Contemporary Transformation
in *International Political Science Review* , n. 3, vol. 25, July , 259-279

ABSTRACT: The first part of this article sketches the ideal-type of the territorially consolidated, sovereign nation-state. The second part discusses how the assumptions of "homogeneity," "unity," and "sovereignty" that underlie this ideal-type have become problematized over the past few decades. The moves toward a state form that institutionalizes polycentricity, heterogeneity, and plurality are discussed in the context of the conflict between nationalism and multiculturalism; the internationalization of the state; and geopolitical transformations. Methodologically, the article puts forward an argument in favor of a historically informed institutional analysis of state transformations.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Roland Robertson and David Inglis

The global animus: in the tracks of world consciousness

in *Globalizations* , Vol. 1, n. 1, September , 38-49

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Roe Emery, Eeten Michel J. G. van

Three – Not Two – Major Environmental Counternarratives to Globalization

in *Global Environmental Politics*, Volume 4, Issue 4, November , pp. 36-53

Opposition to globalization by environmentalists tends to fall into two camps: a so-called "green" counternarrative and an "ecological" one. The green counternarrative assumes that we have already witnessed sufficient harm done to the environment due to globalization and thus prescribes taking action now to oppose further globalizing forces. It is confident in its knowledge about the causes of environmental degradation as they relate to globalization and certain in its wholesale opposition to globalization. In contrast, the ecological counternarrative is less certain about globalization's record of environmental harm but worries about future threats given the scale and intensity of globalization's increasing reach. Rather than call for immediate action and wholesale opposition, it seeks further research to identify—and specific policy initiatives to avoid—potentially massive but as yet unknown effects of globalization on the environment. Policy analysts opposing globalization are caught between the counternarratives and often subscribe to elements of each. The challenge is to find another, more compelling counternarrative in which real-time environmental harm can be treated more seriously than it is in either of the two primary counterparts.

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Ovi Alessandro

Tra Europa e USA c'è di mezzo Kyoto

in *Reset*, Numero 86, Novembre / Dicembre



No abstract available

Section B) Global governance and international organizations

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Chortareas Georgios E., Pelagidis Theodore

Trade flows: a facet of regionalism or globalisation?

in *Cambridge Journal of Economics*, 1 marzo 2004, Volume 28, Issue 2 , 253-271

This paper examines the evidence about the extent of globalisation by focusing on some aspects of international trade flows. A reinterpretation of the existing evidence based on the analysis of tables and a range of indicators is provided in the first part of the paper. The focus is on whether the increase in trade flows has been predominantly a global or regional phenomenon. The analysis points to the tentative conclusion that the dominant tendency is the increase in trade within regional blocs (North America, the EU and the Asia–Japan blocs) rather than across them. To address the same question, a more formal analysis is undertaken in the second part of the paper, by focusing on the relative speed of the convergence in openness within and across regions of the world. Our results indicate that the degree of openness converges faster across the countries of a given region rather than at the global level, reinforcing the conclusions from the first part of the paper. The results are consistent with the view that trade integration is more of a 'regional' phenomenon than a 'global' one.

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Michael Dauderstädt

Transformation und Integration der Wirtschaft der postkommunistischen Beitrittsländer

in *Aus Politik und Zeitgeschichte*, Band 5-6, 2004

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Velarde Fuerte, J.

Triunfo de, y debate sobre, la globalizacion

in *Persona y derecho*, n. 51 , pag. 75-102

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Higgott Richard

US Foreign Policy and the 'Securitization' of Economic Globalization

in *International Politics* , Vol. 41, n. 2, June , 147-175



This paper traces the 'securitization' of US foreign economic policy since the advent of the Bush administration.¹ It argues that in the context of US economic and military preponderance in the world order, the US has been unable to resist the temptation to link foreign economic and security policy. While there was evidence of the securitization of economic globalization in US policy from day one of the Bush administration, it was 9/11 that firmed up this trend. For the key members of the Bush foreign policy team, globalization is now seen not simply in neo-liberal economic terms, but also through the lenses of the national security agenda of the United States. Economic globalization is now not only a benefit, but also a 'security problem'. 9/11 offered the opportunity for what we might call the 'unilateralist-idealists', in the Bush Administration, to set in train their project for a post-sovereign approach to American foreign policy. The paper identifies some intellectual contradictions in current US strategy and raises a series of questions about the implications for world order of the consolidation of the trends identified in the paper.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Cohendet Marie Anne

Une crise de la représentation politique ?

in *Cité, philosophie, politique, histoire*, n. 18/2004

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Pogge Thomas

Universalismo morale e giustizia economica globale

in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 1 , 53-84

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Section B) Global governance and international organizations

Subsection 5. The Globalization process

Müller Jan-Werner

Visioni di un ordine globale nell'"età post-europea". Carl Schmitt, Raymond Aron e il funzionario dello Spirito del mondo

in *Ricerche di Storia Politica*, numero 2, agosto 2004

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Section B) Global governance and international organizations

Subsection 5. The Globalization process

Lundestad Geir



Why does Globalization Encourage Fragmentation?

in *International Politics* , Vol. 41, n. 2, June , 265-276

In this essay, I am going to argue three different, but closely related points. First, I will present the case of how the world is getting smaller. This point, often summed up under the heading of globalization, can be dealt with rather summarily since virtually everybody is now familiar with the globalization argument. Second, I examine the ways in which the world might be said to have become larger. This process is normally summed up under the heading of fragmentation. Although rather less familiar, even this concept is fairly common currency and requires only a little more examination. The third and final point forms the essence of this essay, with an exploration of the ways in which the two processes appear to be getting stronger at the same time. My argument is that while globalization is in most respects clearly stronger than fragmentation, at least in part, globalization and fragmentation may nevertheless, be said to exist in a dialectical relationship with each other. Fragmentation is then the reaction to globalization. In part, fragmentation may also be seen as an element of the globalization process itself, but again the effect is the same. When globalization is strengthened, so is fragmentation.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Faux Jeff

Without Consent: Global Capital Mobility and Democracy

in *Dissent*, winter, 2004 , 43-50

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Laïdi Zaki

¿Sobrevivirá Europa en la globalización?

in *Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile*, Vol. 37 / 2004 / Nr. 146 , 105-116

No abstract available

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Carlos Murillo Zamora

Aproximación a los regímenes de integración regional

in *Revista Electrónica de Estudios Internacionales*, Nr.8

La dinámica de los procesos de integración regional, mostrada en la última década, obliga a revisar algunos de los postulados del marco teórico que trata de explicarlos. Tal revisión



conduce a incorporar las premisas y elementos básicos de los regímenes internacionales, uniéndolos a los de la integración para poder explicar, a partir de una perspectiva social constructivista, la existencia de los regímenes de integración regional. Estos permiten observar, entender y explicar el comportamiento de los esquemas de integración regional y la conducta de algunos estados.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Yehoue Etienne

Currency Bloc Formation as a Dynamic Process Based on Trade Network Externalities

in *IMF Policy Discussion Papers*, November, 2004

The recent experience of the European Economic and Monetary Union (EMU) has stimulated the debate over currency union and reinforced the incentive for the emergence of currency blocs in other regions of the world. This paper builds a dynamic stochastic model-based on network externalities operating through trade channels-to explain the emergence of currency blocs, and specifically, why some countries join a currency union earlier than others. The paper develops and formalizes the intuition that currency bloc formation is path dependent, and that countries join currency blocs sooner the more they trade with the bloc member countries, with each additional member serving in a dynamic way to attract more members into the bloc. Evidence from the current pattern of EMU expansion supports the model, which is later used to elaborate on the pattern of further expansion of the union.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Louise Fawcett

Exploring Regional Domains: A Comparative History of Regionalism

in *International Affairs* , issue 3, vol. 80, may , 429-446

This article offers an overview of the history and development of regionalism with a view to providing a framework for thinking about its progress and prospects in different parts of the world. After a preliminary discussion of the problems encountered in defining regions and regionalism, the article moves to a historical and comparative analysis, ranging widely to include examples from many different regions. It argues that regionalism should be understood as an evolutionary and cumulative process, which has grown and expanded to take in new tasks and new domains. It has become an increasingly important component of the different structures of global governance, and one whose potential neither states, multilateral institutions, nor non-state actors can afford to ignore.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Trampetti Mario

Gli accordi d'integrazione economica regionale: tendenze e prospettive

in *Affari Sociali Internazionali*, n. 2, 2004



ABSTRACT: Storicamente il fenomeno dell'integrazione economica mediante strumenti pattizi risale molto indietro nel tempo. Uno Studioso del fenomeno cita come esempi l'Act of Union del 1703 tra Inghilterra e Scozia, lo Zollverein tedesco del 1833 e la stessa Costituzione statunitense del 1789 che proibiva l'adozione di dazi ed altri oneri nel commercio interno.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Agarwal Manmohan

Regional Trading Arrangements in the Era of Globalization: An Indian Perspective
in *International Studies*, n. 4, vol. 41, october , 411-423

ABSTRACT: The interaction between global and regional aspects of international phenomena can be analysed for transactions in goods or in finance. One can also analyse the impact of globalization on regionalism—very often it is maintained that regionalism is a way to manage globalization—or one can analyse the impact of regionalism on globalization. This article examines mainly Transactions in trade even though financial transactions are becoming increasingly important for countries. It also attempts a brief discussion on the effect of globalization of capital and the twoway relation between globalization and regionalism. The concluding section deals with the impact of globalization on the Indian economy and whether regionalism is an answer to the challenges thrown up by globalization.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Nikki Slocum, Luk Van Langenhove

The meaning of regional integration: introducing positioning theory in regional integration studies
in *Journal of European Integration*, Volume 26, Number 3 / September , 227-252

This article proposes a discursive constructionist approach and methodology for studying regional integration and related issues, such as cooperation between states, the formation of transnational regions as actors in governance, identity, sovereignty and social cohesion. Positioning theory is introduced as an analytical framework that highlights the meanings attributed to spaces and interactions, as well as the process of how regions are constructed as actors and meaning is engendered. This social-psychological perspective is of theoretical and practical use, as it illuminates possibilities for change in conception and action. A brief discussion of validity and reliability criteria for the new framework is offered, and a prospective and participatory methodology is proposed. Finally, some broader implications of the approach are explored, and future research directions are suggested.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Robert J. R. Elliott, Kengo Ikemoto

AFTA and the Asian Crisis: Help or Hindrance to ASEAN Intra-Regional Trade?
in *Asian Economic Journal*, March 2004 Vol. 18 Issue 1



Using a modified gravity equation, this paper examines ASEAN intra- and extra-regional bias in bilateral trade flows and how these relationships have altered over time. We pay particular attention to the periods before and after the signing of AFTA as well as the crucial years prior to and following the Asian crisis. Given the 'openness' of ASEAN countries we consider not only intra-ASEAN trade but also the effect of AFTA on non-members. We find that trade flows were not significantly affected in the years immediately following the signing of the AFTA agreement and also that the traditional stance of ASEAN countries to outward-oriented economic activity has not been significantly damaged but rather stimulated by the AFTA process and/or the Asian economic crisis. We do find, however, that that one effect of the Asian economic crisis was to generate a stronger desire to source imports from within the region.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Sinha, Manoj Kumai

African Court of Human Rights: A Reality

in *Indian Journal of International Law*, Volume 44, Issue 1 , 160-166

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Khandelwal Padamja

COMESA and SADC: Prospects and Challenges for Regional Trade Integration

in *IMF Policy Discussion Papers*, December, 2004

Regional integration has been seen in Africa as a means of encouraging trade and securing economies of scale. This paper examines in detail the prospects and challenges for trade expansion in the two most prominent arrangements in eastern and southern Africa: the Common Market for Eastern and Southern Africa (COMESA) and the Southern African Development Community (SADC). It finds that possibilities of growth in intraregional trade may be limited, but that the two arrangements offer opportunities for member countries to gain policy credibility for trade reforms and tariff liberalization and to address structural weaknesses. In this regard, the negotiation of the Economic Partnership Agreements with the European Union can also have a significant impact.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Kalu N. Kalu

Embedding African Democracy and Development: The Imperative of Institutional Capital

in *International Review of Administrative Sciences* , Vol. 70, No. 3 , 527-545

The concept of democracy has remained central in most academic and political discourse on African development. Beyond the state-centric model of democracy, what alternative approaches are open to African states and how could they enhance the nature of state-society relations and the process of economic development? While this question informs the general thesis as well as the specific arguments advanced in this article, suffice it then to state that Africa's peculiar condition presents a case not so much about transitions to democracy (since these have been attempted in



many cases) but about the consolidation of enduring democracies. The missing link is in the acquisition of critical institutional capital that would facilitate a systemic shift from traditional models of development to more pragmatic and integrative approaches. In order of priority, what Africa needs most are institutional reconstruction, state consolidation, and democratic governance.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Maluwa Tiyanjana

Fast-Tracking African Unity or Making Haste Slowly? A Note on the Amendments to the Constitutive Act of the African Union

in *Netherlands International Law Review*, Volume 51 - Issue 02 - September , 195-236

The launching of the African Union on 9 July 2002 marked the turning of a new page in Africa's modern history. This is especially significant in the context of efforts by African nations to achieve deeper political unity and economic integration. The Constitutive Act of the African Union was adopted barely nine months after the adoption of the Sirte Declaration on 9 September 1999, by which African leaders decided to reorient the objectives of the Organization of African Unity to accelerate African integration as a pillar of the continent's collective response to the challenge of globalization. This article argues that while the speedy elaboration, adoption and ratification of the Act demonstrated the collective desire of African countries to accelerate the process of integration, this rush inadvertently precluded a serious debate on the nature and scope of integration entailed in the project of the African Union. The result was the adoption of a document regarded by some of its own signatories, for varied reasons, as an instrument lacking in substance and limited in its scope. These perceived inadequacies have necessitated the early amendment of the Act. However, it is argued here that these amendments will do nothing to hasten the pace of African political unity or economic integration, as they are largely symbolic. They do not deal with the substantive lacunae identified in the Act.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

EI - Mechat Samya

L'improbable ‹ Nation arabe › : La ligue des états arabes et l'indépendance du Maghreb (1945-1956) ;

in *Vingtième Siècle*, n.82, avril - juin 2004

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Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Amadou Seck Tom

**Leures du Nouveau partenariat pour l'Afrique
in Monde Diplomatique (Le)**, novembre 2004

Gouvernance pour une Afrique en marche; Le Nouveau Partenariat pour le développement de l'Afrique (Nepad), qui constitue désormais l'alpha et l'oméga de toute décision sur le continent, ne fait qu'accentuer les dérives anciennes

Adopté par l'Union africaine, à Lusaka (Zambie), en juillet 2001, le Nouveau partenariat pour le développement de l'Afrique (Nepad) prétend définir la stratégie des 53 pays d'Afrique face à la mondialisation pour les prochaines décennies. Devenu la référence obligée de tous les discours sur l'essor économique du continent noir, ce plan a été conçu par cinq « poids lourds » de la politique africaine : les présidents Thabo Mbeki (Afrique du Sud), Olusegun Obasanjo (Nigeria), Abdelaziz Bouteflika (Algérie), Hosni Moubarak (Egypte), Abdoulaye Wade (Sénégal) ; et a reçu le soutien formel du G8 aux sommets de Kananaskis, au Canada, en 2002, et d'Evian en 2003. Malgré les pronostics enthousiastes de ses promoteurs, le Nepad repose sur un certain nombre d'erreurs stratégiques qui permettent de douter de son efficacité.

En « partenariat » avec les institutions économiques et financières internationales ; Fonds monétaire international (FMI), Banque mondiale, Organisation mondiale du commerce (OMC) ;, ce énième plan de développement ambitionne d'atteindre des taux de croissance annuelle de 7 % durant les quinze premières années et de diminuer la pauvreté de moitié d'ici à 2015. Louable, cette ambition paraît difficilement réalisable, en raison, d'une part, des faiblesses de financement du Nepad et, d'autre part, de son incapacité à sortir du carcan des politiques néolibérales.

Ce sont principalement les investissements directs étrangers (IDE) qui doivent en assurer le financement. Or l'Afrique ne reçoit que 1 % des flux mondiaux d'IDE, à savoir 17 milliards de dollars en 2001, contre 10 % pour l'Amérique latine et 20 % pour l'Asie. Selon la Conférence des Nations unies sur le commerce et le développement (Cnuced), cette faiblesse est due à un environnement économique, juridique et judiciaire « peu attractif » : instabilité politique, guerres civiles, absence de transparence institutionnelle et relations contractuelles peu développées. Le soutien financier ne pourra pas non plus provenir de l'aide publique au développement, en baisse très sensible depuis plusieurs années (1). En outre, l'accompagnement financier annoncé par le G8 est resté lettre morte.

Le réalisme serait donc de se tourner vers les financements Sud-Sud (Afrique du Sud, pays pétroliers et asiatiques) et l'épargne locale. Mais 40 % de cette épargne sont placés à l'extérieur de l'Afrique, alors que pour l'Asie cette fuite des capitaux n'est que de 3 % ; 17 % pour l'Amérique latine. Les profits réalisés par les entreprises africaines ou occidentales sur le continent sont investis au Nord. En conséquence, il serait nécessaire de sécuriser l'épargne intérieure et de freiner cet exode des capitaux : mise en place des institutions soutenant le crédit à long terme (banques d'investissement), financement décentralisé pour les petites, moyennes et micro entreprises (secteur informel ou économie populaire) et pour l'agriculture familiale.

Selon certaines études, si l'Afrique réduisait la fuite des capitaux dans la même proportion que l'Asie,



son stock de capital augmenterait de 50 % (2). En définitive, le développement se finance par l'épargne locale, puis seulement par les IDE. L'aide publique au développement accompagne le processus et non l'inverse. Selon la Cnuced, ce sont les investissements publics qui « tirent » les investissements privés, ces derniers ne se plaçant pas spontanément dans un pays ou une région (3). Ce constat n'est pas pris en compte par le Nepad.

Le Nepad définit des priorités d'action : infrastructures, énergie (hydroélectrique, solaire...), nouvelles technologies de l'information et de la communication, accès des exportations africaines aux marchés des pays développés, agriculture, santé (lutte contre les grandes endémies), ressources humaines. Cependant, ces objectifs risquent de demeurer hors de portée dans la mesure où le Nepad ne rompt pas avec les prescriptions néolibérales des institutions de Bretton Woods (FMI, Banque mondiale), de l'OMC et de l'Union européenne (accords de Cotonou) (4). Il ne constitue pas un projet de société pour le continent. Sa grande faiblesse théorique est de n'avoir pas effectué une critique pertinente des plans d'ajustement structurel (PAS) mis en œuvre à partir des années 1980, et de reprendre, malgré leur échec consommé, les principes économiques appliqués depuis vingt ans : privatisations, intégration au marché mondial, suppression des protections douanières, libéralisation de tous les secteurs de l'économie (5).

Or, non seulement ces politiques n'ont pas apporté les résultats économiques escomptés, mais elles détruisent le tissu social, déjà fragile, des pays concernés. Selon le Programme des Nations unies pour le développement (PNUD), entre 1990 et 2002, le revenu par habitant a baissé chaque année de 0,4 % et le nombre de pauvres a augmenté de 74 millions par an (6). En effet, les PAS ont imposé la réduction des investissements publics servant à consolider les infrastructures de base, et soutenu en particulier la privatisation de certains secteurs vitaux comme l'eau, l'énergie ou l'éducation.

L'ensemble de ces infrastructures, nécessaires à la survie ou au bien-être des populations, s'est délabré, tandis que les entreprises, souvent occidentales, qui en devenaient propriétaires faisaient de substantiels profits (7). Selon l'Organisation de coopération et de développement économiques (OCDE), « l'Afrique subsaharienne devrait être la seule région du monde où le nombre de pauvres continuera à augmenter d'ici à 2015, et donc la seule région où les objectifs de développement fixés à l'occasion du millénaire ne seront certainement pas atteints ». En conséquence, la croissance recherchée par le Nepad ne peut être crédible et bénéfique que si elle est tournée vers les besoins fondamentaux des populations.

Au lieu de se consacrer à ces besoins vitaux, le Nepad donne la priorité aux grandes infrastructures de prestige (interconnexion de routes régionales et continentales, grands réseaux de télécommunications, etc.), qui, en outre, renforcent la dépendance technologique et financière (difficultés d'entretien, d'exploitation...) vis-à-vis des entreprises multinationales des pays développés. Cette politique ne favorise pas la promotion des petites et moyennes entreprises (PME) et surtout des microentreprises du secteur informel qui constituent l'essentiel du tissu économique des pays africains. Ces entreprises ont créé la grande majorité des emplois depuis vingt-cinq ans.

Au Sénégal, par exemple, dénotant la démission de l'Etat vis-à-vis de ses missions de service public, l'économie populaire (dite « informelle ») et l'agriculture familiale contribuent pour plus de 51 % du produit intérieur brut (PIB). Pour M. Adama Sow, consultant sénégalais, « ce n'est pas l'informel qu'il faut réformer, mais l'Etat... Ce dernier sera attractif lorsque les impôts seront employés à construire des écoles et des hôpitaux », et non pas à servir les intérêts de la classe dirigeante. Ces dérives de l'Etat patrimonial ne sont pas suffisamment prises en compte par le Nepad.



En outre, le Nouveau partenariat favorise une agriculture entrepreneuriale et intensive. Or, au Sahel, c'est la recherche de la sécurité alimentaire, reposant sur la valorisation de la petite agriculture familiale, qui peut permettre de lutter contre la pauvreté et l'exode rural. Appuyée sur la grande propriété (avec irrigation), l'agriculture capitaliste est surtout développée en Afrique australe, en particulier en Afrique du Sud et au Kenya. Elle paraît inadaptée aux autres régions du continent, car nécessitant l'usage d'un machinisme agricole qui fragilisera encore davantage l'emploi et le tissu social de ces régions.

Les conséquences de ce type d'agriculture sont la disparition de la propriété foncière collective, la course aux rendements, le recours aux engrais chimiques et l'endettement. Une révolution « verte » (révolution technologique, cultures attelées, intensification...) suivie d'une réforme agraire authentique n'est pas envisagée par le Nepad. Il serait plus judicieux de mettre en place une réforme agraire fondée sur l'équité et une juste indemnisation (et non sur l'expropriation-sanction comme c'est le cas au Zimbabwe). C'est une des priorités pour lutter contre les famines et la dépendance alimentaire du continent.

Le Nepad se présente comme un partenariat avec les pays du G8 et les institutions multilatérales (Banque mondiale, FMI, OMC). Pour « rassurer » ces institutions et les investisseurs, une « institution de surveillance mutuelle des pairs » a été mise en place. Ce mécanisme consiste à soumettre chaque pays à l'examen, par les autres pays, de ses performances, concernant le respect de certains principes de « bonne gestion » de la chose publique : droits humains, indépendance des institutions judiciaires, lutte contre la corruption, économie de marché, en un mot « bonne gouvernance » (8). Seuls 15 pays sur 53 ont accepté de se plier à l'exercice ; ce sont ceux qui ont connu une alternance démocratique récente, comme le Sénégal, le Ghana, le Nigeria, le Kenya, l'Afrique du Sud. S'il présente l'avantage de mobiliser des contrôles « africains », ne risque-t-il pas d'accroître la soumission idéologique du continent aux principes néolibéraux ? En outre, reposant sur un volontariat peu vraisemblable, ce mécanisme manque par nature de crédibilité.

D'où la nécessité de contre-pouvoirs venant de la société civile, expression des sans-voix. Or la conception du Nepad demeure technocratique. Dans le communiqué final de leurs rencontres régionales consacrées à ce plan, en février 2003, à Dakar (9), les associations de 15 pays d'Afrique de l'Ouest « regrettent de n'avoir pas été associées au processus de la conception, de la mise en œuvre et de la vulgarisation du Nepad ». Compte tenu de leur rôle de solidarité en réseau et de contre-pouvoirs dans des pays comme le Sénégal, certaines, parmi les plus représentatives, comme la Confédération nationale de concertation des ruraux (CNCR), une association qui regroupe les petits producteurs, et l'Union nationale des commerçants de l'informel, ont d'autant plus exprimé leurs préoccupations que le Sénégal fut un des premiers promoteurs du projet et que, dans ce pays, les populations qu'elles représentent fournissent plus de 70 % de la richesse nationale (économie populaire et agriculture familiale).

Au total, le Nepad ne lève aucune des ambiguïtés du partenariat avec les pays développés : il demeure étrangement silencieux sur la dette. Et sur le fait que la mondialisation ne connaît que la compétition. D'où la nécessité d'une position commune des pays africains pour adopter un protectionnisme sélectif et, notamment, de lutter contre les subventions à l'agriculture des pays développés comme les Etats-Unis et l'Union européenne.

Seule l'émergence d'une véritable opinion publique éclairée (liberté de la presse et d'opinion) peut garantir un projet de développement répondant aux besoins réels des Africains ; et non à ceux des institutions de Bretton Woods. Comme l'enseigne le sage africain Keba M'Baye, « l'Afrique doit attendre tout...



de l’Afrique d’abord... ».

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Soderbaum Fredrik

Modes of Regional Governance in Africa: Neoliberalism, Sovereignty-boosting and Shadow Networks
in *Global Governance*, n. 4, vol. 10, october-december

ABSTRACT: Drawing on critical international political economy (IPE), the purpose of the article is to assess some important modes of regional governance in Africa with regard to how these are related, by whom they are erected, and whom and what purpose they serve. The critical perspective and distinctions made between formal-informal and public-private modes of regional governance makes it possible to transcend the bias inherent in the conventional usage of the concept of governance ('good governance' and formal-public governance). The study highlights three modes of regional governance in Africa—neoliberal regional governance; sovereignty-boosting governance; and regional shadow governance—all which tend to have more informal and private characteristics than the conventional idealisation of formal-public governance. As a result they also have many negative consequences for the poor and excluded.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Scott C. Idleman

Multiculturalism and the future of tribal sovereignty
in *Columbia human rights law review*, Vol. 35 n.3

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

John Olushola Magbadelo

Partnering for Africa's Development
in *World Affairs*, Vol. 8, n. 3, July - September

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Viljoen Frans

Recent developments in the African regional human rights system



in *African Human Rights Law Journal*, n. 2, vol. 4

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Pityana N Barney

Reflections on the African Court on Human and Peoples' Rights

in *African Human Rights Law Journal*, n. 1, vol. 4

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Bronwen Manby

The African Union, NEPAD, and Human Rights: the missing agenda

in *Human Rights Quarterly*, Vol. 26 n. 4 Novembre

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Jutta Brunnée

The United States and International Environmental Law: Living with an Elephant

in *European Journal of International Law*, Vol. 15 n.4 , Pag. 617-649

For many observers, the US decision in 2001 to abandon the Kyoto Protocol to the United Nations Framework Convention on Climate Change encapsulates an alarming trend in American attitudes towards international environmental law. This article explores recent trends in US approaches. It begins by canvassing the trajectory of US practice since around the time of the 1992 Earth Summit in Rio. This review suggests that some shifts in legal avenues for shaping relevant policy agendas have indeed occurred, but that it would be a mistake to treat one event — the US withdrawal from Kyoto — as representative of the nature of these shifts. It then examines a range of possible explanations for the changing US approach to international environmental law. These include factors related to the growth of treaty regimes and institutional structures, factors related to American power, domestic politics and attitudes towards international law, and factors specifically related to the administration of George W. Bush. Both the review of US practice and the assessment of factors that might account for American policy suggest that the international environmental law community must carefully distinguish short-term developments from longer-term trends.

Living next to you is in some ways like sleeping with an elephant.No matter how friendly and even-tempered is the beast, if I can call it that,one is affected by every twitch and grunt.

Pierre Elliott Trudeau



Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Demeke Tsegaye

The new Pan-African Parliament: Prospects and challenges in view of the experience of the European Parliament

in *African Human Rights Law Journal*, n. 1, vol. 4

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Rossi Gianluigi

Vertice di Maputo dell'Unione Africana. Dialogo Europa-Africa. Allegati

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 2, pp. 271-288

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Bob Jessop

la economia politica de la escala y la construccion de las regiones transfronterizas

in *EURE - Revista latinoamericana de estudios urbano regionales*, vol. 29, n. 89, Pag. 25-42

No abstract available

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Graubart Jonathan

'Legalizing' Politics, 'Politicizing' Law: Transnational Activism and International Law

in *International Politics*, Vol. 41, n. 3, September, 319-340

Although recent studies have expanded our understanding of the roles played by international law and transnational activism in shaping international and domestic politics, there has been little systematic conceptual integration of the two areas of research. This article develops such a synthesis by reshaping the idea of a transnational political opportunity structure to incorporate the unique opportunities offered by international legal dynamics. The synthesis is developed by focusing on transnational quasi-judicial mechanisms, an increasingly common institution created by international treaties. Under these mechanisms, review bodies assess whether states are complying with codified norms, such as environmental protection. Typically, these review bodies issue nonbinding recommendations. My synthesis explains how



and under what conditions activists mobilize transnational quasi-judicial mechanisms for domestic political reform. I show that the optimal dynamics are gaining legal legitimacy for political struggles, while also mobilizing political pressure on the target government to comply with the 'legal' process. The article then applies the synthesis to the submission process set up by NAFTA's environmental agreement.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Rankin David M.

Borderline Interest or Identity? American and Canadian Opinion on the North American Free Trade Agreement in Comparative Politics, Vol. 36 n. 3

North American publics and regional trade liberalization have been little studied. Although the North American free trade arrangement is relatively recent, political debate and grass-roots protest over trade in Canada and the United States are increasingly visible, and a fuller understanding of how citizens in these countries judge trade policy is needed. An analysis of the influences of national identity, economic self-interest, and supranational attitudes on Canadian and American opinion toward NAFTA, using comparative data from the 1995-96 International Social Survey Program, indicates how symbolic predispositions of national identity provide significant and accessible information shortcuts for citizens on trade.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Cardarelli Roberto, Kose M. Ayhan

Economic Integration, Business Cycle, and Productivity in North America in IMF Policy Discussion Papers, August, 2004

This paper examines the effect of the major Canada-U.S. trade agreements on the dynamics of business cycles and productivity in Canada. The North American Free Trade Agreement (NAFTA) and its predecessor, the Canada-U.S. Free Trade Agreement (CUSFTA), have led to a substantial expansion of trade flows. Although common factors have played a larger role in explaining business cycles in Canada and the United States since the early 1980s, country-specific and idiosyncratic factors remain important for Canada. At the same time, while increased trade integration seems to have positively contributed to total factor productivity of Canadian industries, the persistence of structural differences between the two countries has prevented convergence of aggregate labor productivity. While these findings seem to weigh against moving toward a monetary union, they also suggest that substantial benefits could be reaped from further reducing remaining barriers to trade.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Kessler Judi A.

Free trade and garment work: the impact of NAFTA on service and manufacturing jobs in the Los Angeles apparel industry



in *International Journal of Urban and Regional Research*, Vol. 28 Issue 2

This article examines the impact of North American economic integration on apparel-related employment in Los Angeles and provides a first look at consequent changes in the composite of apparel-related occupations in the Los Angeles apparel industry. It assesses the effects of new NAFTA-generated transnational production networks and global production strategies on apparel industry employment, including the creation of 'new NAFTA jobs' in the greater Los Angeles area, as well as changes in hiring patterns across occupational categories. The article also explores the accessibility of NAFTA-generated apparel jobs to displaced workers in the labor-intensive segments of the industry. The findings suggest that the new NAFTA jobs are inaccessible to the thousands of apparel manufacturing workers displaced by the trend in offshore sourcing. Finally, the article discusses the implications and consequences of recent state-industry partnership programs designed to train and cross-train sewing operators for jobs that are rapidly leaving the region

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Gagné Gilbert

L'identité québécoise et l'intégration continentale

in *Politique et sociétés, revue de la Société québécoise de science politique*, Vol. 23, no 2-3 - 2004

No abstract available

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Nakache Delphine

L'intégration économique dans les Amériques : un outil efficace de blocage de l'immigration illégale pour les États-Unis?

in *Politique et sociétés, revue de la Société québécoise de science politique*, Vol. 23, no 2-3 - 2004

No abstract available

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Turcotte Sylvain F. , Deblock Christian

Les Amériques à l'heure de l'intégration

in *Politique et sociétés, revue de la Société québécoise de science politique*, Vol. 23, no 2-3 - 2004

No abstract available

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Jablonski, S. R.



Nafta chapter 11 dispute resolution and Mexico a healthy mix of international law, economics, and politics
in *Denver Journal of international law and policy*, Vol. 32 n. 3 , pag. 475-538

No abstract available

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Warner Mildred, Gerbasi Jennifer

Rescaling and reforming the state under NAFTA: implications for subnational authority
in *International Journal of Urban and Regional Research*, Vol. 28 Issue 4 , 858

The new free trade agreements are rescaling governance in ways that have critical implications for subnational governments. The nation state is not simply being hollowed out; rather, a new governance nexus is forming of nation states, multinational corporations and international agreements which explicitly excludes subnational and local government voice. This article describes the new governance features of the North American Free Trade Agreement (NAFTA) and illustrates how they work out at the national, subnational and local scales using cases from the United States and Mexico. NAFTA provides the template for other free trade agreements including the Free Trade Area of the Americas (FTAA) and a growing number of bilateral agreements. We show how NAFTA's governance structure is undermining subnational and local government authority in legislative and judicial arenas. Designed to advance privatization of public services, these agreements undermine the very ability of local governments to use markets for public goods by defining traditional state and local governance mechanisms as 'non-tariff barriers to trade'. Contradictions between private profit and public interest appear at the subnational level but their resolution is engaged at the global level between private investors and the nation state. Recognition of this rescaling requires attention to the reforming state and its implications for subnational authority and democratic representation and voice.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Trefler Daniel

The Long and Short of the Canada-U.S. Free Trade Agreement
in *American Economic Review*, Vol. 94, No. 4, September 2004

The Canada-U.S. Free Trade Agreement provides a unique window onto the effects of a reciprocal trade agreement on an industrialized economy (Canada). For industries that experienced the deepest Canadian tariff cuts, the contraction of low-productivity plants reduced employment by 12 percent while raising industry-level labor productivity by 15 percent. For industries that experienced the largest U.S. tariff cuts, plant-level labor productivity soared by 14 percent. These results highlight the conflict between those who bore the short-run adjustment costs (displaced workers and struggling plants) and those who are garnering the long-run gains (consumers and efficient plants).

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Eichengreen, Barry J.

What Macroeconomic Measures Are Needed for Free Trade to Flourish in the Western Hemisphere?



in *Latin American Politics & Society*, Vol. 46, Nr. 2

Recent experience has made clear the importance of macroeconomic stability, and exchange rate stability in particular, in generating support for regional integration. The tensions created by exchange-rate and financial volatility are clearly evident in the recent history of Mercosur and may also hinder the development of a Free Trade Area of the Americas. This essay argues that ambitious schemes for a single regional currency are not a practical response to this problem. Nor would a system of currency pegs or bands be sufficiently durable to provide a lasting solution. Instead, countries must solve this problem at home. In practice, this means adopting sound and stable monetary policies backed by a clear and coherent operating strategy, such as inflation targeting. With such policies in place, exchange rate volatility can be reduced to levels compatible with regional integration

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Jaguaribe H.

América latina y los procesos de integración

in *Geosur : publicación mensual* , Vol.25 n. 285-286 , pag. 25-31

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Rodrigo Arcena

América Latina después de las transiciones: calidad de la democracia, nuevo desarrollo y equidad proactiva

in *Iberoamericana. América Latina – España – Portugal*, n. 16 , Pag. 158-162

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Jose Flavio Sombra Saravia

Argentina y Brasil: un nuevo ensaio estrategico

in *Relaciones internacionales : revista publ. por el Instituto de Relaciones Internacionales* , VOL.13, Nr. 26 , pag. 141-148

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America



Erikson Daniel P.

Central America's Free Trade Gamble

in *World Policy Journal*, n. 4, vol. XXI, winter

In 2005, the small, poverty-stricken countries of Central America will embark on a grand experiment in free trade with the rich and powerful "colossus of the north." It is a wager of significant proportions that will reshape their economies and societies in the coming decades, and provide new fodder for the ongoing global debate on the advantages and drawbacks of trade integration among countries with vastly unequal levels of development. The catalyst is the Central American Free Trade Agreement, known as CAFTA, which will bind the economies of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua (as well as the Dominican Republic) to that of the United States. Over a period of 15*20 years, CAFTA will reduce barriers to investment, open state-owned monopolies to foreign competition, eliminate most agricultural tariffs, and deepen economic harmonization within the region.

In this essay, I first examine the strategic implications of the Bush Doctrine to date, then analyze the PRC's response, and, finally, highlight key issues for the next four years.

Understanding the Bush Doctrine

From the presidential election campaign of 2000 through George W. Bush's first months in office before the attacks of 9/11, there were strong indications of what was to come. Bush had staffed his administration with conservative Republicans, who, especially on defense and security issues, had articulated a hard-line, unilateralist position. Their strategic priorities included missile defense, withdrawal from the Anti-Ballistic Missile Treaty, the creation of a high-tech, rapid-reaction military of overwhelming scope and power, and the revitalization of the U.S. nuclear weapons industry. Their Manichean worldview led them to view U.S. security in terms of the development of such overwhelming capabilities (military, economic, and technological) that no other state or coalition of states would dare confront the United States.

To some people, it looked as though the Bush leadership did not understand what international relations theorists call the "security dilemma," the idea that when one country builds up its military capability to enhance its defense, an adversary may see that buildup as an offensive threat and increase its own military capabilities, thereby igniting an arms race in which both countries become less secure.

Other commentators thought that President Bush and his advisors understood the security dilemma only too well. The Chinese strategic analyst Yan Xuetong, in an interview in Beijing in April 2001, agreed that when the power capabilities of two states are roughly equal, the security dilemma is likely to have the expected outcome: namely, neither side benefits. But, he said, when one state is much stronger than other states it might deliberately create a security dilemma between itself and its perceived adversaries in order to intimidate and dominate them. That, Yan argued, is what the Bush administration was trying to do.

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Arturo C. Sotomayor Velázquez

Civil-Military Affairs and Security Institutions in the Southern Cone: The Sources of Argentine-Brazilian Nuclear Cooperation

in *Latin American Politics & Society*, Vol. 46, Nr. 4

This paper analyzes the conditions in which the governments of Argentina and Brazil founded security institutions in the early 1990s, while they were democratizing. It advances the hypothesis that international cooperation in the security field is often linked to the evolution of civil-military relations. Civilian leaders in both countries established institutions and sought international participation deliberately to achieve civilian control and gain leverage over the military establishment, which they sorely distrusted. The need to stabilize civil-military relations at home was therefore the prime motivating force behind the emergence of security institutions in the Southern Cone. Three mechanisms were at work: omnibalancing, policy handling, and managing uncertainty. These mechanisms are derived from three different schools of thought: realism, organizational-bureaucratic models, and theories of domestic political institutions. Besides explaining the sources of nuclear bilateral cooperation, this argument also serves as a critique of two prominent theories in international relations that attempt to explain cooperation and peaceful relations among democracies: neoliberal institutionalism and democratic peace theory.

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Subsection 4. Cooperation and integration in Central and Latin America

García, F.

Concluye el Cafta a ritmo forzado por EUA (novena ronda del Cafta

in *Panorama centroamericano : reporte politico* , n. 195 , Pag. 9-13

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Aleman, C.

Diplomacia de Cumbres y diplomacia ciudadana en la asociacion birregional desde la perspectiva de Mercosur

in *Nueva Sociedad*, n. 190 , pag. 136- 150

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Smith Timothy

From Miami to Quebec and Beyond: Opposition to the Free Trade Area of the Americas

in *Peace & Change*, issue 2, vol. 29, april , 221-249

ABSTRACT: This article examines the emergence of what popularly is called the antiglobalization movement. Rather than looking at the worldwide movement, the focus here is on the opposition to the Free Trade Area of the Americas



(FTAA), which first was proposed in 1994 and is to be implemented by 2005. While briefly examining the efforts to negotiate the FTAA, the main focus is on the gradual emergence of the anti-FTAA forces, their main critique of the agreement and corporate globalization in general, and how the forces aligned against the FTAA fit into the larger antiglobalization movement. Finally, the article analyzes the concepts behind the movement for free trade and how it fits in with traditional concepts of imperialism.

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Subsection 4. Cooperation and integration in Central and Latin America

Cohen, Mirian

Globalizacion, democracia y desilusion: la sociedad civil en Mexico

in *El Cotidiano : revista de la realidad mexicana actual* , n. 126 , Pag. 133-141

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Garcia, F.

Integracion Centroamericana acelerada por las circunstancias

in *Panorama centroamericano : reporte politico* , n. 197 , Pag. 9-13

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Belaunde Domingo Garcia

Is there a Latin American Public Space?

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 52, 2004 , 79-86

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Sberro, S.

La Union Europea: un alternativa estrategica para Mexico?

in *Nueva Sociedad*, n. 190 , pag. 94-100

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America



Grabendorff, W.

La estrategia birregional y su limitacion en un mundo unipolar
in *Nueva Sociedad*, n. 189 , pag. 97-109

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Acosta Puertas, J.

La integracion y el desarrollo de las regiones de los paises de la Union Europea y America Latina
in *Nueva Sociedad*, n. 189 , pag. 125-140

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Jaime Andres Nino

La internacionalizacion de la economia y la cris de la democracia en America latina
in *Analisis politico* , n. 51 , Pag. 63-80

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Manrique, N.

La mediteraneidad boliviana y la integracion regional
in *Nueva Sociedad*, n. 190 , pag. 28-38

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Myriam Colacrai

La meta de la Secreteria del tratado Antartico como "politica de estado" de la Argentina
in *Relaciones internacionales : revista publ. por el Instituto de Relaciones Internacionales* , VOL.13, Nr. 26

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America



Bousaz, R,

La negociaciones Union Europea Mercosur entre la lentitud y la indefinicion
in *Nueva Sociedad*, n. 190 , pag. 125-135

No abstract available

Section C) Regional integration processes

Subsection 4.Cooperation and integration in Central and Latin America

Whitehead, I.

La relacion birregional

in *Nueva Sociedad*, n. 189 , pag. 69-79

No abstract available

Section C) Regional integration processes

Subsection 4.Cooperation and integration in Central and Latin America

Methol, A.F:

Mercosur: una nueva logica historica

in *Geosur : publicacion mensual* , Vol.26 n. 293-294 , Pag.9-13

No abstract available

Section C) Regional integration processes

Subsection 4.Cooperation and integration in Central and Latin America

Bizzozero, L.

Nueva etapa del Mercosur frente a los 10 anos de Oro Preto. Limite y perspectiva del ajuste institucional

in *Nueva Sociedad*, n. 194 , pag. 14-27

No abstract available

Section C) Regional integration processes

Subsection 4.Cooperation and integration in Central and Latin America

Genna Gaspare M., Hiroi Taeko

Power Preponderance and Domestic Politics: Explaining Regional Economic Integration in Latin America and the Caribbean, 1960-1997

in *International Interactions*, n. 2, vol. 30, april-june , 143-164

ABSTRACT: This article addresses the domestic and international conditions that influence regional integration. The national political elite is assumed to be opportunistic and will opt for regional integration when the domestic and international conditions provide economic gains for their constituencies through greater economic integration. The hypotheses state that increases in regional integration in Latin America and the Caribbean (ANCOM, CACM/SICA,



CARICOM, and MERCOSUR/MERCOSUL) occur during periods of relative power asymmetries among pairs of countries, when mutual trade interests are high, and when alliance portfolios are similar. We test the hypotheses using aggregate data of country dyads from 1960 to 1997. To measure regional integration, we use an index referred to as the Integration Achievement Score. OLS and Cox proportional hazards regression estimates largely support our claims.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Gulde Anne Marie, Jafarov Etibar, Prokopenko Vassili

A Common Currency for Belarus and Russia?

in *IMF Policy Discussion Papers*, December, 2004

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Roberts Benjamin A.

A gravity study of the proposed China-ASEAN free trade area

in *International Trade Journal*, vol. 18, Number 4 / Winter , 335 - 353

The proposed China-ASEAN Free Trade Area (CAFTA) has drawn much interest both at the regional and international level. This interest is justified given the recent surge in regional trade agreements. The implications the FTA will have for the less developed economies of Cambodia, Laos, Myanmar, and Vietnam (the CLMV economies) are of concern. How would trade between the integrating area and the rest of the world be affected? Will there be net trade creation or net trade diversion effects? What trading partners are likely to lose or gain following formation of the FTA in 2010? These are some of the issues that this article addresses by way of the Gravity Model of trade.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Tuck Cheong Tang

A reassessment of aggregate import demand function in the ASEAN-5: a cointegration analysis

in *International Trade Journal*, vol. 18, Number 3 / Fall , 239 - 268

This study aims to reinvestigate the empirical evidence on the long-run relationship of aggregate import demand behavior for the ASEAN-5 founding nations. This study adopts the import demand equation that has been developed by Xu (2002). The results of bounds test (Pesaran et al., 2001) show the volume of imports, activity variable (national cash flow), and relative price of imports are cointegrated in Malaysia and Singapore. However, no empirical evidence supports that these variables are cointegrated in Indonesia, Thailand, and the Philippines. This study provides a relevant implication specifically that devaluation strengthens the balance of trade. Following the Marshall-Lerner condition, exchange rate policies such as devaluation, can be used to improve trade balance in Malaysia, Singapore, the Philippines, and Thailand, but not in Indonesia.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Batabyal Anindya

ASEAN's Quest for Security: A Theoretical Explanation

in International Studies, n. 4, vol. 41, october , 349-369

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Nick Bisley

Asia-Pacific regionalism and preferential trade agreements: the Australian case

in International Relations of the Asia-Pacific, Volume 4, Issue 2, August , 239-264

Since the late 1990s, many developed states and customs territories have been seeking out preferential trade deals. This article examines this trend, which has been especially evident in the Asia-Pacific, and focuses specifically on Australia as a leading exponent of preferentialism in the region. The article has two distinct aims. First, to shed light on the thinking behind Australia's foreign economic policy and, specifically, to examine the motivations for moving away from multilateral and non-discriminatory means of advancing its free trade agenda in the region. Second, it aims to examine the developing dynamics of regional economic co-operation in the Asia-Pacific given the stasis of existing institutional efforts. This paper begins with a brief examination of the regional context and Australia's approach to trade policy. It then considers the nature of Australia's preferential bilateralism and its aims and motivations. The article shows that Australian policy-makers believe that preferential agreements can provide trade creation through market access, as well as broader benefits which derive from market expansion. Australia is motivated to pursue preferentialism by concern about existing institutions, by the technical appeal of bilateral agreements, and by the broader trend toward preferentialism in the international system, as well as shifts in its own domestic politics. The paper concludes with a short examination of the character of regionalism in the Asia-Pacific in the light of burgeoning regional bilateralism.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Joakim Öjendal

Back to the Future? Regionalism in South-East Asia Under Unilateral Pressure

in International Affairs , issue 3, vol. 80, may , 519-534

This article assesses the prospects for regionalization in South-East Asia. It takes as its point of departure the contradiction between a regionalized and a unilateral world order as typically pursued by the EU and US respectively. It acknowledges the commonly accepted thesis that since September 11, 2001, the US has increasingly exercised a unilateral world order and that this poses a challenge to global regionalization. South-East Asia, a conflict-ridden, previously 'peripheral', region with a 'successful' regionalization has been depicted as a 'second front' in the war against terrorism and is thus eligible for considerable US pressure. In this context, the 'ASEAN way', commonly benignly viewed,



has been criticized for being shallow, 'allowing' terrorism to operate regionally. However, since 2001, and especially after the Bali bombings in 2003, ASEAN, as well as its member states, have devoted themselves to the war against terrorism. To some extent this has allowed the US a great influence in individual countries and altered regionalization. However, at the same time, the US 'needs' South-East Asian regional organization for combating international terrorism. Moreover, the US offensive in South-East Asia has caused both Japan and China to respond and strike deals on regional cooperation with ASEAN/South-East Asia, achieving long-awaited progress. Thus, the unilateral approach to global order does not, de facto, counteract regionalization, but rather operates through it, and to some extent triggers it. The counterintuitive conclusion is thus that an increasing unilateral pressure may not preclude a continued global regionalization, and that these two orders are not necessarily incompatible.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Lyou, Byung-Woon

Building the Northeast Asian Community

in *Indiana Journal for Global Legal Studies*, Volume 11, Issue 2, Summer , 257-310

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Shambaugh, David L

China Engages Asia: Reshaping the Regional Order

in *International Security*, n. 3, vol. 29, winter , 64-99

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Gilson Julie

Complex regional multilateralism: 'strategising' Japan's responses to Southeast Asia

in *Pacific Review (The)* , Volume 17, Number 1, March , pp. 71-94

Japanese government interests in Southeast Asia continue to expand. Official speeches refer to the growth of a 'community that acts together', while institutional linkages have been strengthened with the creation of the ASEAN Plus Three process and by a proliferation of bilateral arrangements. These developing networks raise questions about Japan's future orientation towards its wider region.

This article assesses recent developments, by challenging some of the fundamental assumptions about Japan's regional behaviour. First, it examines how a tendency to render mutually exclusive bilateral and multilateral forms of behaviour serves to obfuscate a focus on the fundamental processes of regional engagement. Second, this article delineates Japan's changing orientation towards the region as part of a process of 'complex regional multilateralism', in which a range of often ad hoc engagements have resulted in a loose framework for interaction. In so doing, it suggests that



Japan's current policy-making approach towards Southeast Asia may be regarded as a continuation of policy that is, nevertheless, being buffeted by a range of - primarily regional - external influences. The resulting set of perceived strategies demonstrates not an either/or approach to regional engagement but, rather, shows how the Japanese government manages changing circumstances to carve out a new role for itself in Southeast Asia.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Nicholas Khoo

Constructing Southeast Asian security: the pitfalls of imagining a security community and the temptations of orthodoxy

in *Cambridge Review of International Affairs* , Vol. 17, n. 1, April , 137-153

At the ninth summit of the Association of South-East Asian Nations (ASEAN) in October 2003, the organisation's leaders declared their intention of transforming ASEAN into a security community. In making the case that ASEAN has functioned as a realist security institution since its inception in 1967, this article argues that the theoretical literature underpinning the ASEAN security community idea is characterised by significant conceptual and empirical flaws. First, a number of problems surround the variables--either norms or identity--that are used to explain the emergence of a putative security community among the ASEAN states. Second, critical issues in the ASEAN security community literature include the tautological nature of the arguments and a failure to rule out alternative explanations. Third, from an empirical perspective, the nascent ASEAN security community has arguably never existed.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Khoo N.

Deconstructing the ASEAN security community: a review essay

in *International Relations of the Asia-Pacific*, Volume 4, Issue 1, February , 35-46

Once viewed as a bastion of stability and economic growth, the Association of Southeast Asian Nations (ASEAN) is now beset with a variety of seemingly intractable problems ranging from terrorism to internal secessionist conflict and economic stagnation. The central and evolving role of ASEAN in the international relations of Southeast Asia since 1967 raises the question of how we should conceptualize the organization. This review article argues that Amitav Acharya's recent claim that a nascent security community is emerging in Southeast Asia is flawed for at least four reasons. First, a variety of problems surround the independent variable – norms – that Acharya uses to explain ASEAN's emergence as a security community. The author fails to adequately explain why the norms he privileges emerged as ASEAN's dominant norms. The lack of a convincing explanation for the origins of the author's favored ASEAN norms is damaging because, prima facie, other kinds of norms – 'perverse norms' – appear to give us greater purchase in understanding the organization. Second, a critical flaw in Acharya's argument relates to its tautological nature. Third, from an empirical perspective, the dependent variable, the nascent ASEAN security community has arguably never existed. Finally, alternative explanations for ASEAN are not fully explored. While Acharya examines neo-liberal institutionalism and



neo-realism, he overlooks the possibility that a form of realist institutionalism may most accurately explain ASEAN's history, and perhaps even predict its future.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Mundell Robert

Does Asia Need a Common Currency?

in **Pacific Economic Review**, Vol. 9

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Baogang He

East Asian ideas of regionalism: a normative critique

in **Australian Journal of International Affairs**, Vol. 58, n. 1 / March , 105-125

Little was done to challenge nationalist assumptions in the name of regionalism. Regarding nationalism as a sensitive matter best left to a later stage of regionalism, they [advocates of regionalism] did not focus on how nationalist outlooks in the media and elsewhere stand in the way of both regionalism and internationalism.

With an increasing regional integration and development, there are many competing ideas of, and proposals for, regional development in Asia. This article examines the historical evolution of the idea of regionalism, the meanings of Asian regionalisms, variations of Asian regionalisms and their impact on regional cooperation in East Asia. It discusses Mahathir's idea of neo-Asianism, Japanese new Asianism, Chinese ideas of regionalism, and variations of Korean ideas of regionalism. It also examines a normative basis of regionalism with special reference to the sovereignty question. The paper concludes that behind East Asian regionalism is nationalism which constitutes driving forces for regionalism; that two competing orders (Asia-Pacific regionalism versus pan-Asianism) create different expectations and visions of how East Asia region should evolve and they are in tensions and lead to different directions; and that East Asia lacks a convincing and acceptable normative framework.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Andrey Foursov

Eurasia Viewed from an Historical Height

in **World Affairs**, Vol. 8, n. 1, January - March

No abstract available



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Dashdorjiin Bayarkhuu

Geopolitics of the New Central Asia

in *World Affairs*, Vol. 8, n. 1, January - March

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Amitav Acharya

How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism

in *International Organization*, issue 2, vol. 58, april , 239-275

ABSTRACT: Questions about norm diffusion in world politics are not simply about whether and how ideas matter, but also which and whose ideas matter. Constructivist scholarship on norms tends to focus on “hard” cases of moral transformation in which “good” global norms prevail over the “bad” local beliefs and practices. But many local beliefs are themselves part of a legitimate normative order, which conditions the acceptance of foreign norms. Going beyond an existential notion of congruence, this article proposes a dynamic explanation of norm diffusion that describes how local agents reconstruct foreign norms to ensure the norms fit with the agents' cognitive priors and identities. Congruence building thus becomes key to acceptance. Localization, not wholesale acceptance or rejection, settles most cases of normative contestation. Comparing the impact of two transnational norms on the Association of Southeast Asian Nations (ASEAN), this article shows that the variation in the norms' acceptance, indicated by the changes they produced in the goals and institutional apparatuses of the regional group, could be explained by the differential ability of local agents to reconstruct the norms to ensure a better fit with prior local norms, and the potential of the localized norm to enhance the appeal of some of their prior beliefs and institutions.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Desker Barry

In defence of FTAs: from purity to pragmatism in East Asia

in *Pacific Review (The)* , Volume 17, Number 1, March , pp. 3-26

This paper discusses the shift in East Asia from a focus on multilateral trade liberalization through the WTO to a pragmatic approach since 1999 favouring bilateral and regional FTAs while continuing to support the WTO system. It is argued that such FTAs are a second-best option compared to WTO agreements. However, while economists may seek the ideal solution, governments will focus on the politically attainable, especially as new multilateral agreements require lengthy negotiations beyond the life span of governments. As the WTO negotiating process has become bogged down, even once sceptical governments in East Asia are turning to FTAs. It is contended that such FTAs could form a lattice network within and across regions. In this context, the paper discusses the underlying security rationale for the conclusion of FTAs, highlighting the nexus between security interests and international economic policy in East Asia.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Sreekumar

India and ASEAN: Geopolitical Concerns

in *World Affairs*, Vol. 8, n. 1, January - March

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Lokesh Chandra

India, China, Russia: Interactive Diversity

in *World Affairs*, Vol. 8, n. 1, January - March

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Purnendra Jain; John Bruni

Japan, Australia and the United States: little NATO or shadow alliance?

in *International Relations of the Asia-Pacific*, Volume 4, Issue 2, August , 265-285

In a rapidly changing geopolitical and strategic environment in which the current US administration is willing to demonstrate to the world that the pursuit of its national interest will not be encumbered by multilateral forums, what role will US bilateral alliance partners such as Japan and Australia play in redefining the international order, especially in their area of primary interest – East Asia? This paper examines an Australian proposal for establishing an informal security dialogue at the ministerial level comprising the United States and two of its bilateral allies in the Asia-Pacific. While the dialogue process has begun, the success of any such structure, however, will be largely coloured by accommodating the very different histories and strategic cultures that have developed within these countries, and the very different expectations other regional states have of them. Through the examples of the war on terror and the war against Iraq, this paper argues that there is little evidence of structured co-operation at the ministerial level in place. Further, any exclusive high-level security dialogue which forms around this troika will incur the suspicion of many East Asian nations, as it may be seen as a platform for unrestrained US unilateralism and exceptionalism, which may in turn have negative implications for Japan and Australia's continuing role in Asia.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Bersik Sebastian

Multipolarität gestalten. Chinas Rolle in ASEM-Prozess

in *Internationale Politik* , n. 9, 59. Jahr, September , 30-36



ABSTRACT: Angesichts der wachsenden Bedeutung Chinas als regionale Führungsmacht in Asien erweist sich die Einbindung der Volksrepublik in den Rahmen des Asien-Europa-Treffens (ASEM) als sehr erfolgreich. Auf diese Weise „lernt“ die Großmacht, Multilateralismus im globalen wie regionalen Maßstab zu praktizieren und sich nicht zu einer Bedrohung in ihrem Umfeld zu entwickeln.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Caballero-Anthony Mely

Non-state regional governance mechanism for economic security: the case of the ASEAN Peoples' Assembly in Pacific Review (The) , Volume 17, Number 4 , pp. 567-585

In Asia, the evolving dynamics in the development of civil society on the one hand and the re-conceptualization of security beyond the traditional notions of state/military security on the other are not mutually exclusive. These dynamics are essentially linked by a common need to broaden both the subjects and the objects of security. This paper looks at the emerging transnational civil society organization called the ASEAN Peoples' Assembly (APA), established in 2000. In examining APA and locating it within emerging regional mechanisms for governance and security, the paper argues that APA can be a significant mechanism for governance since it provides the framework for the numerous civil society organizations in the region to engage with state and other non-state actors that are involved in defining security in Southeast Asia. Moreover, the genesis of APA offers salient developments that should not be missed in the study of civil society in this region.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ronald I. Mckinnon

Optimum Currency Areas and Key Currencies: Mundell I versus Mundell II
in **Journal of Common Market Studies**, Vol. 42, Issue 4, November , 689-716

The East Asian economies are increasingly integrated in trade and direct investment. More than 50 per cent of their foreign trade is with each other. Both the high growth and level of trade integration is similar to what the western European economies achieved in the 1960s. So, in the new millennium, the inevitable question arises: is East Asia also an optimum currency area (OCA)? Despite the apparent success of EMU, many writers familiar with the East Asian scene think not. Taking the seminal papers of Robert Mundell as the starting point, this article first analyses traditional theorizing on the pros and cons of international monetary integration and then suggests new approaches to the problem of international risk-sharing in OCAs.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ziltener Patrick

Pazifische Drift - Die APEC zwischen Bi- und Multilateralismus



in *Blätter für deutsche & internationale Politik*, Dezember, 2004 , 1465-1474

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Sundararaman Shankari

Politics and Security in South-East Asia: Prospects for India-ASEAN Cooperation

in *International Studies*, n. 4, vol. 41, october , 371-385

ABSTRACT: In this article, I attempt to look at the various political and security issues in south-east Asia as a region that is undergoing a period of transition. The article also attempts to look at what the possible policy approaches that India may have to adopt so that its "Look East" policy is not merely sustained but also evolves further into a credible pillar of India's engagement within the Asian setting. This study views the dynamics of south-east Asia against the backdrop of two major events—first, the 1997 financial crisis and second, the 11 September 2001 terrorist strikes against the United States followed by the ongoing "global war against terrorism". The time frame associated with these developments is notable for the way in which south-east Asian regionalism has evolved and restructured itself. Broadly speaking, the structures of institutionalism versus the Realist perceptions of state policy had come to be challenged in the period following the 1997 financial crisis. Subsequent to the crisis, the Association of South-East Asian Nations' (ASEAN) success story came under severe strain due to bilateral tensions, undermining stress on non-intervention and consensus as a means of conflict management, and unwillingness on the part of member countries to give credence to the "ASEAN way" of resolving tensions within the group. Added to this, the post-1997 period also saw the inclusion of new ASEAN members which brought in newer dimensions to security that did not preoccupy the older members of the regional grouping. This only represents the diversity of security related issues that exist within south-east Asia itself. For example, the challenges to Cambodian politics and security are not necessarily the same as those in Indonesia or the Philippines. Therefore, the security debate even within the region has remained multidimensional.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Toru Oga

Rediscovering Asianness: the role of institutional discourses in APEC, 1989–1997

in *International Relations of the Asia-Pacific*, Volume 4, Issue 2, August , 287-317

Asia-Pacific Economic Cooperation (APEC) emerged as the largest regional body in history and gave rise to two institutional discourses: open regionalism and Asian values. Open regionalism entailed the articulation of a non-discriminatory and inclusive regionalism. While endorsing the idea of an Asia-Pacific community, APEC has suffered as a result of clashes between two of its core constituencies, its Asian and Anglo-Saxon members. In reality, APEC had lost its articulatory role by the mid-1990s; no significant agreements have been concluded since the Osaka summit of 1995. However, Asian values have emerged as a vehicle for the advocacy of Asian identity, instead of the open regionalism of APEC. This paper, then, focuses primarily on these two institutional discourses and explores the evolution of APEC; how discourses on 'Asianness' have been articulated as an alternative to the idea of an Asia-Pacific



identity.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Bhatta Chandra D.

Regional Integration in South Asia: Cooperation Versus Conflict

in Peace, Conflict and Development, Volume 5, Issue 5, July , full text available

<http://www.peacestudiesjournal.org.uk/docs/RegionalIntegration.PDF>

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Annette Bohr

Regionalism in Central Asia: New Geopolitics, Old Regional Order

in International Affairs , issue 3, vol. 80, may , 485-502

Behind the rhetoric of regional cooperation, the Central Asian states have been embroiled with increasing frequency in conflicts among themselves, including trade wars, border disputes and disagreements over the management and use of water and energy resources. Far from engendering a new regional order in Central Asia, the events of September 11, 2001 and the subsequent basing of US troops in the region have served to entrench pre-existing patterns of regional cooperation, while highlighting the obstacles that have beset the regionalization process there since the mid-1990s. While all five Central Asian states have been attempting to use the renewed rivalry between Russia and the United States, which is being played out in the Central Asian region, to maximize their strategic and economic benefits, the formation of the United States-Uzbekistan strategic partnership has increased the resolve of the other Central Asian states (Turkmenistan excepted) to balance Uzbekistan's preponderance by enthusiastically pursuing regional projects involving Russia and, to a lesser extent, China. This regional dynamic has resulted in the steady gravitation of the centre of regionalism in Central Asia to the north from a nominal Tashkent-Astana axis to a more stable Astana-Moscow one, with possible repercussions for the poorer states of Tajikistan and Kyrgyzstan. The article examines the major constraints on regionalism in Central Asia, considering in particular the ways in which the personalist, non-democratic regimes of Central Asia have obstructed statecentric 'topdown' regionalism as well as informal regionalist processes 'from below'.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Edmund Herzig

Regionalism, Iran and Central Asia

in International Affairs , issue 3, vol. 80, may , 503-518

A combination of revolutionary ideology, trouble with neighbours and location in the Middle East, where regionalism is moribund, make the Islamic Republic of Iran an unlikely enthusiast for regional coalition-building. The impetus towards regionalism derives first and foremost from geopolitical considerationsthe need to counter the US government's efforts to



isolate Iran but also from domestic dynamics; the regionalist discourse has lent an acceptable ideological colouring to an increasingly pragmatic foreign policy.

Iran's neighbours, however, share neither its geopolitical predicament nor its ideological complexion, and the actual implementation of Tehran's regionalist agenda has been based on functional cooperation, rather than on geopolitics and ideology. Trade promotion and the development of transport infrastructure to link Central Asia and the Caspian to Turkey and the Persian Gulf have been the most appealing areas for northern neighbours, and dominate the agenda of the Economic Cooperation Organization, Iran's main vehicle for multilateral cooperation with Central Asia and Azerbaijan. Tehran's 1992 proposal for a Caspian Sea Cooperation Organization has so far been stymied by the littoral states' well-publicized disagreements over the sea's legal status, though their numerous multilateral meetings and handful of agreements suggest that the idea has potential in the medium term.

Notwithstanding the meagre tangible results to date, Iran's tilt towards regionalism has had a positive impact. It has helped to rehabilitate the Islamic Republic in the eyes of its neighbours, contributed to the evolution of policy debate at home and prepared the ground for future multilateral cooperation.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Roy Allison

Regionalism, Regional Structures and Security Management in Central Asia **in *International Affairs*** , issue 3, vol. 80, may , 463-484

The security dimension of regionalism and regional structures in Central Asia and Azerbaijan has been limited by Russia's influence as a regional hegemon, as well as by various other constraints specific to the region and the local states. Moreover, as a peripheral zone in the world system, Central Eurasia has not shown much evidence of regionalization as a process. But in response to the proximity of hegemonic power the smaller states have tried to adopt bandwagoning and balancing strategies in regional formats. Although their fixation on 'regime security' has encouraged them to accommodate Russia through CIS structures, this is changing as new bilateral security relationships develop with the United States. The Russian-sponsored Collective Security Treaty Organization is unable to address the most serious challenges for regional security management in Central Asia. Yet the local states have been unable on their own to establish a regional security consensus and to institutionalize cooperation on that basis. The diffuse GUUAM grouping (Georgia, Ukraine, Uzbekistan, Azerbaijan and Moldova) has not offered a basis for self-sustaining regional security cooperation. The Shanghai Cooperation Organization has created a venue to engage China in the security dialogue on Central Asia, particularly over counterterrorism, but has otherwise failed to tackle security challenges among and within the Central Asian states. Overall, the current focus of these states and their sponsors on bilateral relations to provide security assistance continues to displace security-related regionalism.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Eduardo Faleiro

South Asia and Regional Cooperation



in *World Affairs*, Vol. 8, n. 1, January - March

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Joseph Yu-shek Cheng

The Asean-China free trade area: genesis and implications

in *Australian Journal of International Affairs*, Vol. 58, n. 2 / June , 257-277

The Asia-Pacific region's vulnerabilities to the consequences of globalisation were vividly revealed by its financial crisis in 1997-98. ASEAN states considered the US and APEC less than helpful during the crisis, and they found the conditionalities imposed by the IMF unpalatable. But ASEAN as a regional organisation has been much weakened, and it has been working hard to revive its influence. The 'ASEAN plus 3' approach has been perceived as an important means to strengthen ASEAN's status and relevance. The ASEAN-China Free Trade Area is undoubtedly an outstanding achievement of this approach; but ASEAN has been trying to keep its options open. On the other hand, China has been concerned with the danger of a deterioration in Sino-American relations and the increasing distrust between Tokyo and Beijing. Improvement of China-ASEAN relations therefore assumes increasing significance in China's regional policy; and enhancing mutual interests and interdependence is the best way to erode the ASEAN states' perception of the 'China threat'. But China must not neglect the interests of Japan and South Korea or underestimate ASEAN's resistance to the exclusion of the US and its desire to maintain a balance of power in the region. The ASEAN-China Free Trade Area, hopefully, should also facilitate the narrowing of the gap between the more developed and the developing ASEAN members, as well as that between the more prosperous coastal provinces and the poor interior provinces in China. In many ways, the establishment of the ASEAN-China Free Trade Area represents a challenge to what can be achieved in the mutual engagement process.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Rozman Gilbert

The Northeast Asian Regionalism Context

in *Orbis: a Journal of World Affairs*, issue 2, vol. 48, spring , 217-231

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

S. Neil Macfarlane

The United States and Regionalism in Central Asia

in *International Affairs* , issue 3, vol. 80, may , 447-462



This article examines the record of American policy towards regional cooperation in Central Asia. It begins with the determinants of regionalism and the role of external states therein. It then considers the nature of American interests in Central Asia. This is followed by a historical account of the three stages of American policy towards the region. The article argues that regional cooperation has not been a significant aspect of US policy. Instead US policy-makers have preferred bilateral relations or multilateral structures (e.g. the Partnership for Peace, the GUUAM [Georgia, Ukraine, Uzbekistan, Azerbaijan and Moldova] group) which draw the region's states beyond its boundaries. US policy tends to reduce incentives for regional actors to develop multilateral cooperation. It may also encourage competitive regionalist agendas on the part of other interested major powers (Russia and China).

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hsiu-Ling Wu, Chien-Hsun Chen

The prospects for regional economic integration between China and the five Central Asian countries in Europe-Asia Studies, Volume 56, Number 7 (November 2004) , 1059 - 1080

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Morrison Charles E.

Track 1/Track 2 symbiosis in Asia-Pacific regionalism in Pacific Review (The) , Volume 17, Number 4 , pp. 547-565

This paper addresses the question of how Track 2 international policy networks contribute to economic security. If we accept a neoclassical economic interpretation that economic security is best achieved by trade and capital liberalization, then Track 2, or non-formal research and policy networks, are able to help enhance economic security by providing Track 1 or the formal, inter-governmental organizations with novel ideas and approaches on how best to advance regional economic liberalization. As well as providing institutional memories for regional cooperation, Track 2 networks also serve as test-beds for new ideas in emerging issue areas. This was clear in the aftermath of the Asian financial crisis when a number of Track 2 networks grappled with the inter-linkages between economics and security as well as provided expertise on how states can best cope with globalised financial markets and the free flow of capital. By discussing each of the Track 2 networks and how they respectively interact with Track 1 processes, the paper provides a detailed account of the regional governance architecture in the Asia-Pacific region more broadly, and its contribution to economic security.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hong Tan Lay

Will ASEAN Economic Integration Progress beyond a Free Trade Area? in International and Comparative Law Quarterly, n. 4, vol. 53, october , 935-967



ABSTRACT: On 7 October 2003, the ASEAN leaders jogged the region by calling for the creation of an ASEAN common market by 2020. But what exactly does an ASEAN common market or ASEAN Economic Community mean? Those unfamiliar with ASEAN politics may quickly jump to the conclusion that ASEAN is going down the path of supra-nationality. But to the critics of ASEAN politics (including this author), this is but another attempt at regional integration that will, like its predecessors, die its own natural death. At risk of being labelled a pessimist without cause, this paper seeks to vindicate the author's proposition by examining in-depth the central question whether ASEAN economic integration will progress beyond a free trade area.

Section C) Regional integration processes

Subsection 6. The European unification process

Tomarchio Grazia

"Demos - thesis": Habermas e una Costituzione per l'Europa
in *Nuovi studi politici*, n. 2/2004 - aprile-giugno , 79-97

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Nicolaidis Kalypso

"We, the Peoples of Europe ..."
in *Foreign Affairs*, November/December - Vol 83, Number 6, 2004

The EU's constitutional convention has revived the old cleavage between those who fear the union will trample the rights of member states and those who think it is not enough of a superstate. Both camps miss the point. Despite some serious flaws, the draft constitution does much to advance the EU's core project: to create a federal union that celebrates the plurality of the continent's many peoples.

Section C) Regional integration processes

Subsection 6. The European unification process

305-327

'Another Europe is possible'? Labour and social movements at the European social forum
in *Globalizations* , Vol. 1, n. 2, December , 305-327

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Birkinshaw, Patrick

A Constitution for the European Union?-- A Letter from Home



in *European public Law*, Vol. 10 Issue 1 - Mar2004 , 57-84

Examines the content, implications and some difficulties raised by the Draft Constitution for the European Union. Favourable reaction of the UK Government to make a constitution for Europe.

Section C) Regional integration processes

Subsection 6. The European unification process

Dusan Sidjanski

A European Constitution Open on the Future

in *Federalist Debate (The)*, Year XVII, n. 1, March

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Clemens Gabriele

A History of Failures and Miscalculations? Britain's Relationship to the European Communities in the Postwar Era (1945–1973)

in *Contemporary European History* , volume 13 - Issue 02 - May 2004 , 223-232

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Church Ralph

A Reflection on the Debate over the European Constitution

in *Pace Diritti Umani*, n. 2, anno 1, maggio-agosto , 125-127

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lacroix Justine

A Reply to Bellamy and Castiglione

in *Political Studies*, Volume 52, Issue 1, March , pp. 194-196

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process



Chiti M.P.

A Rigid Constitution for a Flexible Administration News Forms of Governance

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 175-190

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Jao Ferrao

A emergencia de estrategias transnacionais de ordenamento do territorio na Uniao Europeia: reimaginar o espacio europeo para novas formas de governanca territorial

in *EURE - Revista latinoamericana de estudios urbano regionales*, vol.29 n.89 , Pag. 43-62

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Grossi Pierfrancesco

A proposito del preambolo nella Costituzione dell'Unione europea

in *Archivio giuridico*, n. 4 , 435 - 448

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Méon Pierre-Guillaume, Weill Laurent

A view of the European Union as an evolving country portfolio

in *European Journal of Political Economy*, Volume 20, Issue 4 , November 2004 , 853-868

We apply portfolio theory to assess the consequences in terms of risk sharing of the evolution of the industry mix of European Union countries between 1986 and 1997, and of the changes in the membership configurations of both economic and monetary unions. We compute a measure of risk-return performance for EU countries, by considering countries as collections of industries, and observe that risk-return performance improved in most countries. We find that the EU9 is marginally more efficient than the other historical EU groupings and that the Euro Zone might slightly benefit from the inclusion of the United Kingdom.

Section C) Regional integration processes

Subsection 6. The European unification process

Noury Abdul G.

Abstention in Daylight: Strategic Calculus of Voting in the European Parliament

in *Public Choice*, Volume 121, Numbers 1-2 , 179 - 211



As in large elections, substantial abstention is frequently observed in legislative assemblies. This paper analyzes roll call votes from the third and fourth legislatures (1989–1999) of the European Parliament to test predictions from three types of theories of abstention: (1) decision-theoretic approach of Rational Choice theory, (2) game-theoretic approach of Rational Choice theory, and (3) the Swing Voters Curse theory. The results indicate that closeness significantly decreases the rate of abstention. The findings also show that an increase in the probability of being in the majority increases turnout. Overall, findings are supportive of the decision-theoretic approach of Rational Choice theory but not of the game-theoretic approach to abstention or the Swing Voters Curse theory.

Section C) Regional integration processes

Subsection 6. The European unification process

Thomas König

Accession and Reform of the European Union

in European Union Politics, Vol. 5, n. 4, December, 419-439

This study examines how the institutional provisions of the Nice Treaty and the constitutional reform of the European Union (EU) will affect agricultural decision-making in the enlarged EU. Although the agricultural sector is a core EU policy domain, we have little knowledge about the effects of institutional reform following the accession of 10 relatively small and poor countries, each having a large primary sector. Based on an input–output taxation model, we identify the positions of old and new member states in the two-dimensional space of EU agricultural politics. This allows us to investigate whether and how Council decision-making will change if the Nice Treaty's provisions for qualified majority voting are replaced by those of the draft constitution of 2004. Our analysis shows that the constitution is an advance providing for more policy change but it falls behind the Laeken proposal, which would have effectively reformed EU agricultural decision-making.

Section C) Regional integration processes

Subsection 6. The European unification process

Thomson Robert, Boerefijin Jovanka, Stokman Frans

Actor alignments in European Union decision making

in European Journal of Political Research, issue 2, vol. 43, march, 237-262

ABSTRACT: What is the structure of the political space in which decision-making actors operate in the European Union? Are there consistent alignments of actors? This article addresses these questions by examining a new data set containing information on the preferences of the Commission, the Member States and the European Parliament on 174 issues raised during talks on 70 recent Commission proposals. To a limited extent, the preference alignments can be described in terms of two underlying dimensions. However, these conceptual structures are weak. The first dimension is defined by the position of the European Commission and European Parliament at one end and the reference point at the other; the second dimension by a division between the Northern and Southern Member States. The meaning of these dimensions is investigated by identifying the substance of the policy issues on which these actor alignments are found. The Commission-reference point dimension is interpreted in terms of policy change rather than, as has previously been suggested, the level of integration. The North-South dimension corresponds to diverging views on the use of regulatory versus market-based solutions to policy problems. The weakness of these conceptual structures, it is argued, is due to the sectoral nature of European Union decision making. This lack of structure is likely to have a positive effect on support for the system among its members, since the benign effects of ideology at the national level cannot be expected



to apply at the European Union level.

Section C) Regional integration processes

Subsection 6. The European unification process

Sinagra Augusto

Allargamento dell'Unione europea e cooperazione giuridica internazionale

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 3 , pp. 403-414

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Irina Michalowicz

Analysing Structured Paths of Lobbying Behaviour: Why Discussing the Involvement of 'Civil Society' Does not Solve the EU's Democratic Deficit

in *Journal of European Integration*, Volume 26, Number 2 / June , 145-173

How much can civil society participation actually contribute to the EU's democratic legitimation? This article examines this question in order to assess whether the current debate possesses the potential to cure the EU's alleged 'democratic deficit'. It rests on the assumption that democratic legitimation through civil society requires the participation of civil society to meet democratic standards themselves. The analysis treats a normative and an empirical aspect of the subject. Firstly, it focuses on the European Commission's White Paper on European Governance, and examines its requirements for civil society participation in the light of the concepts of associative and deliberative democracy. However, requirements for democratic civil society participation can also be developed by civil society itself. Therefore, secondly, the potential of the community of European interest representatives for the creation of a European civil society will be assessed, on the basis of original empirical data.

Section C) Regional integration processes

Subsection 6. The European unification process

Felsenthal Dan S, Machover Moshé

Analysis of QM rules in the draft constitution for Europe proposed by the European Convention, 2003

in *Social Choice and Welfare*, Volume 23, Number 1 , 1 - 20

We analyse and evaluate the qualified majority (QM) decision rules for the Council of Ministers of the EU that are included in the Draft Constitution for Europe proposed by the European Convention [5]. We use a method similar to the one we used in [9] for the QM prescriptions made in the Treaty of Nice

Section C) Regional integration processes

Subsection 6. The European unification process



Élise Féron

Anti-globalization movements and the European agenda

in *Innovation: The European Journal of Social Science Research*, Volume 17, Number 2 / June , 119-127

This article examines the relationship between the Europeanization process and the anti-globalization agenda in Europe. Relying on the results of fieldwork research conducted since 2001 on the anti-globalization demonstrations surrounding the European summits, it argues that these transnational protest movements are of a dual and, in part, contradictory nature. On the one hand, they have an agenda-setting character, contributing to the formation of European public opinion. On the other hand, their influence in terms of agenda setting of European policy is constrained by their discourse style which bypasses or circumvents official discourse about European integration.

Section C) Regional integration processes

Subsection 6. The European unification process

Habermas Jürgen, Derrida Jacques

Appello per una politica estera comune

in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 2 , 13-19

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Praussello Franco

Assessing the Impact of Enlargement on the Eurozone

in *Economia internazionale*, Volume LVII, No. 1 - February 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Holman Otto

Asymmetrical regulation and multidimensional governance in the European Union

in *Review of International Political Economy*, Volume 11, Number 4 / October , 714 - 735

This paper argues that economic and monetary regulation at the supranational level and social deregulation at the national level are two sides of the same coin. Contrary to mainstream multilevel governance literature, it tries to answer why this mode of asymmetrical governance has emerged and what kind of European Union it seeks to promote. Under the heading of competitiveness, economic and monetary decision-making power moves beyond nation-states and democratic accountability, in the process disembedding the European welfare systems and pushing the so-called European model of welfare capitalism towards the 'shareholder practices' of Anglo-Saxon capitalism. In the meantime, illusions of national sovereignty and a People's Europe are upheld. Here enters the New Populism: by introducing



vagaries such as 'subsidiarity' and 'flexibility' into the European Treaties, and by using terms from consultancy like 'best practice' and 'benchmarking', the illusion of national self-determination is maintained while creepingly empowering a European 'invisible hand'.

Section C) Regional integration processes

Subsection 6. The European unification process

Paul De Grauwe, Marc-Alexandre S negas

Asymmetries in Monetary Policy Transmission: Some Implications for EMU and its Enlargement
in *Journal of Common Market Studies*, Vol. 42, Issue 4, November, 757-776

In this article we analyse how the enlargement of a monetary union may affect the design of the common monetary policy when the latter transmits asymmetrically between the member countries. We find that the use of national information about inflation and unemployment in the design of the common monetary policy allows for tackling the heterogeneity induced by this asymmetry. This implies that if enlargement contributes to augmenting the transmission asymmetry of monetary policy in EMU, it will raise the need to take into account information about national economies in the formulation of optimal monetary policies in the monetary union. Furthermore, the choice for a new EU Member State to enter EMU will also depend on the monetary strategy implemented by the European Central Bank and, in particular, whether the latter would take the asymmetries in the transmission of monetary policy actions into account.

Section C) Regional integration processes

Subsection 6. The European unification process

Nuria Orot

Atenci n al espejo turco:  Ser  «Eurabia»?  Ser  un club cristiano secularizado? .
in *Nueva Revista de Pol tica Cultura y arte (Spagna)*, n. 96

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Giraudi Giorgio

Bargaining community exemptions: the role of Italian actors in the negotiation of state aid to labour and industry
in *Modern Italy*, Volume 9, Number 2 / November 2004

This article analyses the role of Italian (institutional and non-institutional) actors in the area of state aid to labour and industry, two particularly sensitive European policies. The comparison between two decisions--the one concerning state incentives for youth employment and the other concerning the double recapitalization of Alitalia--allows the author to conclude that Italian policy preferences are best promoted when a viable compromise solution is first reached domestically and then pushed through the Union, and when Italian actors manage to argue their case in EU-compatible terms.



Section C) Regional integration processes

Subsection 6. The European unification process

Mungiu Alina

Beyond the New Borders

in **Journal of Democracy**, Volume 15, Number 1, January , pp. 48-62

A border of development, not one of 'civilization' divides the European continent in two uneven halves, which have become all the more visible after the Big Bang enlargement. This paper discusses a 'Wider Europe', the Europe beyond the current Schengen borders. As the European identity is fuzzy and the European Union borders a combination of haphazard and necessity, notably the need to keep protect wealthy Europe from poor Europe, turning the current border into a new wall would be a mistake. Unlike the countries in the first wave of enlargement, Wider Europe countries are still struggling with weak states and unfinished transitions. More creative policies than just the conditionality based enlargement as usual will be needed to make wider Europe catch up, but the project may prove more realistic and worthwhile than furthering the political integration of the current members. The paper argues therefore that no border should be set for Europe, and enlargement should continue as long as Europe's power as an emulator is not yet exhausted.

Section C) Regional integration processes

Subsection 6. The European unification process

Beyers Jan

Bureaucrats, Politicians, and Societal Interests. How Is European Policy Making Politicized?

in **Comparative Political Studies** , Vol. 37 n. 10 , 1119-1150

Often it is argued that the EU depoliticizes political issues as bureaucrats and nonmajoritarian institutions are key in the policy-making process. However, recent research rejects this perspective and shows that domestic political cleavages organize the European political space. This article demonstrates that (a) political cleavages affect the organization of policy networks among Euro-level bureaucrats, politicians, and societal interests; and (b) that the institutional organization of government facilitates the emergence of advocacy coalitions mobilizing these political cleavages. The empirical analysis demonstrates that the European political space is dominated by a cleavage between a progrowth coalition and a sustainability coalition. Furthermore, it shows that political officials occupy a pivotal position enabling them to mediate between these two coalitions. Finally, data on the actors' resource reputations suggest that in granting access, public officials attach considerable value to the public support coalitions enjoy.

Section C) Regional integration processes

Subsection 6. The European unification process

Martin Dangerfield

CEFTA: between the CMEA and the European Union

in **Journal of European Integration**, Volume 26, Number 3 / September , 309-338

This article uses the CEFTA experience to explore interactions between subregional integration and the EU



pre-accession process. It covers the following issues. What contributions did CEFTA make to the EU membership endeavour? In which ways did the EU membership drive impact on the subregional cooperation process? Were restrictions on the form of integration applied (basic trade liberalisation in the CEFTA case) a conscious choice or are there inbuilt limits to subregional integration pursued in the EU pre-accession context? What factors influenced the institutionalisation and widening issues? Does the CEFTA experience offer any lessons for other subregional integration exercises, including those already underway - as in the West Balkans - or purportedly on the agenda - as in the 'United Economic Space' planned by certain former Soviet states? The discussion is organised as follows: introduction/preliminaries; the origins of CEFTA; the evolution of CEFTA cooperation; outcomes of CEFTA cooperation; the future of CEFTA.

Section C) Regional integration processes

Subsection 6. The European unification process

Hungdah Su

Can constitution-building advance European integration? A three-pillared institutionalist analysis

in *Journal of European Integration*, Volume 26, Number 4 / December , 353-378

Federalists believe that the whole EU constitution-building process of 2002-2004 may be nothing but 'a new bottle for old wine', Eurosceptics condemn it as a step further towards a European super-state, and jurists and lawyers are busy debating whether the Constitutional Treaty even meets the essential criteria of constitutionalism. This article distances itself from all the political debates and legal arguments that surround constitution-building and focuses its attention on the contribution that it brings to European integration as a whole. Based upon three-pillared institutionalism developed by Scott (1995) and Laffan (2001), the author concludes that constitution-building cannot advance European integration as expected by the federalists. In contrast, it may fail to effectively advance its collective identity-building, to improve its governing efficiency and even promote the democratic life in the Union. The author attributes the limited success of EU constitution-building to the rapid decline in general zeal for European integration in the post-Cold War era.

Section C) Regional integration processes

Subsection 6. The European unification process

Zielonka Jan

Challenges of EU Enlargement

in *Journal of Democracy*, Volume 15, Number 1, January , pp. 22-35

Despite the economic concerns of those opposed to the eastward expansion of the European Union, the small economies of the new member states should pose few problems; fears of a cultural gap between "old" and "new" Europe are likewise misguided, as are charges that the entrance of the members will paralyze EU decision making. Enlargement reduces the chances of constructing a pan-European state, but it will put the EU under extra pressure to offer citizens meaningful forms of democratic participation. For all the changes that the entrance of postcommunist states will bring to the Union-and for all the democratic challenges in particular-the benefits of enlargement for Europe as a whole will clearly exceed the costs.



Section C) Regional integration processes

Subsection 6. The European unification process

Achille Albonetti

Ciampi, l'Europa, l'Italia e i 6 paesi fondatori

in Affari Esteri, Anno XXXVI, n. 141, 8-20

"AFFARI ESTERI", N. 141, pp. 8-20

ACHILLE ALBONETTI

CIAMPI, L'EUROPA, L'ITALIA E I SEI PAESI FONDATORI

Lettera dell'Autore al Presidente della Repubblica, Carlo Azeglio Ciampi, (7 gennaio 2004)

Appunto n. 1 dell'Autore in data 29 gennaio 2004

Appunto n. 2 dell'Autore in data 10 febbraio 2004

Quasi intuisse il fallimento del Vertice europeo di Bruxelles - ad un anno di distanza dal messaggio inviato ai sei Paesi fondatori per sollecitare la conclusione, entro il 2003 della Conferenza Intergovernativa, incaricata di approvare il nuovo Trattato Costituzionale dell'Unione Europea - il Presidente della Repubblica, Carlo Azeglio Ciampi, il 19 novembre 2003, si è nuovamente rivolto ai Presidenti di Germania e di Francia ed ai Sovrani del Belgio, del Lussemburgo e dei Paesi Bassi, con un appello per rendere possibile, nel 2003, l'approvazione del Trattato (1).

Già nel settembre 2003, il Presidente della Repubblica si era indirizzato anche ai Capi di Stato dei nuovi dieci Paesi di adesione con un richiamo alla saldezza dello spirito unitario, che anima l'integrazione europea e induce al compimento del progetto di riforma istituzionale (2).

Sottolineando la realizzazione, nell'esito della Convenzione, di un sapiente equilibrio fra le differenziate esigenze di tutti gli Stati membri, grandi, medi e piccoli, il nuovo messaggio del Presidente della Repubblica mette in luce il comune interesse europeo a che la Conferenza Intergovernativa

consolidi i risultati di significato storico raggiunti dalla Convenzione, approvando un Trattato Costituzionale, che dia fondamento ad un'Europa unita e autorevole sulla scena internazionale, evitando compromessi al ribasso(3).

La collaborazione dei Paesi fondatori - ricorda il Presidente Ciampi nella comunicazione del 19 novembre 2003 ai Capi di Stato di quei Paesi - è sempre stata l'anima del progetto di unificazione e ne ha determinato gli avanzamenti cruciali. E indispensabile, oggi, per assicurare all'Unione Europea la coesione necessaria a dotarsi dell'assetto istituzionale, da cui dipende il successo dell'Europa come soggetto di pieno diritto della politica mondiale.

La lettera del Capo dello Stato si sofferma sulla necessità di cogliere tempestivamente l'occasione offerta dall'esistenza del progetto di Trattato Costituzionale, messo a punto dalla Convenzione Europea, per realizzare la presenza, tante volte invocata in passato, di un'Europa più autorevole ed efficace sulla scena internazionale, soprattutto a fronte delle gravi sfide incombenti.

Coesione e senso di responsabilità - così il Presidente della Repubblica nel suo messaggio - sono stati essenziali nei momenti decisivi dell'integrazione: dal mercato unico, all'abolizione integrale delle frontiere, all'introduzione dell'Euro. Non possiamo farne a meno oggi, quando l'Unione Europea è chiamata a darsi un assetto istituzionale, che le consentirà di esercitare, in maniera adeguata, le responsabilità che le competono anche in campo internazionale ed



avendo, inoltre, ampliato il numero dei suoi Stati membri(4).

Il Presidente Ciampi esprime, altresì, l'opinione che la nuova architettura istituzionale dovrà essere messa a punto insieme all'allargamento dell'Unione Europea, nel maggio 2004, ai dieci nuovi Stati membri e prima delle elezioni europee di giugno.

Abbiamo una particolare responsabilità nell'assicurare l'adozione della Costituzione, che consentirà all'Unione Europea di diventare un soggetto politico di pieno diritto. Ci sostiene la volontà di rispondere alle attese dei nostri cittadini.

Il nuovo messaggio del Presidente della Repubblica ai Capi di Stato dei Paesi fondatori ricorda, infine, come sia impensabile che la volontà di unificazione europea rallenti. Essa deve poter procedere, come per il passato, anche attraverso nuclei d'avanguardia, anticipatori di una necessaria e sempre più compiuta integrazione(5).

Alla vigilia della Conferenza Intergovernativa di Bruxelles del 12 e 13 dicembre 2003, Carlo Azeglio Ciampi ha sollecitato nuovamente l'Unione Europea, in un articolo sul quotidiano tedesco "Frankfurter Allgemeine Zeitung", a concludere positivamente i negoziati per il Trattato Costituzionale, essendo ormai giunto «il momento di creare un'Europa politica»(6).

Ciampi in questo suo ulteriore appello si è dichiarato

convinto che l'Europa debba tornare a far vibrare la propria anima, dar forza ai propri valori e ideali, recuperare speranza e una visione ambiziosa, la sola che in tutti i momenti decisivi e difficili ha fatto avanzare la causa dell'integrazione.

Nell'articolo sull'autorevole quotidiano tedesco, Ciampi aggiungeva che

la Germania e l'Italia sanno che l'Unione andrà avanti comunque se necessario anche attraverso nuclei aperti di avanguardie di Paesi che continueranno ad anticipare un'integrazione europea sempre più profonda ed efficace.

Infine con parole non si prestano ad equivoci affermava:

Per i nostri due Paesi, come gli altri Fondatori, sono impensabili rallentamenti e battute d'arresto nella nostra vocazione unitaria. Occorre consolidare la sovranità condivisa, a costo di procedere con nuclei aperti di avanguardie(7).

Il Presidente della Repubblica Ciampi ha ribadito sua posizione in occasione cerimonia al Quirinale lo scambio auguri corpo diplomatico 19 dicembre 2003.

Il mancato completamento dell'Accordo per la Costituzione europea alla Conferenza Intergovernativa di Bruxelles - ha ricordato il Presidente Ciampi - è una battuta di arresto, cui occorre porre riparo con rapidità(8).

Le crisi si sono trasformate in successi, grazie alla fortissima volontà politica, che ha sempre caratterizzato il movimento per l'unità dell'Europa. Se ne sono fatte spesso interpreti avanguardie aperte, animate da autentico slancio ideale e attivate da quel nucleo di Paesi fondatori, che ha sempre sorretto l'unificazione nei momenti critici.

Indirettamente, Ciampi si è riferito al ruolo dei sei Paesi della Comunità Europea, ma anche al gruppo di Paesi che ha dato vita alla moneta unica, l'Euro.

Se non si porrà riparo con rapidità all'attuale mancanza di intesa, ha concluso il Presidente della Repubblica, «si rischia che l'Unione Europea allargata cominci ad operare senza un'adeguata impalcatura istituzionale» e che alle elezioni di



giugno 2004 «i cittadini dell'Unione non possano pronunciarsi su un definitivo Trattato Costituzionale»(9).

Sono questi i più recenti ed autorevoli interventi del Capo dello Stato, che numerose volte negli scorsi anni si è battuto in favore dell'Europa unita.

Un'Europa a due velocità?

Contemporaneamente, tuttavia, il Presidente del Consiglio Silvio Berlusconi, prima, durante e dopo il fallimento di Bruxelles, ha dichiarato che «non si può immaginare un'Europa a due velocità».

E il Presidente della Commissione Europea Romano Prodi, sul no dell'Italia alla possibilità che l'Unione Europea possa ritrovare lo spirito dei padri Fondatori attraverso le cooperazioni rafforzate, la cosiddetta Europa a due velocità, ha dichiarato: «l'unica risposta negativa, che ho sentito venire dai Paesi fondatori, è stata quella dell'Italia. Ne prendo atto» (10).

Le divergenze si sono accentuate il 16 dicembre 2003, in occasione del discorso di Berlusconi al Parlamento Europeo, con il quale si è conclusa la Presidenza semestrale italiana del Consiglio. «Non ci può essere un'Europa di serie A e una di serie B», ha dichiarato Berlusconi. «Ma non si può mandare nemmeno tutta l'Europa in serie B», ha risposto Prodi (11).

Berlusconi ha ribadito la sua posizione dopo la cerimonia degli auguri natalizi al Quirinale il 19 dicembre 2003, malgrado il Presidente della Repubblica avesse richiamato la continuità europeistica dei Governi italiani degli ultimi cinquant'anni. «A Bruxelles si stava andando incontro ad un'Europa federale. Per questo non ho fatto forzature», ha dichiarato Berlusconi. Ed ha aggiunto, a proposito dell'Europa a due velocità ipotizzata da Ciampi: «Ho doverosamente affermato che non sarebbe stata la strada giusta. Non era il momento. Abbiamo appena aperto a dieci Paesi e già li mettiamo in serie B?».

Il Presidente del Consiglio, durante la conferenza stampa del 20 dicembre 2003, ha criticato l'Euro, pur ricoprendo ancora la carica di Presidente del Consiglio europeo, ed ha rilevato che la moneta comune ha numerosi effetti negativi per l'economia e i consumatori. Ha anche aggiunto che Paesi come l'Inghilterra, che si sono astenuti dall'adottare l'Euro, hanno registrato risultati economici molto favorevoli(12).

Questi rilievi hanno provocato un duro commento del Presidente della Commissione europea Prodi: «E ora che la finiamo con queste menzogne». L'inflazione italiana ha una sola causa: la mancanza di controlli da parte del Governo italiano. «La sorveglianza è mancata in Italia, ma non in Francia e Germania»(13).

Il Ministro degli Esteri Franco Frattini si è espresso in maniera più sfumata di Berlusconi ed ha dichiarato in due ampie interviste:

Il ruolo dei Paesi fondatori è un tema centrale per l'Unione Europea e in questa chiave ho condiviso appieno l'appello del Presidente della Repubblica.

I Paesi fondatori hanno un compito politico da svolgere, anche se diverso rispetto al passato. Inizialmente sono stati veri e propri pionieri dell'Europa. Oggi, debbono svolgere il compito di promuovere iniziative, che si possano tradurre in azioni condivise da tutti i Paesi membri(14).

Per rendersi conto delle difficoltà da superare, segnaliamo che Bertie Ahern, Primo Ministro dell'Irlanda e Presidente del Consiglio europeo a partire dal 1° gennaio 2004, in un'intervista a "Le Monde", dopo il fallimento di Bruxelles, ha dichiarato che «l'Europa a due velocità non è l'Unione Europea» e che «Dublino privilegerà la solidarietà tra i venticinque Paesi e si opporrà alla creazione di noccioli duri»(15).

E su questo tema - Paesi fondatori, pionieri, Europa a due velocità, nuclei aperti di avanguardie, noccioli duri, cooperazioni rafforzate, cooperazioni strutturate - si è acceso un dibattito, al quale hanno partecipato uomini politici ed esperti(16).



Un Direttorio europeo tra Francia, Germania e Regno Unito?

La mancata intesa sul Trattato Costituzionale è particolarmente pericolosa per l'Italia, nel momento in cui si profila un Direttorio tra la Francia, la Germania e il Regno Unito.

La quarantennale e stretta collaborazione tra la Francia e la Germania si è rafforzata negli scorsi anni. Ad essa si è aggiunto sorprendentemente il Regno Unito, malgrado la mancata adesione all'Euro e le profonde divergenze con Parigi e Berlino sull'intervento in Iraq.

Il cruciale settore della difesa è quello in cui si è recentemente manifestata tale intesa triangolare, nonostante la Germania non sia un membro permanente del Consiglio di Sicurezza delle Nazioni Unite e non sia uno Stato militarmente nucleare, come la Francia e il Regno Unito(17).

L'avvicinamento graduale tra la Francia e il Regno Unito si è avuto a partire dall'incontro tra Jacques Chirac e Tony Blair a St. Malo nel dicembre 1998.

In quella occasione, è stata avviata una particolare collaborazione nell'importante settore della Difesa, che si è estesa al settore nucleare militare, malgrado i deterrenti di questi due Paesi abbiano caratteristiche differenti. Quello del Regno Unito è dipendente dagli Stati Uniti e quello della Francia è, in gran parte, autonomo.

La nuova intesa tra Londra e Parigi è provata, tra l'altro, dalla decisione, annunciata al Vertice franco-britannico di Le Touquet, il 4 febbraio 2003, di avviare la progettazione e la costruzione in comune di due portaerei nucleari(18).

È stato, poi, il momento della Germania. Lo testimoniano autorevolmente i frequenti incontri a tre tra Chirac, Blair e Schröder a partire da giugno 2003, nonostante le recenti tensioni per le politiche divergenti nei riguardi della guerra in Iraq.

L'intesa triangolare ha portato ad un importante progetto comune nel settore della Politica estera e di sicurezza europea, che è stato adottato dal Consiglio Intergovernativo dei Ministri degli Esteri e della Difesa il 29 novembre 2003 e che ha facilitato anche l'istituzione di un'Agenzia Europea per gli Armamenti e di una cellula di pianificazione militare europea nel Quartier Generale della NATO a Bruxelles(19).

Contemporaneamente, si è appreso che la Francia, nei prossimi anni, chiuderà il gigantesco impianto di Eurodif per la produzione di uranio arricchito a Tricastin ed entrerà a far parte dell'impresa anglo-tedesca-olandese Urenco di Almelo. La nuova società anglo-franco-tedesco-olandese costruirà in Francia un altro impianto, del costo di ben tre miliardi di Euro (circa sei mila miliardi di lire) e con tecnologia Urenco, a Tricastin, dove già lavorano decine di tecnici. La Francia ha, inoltre, annunciato nuovi importanti sviluppi della tecnologia nucleare militare e la creazione di un Quartier Generale nucleare al centro del Paese(20).

E anche significativa la missione dei Ministri degli Esteri della Francia Dominique de Villepin, della Germania Joscha Fischer e del Regno Unito Jack Straw a Teheran per convincere l'Iran ad accettare nuovi controlli nucleari da parte dell'Agenzia Internazionale per l'Energia Atomica dell'ONU a Vienna.

Nel corso del Vertice europeo di Bruxelles del 12 e 13 dicembre 2003, più volte il Presidente francese Chirac ha sollecitato un'iniziativa, perché un nucleo d'avanguardia proceda nell'integrazione, come avvenuto per l'Euro, per il Trattato di Schengen e per altre intese, ove non è stato raggiunto il consenso unanime. Ed a questa iniziativa non è escluso si unisca la Germania e, forse, anche il Regno Unito.

Un nuovo appuntamento tra Blair, Chirac e Schröder è previsto per l'inizio del 2004(21).

L'energia nucleare e la politica estera

Come ci ha insegnato in Italia Roberto Gaja - per numerosi anni Direttore Generale per gli Affari Politici, Segretario Generale del Ministero degli Affari Esteri, Ambasciatore d'Italia a Washington e, poi, Direttore di questa Rivista - è difficile valutare la politica internazionale degli scorsi cinquanta anni o la politica estera di un Paese, anche se non



nucleare come l'Italia, se non si tiene presente il fattore nucleare e quello missilistico strettamente collegato(22). L'energia nucleare, in particolare quella con implicazioni militari - cioè quasi tutta - è un elemento aggregante o dirimpente della politica estera contemporanea. Ne abbiamo avuto recenti esempi nei rapporti tra gli Stati Uniti e l'Iran, la Corea del Nord e la Libia.

Vorremmo, poi, ricordare le vicende del bipolarismo Stati Uniti-URSS ed anche, negli scorsi quindici anni, quelle del bipolarismo 'zoppo' tra gli Stati Uniti e la Russia. Altri esempi classici sono i rapporti Cina e URSS e, ora, Cina e Russia. Debbono anche essere esaminate sotto il profilo nucleare le relazioni politiche tra Stati Uniti e Regno Unito, Stati Uniti e Francia, Regno Unito e Francia, Francia e Italia, Regno Unito e Italia, Francia e Germania, Regno Unito e Germania. Non a caso sono membri del Consiglio di Sicurezza delle Nazioni Unite cinque Stati militarmente nucleari, per di più legittimati dal Trattato contro la proliferazione nucleare (TNP).

Gli accordi nel settore nucleare militare - settore particolarmente sensibile - sono cemento e pegno di intese politiche ben più ampie. È lecito domandarsi se l'embrione di Direttorio europeo tra la Francia, la Germania ed il Regno Unito ha queste caratteristiche.

Nelle relazioni internazionali tutto è legato, non avviene a caso, ed ha implicazioni ben più ampie. Il Regno Unito è riuscito, infatti, a convincere, negli scorsi mesi, gli Stati Uniti a non opporsi ad una Politica estera e di difesa comune dell'Unione Europea, compresa l'istituzione di un embrione di Quartier Generale europeo accanto alla NATO a Bruxelles.

Questo era l'obiettivo fissato dalla Francia, dalla Germania e dal Benelux nel Vertice di Bruxelles del 29 aprile 2003, al quale non ha ritenuto opportuno partecipare l'Italia.

Contemporaneamente, si sta discutendo di un accresciuto impegno della NATO in Afghanistan e, forse, anche in Iraq(23).

Occorre ora riflettere sulla politica europea del nostro Paese e sulle occasioni perdute e che si possono perdere, se non si rimedia al più presto. Rinunciare al ruolo di 'fondatori' può avere gravi conseguenze.

L'Italia e la politica di unità europea

L'Italia ha aderito entusiasticamente a tutte le principali imprese europee: il Consiglio d'Europa e l'OECE nel 1948, la CECA nel 1950. Dopo il fallimento, nel 1954, della CED e della CPE, ha promosso, nel 1955, il rilancio europeo a Messina. E questo ha portato alla firma dei Trattati di Roma nel marzo 1957, cioè alla Comunità Economica Europea e all'Euratom.

L'Italia ha approvato, alla fine degli anni '70, il Sistema Monetario Europeo, nel 1985 l'Atto Unico Europeo e, poi, i Trattati di Maastricht (1992), di Amsterdam (1996) e di Nizza (2000). Fa parte dei Paesi, che hanno aderito all'Euro. Nel delicato settore nucleare militare, l'Italia è stata artefice, con la Francia e la Germania, di un progetto per una capacità militare nucleare già nel 1957. Ha aderito, nel 1969, al TNP, con dodici clausole condizionanti, tra cui la clausola europea(24).

La Francia ha sempre avuto per l'Italia, anche nel settore più sensibile, quello nucleare militare, una particolare attenzione, che non ha avuto per decenni per la Germania.

Non a caso, la Francia ha appoggiato, negli anni sessanta, l'iniziativa dell'Italia per la costruzione di una nave nucleare per la nostra Marina Militare, con la messa a disposizione di mille chilogrammi di uranio arricchito per l'organo propulsore. Poi, non si è fatto nulla per il veto degli Stati Uniti.

La Francia, negli anni settanta, ha associato l'Italia - ma non la Germania - nell'impianto Eurodif di Tricastin per la produzione di uranio arricchito e ne ha sollecitato la partecipazione a quello di Pierrelatte negli anni cinquanta. Ha offerto anche la sua disponibilità alla costruzione di sommergibili nucleari d'attacco, consentiti dal TNP(25).

Il Regno Unito non ha avuto nei confronti dell'Italia e dell'Europa un tale atteggiamento. Ha osteggiato per molti anni le Comunità europee e ha organizzato un'Associazione di Paesi per contrastarle: la European Free Trade Association



(EFTA). Dopo il successo della Comunità Europea, è entrato a farne parte, ma non ha, tuttavia, aderito all'Euro, forse l'iniziativa più pregnante.

L' Italia - come accennato - pur essendo un Paese fondatore, non ha partecipato, il 29 aprile 2003, al Vertice di Bruxelles tra i Capi di Stato e di Governo della Francia, della Germania, del Belgio e del Lussemburgo per intensificare la collaborazione nel settore della Politica estera e di difesa. Non lo ha fatto, forse, per non turbare i rapporti con il Regno Unito, ed anche con gli Stati Uniti, proprio nel colmo della crisi per la guerra in Iraq.

Poi, Londra ha scavalcato l'Italia, pur non essendo un Paese fondatore, ed ha presentato con Parigi e Berlino un'importante proposta di Politica estera e di difesa europea, che riprende sostanzialmente quanto elaborato a Bruxelles(26) e che è stata approvata dal Consiglio europeo il 29 novembre e il 12 dicembre 2003 (27).

Sarebbe grave se, ora, il Regno Unito prendesse il posto dell'Italia e, con la Francia e la Germania, costituisse un Direttorio europeo, per giunta nel settore più importante: quello della politica estera e della difesa, inclusa la difesa nucleare.

Il compito dell'Italia

Il fallimento della Conferenza Intergovernativa di Bruxelles non può essere l'atto finale della costruzione europea.

L'impresa europea è costellata di difficoltà e crisi, che sono state sempre superate. Occorre, pertanto, avviare, al più presto, un'iniziativa per procedere.

La politica di unità europea è, ora e da alcuni decenni, l'unica politica originale, valida e senza alternative per arrestare il declino dell'Europa(28).

Il compito dell'Italia e degli altri cinque Paesi fondatori come ha sottolineato a più riprese il Presidente della Repubblica Carlo Azeglio Ciampi - è sempre stato ed è tuttora cruciale. Il Governo italiano non può far mancare in questo delicato passaggio il suo contributo.

Avviare, al più presto, nuovi contatti con gli altri cinque Paesi fondatori è essenziale per riprendere il cammino dell'integrazione europea, facendo approvare, innanzitutto, il Trattato Costituzionale e non escludendo altre iniziative. Questa politica potrà anche scongiurare il consolidamento del Direttorio, che sta delineandosi, tra la Francia, la Germania e il Regno Unito.

È difficile credere che la costruzione europea possa crescere, consolidarsi e svolgere il suo compito fondamentale - quello, cioè, di dare un contributo all'equilibrio internazionale e alla pace, proporzionato alle sue risorse istituzionali, politiche ed economiche - limitandosi all'integrazione economica.

Di fronte all'allargamento, l'Unione Europea a venticinque e più Paesi e lo stesso Euro rischiano di disintegrarsi o, al massimo, di ridursi ad una fragile zona di libero scambio, con scarso significato politico.

È essenziale e urgente, pertanto, che un gruppo ristretto prenda l'iniziativa e, almeno in una prima fase, proceda più speditamente. Questo è stato - per oltre cinquant'anni e con una continuità esemplare - il ruolo primario e storico dei sei Paesi cosiddetti Fondatori, tra i quali l'Italia.

L'alternativa all'unità dell'Europa è il declino, l'irrelevanza e una pericolosa sudditanza. L'Iraq conferma e insegna.

Achille Albonetti

Note

(1) Cfr. Carlo Azeglio Ciampi, L'Europa e il compito dei Sei fondatori, "Affari Esteri", n. 141, gennaio 2004. Testo integrale della lettera-appello.

(2) Questa rivista, quasi sempre, ha pubblicato i testi integrali dei più importanti interventi del Presidente della Repubblica Carlo Azeglio Ciampi in favore dell'unità dell'Europa.



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(10) Cfr. Giuseppe Sarcina, Prodi critica l'Italia sul no ai pionieri Ue, "Corriere della Sera", 15 dicembre 2003. Enrico Singer, Europa, avanti a due velocità. L'ipotesi non piace a Berlusconi. Prodi dissente, "La Stampa", 15 dicembre 2003.

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APPUNTO N. 1 DI ACHILLE ALBONETTI
(Roma, 29 gennaio 2004)

Il Direttorio tra la Francia, la Germania e il Regno Unito

1. - Il Direttorio tra la Francia, la Germania ed il Regno Unito ha conseguenze particolarmente importanti per l'Europa e per l'Italia.

2. - Si tratta di una svolta epocale. Innanzitutto, da parte degli Stati Uniti. Bush è stato convinto da Blair a non opporsi ad un accordo con la Francia e la Germania nel cruciale settore della difesa, ivi compreso il pregnante settore nucleare.

Questo è un mutamento radicale della politica statunitense ed inglese verso l'Europa.

3. - Le conseguenze sull'Europa sono particolarmente importanti. L'Unione Europea, il cui significato politico era già ridotto – è sufficiente ricordare la guerra in Iraq – vede ulteriormente compromesso il suo ruolo.

Il Consiglio, la Commissione e le altre istituzioni dell'Unione Europea, tanto più dopo l'ingresso di altri dieci Stati, avranno nuove difficoltà a svolgere un compito unitario, autonomo ed efficace.

Il Trattato costituzionale, anche se approvato, non muterà la situazione.

4. - Per l'Italia, la costituzione del Direttorio tra la Francia, la Germania ed il Regno Unito rappresenta uno scacco particolarmente pesante.

Per la prima volta, in cinquanta anni di storia europea, l'Italia è esclusa da una iniziativa, che può avere grandissima rilevanza politica, militare, economica e tecnologica.

5. - L'esclusione dell'Italia è particolarmente grave, perché l'Italia, con la Francia e la Germania, è uno dei sei Paesi fondatori dell'Europa. Ha, inoltre, caratteristiche politiche, istituzionali, economiche e tecnologiche simili ai Tre componenti il Direttorio. Lo stesso dicasi per la popolazione ed il reddito nazionale.

La posizione geopolitica dell'Italia, al centro del Mediterraneo, costituisce un ulteriore elemento positivo.

6. - Non tutto, però, è compromesso. La Francia, unico Paese Mediterraneo dei Tre – e forse anche la Germania – potrebbero appoggiare la nostra iniziativa per entrare a far parte del Direttorio.

7. - Kissinger, nei suoi scritti degli anni Sessanta, proponeva che l'Alleanza Atlantica, per poter meglio svolgere il suo ruolo, avesse un Consiglio ristretto, composto dagli Stati Uniti, il Regno Unito, la Francia, la Germania ed anche l'Italia. Era, poi, previsto un membro rotante, proveniente dagli altri Paesi.

La Francia e la Germania, fin dal gennaio 1963, chiesero all'Italia di sottoscrivere il Trattato dell'Eliseo.

8. - Occorre agire subito. Credere che i 15 o i 25 Stati dell'Unione Europea possano opporsi al Direttorio mi sembra vano.



9. - Mi riservo di indicare, in un'altra nota, quali potrebbero essere le iniziative, perché l'Italia sia associata al Direttorio dei Tre.

APPUNTO N. 2 DI ACHILLE ALBONETTI
(Roma, 10 febbraio 2004)

Il Direttorio tra la Francia, la Germania e il Regno Unito
Cosa fare?

1. - Il Direttorio tra la Francia, la Germania e il Regno Unito esige alcune riflessioni e proposte.
2. - L'intesa a Tre rappresenta una profonda evoluzione della politica inglese e americana verso l'Europa, ed, in particolare, verso la politica europea di Difesa.
Si tratta di un cambiamento fondamentale, che potrebbe avere ripercussioni positive sull'Alleanza Atlantica e sull'unità dell'Europa.
3. - L'assenza dell'Italia è un fatto storicamente grave. Occorre fare il possibile per rapidamente pervi rimedio.
4. - Il Trattato Costituzionale deve essere approvato al più presto e, possibilmente, prima dell'adesione dei Dieci nuovi Stati all'Unione Europea.
Il Presidente della Repubblica Carlo Azeglio Ciampi e il Governo italiano saggiamente stanno operando a tal fine. Ma l'unità politica e di difesa dell'Europa difficilmente scaturirà dall'Unione Europea a 25.
5. - È illusorio ritenere che il Direttorio a Tre sia una iniziativa passeggera e destinata ad incrinarsi presto, date le divergenze tra i suoi componenti.
6. - Una politica di attesa, che si basi sulla dissolvenza del Direttorio, ci sembra, pertanto, pericolosa e vana.
7. - Ugualmente vano riteniamo sia contare sul fatto che il Direttorio prenderà e riverserà le sue decisioni a beneficio dell'Unione Europea.
Questo può avvenire. Ma non è automatico.
8. - La politica di intesa tra i sei Paesi Fondatori è, purtroppo, in gran parte superata, ora che la Gran Bretagna si è unita alla Francia e alla Germania.
9. - Contrastare il Direttorio a Tre organizzando altre coalizioni, ad esempio con la Spagna e la Polonia, o con gli altri membri dell'Unione Europea, ci sembra controproducente e inefficace.
Ovviamente, in seno all'Unione Europea dovremo cercare tutte le alleanze utili a sostenere la nostra politica.
10. - A breve termine e tatticamente, dovremmo appoggiare la candidatura della Spagna alla Presidenza della Commissione dell'Unione Europea.
- 11 - Al fine di facilitare l'adesione dell'Italia al Direttorio dei Tre, ci sembrano opportune – a titolo esemplificativo –



alcune delle seguenti iniziative, da avviare anche contemporaneamente:

a) illustrare agli Stati Uniti la necessità che l'Italia faccia parte del Direttorio.

L'Italia è al centro del Mediterraneo ed è un membro importante dell'Alleanza Atlantica. Ospita rilevanti basi militari americane (Napoli, Aviano, La Maddalena, ecc.);

b) chiedere alla Francia (ma anche alla Germania e al Regno Unito) di appoggiare la nostra candidatura a far parte del Direttorio.

La Francia ha quasi sempre avuto, negli scorsi cinquanta anni, una politica di grande intesa e collaborazione con l'Italia, anche nei settori più delicati, come quello nucleare. E questo settore caratterizza il Direttorio a Tre;

c) perseguire una politica economica, finanziaria e sociale coerente ed ispirata ai dettati dell'Unione Europea;

d) dare maggiore attenzione ai problemi e al bilancio della Difesa;

e) contemporaneamente, dovremmo adottare una serie di iniziative per dimostrare il nostro impegno, soprattutto nel settore della Difesa, ove il Direttorio, probabilmente, avrà una caratteristica originale e pregnante.

- Dovranno, pertanto, essere avviati o conclusi accordi tecnologici importanti con la Francia, la Germania e il Regno Unito.

- Dovremmo mantenere la presenza italiana nell'impresa europea Eurodif, alla quale ora si sono associati il Regno Unito e la Germania.

- Dovremmo rientrare nel Consorzio europeo per l'aereo da trasporto A 400.

- Al fine di sottolineare la nostra volontà europea nei settori sensibili, dovremmo proporre la costituzione di Gruppi di lavoro tra la Francia, la Germania, il Regno Unito e l'Italia:

- per la costruzione di un aereo europeo, successore dell'Eurofighter;
- per la costruzione di un carro armato europeo, successore del carro armato francese, tedesco, inglese e italiano;
- per la costruzione di una flottiglia europea di sottomarini nucleari d'attacco, consentiti anche dal Trattato di non Proliferazione Nucleare;
- per la razionalizzazione di ogni settore, ove esistono duplicazioni e spreco di risorse.

12. - Non è sicuro, pur assumendo con coerenza le iniziative elencate ed altre ritenute opportune, che l'Italia riuscirà a far parte del Direttorio con la Francia, la Germania e il Regno Unito. Ma non vediamo l'efficacia delle politiche alternative.



Section C) Regional integration processes

Subsection 6. The European unification process

Ackers Louise

Citizenship, migration and the valuation of care in the European Union
in *Journal of Ethnic and Migration Studies*, Vol. 30 n. 2

This paper examines the relationship between care and mobility. It does so within the specific context of intra-EU migration and the development of European citizenship. Citizenship of the Union bestows valuable social rights on mobile community nationals. Entitlement under the provisions is not, however, universal but conditional and privileges those in paid work. The paper considers the implications of this emphasis on paid work in two related respects: firstly, the impact on those people who move as part of the 'male breadwinning family' but are not engaged in paid work (the partners and families of workers); and secondly those community citizens whose migration decisions are shaped by the need to provide unpaid care to family members. Drawing on empirical research with migrant families, the paper concludes that the concept of work in Community law places those people who are not engaged in paid work (and family carers in particular) in a highly vulnerable and dependent position. Furthermore, the assumption of fixed and predictable dependency relationships within migrant families that underpins the law (and to some degree migration theory) fails to take account of the fluid and complex nature of dependency and caring relationships over the life-course.

Section C) Regional integration processes

Subsection 6. The European unification process

Piccione D.

Cittadinanza e legittimazione del processo costituente europeo
in *Nuovi studi politici*, n. 3-4 , 169-184

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Francesc Morata

Come migliorare la governance democratica europea con le Regioni
in *Istituzioni del federalismo*, n. 1 , 23 - 42

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dumoulin Andre

Comment se porte la Politique européenne de sécurité et de defense



in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 479, juin , pp. 367-374

What is the situation concerning the European Security and Defence policy?

Today, international organizations possessing competence in the security and defence field find themselves sailing into uncharted waters and are sometimes engaged in a competitive struggle in the theological field despite their obvious and necessary complementary nature. The European Union, which is developing a European Security and Defence Policy (ESDP) in a determined yet modest manner, is itself torn between the emerging concepts of heightened cooperation, structured cooperation and leading or pilot groups wishing to go faster and further, perhaps outside the scope of the Union. All of this is taking place against the backdrop of highly important questions being raised concerning the future of the European Union and its draft constitutional treaty, which is likely to be somewhat modified by the intergovernmental conference. For its part, the military aspect is highly flexible with tailored commitments and the principle of "framework nations" as shown by European intervention in Ituria (DRC) and in Macedonia.

Section C) Regional integration processes

Subsection 6. The European unification process

Sørensen Peter Birch

Company Tax Reform in the European Union

in *International Tax and Public Finance*, vol. 11, no 1 , 91 - 115

The European Commission recently proposed to move towards a consolidated tax base for European multinational companies, to be allocated across EU member states through a system of formula apportionment. This paper argues that while the Commission's blueprints for company tax reform may reduce existing problems of transfer pricing, they will also create new distortions as long as existing tax rate differentials are maintained. The paper also investigates the changes in international tax spillovers which will occur as a result of a switch from the current system of separate accounting to formula apportionment. The final part of the paper discusses whether more conventional corporate tax harmonization should still be a long term policy goal for the EU and presents quantitative estimates of the efficiency gains from harmonization.

Section C) Regional integration processes

Subsection 6. The European unification process

Craig P.

Competence: Clarity, Containment and Consideration

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 143-170

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Patrick Leblond

Completing the Maastricht Contract: Institutional Handicraft and the Transition to European Monetary Union

in *Journal of Common Market Studies*, Vol. 42, Issue 3, September , 553-572



When the Maastricht Treaty on European Union was finally ratified in 1993, many EU observers and participants expressed serious doubts that economic and monetary union (EMU) would ever take place. Nevertheless, five years later EMU took flight, on 1 January 1999, as planned. It is this puzzle that this article seeks to explain. It does so by focusing on how EU institutions completed the incomplete contract agreed by the Member States at Maastricht.

Section C) Regional integration processes

Subsection 6. The European unification process

Beck Ulrich

Comprendre l'Europe telle qu'elle est

in **Debat (Le)**, N° 129 mars-avril 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Rupnik Jacques

Concluding Reflections

in **Journal of Democracy**, Volume 15, Number 1, January , pp. 77-81

The enlargement of the European Union will contribute to democratic consolidation and stability in Europe's eastern half. But Europe is now hesitating between two visions of its future that reflect two opposite fears. One is the fear of the EU's founding countries that enlargement will lead to a "Europe without borders" that will empty the European project of its content. The other is the fear of candidate countries that the formation of a "core Europe" will drain enlargement of its substance. To prevent the promise of a reunited Europe from dissolving into disillusionment, it is high time to begin dissipating the mutual misunderstandings that hedge about the question of enlargement.

Section C) Regional integration processes

Subsection 6. The European unification process

Pehe Jiri

Consolidating Free Government in the New EU

in **Journal of Democracy**, Volume 15, Number 1, January , pp. 36-47

The European Union has played a crucial role in the process of democratic consolidation in new democracies in Eastern Europe. The promise of membership has encouraged political moderation. Efforts to meet the EU's membership criteria have significantly accelerated the modernization of institutions, the introduction of the rule of law, and the building of a transparent market economy. Even debates in candidate countries about the EU's "democratic deficit" have been helpful with regard to understanding democracy. However, the EU's role notwithstanding, internalizing democratic values values will take some time in societies deeply marked by decades of communist rule.



Section C) Regional integration processes

Subsection 6. The European unification process

James Bohman

Constitution Making and Democratic Innovation

in *European Journal of Political Theory*, Vol. 3, n. 3, July , 315-317

The European Union stands before a constitutional moment. While some deny the need for a constitution and others want a familiar federal form, I argue that one of the main goals of the constitutional convention ought to be to make the European Union more democratic. The central question is: what sort of democracy is suggested by some of the more novel aspects of European integration? This question demands a normative standard by which to evaluate the realization of democracy in transnational polities. Along republican lines, the proper standard is nondomination. With this normative framework in mind, the problem that the constitution has to solve is juridification, or the possibility of legal domination where there is no unified sovereignty. The solution to this problem of legal domination requires that the constitution institute a reflexive legal order best realized in a deliberative federalism appropriate to a polycentric and diverse polity. Finally, the institutions of this federalism ought also to be characterized through their distinctive form of inquiry, which, borrowing from Gerald Ruggie, I call 'multiperspectival'. In a transnational polity with multiple demoi, such a democracy is best realized through dispersed and plural forms of authority and in a differentiated institutional structure anchored in a reflexive constitution.

Section C) Regional integration processes

Subsection 6. The European unification process

Panis Marc Olivier

Constitution européenne : Que veut dire la bataille du «non»?

in *Esprit*, n. 308, octobre 2004 , 6-15

The decision by former French Socialist prime minister Laurent Fabius to campaign against the proposed European constitutional treaty has set off a vast debate that may revolve around the wrong type of issue. What can we really expect from the treaty? Does it set in stone the future of the continent? Has it anything to do with the perceived lack of democracy in the EU institutional and operational framework? How can comprehensive EU policies regarding welfare and industrial relations be developed?

Section C) Regional integration processes

Subsection 6. The European unification process

Lucio Levi

Constitution or Directoire

in *Federalist Debate (The)*, Year XVII, n. 1, March

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Hoffmann Lars, Shaw Jo

Constitutionalism and federalism in the 'future of Europe' debate: the German dimension in German Politics, Volume 13, Number 4, December , pp. 625-644

This paper examines some of the constitutional aspects of the 'Future of Europe' reform process in the light of interactions between German and 'European' federalism. Many aspects of the traditions of German federalism and German post-war constitutionalism have been influential, if not to say formative, for the evolution of the EU. These aspects are set out as a frame for the paper, before more detailed analysis of the constitutional process and a particular focus on the division of competences. The constitutional outcome reveals clear German 'fingerprints', though that finding needs to be balanced by a recognition of the constitutional debate as multi-perspectival, involving all member states both separately and collectively.

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Piana Daniela

Constructing European Constitutional Discourse? Arguments for Common Values in the European Convention in South European Society & Politics, Volume 9, Number 1, Summer - special issue "Mobilizing Politics and Society? The EU Convention's Impact on Southern Europe" , pp. 24-40

No abstract available

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Diez Thomas

Constructing the Self and Changing Others: Reconsidering "Normative Power Europe" in Millennium: Journal of International Studies, n. 3, vol. 33, June , 613-636

ABSTRACT: The European Union (EU) is widely seen as a novel kind of actor in international politics. This has been captured succinctly by Ian Manner's term "normative power Europe". This article reviews the literature on the concept of normative power and relates it to the earlier literature on civilian power. It argues that these concepts of power should be seen as part of the same discourse; a discourse which is not confined to the EU, but includes the cases of other great powers, such as the United States. The example of the US leads to a problematisation of "normative power Europe" that does not focus on the discrepancy between rhetoric and concrete policies, or on the inconsistencies of EU policies, but on the political effects of the construction of the EU as a normative power; i.e., on the power of the "normative power Europe" discourse. With illustrations drawn from the Euro-Mediterranean Partnership, Turkey-EU relations and the sanctions against Austria, I argue that this discourse establishes a particular identity for the EU through turning third parties into "others" and representing the EU as a positive force in world politics. The article concludes with a call for more reflexivity in the representation of the EU as a normative power.



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Magnette Paul, Nicolaïdis Kalypso

Coping with the Lilliput Syndrom: Large vs. Small Member States in the European Convention
in *Politique européenne* , n 13, printemps 2004

Like all former treaty reforms, the Convention on the future of Europe ran into deep divisions between large and small states – read more or less populated states – when addressing institutional issues. This paper examines the causes of this cleavage and its impact on the process and outcome of the Convention. We argue that, despite the consensus proclaimed at its closing, the Convention partly failed to find a stable solution to this fundamental conflict of interest. As a result, the "politics of size" are likely to play an increasingly determining role in the Union.

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Mintz Jack

Corporate Tax Harmonization in Europe: It's All About Compliance
in *International Tax and Public Finance*, vol. 11, no 2 , 221 - 234

Although the hope may be to reduce economic distortions in capital markets, the primary focus of corporate tax consolidation among member states of a federation is to reduce compliance and administrative burdens. For example, the Canadian provinces have sufficient flexibility to determine their corporate tax policies, and effective tax rates on capital vary considerably by province, but they still have achieved a considerable degree of harmonization of tax bases. The European Union should also try to implement a consolidated tax base for companies. A compulsory base would be best, but it is likely that the optional consolidated tax base is most practical at this time

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Catelani Alessandro

Costituzione europea e prospettive future delle istituzioni comunitarie
in *Rassegna parlamentare*, n. 2/2004 - aprile-giugno , 455-475

No abstract available

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García Ricardo Alonso

Costituzione europea: un nuovo modello di giustizia costituzionale?
in *Quaderni Costituzionali*, numero : 4, dicembre , 874-8



Section C) Regional integration processes

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Umberto Allegretti

Costituzione italiana, Europa, globalizzazione

in *Democrazia e diritto*, Anno XLII, n. 2

No abstract available

Section C) Regional integration processes

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Robert Anne-Cécile

Coup d'Etat idéologique en Europe

in *Monde Diplomatique (Le)*, novembre 2004

Le 14 octobre 2004, l'Assemblée nationale française a discuté, sans vote, de l'adhésion de la Turquie à l'Union européenne. Ce débat surmédiatisé fait temporairement ? écran aux enjeux du « traité établissant une Constitution pour l'Europe ». Pourtant, ce traité érige le libéralisme économique en objectif suprême de l'Union. Ignorant la question sociale, il court-circuite le suffrage universel et vise à imposer une idéologie officielle.

Les juristes aiment les querelles de mots, surtout si elles durent et qu'elles sont incompréhensibles pour le commun des mortels. Ils les règlent souvent à coup d'obscurs adages latins, moins destinés à faire sens qu'à impressionner l'adversaire. N'espérons donc qu'eux qu'un secours limité pour interpréter cette bizarrerie politique et juridique qu'est le « traité établissant une Constitution pour l'Europe » signé le 18 juin 2004. En revanche, la science juridique pourra fournir d'utiles éclaircissements à l'appui de l'appréciation, nécessairement politique, du citoyen.

D'une portée exceptionnelle, le traité « constitutionnel » est un document hybride. En effet, les Constitutions sont des actes de droit « interne », national, et ne relèvent pas du droit international dont l'outil traditionnel est le traité. Une Constitution est l'acte solennel par lequel une communauté politique (un peuple ou une nation) définit ses valeurs et organise la production des règles juridiques, notamment les lois, auxquelles elle se soumet (1). La Constitution est ainsi une des manifestations concrètes de la démocratie. Parler de Constitution européenne signifierait donc que les 25 Etats membres de l'Union, et leurs peuples, se reconnaissent comme une communauté de destin fondée sur le suffrage universel. Tel n'est absolument pas le cas. L'autoproclamation d'une Constitution européenne, même par le subterfuge d'un traité international, masque donc une intention politique liée au contenu ultralibéral du texte lui-même. Eu égard au caractère fondateur d'une Constitution, imposer le mot sans la réalité, c'est vouloir imposer le libéralisme lui-même au mépris des règles démocratiques de base. C'est une sorte de coup d'Etat idéologique.

En cinquante ans d'existence, le système institutionnel européen s'est fortement compliqué sous l'effet de la superposition des traités et de leur mise en pratique. Il n'est pour autant pas nécessaire de



rédigé une Constitution pour clarifier les textes. Un traité classique peut tout à fait y parvenir : il agit d'améliorations de fond, pas de technique juridique (2). Napoléon n'estimait-il pas lui-même que les « Constitutions doivent être courtes et obscures »... Si le traité apporte d'utiles précisions juridiques, le recours au vocable constitutionnel revêt une autre signification.

La plupart des fédéralistes souhaitent la rédaction d'une Constitution européenne depuis le congrès de La Haye en 1948 (3). En effet, une Constitution fonde un Etat alors qu'un traité peut, tout au plus, créer une organisation internationale (les Nations unies, par exemple). Heurtant de front les souverainetés, cette idée a jamais abouti, et la Communauté comme l'Union européenne (4) sont demeurées des organisations internationales, malgré leur grande intégration. Mis à part sa forte charge symbolique, le traité « constitutionnel » ne saurait de toute façon satisfaire les fédéralistes.

Si plusieurs articles se réfèrent ouvertement à la « Constitution », abandonnant la référence au « traité » et si le texte contient, comme toutes les Constitutions, une charte des droits fondamentaux et précise le rôle des institutions de l'Union, il n'est cependant pas une Constitution. En premier lieu, bien que rédigé au nom « des citoyens et des Etats d'Europe », il demeure un pacte entre les Etats qui « attribuent » des compétences à l'Union (principe classique de droit international). La Constitution fédérale des Etats-Unis, elle, se présente comme un acte souverain du « peuple des Etats-Unis » (« We the people of the United States »), avec l'accord des peuples fédérés. Mais, surtout, le traité instaure un droit de retrait des Etats membres. Selon le professeur Luis-Maria Diez Picazo, de l'Institut de l'entreprise de Madrid, un tel droit est impensables dans une Constitution et il « validerait l'idée que les Etats membres sont maîtres des traités constitutifs (5) ». La sécession de certains Etats américains en 1861 aboutit ainsi inéluctablement à une guerre dont la fédération sortit vainqueur (6).

En outre, l'Union ne dispose pas des pouvoirs fédéraux traditionnels : la politique étrangère et la possibilité de faire la guerre demeurent entre les mains des Etats qui peuvent empêcher, par leur veto, une décision de l'Union ; les Etats conservent la possibilité de conclure des traités internationaux, sauf en matière commerciale. Seule exception : la monnaie unique, qui est une compétence fédérale type. Cependant, ce fédéralisme monétaire n'a pas de véritable contrepoids politique. Selon M. Dimitris N. Triantafyllou, membre du service juridique de la Commission européenne, le traité « constitutionnel » n'a fait « qu'effleurer la logique constitutionnelle, lui préférant la logique internationale (7) ».

Concurrence libre et totale

Dans sa forme et dans son contenu, le traité n'a donc que les apparences d'une Constitution. Néanmoins, affirmer comme l'ancien premier ministre Lionel Jospin que ce traité serait un simple « règlement intérieur (8) », sous-entendu peu contraignant, est faux. Il demeure un traité et, comme tout traité, il sera obligatoire et appliqué par l'ensemble des institutions européennes et nationales. La condamnation, au nom du pacte de stabilité budgétaire, de l'Allemagne et de la France par la Cour de Luxembourg le 13 juillet 2004, montre la « souplesse » des prétendus « règlements intérieurs ».

Par un « traité constitutionnel », les gouvernements espèrent gagner sur tous les tableaux en maintenant au moins en apparence leur pouvoir politique tout en imposant un choix idéologique : le traité contient des dispositions qu'on ne trouve pas d'ordinaire dans une Constitution. Au-delà de la définition classique des droits fondamentaux, il assigne à l'Union la poursuite de politiques de fond dont le but est l'instauration d'une « économie sociale de marché » où « la concurrence est libre et non faussée ». L'objet essentiel d'une Constitution étant d'organiser les « pouvoirs publics » tout en laissant les choix de fond au verdict



des électeurs, le recours à un « traité établissant une Constitution » revient à tenter de court-circuiter la souveraineté populaire pour imposer, par un acte solennel, les principes du libéralisme économique.

Progressivement, à l'usage, la référence au traité s'effacera au profit du terme Constitution. Il sera presque impossible de modifier un tel document dans une Europe à 25 Etats membres (voire plus ?). Président de la fondation Copernic, Yves Salesses met en garde : « La solennité de la démarche de la Convention, l'utilisation abusive du terme Constitution ne doivent pas être prises à la légère. (...) L'adoption de la Constitution se veut acte fondateur. (...) L'important n'est pas de peser au trébuchet les quelques avancées d'un côté, les quelques reculs de l'autre. Il s'agit de dire si nous voulons que ce texte soit le socle fondamental de l'Europe pour la période qui s'ouvre (9). »

On mesure l'étendue de la violence faite à la démocratie à la volonté d'imposer une Constitution par le biais d'un traité. L'adoption d'un traité international relève des procédures diplomatiques, intergouvernementales, classiques, et son approbation peut s'effectuer par un vote parlementaire sans recours au référendum. L'adoption d'une Constitution relève toujours de la souveraineté populaire, soit directement (tradition française du référendum notamment), soit par une procédure parlementaire plus contraignante qu'à l'ordinaire : élection d'une assemblée spéciale dénommée « constituante » ou réunion solennelle du parlement.

La Convention sur l'avenir de l'Europe fut parfois comparée à une assemblée constituante (10). Le modèle était bien sûr la Convention constitutionnelle de Philadelphie qui donna naissance, en 1787, à la Constitution des Etats-Unis. Si la convention présidée par M. Valéry Giscard d'Estaing représente un intéressant élargissement du processus de rédaction des traités au-delà des sphères diplomatiques, la comparaison avec une constituante est abusive à plus d'un titre. D'abord, une constituante est une émanation directe du peuple. Ce qu'on a appelé le « constitutionnalisme » est né avec la philosophie des Lumières pour lutter contre l'arbitraire des pouvoirs monarchiques. Par la rédaction d'une Constitution, le peuple contrôle ses dirigeants et protège ses libertés. Les deux premières Constitutions écrites sont celles des Etats-Unis d'Amérique (1787) et de la France (1791).

Le peuple ne peut être dépossédé de ce pouvoir que les juristes qualifient d'« originaire ». Si, au XVIII^e siècle, le suffrage universel était peu répandu, rien ne saurait justifier qu'on le tienne à l'écart aujourd'hui. Or la convention sur l'avenir de l'Europe n'avait qu'un lien lointain avec les populations. Elle était composée de membres nommés (président et vice-présidents désignés par le Conseil européen ; représentants des gouvernements), de membres de la Commission européenne et d'élus choisis par le Parlement européen et les parlements nationaux. Les dix pays candidats admis le 1^{er} mai 2004, ainsi que la Turquie, la Roumanie et la Bulgarie, furent invités à participer aux débats (39 représentants sur les 105 membres de la convention). Cette instance constituait donc un agrégat et non une assemblée représentative (11). In fine, la convention n'avait qu'un pouvoir de proposition, le pouvoir de décision revenant à une conférence intergouvernementale classique, qui avait la possibilité, dont elle fit un usage modéré, de modifier le texte proposé. Pour l'instant, seuls 11 pays ont annoncé la tenue d'un référendum pour la ratification du traité « constitutionnel » conclu « pour une durée illimitée ».

Pour entrer dans un véritable processus constituant, il faudrait que naisse un peuple européen se reconnaissant dans une communauté de destin. Un tel « vouloir vivre ensemble » semble encore loin, surtout dans l'Europe élargie. La notion d'intérêt général européen, telle qu'elle se dégage des traités et des discours des



gouvernants, se limite à des préoccupations marchandes et comptables. Ainsi, la charte des droits fondamentaux incluse dans le traité « constitutionnel » est moins exigeante que la charte sociale du Conseil de l'Europe adoptée en 1961. Et ce n'est pas avec des formules naïves telles que « l'Europe va devenir une grande famille » (conseil européen de Laeken) ou des pétitions de principe non suivies d'effets ; sur la contribution de l'Europe à la paix par exemple ; que s'affirmeront les valeurs fondatrices d'une nouvelle communauté démocratique.

Plusieurs juristes éminents estiment que l'Union européenne est une construction politique et juridique nouvelle qui implique de renoncer aux catégories traditionnelles du droit. Il faudrait, selon eux, faire preuve d'imagination et abandonner les « références mythiques » du constitutionnalisme des Lumières (12). Cependant, si l'ouverture d'esprit peut être considérée comme une qualité intellectuelle, elle ne saurait conduire à la fermeture de la démocratie elle-même. L'Union européenne, dont le fonctionnement technocratique et opaque met déjà à mal ces principes, deviendrait alors l'instrument d'une destruction subreptice du suffrage universel au nom du gouvernement « éclairé » des experts.

Ne seraient-ce pas les responsables de l'Union eux-mêmes qui manquent d'imagination ? Militant européen convaincu, le juriste belge Renaud Dehousse interroge : « Si la construction européenne représente bien une innovation politique, pourquoi chercher à toute force à la couler dans le moule traditionnel des Constitutions (13) ? » La démocratisation des institutions européennes peut se faire dans le cadre d'un traité, et le fédéralisme ne constitue pas la seule forme de solidarité transnationale : l'internationalisme n'est pas mort.

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Sarantis Nicholas, Piard Sylviane

Credibility, macroeconomic fundamentals and Markov regime switches in the EMS in *Scottish Journal of Political Economy*, Vol. 51 (4) September , 453 ss

The main objective of this paper is to use the Markov regime-switching modelling framework to describe and analyse the credibility of a number of countries participating in the European Monetary System during 1980-1998. Our credibility indicator, based on Hughes Hallet et al.'s (1997) methodology, is subject to discrete regime shifts and is made dependent on macroeconomic fundamentals. We carry out extensive testing to assess the specification of the Markov regime-switching model and the potential existence of permanent breaks. A contribution of our paper is the specification of a multivariate Markov switching model that allows us to examine whether macroeconomic variables have asymmetric effects on credibility. Another contribution is the specification of a regime-switching model with time-varying transition probabilities, which enables us to determine whether changes in macroeconomic variables can trigger switches between the low and high credibility regimes. We find strong evidence of regime switching behaviour in all countries. Both the level of credibility and the transition probabilities display an asymmetric response to changes in macroeconomic variables, with the stance of fiscal policy exerting the most systematic influence in all countries.

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Stephan Stetter

Cross-pillar politics: functional unity and institutional fragmentation of EU foreign policies

in *Journal of European Public Policy* , Volume 11, Number 4 / August , 720-739

This article explores the key functional and institutional dynamics of EU foreign politics. It argues that the original pillar design of the Maastricht Treaty, which separated EU foreign policies into two only loosely connected pillars, has over time been replaced by a cross-pillar politics setting. This cross-pillarization has been the result of the pressure emanating from the functional indivisibility of this policy area. The article identifies a specific allocation function of EU foreign policies, namely the provision of policies that establish patterns of inclusion and exclusion for the EU polity and, thereby, gives shape to an emergent EU sovereignty. Notwithstanding this functional unity of the policy area, EU foreign policies are characterized by a complex and highly fragmented institutional structure. The article provides a detailed empirical study on this institutional fragmentation by focusing on the relations within the legislative triangle - the Council, the Commission, the European Parliament - in EU decision-making.

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Mariscal Nicolás

Cuatro lecturas del Proyecto de Tratado de Constitución Europea

in *Cuadernos europeos de Deusto*, n. 31 , 101 - 136

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Savino Roberta

Da un Constitution making ad un costitution making process? Principi generali del diritto comunitario, principi costituzionali comuni agli stati membri e Costituzione europea

in *Diritto pubblico comparato ed europeo*, n. 1 , 57-87

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Martens Stephan

Das erweiterte Europa

in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available



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Dimitrakopoulos Dionyssis, Kassim Hussein

Deciding the Future of the European Union: Preference Formation and Treaty Reform

in Comparative European Politics, n. 3, vol. 2, december , 241-260

ABSTRACT: The Convention on the Future of the Europe was a unique event in the history of the European Communities, but, although much has been written about its deliberations, about the Convention as a method of treaty reform, and about the merits and otherwise of the Constitutional Treaty, little attention has been paid so far to the processes by means of which governments (and EU institutions) decide their preferences with respect to the nature of the Union. This article considers how the member states form their preferences, exploring through a critical appraisal of the most elaborate theory of preference formation available ¾ that provided by liberal intergovernmentalism (LI) ¾ the influences on those processes. After a provisional critique of LI, it proposes alternative lines of enquiry about how EU states identify what they want, and summarizes the findings of country studies.

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Nettesheim M.

Decision-making in the EU: Identity, Efficiency, and Democratic Legitimacy.

in Revue européenne de droit public, Vol. 16 - No. 1 , 197-217

No abstract available

Section C) Regional integration processes

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Brown David

Defending the Fortress? Assessing the European Union's Response To Trafficking

in European Security, Volume 13, Numbers 1-2, Spring , pp. 95-116

In the early 1990s, the European Union (EU) initiated two strategies, one deepening integration, the other widening it, to combat the increasingly important soft security agenda. This article seeks to assess the effectiveness of the EU's response to the new security environment and speculates as to whether the completion of one process makes the achievement of the other more difficult, if not impossible. One focus will be on the development of border management on the EU's periphery. Are the applicant states sufficiently prepared for the task of acting as the EU's external frontier guard? The reactions of existing member states is also put under the spotlight. Arguably, their failure to promote a more equitable burden sharing arrangement, coupled with the decision to maintain internal frontier controls with applicant states for a transitional period after accession, has made the task of securing a strong external frontier more difficult. The European Police Office (Europol) forms the centerpiece of analysis in relation to the deepening of integration. Its efficacy as a means of information exchange is examined, and the impact of enlargement is considered.



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Söderbaum Peter

Democracy, markets and sustainable development: the European Union as an example

in **European Environment/Environmental Policy and Governance**, Volume 14, Issue 6, November-December , pp. 342-355

Development issues are discussed in specific ways in the European Union and in various local, regional and international arenas. For some actors, economic growth in GDP terms and international (or inter-regional) competitiveness still appears as the main vision; others refer to sustainable development (SD) as their ideological orientation. However, SD is ambiguous and the interpretation of SD differs from business as usual through ecological modernization to more radical ideas of progress.

If we wish to take SD seriously as a multidimensional and ethical development concept, then research efforts and debate have to include what can be described as protected zones in the development dialogue. These refer to more fundamental issues about theory of science, paradigms in economics, ideological orientations and institutional arrangements that too often have been taken for granted rather than being openly discussed in terms of alternatives. It is believed that our possibilities of approaching an SD path will improve considerably if we systematically introduce the mentioned areas into our dialogue about the future.

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Mesut Yilmaz

Der Eintritt der Türkei in die EU aus türkischer Sicht

in **Zeitschrift für Politik**, Jahrgang 51, Heft 2, 2004 , 192-200

No abstract available

Section C) Regional integration processes

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Blumenwitz Dieter

Der Europäische Verfassungsvertrag. Die Chancen und Gefahren des Entwurfs für das Gelingen von Erweiterung und Vertiefung der Europäischen Union

in **Zeitschrift für Politik**, Jahrgang 51, Heft 2, 2004 , 115-134

No abstract available

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Wichard Johannes Christian

Der Vertrag über eine Verfassung für Europa: Konstitutionalisierung oder Vertragsrevision? Supranationale Verfassung zwischen Staats- und Völkerrecht



in *Europäische Grundrechte zeitschrift*, issue 19, vol. 31 , 556-558

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Jacqué Jean-Paul

Der Vertrag über eine Verfassung für Europa: Konstitutionalisierung oder Vertragsrevision? Trennung der Begriffe von Föderation und Staat

in *Europäische Grundrechte zeitschrift*, issue 19, vol. 31 , 551-555

No abstract available

Section C) Regional integration processes

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Brummer Klaus

Der unbekannt Kommissar

in *Blätter für deutsche & internationale Politik*, November, 2004 , 1306-1307

No abstract available

Section C) Regional integration processes

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Behning Ute

Die "neue Methode der offenen Koordinierung". Versuche der integrationstheoretischen Klassifizierung einer neuen Form des sozialpolitischen Regierens in der Europäischen Union

in *Oesterreichische Zeitschrift für Politikwissenschaft* , 2004/2 , 127-136

This article tries to classify the "new open method of co-ordination" ("new OMC") in terms of the perspective of European integration theories. It illustrates the extent to which Scharpf's (2000 and 2002) "notes towards a theory of multilevel governing in Europe" and his "modes of Europeanization" on which his classification of the OMC is based, stand up to an empirical analysis. The establishment of the "new OMC" in the area of social inclusion will be used as the empirical example, which can explain why Scharpf changed his judgment in relation to the classification of the OMC from 2000 to 2002. Thus, it will be stressed that Scharpf's "modes of Europeanization" cannot cover the new modes of governance in the social realm of the EU. An alternative set of classifications will be offered and research perspectives elaborated.

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Rothacher Albrecht



Die EU 25 - Chancen, Risiken und politische Folgen der Osterweiterung
in *Aus Politik und Zeitgeschichte*, Band 5-6, 2004

No abstract available

Section C) Regional integration processes

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Cheneval Francis

Die EU und das Problem der demokratischen Repräsentation
in *Information Philosophie*, Band 32, Heft 2, 14-18

No abstract available

Section C) Regional integration processes

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Ferry Jean-Marc

Die EU, die postnationale Konstellation und das Problem der Souveränität
in *Osteuropa*, Heft 5-6, 54. Jahrgang, Mai-Juni, 76-86

ABSTRACT: Das klassische Verständnis von Staats- und Volkssouveränität konstituiert politische Handlungsfähigkeit, aber auch uneingeschränkte Macht. Die im liberalen und föderalistischen Denken wurzelnde Idee der Verrechtlichung erlaubt, diese Macht zu beschränken. Die Transnationalisierung der Ökonomie hat jedoch die Autonomie der Staaten und die Rechte der Bürger unterhöhlt. Das Projekt Europäische Union ermöglicht eine Wiedergewinnung der politischen Handlungsfähigkeit. Er birgt zudem Ansätze einer auf geteilten Werten gründenden Rechtsgemeinschaft sowie einer politischen Gemeinschaft jenseits des Staates.

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Lietzmann Hans J.

Die Europäische Union als "defekte Demokratie"? Rechtsstaat und Pfadabhängigkeit in Europa
in *Oesterreichische Zeitschrift für Politikwissenschaft*, 2004/1, 19-32

THE "HYBRIDE" REGIME OF THE EUROPEAN UNION. Rule of law and path dependence in modern Europe

The article follows the debates in political science about "hybrid" or "delegative" democracies for understanding the institutional process in the modern European unification. It argues that the lack of democratization of the European institutions finds its cause not only in the political history of the European unification itself. The genealogy and the present situation of the European institutional process find their origin in the traditional regimes of benevolent despotism which are usually established to manage the process of modernisation and economic development. The "hybride" democracy of the European Union stands in a relationship of "path dependence" to these earlier regimes.



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Schönberger Christoph

Die Europäische Union als Bund

in *Archiv des öffentlichen Rechts*, Band 129 (2004), Heft 1, März 2004

No abstract available

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Bocklet Reinhold

Die Europäische Union und die Türkei

in *Zeitschrift für Politik*, Jahrgang 51, Heft 2, 2004, 155-173

No abstract available

Section C) Regional integration processes

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Eberl Oliver

Die Normalität des Referendums - Europäische Verfassung und deutscher Sonderweg

in *Blätter für deutsche & internationale Politik*, Oktober, 2004, 1364-1374

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Heinz Kramer

Die Türkei im Prozess der "Europäisierung"

in *Aus Politik und Zeitgeschichte*, Band 33-34, 2004

No abstract available

Section C) Regional integration processes

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Steinbach Udo

Die Türkei und die EU - Die Geschichte richtig lesen

in *Aus Politik und Zeitgeschichte*, Band 33-34, 2004

No abstract available



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Münkler Herfried

Die Türkei vor Europa - Europas imperiale Herausforderung

in **Blätter für deutsche & internationale Politik**, Dezember, 2004 , 1462-1464

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Bahr Egon

Die Türkei vor Europa - Schicksalsfrage der EU

in **Blätter für deutsche & internationale Politik**, Dezember, 2004 , 1458-1461

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Hacke Christian

Die europäische Verfassung: Katalysator für mehr außen und sicherheitspolitische Gemeinsamkeiten?

in **Politische Studien**, Heft 397, 55. Jahrgang, September-Oktober , 63-71

No abstract available

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Ismayr Wolfgang

Die politischen Systeme der EU-Beitrittsländer im Vergleich

in **Aus Politik und Zeitgeschichte**, Band 5-6, 2004

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Villani, U.

Diritti fondamentali tra Carta di Nizza, Convenzione europea dei diritti dell'uomo e progetto di Costituzione europea

in **Diritto dell'Unione europea**, Vol.1 , pag. 73-116



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Howorth Jolyon

Discourse, Ideas, and Epistemic Communities in European Security and Defence Policy in West European Politics, n. 2, vol. 27, march , 211-234

ABSTRACT: The post-Cold War world offered a relatively blank sheet of paper on which to write the outlines of a new world order. Research institutes, think-tanks, policy papers and ideas played a vital role in the shift towards new security policy preferences and eventually a new policy paradigm. This article concentrates on Britain, France and (to a lesser extent) Germany. They offer strikingly contrasting pictures of the metamorphosis of an epistemic community, of the seminal role of ideas, and of the functioning of political discourse. It assesses the comparative solidity of the defence consensus in each country by setting it in its cognitive and normative context and compares the working of co-ordinative and communicative discourses as these applied to élites and to electorates. The article explains how the ideational shift towards ESDP worked seamlessly in France, proved manageable in Germany, but remained problematic in the UK.

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Schwanegel, W.; Stoktemberg, T.

Discussione su "una Costituzione per l'Europa"
in *Teoria del diritto e dello stato*, n. 1 - 2004 , pag. 149-156

No abstract available

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Schwanengel W., Stoltenberg T.

Discussione su "Una Costituzione per l'Europa"
in *Teoria e diritto dello Stato*, Vol. 1 / 04

No abstract available

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Önis Ziya

Diverse but Converging Paths to European Union Membership: Poland and Turkey in Comparative Perspective in East European Politics and Societies, Volume 18, Number 3, August , pp. 481-512

The study considers some of the key forces that have resulted in a marked divergence, at least until recently, in the fortunes of two candidate countries, Poland and Turkey, on the path to European Union membership. The more rapid



progress made by Poland in this regard is explained on the basis of the systematic interaction of domestic political forces and international influences that generates virtuous or vicious cycles in terms of EU membership. The reforming elites in Poland with the help of a highly vocal civil society and mobilization from below were able to display considerable unity and commitment toward satisfying EU norms. In contrast, the “power elite” in Turkish society failed to display a similar degree of unity and commitment. Popular mobilization on a similar scale was also lacking in Turkey. In addition, the more powerful signals provided by the EU itself has helped to ease the task of reformers in Poland, helping to produce a virtuous cycle in the process.

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Thielemann Eiko

**Dividing Competences: Germany's Vision(s) for Europe's Federal Future
in Comparative European Politics**, n. 3, vol. 2, december , 358-374

ABSTRACT: Germany's preferences regarding the kind of federal Europe it wants have been characterized by both continuity and change. While its preferences regarding (horizontal) institutional developments at the European level have remained relatively stable, its preferences on the vertical distribution of power in Europe have changed. Perhaps the most important shift has been the recent German push for a European federation modelled on a dual (competitive) federalist system in which competencies are divided vertically by policy sector, rather than on a cooperative federalist model in which decision-making power is shared across levels of government. This paper argues that this change had little to do with strategic considerations by the Federal Government about how Germany should position itself in Europe after unification. Instead it can largely be explained by the growing dissatisfaction with the performance of Germany's cooperative federalist model, in particular on the part of the German Länder who are seeking new ways to overcome centralizing tendencies inherent in both the German and the EU system of governance. By analysing German contributions to the EU's constitutional debate, the paper assesses the relative importance of norms, interests and ideas in shaping German preferences on the type of European federation it wants.

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Liesbet Hooghe, Gary Marks

**Does Identity or Economic Rationality Drive Public Opinion on European Integration?
in PS: Political Science & Politics** , Vol. 37, Issue 3, July , 415-420

How do citizens respond to the reallocation of authority across levels of government? This article investigates the relative importance of economic versus identity bases of citizen support for the most far-reaching example of authority migration—European integration.

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EMU Entry Strategies for the New Member States

in *Intereconomics*, Volume 39 No. 5 , 241-246

No abstract available

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Raik Kristi

EU Accession of Central and Eastern European Countries: Democracy and Integration as Conflicting Logics

in *East European Politics and Societies*, Volume 18, Number 4, November , pp. 567-594

Although the European Union (EU) has in many ways supported democratization in Central and Eastern Europe, it has also imposed new constraints on the functioning of democracy. The article explores the indirect impact of EU integration on the Eastern applicant countries by exposing the underlying logic of enlargement and analyzing the implications of that logic for democratic politics. The empirical analysis focuses on the preaccession process of one of the new member states, Estonia, but it also examines the overall EU policy toward Eastern candidates, pointing to the limits of enlargement as a form of democracy promotion. It highlights that the principles and norms that dominated enlargement—most notably inevitability, speed, efficiency, and expertise—constrained democratic politics in the applicant countries and limited their EU accession to a narrow sphere of elites and experts. The author links the findings with the democratic deficit in the EU and draws some conclusions concerning future prospects of democracy in and democracy promotion by the enlarged EU.

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Sandra Lavenex

EU external governance in 'wider Europe'

in *Journal of European Public Policy* , Volume 11, Number 4 / August , 680-700

The 'wider Europe' initiative opens the possibility for a far-reaching association of the EU's eastern and southern European neighbours which, by offering 'everything but institutions' (Prodi), proposes an alternative to membership. This article presents this initiative as part of an ambitious external governance agenda by the enlarged Union with the aim to manage its new interdependence in an altered geopolitical context. Focusing on the conception of interdependence and the institutional configuration of EU relations with its near abroad, external governance is defined and examined in three prominent 'soft security' issues: justice and home affairs, environmental and energy policy. It is argued that external governance seeks to expand the 'legal boundary' of the Union with only limited openings of its 'institutional boundary', thereby oscillating between an inclusionary and exclusionary approach towards its near abroad.

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Anetta Caplanova, Marta Orviska, John Hudson



Eastern European Attitudes to Integration with Western Europe
in *Journal of Common Market Studies*, Vol. 42, Issue 2, June , 271-288

This article examines attitudes to membership of the EU and Nato amongst countries in central and eastern Europe. Sample survey data are obtained from the Eurobarometer surveys of transition and EU candidate countries. The empirical results suggest that support for membership increases with socio-economic variables such as income and education, reflecting self-interest. But attitudinal variables are also important and, in particular, confidence in the free market economy impacts positively on support for membership. Support for EU membership is not a mirror image of that for Nato, with the differences appearing to revolve around self-interest.

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Larsmo Ola

Ein Kampf um Modernität. Was bedeutet Schwedens Nein zum Euro?

in *Aus Politik und Zeitgeschichte*, Band 47, 2004

No abstract available

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Subsection 6. The European unification process

Javier Roldán Barbero

El Derecho internacional y el Tratado Constitucional europeo

in *Revista Electrónica de Estudios Internacionales*, Nr.8

www.reei.org

I. EL CARÁCTER INTERNACIONALISTA DEL TRATADO
CONSTITUCIONAL: SUS DIVERSOS SIGNIFICADOS

Nos encontramos con un nuevo tratado en el proceso, siempre inacabado, de construcción europea. De este tratado, cuya firma está fijada en Roma el próximo 29 de octubre y cuya aplicación se antoja convulsa e incierta, se dice en su enunciado, pomposa y pretenciosamente, que instituye “una Constitución para Europa”¹. Pues bien, esta Constitución puede ser calificada, desde al menos cinco puntos de vista, como un texto internacionalista. Veamos:

1. En primer lugar, la Unión Europea, en su nueva arquitectura, no dejará de seguir estando concebida y estructurada sobre la base de postulados, más que del Derecho constitucional o federal, propios del Derecho internacional (soberanía de los Estados, poder constituyente en ellos, un tratado internacional como acta de fundación y como derecho primario, caracteres comunes, si bien singularizados, respecto a las organizaciones internacionales, etc.). Esta naturaleza esencialmente internacionalista de la integración europea la he defendido en otros trabajos, a los que me remito², y la sigo manteniendo en las circunstancias actuales. La futura “Constitución para Europa”

* Catedrático de Derecho Internacional Público en la Universidad de Almería.



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1 Me sirvo para este trabajo de la versión consolidada provisional aprobada por la Conferencia Intergubernamental el pasado 18 de junio. Este texto ha de ser aún formalizado por los juristas lingüistas del Consejo en las 21 lenguas en las que será auténtico.

2 “Las bases estatales del Tratado de Ámsterdam”. En J.M. de Faramiñán (coord.): Reflexiones en torno al Tratado de Ámsterdam y al futuro de la Unión Europea. Granada, 2000. Págs. 49-68; y, en prensa, “Soberanía del Estado y Derecho de la Unión Europea”. En Soberanía del Estado y Derecho internacional. Libro-homenaje al profesor Carrillo Salcedo.

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encierra, por lo demás, algunos problemas específicos y existenciales que se instalan plenamente en la teoría –y en los entresijos- del ordenamiento jurídico-internacional: sucesión de tratados y de organizaciones, aplicación de tratados sucesivos concernientes a la misma materia, derecho de retirada de la Unión que asiste a los Estados miembros, procedimiento para su entrada en vigor... ;

2. Es indudable que el fenómeno jurídico de integración europea produce en el tronco del Derecho internacional una sustancial transformación. Algunos de los conceptos e instituciones medulares de este sistema jurídico se ven, en efecto, profundamente revisados. La noción de frontera ofrece un caso paradigmático: el Tratado constitucional garantiza la ausencia de controles de las personas, sea cual sea su nacionalidad, cuando crucen las fronteras interiores, al tiempo que garantiza el control y vigilancia en el cruce de las fronteras exteriores, con miras a instaurar progresivamente un sistema integrado de gestión de las mismas (artículo III-166,1). Ahora bien, se añade que estas disposiciones no afectarán “a la competencia de los Estados miembros en lo que respecta a la delimitación geográfica de sus fronteras, de conformidad con el Derecho internacional” (Artículo III-166,3). En suma, se trata de que el estudio y la docencia del Derecho internacional exigen inexcusablemente el conocimiento del Derecho de la Unión, como decía que ocurre a la inversa;

3. La incierta entrada en vigor del Tratado constitucional no eliminará, obviamente, la existencia de relaciones jurídico-internacionales –esto es, no regidas por el Derecho de la Unión- entre los Estados miembros. Pensemos en los tratados sobre la readmisión de personas en situación irregular. Pues bien, un tratado de estas características ha sido concluido por España y Francia (BOE de 26.12.2003, con corrección de errores en el BOE de 30.1.2004). Se trata, sin embargo, de una competencia exterior recientemente ejercida por la Comunidad³, que el tratado constitucional pasará a atribuirle a la Unión expresamente (Artículo III-168,3). Como corolario natural de este proceso, algunas controversias mantenidas entre Estados miembros quedan fuera del ámbito de la Unión y, por tanto, de la competencia de su sistema judicial, aunque no siempre será enteramente diáfana la distinción entre diferencias susceptibles de ser sometidas y no a la jurisdicción europea. A este respecto, tiene interés citar el auto de 3 de diciembre de 2001 emitido por el Tribunal Internacional de Derecho del Mar en el asunto Irlanda c. Reino Unido acerca de la planta Mox, diferencia que enlaza con cuestiones relativas al movimiento internacional de materiales radiactivos y, en general, a la protección del medio ambiente marítimo en el Irish Sea⁴. Por otra parte, numerosos tratados bilaterales suscritos entre Estados miembros de la Unión presentan una conexión comunitaria. Tal



es el caso del precitado acuerdo entre España y Francia, así como del “Convenio internacional por el que se acuerda la constitución de un mercado ibérico de la energía eléctrica entre el Reino de España y la República Portuguesa”. Este convenio (publicado en el BOE de 1.6.04) estipula que será interpretado y aplicado “de conformidad con las normas de Derecho comunitario aplicable” (art. 18);

3 Tras un primer acuerdo de este género con Hong-Kong, se ha celebrado recientemente un segundo acuerdo con la Región Administrativa Especial de Macao de la República Popular China. Diario Oficial de la Unión Europea. Nº L 143 de 30.4.2004.

4 Este auto se encuentra reproducido en la página web <http://www.itlos.org>.

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4. La acción exterior de la Unión se ve potenciada de diversas maneras, que me limito apenas a enumerar: se dota a la Unión Europea, por primera vez, de una personalidad jurídico-internacional expresa y única, suprimiéndose la desafortunada, en términos funcionales y pedagógicos, estructura tripilar actual; se incrementan, también en el orden exterior, las materias exentas de la regla de la unanimidad; se consagra el principio del paralelismo de competencias internas y externas (art. I-12,2); se personifica y racionaliza más la estructura orgánica de la Unión dedicada a las relaciones exteriores, de diversas formas. A saber: un Presidente del Consejo Europeo, un Ministro de Asuntos Exteriores, que presidirá el Consejo de Ministros del ramo y será, al mismo tiempo, Vicepresidente de la Comisión; un servicio exterior propio europeo, etc. El tiempo determinará la eficacia real de estas medidas. Fundamentalmente, se trata de dotar de más visibilidad y coherencia orgánica y material a la política exterior de la Unión, y también de infundir más complementariedad y congruencia a ésta con la desarrollada individualmente por los Estados miembros, aspecto este último que se recuerda insistente y estérilmente en materia de cooperación para el desarrollo (art. III-120,1), por ejemplo. Conviene tener presente que las relaciones exteriores de la Unión remodelan la política internacional de todos sus Estados, si bien la activación de las cooperaciones reforzadas tenderá, como ya se aprecia con la eurozona, a introducir más complejidad y perplejidad en la identidad exterior de la Unión Europea. Téngase asimismo presente, en este orden de ideas, que los obstáculos a la implantación internacional de la Unión no residen sólo en el ámbito interno, sino que también dimanán del propio ordenamiento jurídico-internacional, un sistema concebido esencialmente por y para Estados, y mal preparado, por tanto, para asimilar un fenómeno jurídico supranacional como es el de la construcción europea. Por lo demás, la revalorización de la vertiente internacional de la Unión Europea no es sino la consecuencia de la interacción rampante y general entre los problemas internos y externos de nuestro tiempo (podíamos hablar del terrorismo, muchas veces mencionado en el articulado de la Constitución...). A este respecto, es muy ilustrativa la política que contempla la Unión hacia su entorno próximo, perfilada en el artículo I-56 y ya avanzada por la Comisión Europea⁵. En realidad, se trata de mantener con el “extranjero próximo” una política que, en buena medida, desarrolle un fenómeno ya cultivado: extender, por medio de acuerdos internacionales, el acervo jurídico y axiológico de la Unión. La Comisión presentó esta política con el eslogan “Todo salvo las instituciones”. Cabe dudar, empero, del éxito de una extensión convencional de los logros



comunitarios no amparada por el peso garantista de las instituciones europeas, es decir, desarrollada en un medio estrictamente internacional. En cualquier caso, el Tratado constitucional asegura que “La acción de la Unión en la escena internacional se basará en los principios en los que se ha inspirado su creación, desarrollo y ampliación y que pretende fomentar en el resto del mundo” (art. III-193,1). Se reitera desde diversas instancias la idea, muy atractiva, de que “la Unión se convierta en un factor de estabilidad y en un modelo en la nueva organización del mundo”, palabras que constan 5 COM (2003) 393 final: “Sentar las bases de un nuevo instrumento de vecindad”.
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en el documento de entrega que hizo la Convención Europea del proyecto de Constitución al Consejo Europeo reunido en Salónica el 20 de junio de 2003.

5. Hay otra dimensión internacionalista de la Constitución europea que va a retener nuestra atención en las siguientes páginas, pues responde a la idea originaria de este trabajo: la invocación y asunción del Derecho internacional en su articulado y aun en sus textos liminares. El Tratado de la Unión Europea en vigor es mucho más parco en este campo. La mención más generosa a los valores y principios internacionales se encuentra circunscrita a los objetivos de la Política Exterior y de Seguridad Común (artículo 11,1), en los que no hay una alusión expresa y general al ordenamiento jurídico-internacional. Claro está que en el Tratado constitutivo de la Comunidad Europea se encuentran disposiciones respetuosas con los fundamentos internacionales, como sucede con el actual artículo 307, antiguo 234 y futuro III-341 cuando la Constitución europea despliegue sus efectos. Esta disposición se ajusta al principio *pacta sunt servanda* en relación a los acuerdos internacionales concluidos por Estados miembros con terceros sujetos con anterioridad a su incorporación al proceso de integración europea.

El silencio que guarda el actual derecho primario sobre el derecho internacional general no ha de ser entendido como un desconocimiento o una resistencia ante el marco jurídico global en el que se enmarca la construcción europea, según ha venido exponiendo la doctrina y consagrando la jurisprudencia comunitaria, con especial claridad en la Sentencia Racke, dictada por el TJCE el 16 de junio de 19986. Es lógico pensar que la creación por los Estados miembros de un nuevo sujeto internacional no podría, ni a ellos ni a este nuevo sujeto, sustraerlos del cumplimiento de las obligaciones internacionales generales.

Sin embargo, hay que saludar y congratularse de las muestras explícitas de respeto que la futura carta constitucional europea dedica al Derecho internacional, a su observancia y a su fomento. ¡Qué diferencia con el laconismo miope que mantiene la Constitución española al respecto! De esta suerte, la Constitución para Europa alberga, expresamente, un sistema constitucional complementario, y evolutivo, que es el configurado por el conjunto de normas y principios que componen el Derecho internacional general⁷.

Las manifestaciones de apertura al sistema jurídico-internacional se multiplican, como decía, a lo largo del Tratado constitucional. Junto a las menciones generales al Derecho internacional (cfr., por ejemplo, el artículo I-3,4 o el III-193,1), se encuentran otras invocaciones en cuestiones particulares. Tal cosa sucede en el artículo II-49,



correspondiente a la Carta de Derechos Fundamentales, que atañe al principio de legalidad: "Nadie podrá ser condenado por una acción o una omisión que, en el 6 Puede verse, sobre este particular, mi artículo "La costumbre internacional, la cláusula rebus sic stantibus y el Derecho comunitario (A propósito de la sentencia Racke dictada por el TJCE el 16.6.1998). Revista Española de Derecho Internacional. 1998-2. Págs. 9-34.

7 Esta idea de la "Constitución secundaria" está planteada por M. KRAJEWSKI en "Foreign Policy and the European Constitution". Yearbook of European Law. 2003. Págs. 435-462, en especial pág. 454.

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momento en que haya sido cometida, no constituya una infracción según el Derecho nacional o el Derecho internacional".

Esta vocación internacionalista del Tratado constitucional se ve convenientemente arropada de declaraciones de respeto y confianza hacia las Naciones Unidas y su Carta fundacional. Estas cláusulas se han venido reiterando en el derecho derivado, en particular en el emanado de la PESC⁸. Se conoce que ante la degradación, torticera y torpe, sufrida por este marco, en particular por la nefanda intervención armada en Irak, los Estados signatarios, incluso los colaboracionistas con esta intervención, han querido proclamar su fe en el marco onusiano. Desde luego, los internacionalistas estamos ya acostumbrados a homenajes retóricos, hipócritas, erráticos, a la ONU, pero, desde un prisma estrictamente jurídico, cuando la Constitución europea entre en vigor, no podrá disociarse, ya claramente, el Derecho de la Unión – con su atributo de primacía sobre el derecho interno- de los propósitos y principios de Naciones Unidas, establecidos en un marco más amplio, tornadizo y endeble que el de la Unión, pero hechos suyos por el Tratado constitucional de ésta. Quiero decir que, con arreglo al Tratado adoptado, el derecho de la ONU no podrá ser disociado, concebido como algo exógeno al derecho de la Unión; no ya en virtud del derecho consuetudinario, sino por exigencia expresa del propio derecho constitucional europeo. A este respecto, es muy gratificante que este tratado haga alusión expresa a las soluciones multilaterales para el encauzamiento de los problemas comunes (artículo III-193,2), dato que debe servir para repudiar el unilateralismo, la autosuficiencia, que preside tantas veces las actuaciones exteriores de la única superpotencia, los Estados Unidos de América.

II. LOS PRINCIPIOS ESTRUCTURALES DEL DERECHO INTERNACIONAL EN EL TRATADO CONSTITUCIONAL EUROPEO

Las referencias generales de respeto y fomento del Derecho internacional y de vinculación al marco de Naciones Unidas están completadas por la asunción de los principios de la ONU, que son, al mismo tiempo, los principios estructurales del Derecho internacional. Pese al carácter nuclear de estos principios y a su condición de "constitución material" de este ordenamiento, su imprecisión, su contravención frecuente, sus contradicciones, no dejan de introducir en el orden constitucional europeo una fuente de incertidumbre y de perplejidad jurídicas. Sin embargo, insisto, su invocación en tiempos, como todos, de crisis del multilateralismo representado por Naciones Unidas constituye una señal positiva de reafirmación del sistema jurídointernacional y de confianza en la solución colectiva de los problemas de nuestro tiempo. He pensado que puede tener interés reflexionar, aunque sea breve y

8 En esta dirección, merece indicarse lo proclamado por el Consejo Europeo celebrado en diciembre de



2003 en Roma en sus puntos 90-92. En el punto 90, en concreto, se dice lo siguiente: “El Consejo reitera el compromiso hondamente arraigado de la Unión Europea de hacer del multilateralismo eficaz un elemento central de su actuación exterior, con una ONU fuerte en su núcleo. Por ello, el Consejo celebra la comunicación de la Comunicación -COM (2003) 526- de la Comisión titulada “La Unión Europea y las Naciones Unidas: la opción del multilateralismo”, que llega en un momento dinámico de las relaciones UE-ONU”.

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superficialmente, sobre el tratamiento, expreso o tácito, que el Tratado constitucional europeo reserva a estos principios fundamentales del Derecho internacional, enunciados en la Carta de San Francisco y actualizados y desarrollados, veinticinco años después, en la Resolución 2625 (XXV) de la Asamblea General.

1. Prohibición del uso de la fuerza armada

Es significativo, ante todo, que la Política Común de Seguridad y Defensa convierta a la Unión Europea en una alianza regional de las contempladas en el Capítulo VIII de la Carta de San Francisco y sometida expresamente a los principios en este campo de la ONU. En el artículo I-40, 1, se lee, en efecto, lo siguiente: “La Unión podrá recurrir a dichos medios (se refiere a los civiles y militares) en misiones fuera de la Unión que tengan por objetivo garantizar el mantenimiento de la paz, la prevención de conflictos y el fortalecimiento de la seguridad internacional, con arreglo a los principios de la Carta de las Naciones Unidas”. Por lo que se refiere al Consejo de Seguridad de la ONU, órgano que cuenta con la responsabilidad primordial en lo tocante al mantenimiento de la paz y la seguridad internacionales, el artículo III-206 establece la obligación que incumbe a los Estados miembros de la UE que también lo sean del Consejo de Seguridad de concertarse entre sí y de tener cabalmente informados a los demás Estados miembros, así como de defender en este órgano las posiciones e intereses de la Unión, “sin perjuicio –se añade de forma ambigua- de las responsabilidades que les incumban en virtud de las disposiciones de la Carta de las Naciones Unidas”. Esta frase parece sugerir una posible colisión, de difícil materialización y verificación, entre la posición definida por la Unión y otro género de obligaciones que dimanen del sistema de Naciones Unidas. Por lo demás, como era de suponer, no se insinúa de ninguna manera propuesta alguna de reforma de la Carta de San Francisco, tampoco en lo atinente a una eventual membresía de la Unión en lugar de sus Estados miembros, en el Consejo de Seguridad, si bien se pedirá al Ministro de Asuntos Exteriores que presente la posición alcanzada por la Unión (art. III-206, 2,3). Cabe añadir, en lo relativo a la fase descendente de las resoluciones del Consejo de Seguridad, que el Tratado constitucional seguirá contando con una disposición, el artículo III-224, que, bajo el epígrafe de medidas restrictivas, establece, de manera similar al actual artículo 301 del TCE, un procedimiento para que la Unión disponga sanciones económicas contra Estados y personas físicas y jurídicas, en ejecución muchas veces, aunque no se diga, de resoluciones del Consejo de Seguridad. Este género de sanciones, a cuyo cumplimiento los Estados miembros de la Unión, actuando en su seno, están obligados, seguirán sin ser de ejecución automática, sino que requerirán la mayoría cualificada del Consejo de Ministros. Por lo demás, las resoluciones del Consejo de Seguridad, que carecen en la práctica de control jurídico en el orden internacional, pueden entrañar un conflicto entre



las obligaciones derivadas del sistema de Naciones Unidas y ciertos derechos fundamentales que pueden verse conculcados por la implementación de sus mandatos. Asimismo, aparte de la regulación de la cláusula de solidaridad prevista en caso de ataque terrorista (arts. I-42 y III-231), el Tratado constitucional contempla el recurso a la legítima defensa colectiva, de conformidad con el artículo 51 de la Carta, para aquellos Estados que quieran y puedan establecer una cooperación más estrecha. El Derecho internacional y el Tratado constitucional europeo

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(“cooperación estructurada”, en la terminología de la Constitución). Este mecanismo de asistencia mutua no se activaría, sin embargo, de forma automática, sino concertada en cada supuesto. En este aspecto, el mecanismo difiere del estipulado en el Tratado de la UEO (Unión Europea Occidental), organización que no es mentada en el Tratado constitucional, pero que, aunque lánguidamente, pervive y puede aún colmar un vacío de seguridad en este campo, sobre todo en espera de la entrada en vigor del nuevo marco constitucional de la Unión. En cambio, sobre esta cuestión, y en términos generales, se menciona y se respetan expresamente los derechos y obligaciones dimanantes de la OTAN. La PESC se concibe, pues, en términos complementarios, y no alternativos ni competitivos, de la OTAN. De esta suerte, se sigue dibujando una política común de seguridad y defensa de geometría variable, ya que, entre otras cosas, los miembros de la UE y de la Alianza Atlántica no coinciden enteramente. Como es sabido, la cuestión de la OTAN termina desembocando en un tema de mucho más calado, esencial para la construcción europea -las relaciones transatlánticas-, sobre el que existen distintas y cambiantes sensibilidades entre los países y gobiernos europeos. Una observación final concerniente a este principio estructural: el Tratado constitucional sigue considerando y respetando los imperativos de seguridad nacional que pueden llevar a un Estado miembro a hurtar información o a exceptuar las normas generales de funcionamiento del mercado interior (artículo III-342). A este respecto, ha de traerse a colación el tráfico inmoral de armas, sólo disciplinado en el orden europeo por un Código de conducta sin valor obligatorio y quebrantado asiduamente. Naturalmente, en este ámbito también ha de medirse el compromiso con el mantenimiento de la paz y la seguridad internacionales de la Unión y de sus Estados miembros, algunos de ellos potencias mundiales en la exportación de armamento.

2. El arreglo pacífico de las controversias internacionales

Este principio es el corolario natural del primero: la obligación de no recurrir al uso de la fuerza armada conlleva la obligación de resolver pacíficamente las diferencias internacionales. Cabe pensar, a este respecto, que una Unión Europea dotada de una política exterior y de seguridad más sólida y visible, y comprometida con el multilateralismo y con el imperio del derecho en las relaciones internacionales, tendrá más recursos y más legitimidad para desempeñar un papel general de mediación en los conflictos internacionales. Los límites actuales son claros. Es elocuente lo que viene pasando en el conflicto árabe-israelí: la Unión es la principal donante en la zona y, sin embargo, dista de jugar un papel político relevante para la resolución de la terrible controversia, preterida, como está, por el protagonismo estadounidense y por los recelos hacia ella del Estado hebreo. De todas formas, el reforzamiento previsible de la política exterior europea –su consolidación como actor político de las relaciones



internacionales- no evitará, de seguro, el predominio que seguirán teniendo sus Estados miembros, individualmente considerados, en la pacificación de determinados conflictos (puede pensarse, por ejemplo, en el papel predominante que España y Francia seguirán jugando en torno al encauzamiento del problema del Sáhara occidental).

3. No intervención en los asuntos internos de otros Estados

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Este principio, de afirmación rotunda pero de interpretación lábil, debe ser observado por la Unión, en su política exterior, para eludir cualquier injerencia abusiva y coactiva en el gobierno económico y político de un Estado. Se trata de una cuestión intrincada, en particular en lo atinente a la universalización de los derechos humanos, proclamada en el preámbulo del Tratado constitucional y de su Carta de Derechos Fundamentales. Además, la protección de los derechos fundamentales aparece en la Parte I y III como uno de los vectores de la acción exterior de la Unión Europea, aunque sólo fuera, desde una posición estrictamente egoísta, por que la opresión externa termina comprometiendo las libertades internas. Se trata, pues, de determinar la medida en que la Unión puede promover y hasta imponer estos derechos humanos, erigidos asimismo en principio estructural del sistema internacional, en detrimento del principio de la no injerencia en los asuntos de la jurisdicción interna. Sin profundizar en un problema que no conoce respuestas axiomáticas ni una práctica uniforme, llama la atención, desde la perspectiva que nos ocupa, que el texto constitucional europeo haya suprimido la mención a la democracia, al Estado de Derecho y a la salvaguarda de los derechos humanos como objetivo expreso y específico de la política de cooperación para el desarrollo (artículo 177,2, del TCE). El Tratado constitucional, en lo referente a esta política, se limita a señalar que esta competencia se llevará a cabo “en el marco de los principios y objetivos de la acción exterior de la Unión” (artículo III-218,1). De esta forma, se mantiene el compromiso con la promoción de los valores democráticos en el plano internacional, pero sin relacionarlo particularmente con los países subdesarrollados, con los que la llamada condicionalidad democrática venía verdaderamente ejercitándose, pero que podría ser tildada de políticamente incorrecta. Ahora se dice que “El objetivo principal de la política de la Unión en este ámbito (el de la cooperación para el desarrollo) será la reducción y, finalmente, la erradicación de la pobreza” (art. III-218,2). No hay que olvidar, empero, que la promoción de la democracia no es sólo una fórmula humanitaria, sino también técnica, para combatir la plaga de la miseria y que la cooperación para el desarrollo no se concibe de hecho como una política filantrópica y desinteresada. Con razón, el artículo I-3,4, del Tratado constitucional proclama que, en sus relaciones con el resto del mundo, “la Unión afirmará y promoverá sus valores e intereses”.

4. La libre determinación de los pueblos

En el Tratado constitucional se rechaza cualquier dimensión externa de la autodeterminación de los pueblos. La Constitución, empieza diciendo, “nace de la voluntad de los ciudadanos y de los Estados de Europa” (art. I-1,1). Según dijimos anteriormente, en nada se perturban las fronteras que separan a los Estados miembros y, en el artículo I-5,1, de forma más gráfica, se afirma que se respetará la función esencial de los Estados de garantizar su integridad territorial. En suma, pues, nada que anime



aspiraciones secesionistas; antes al contrario, y en esto se sintoniza con el espíritu de las resoluciones correspondientes de la Asamblea General de la ONU, tendente a preservar la unidad territorial de los Estados conducidos por los principios democráticos. Por el contrario, sí se establece, por primera vez, formalmente en el ordenamiento jurídico europeo el derecho de retirada de sus Estados miembros de la Unión.

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Desde el punto de vista de la libre determinación interna, la Unión Europea impone a sus Estados miembros un régimen político nacional presidido por los valores democráticos. Al mismo tiempo, proclama la Constitución europea que el funcionamiento propio de la Unión se basa en el principio de la democracia representativa (art. I-45,1). Cabe entender que la legitimidad democrática de la Unión Europea se ve acrecentada de diferentes maneras en el nuevo texto constitucional: reforzamiento del papel del Parlamento europeo y de los parlamentos nacionales; derecho de iniciativa popular legislativa; juridificación de la Carta de Derechos Fundamentales, etc. En cambio, los entes subestatales continuarán teniendo un poder secundario en la arquitectura institucional europea, dato que consolida el estatismo que preside la integración continental, y que no deja de seguir siendo una manifestación de déficit democrático, aunque tenga un complicado arreglo.

5. La igualdad soberana de los Estados

Este principio, con sus excepciones derivadas de la desigualdad material de los Estados miembros, ha gravitado en la configuración del capítulo institucional de la Constitución europea, en especial a la hora de determinar la formación de la Comisión y la composición de la mayoría cualificada en el Consejo de Ministros. Como es natural, el principio de la igualdad soberana de los Estados ha sido más reclamado por los Estados pequeños y medios. No profundizaremos en este tema, que atañe a la gobernanza interna de la Unión.

Por lo que se refiere a la dimensión internacional de este principio, no perdamos de vista que la Unión y sus Estados miembros son coresponsables de un orden internacional, político y económico, manifiestamente injusto, basado en una desigualdad escandalosa y creciente entre países ricos y pobres. Aunque a la Unión se acaban de adherir Estados relativamente infradesarrollados, el bloque supranacional formado por la Unión Europea constituye la primera potencia comercial del mundo y el primer donante de ayuda exterior, en tanto que el conjunto de su política internacional se orienta a concertar en las relaciones internacionales el criterio de esta área del primer mundo. No soslayemos tampoco el dato de que, en ocasiones, como ocurre en el Consejo de Seguridad de Naciones Unidas y en el Fondo Monetario Internacional, el propio Derecho formaliza esta desigualdad material entre los Estados.

6. La obligación de cooperar en el plano internacional

Este deber ha sido profusamente observado por la Comunidad Europea mediante, en particular, la celebración de una tupida red de acuerdos internacionales con casi todos los Estados, en ocasiones, asociados y representados en bloques regionales. De esta red convencional quedan excluidos algunos parias de la comunidad internacional, como Corea del Norte. La regla general de la mayoría cualificada y una cierta elucidación y ampliación de sus competencias exteriores es de suponer que agilizarán la conclusión de



acuerdos internacionales por parte de la Unión Europea en el futuro. No obstante, la experiencia enseña que los Estados miembros tienden a interpretar de forma restrictiva

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los poderes exteriores de la Unión, abusando, por ejemplo, del recurso a la conclusión mixta, por la Comunidad y por ellos mismos, de acuerdos internacionales.

En cualquier caso, buena parte de esta cooperación internacional se desarrolla en torno a las competencias compartidas (véase artículo I-13). Es el caso de la cooperación para el desarrollo. En este ámbito se invoca expresamente el marco de referencia de Naciones Unidas: “La Unión y los Estados miembros respetarán los compromisos y tendrán en cuenta los objetivos que han acordado en el marco de las Naciones Unidas y de otras organizaciones internacionales competentes” (art. III-218,3). A este respecto, la Unión suscribió unos compromisos, para el año 2006, en la cumbre de Monterrey sobre financiación del desarrollo, compromisos relativos al porcentaje del PIB que debe destinarse a la ayuda pública. Los tiempos de crisis, de austeridad y equilibrio presupuestarios y las necesidades internas sobrevenidas a raíz de la ampliación están, empero, afectando a la ayuda exterior prestada por la Unión, ayuda que, evidentemente, no hay ya que entender, como señalé, en términos exclusivamente altruistas, sino también, y sobre todo, pragmáticos. Sin embargo, conviene encarecer que la Unión se conduzca en el plano exterior por valores, no sólo por intereses. La promoción del desarrollo económico y social también queda recogida como fin primordial de la asociación –unilateral- establecida con los países y territorios de ultramar, dependientes administrativamente de algún Estado miembro de la Unión (art. III-186,2). La cooperación para el desarrollo seguirá en el Tratado constitucional desligada de la cooperación económica, financiera y técnica con terceros países distintos de los países en vías de desarrollo (art. III-221). No siempre será sencillo, desde luego, deslindar ambos tipos de cooperación. Por lo que se refiere a la ayuda humanitaria, el texto constitucional se remite a los principios del Derecho humanitario internacional, “en particular los de imparcialidad y no discriminación” (art. III-223,2). Cabe agregar que, en los ámbitos correspondientes a las competencias compartidas, figura una cláusula estándar que comienza diciendo lo siguiente: “La Unión y los Estados miembros favorecerán la cooperación con los terceros países y con las organizaciones internacionales competentes. Las modalidades de la cooperación de la Unión podrán ser objeto de acuerdos entre ésta y las terceras partes interesadas...” (véase, por ejemplo, el artículo III-129, 4,1, relativo a la política de medio ambiente). En cambio, esta posibilidad de celebrar acuerdos en la materia no está contemplada en lo tocante a las acciones de apoyo, coordinación o complemento (véase, por ejemplo, el artículo III-181, 3, relativo a la política de cultura).

La política comercial común, por el contrario, es el paradigma de las competencias exclusivas exteriores de la Unión, si bien su expansión ha mermado ese carácter exclusivo, según se infiere del dictamen 1/94 del TJCE. Es significativo que el propio Tratado constitucional aluda al carácter transversal de la política comercial común, es decir, a su interacción con la política interna y con otras vertientes de la política exterior de la Unión (art. III-217,1 y 3). Este estado de cosas explica la membresía compartida de la Comunidad y de sus Estados miembros en el seno de la Organización Mundial de



Comercio, que se entiende será prolongada aun después de la entrada en vigor del
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Tratado constitucional⁹. Es notable que entre los objetivos de esta política no figure ya sólo el librecambismo, muy restringido hasta ahora además en punto a la agricultura, sino que se hable de un “comercio libre y equitativo” (art. I-3,4), como respuesta, al menos teórica, a las presiones internacionales de signo altermundista que sostienen que “otro mundo es posible” y fustigan el pensamiento único neoliberal. Por otra parte, la apuesta de la Unión se dirige a compaginar el librecambio regional entablado con otros bloques y el librecambismo que paralela y complementariamente se desarrolla en un marco mundial, a través singularmente de la OMC, organismo especializado de Naciones Unidas. En este ámbito la Unión también asegura profesar, pues, el enfoque multilateral de los problemas.

Algún dominio particular de la cooperación internacional ha alcanzado su independencia como principio estructural específico del Derecho internacional, de acuerdo con un sector de la doctrina. Es el caso sobresaliente, y bastante acordado ya, de la protección de los derechos fundamentales. Ya hemos hecho algún apunte sobre la política exterior de la Unión en este campo, en el que se hace alusión explícita a los derechos del niño (art. I-3,4). Añadamos ahora que la propia proclamación, en 2000, y constitucionalización en el nuevo Tratado de la Carta de Derechos Fundamentales de la Unión suponen, sin duda, un paso adelante en el desarrollo progresivo, lamentablemente más teórico que práctico, de la salvaguarda internacional de los derechos humanos, si bien el ámbito de actuación de la Carta está circunscrito, como se recalca, al desarrollo de las competencias europeas por parte de las instituciones de la Unión o de sus Estados miembros. Se trata, en consecuencia, de un instrumento destinado fundamentalmente a la garantía interna de la actuación europea, si bien deberá servir de referente jurídico y dialéctico para orientar la política exterior de la Unión en la materia. Conviene asimismo precisar que la Carta y otros pasajes del Tratado constitucional hacen varias remisiones al Convenio Europeo de Derechos Humanos. Aunque en la Constitución finalmente se impone, y no sólo se procura, la adhesión al mismo –solución muy saludable con miras a la unidad y congruencia del espacio judicial europeo de los derechos humanos-, se mantiene la fórmula de que las disposiciones del Convenio servirán de alimentación del ordenamiento de la Unión como principios generales del Derecho (art. I-7,2 y 3). Además, llama la atención que la adhesión se imponga, en efecto, como una obligación de resultado, pero que haya de aprobarse por unanimidad en el Consejo de Ministros y previa aprobación del Parlamento Europeo (cfr., respectivamente, los apdos. 9 y 7 del art. III-227). La Carta se remite, en general, a cualquier solución arbitrada por el derecho nacional o el internacional que mejore el nivel de protección de los derechos fundamentales en el contexto de la Unión (art. II-53). Se trata de un principio básico en la materia: la interpretación siempre *in bonus* de los derechos y libertades. Es encomiable esta referencia genérica al ordenamiento internacional, más allá del Convenio de Roma de 1950. Esta referencia está ya recogida en la jurisprudencia del TJCE, pero no aparece en la versión actual del Tratado de la

⁹ En efecto, si bien el apartado 4 del artículo III-217 establece que los ámbitos excluidos hasta ahora de la competencia comunitaria podrán ser desarrollados por unanimidad del Consejo de Ministros, el apartado



5 afirma, abstrusa pero significativamente, que “El ejercicio de las competencias conferidas por el presente artículo en el ámbito de la política comercial no afectará la delimitación de las competencias entre la Unión y sus Estados miembros”.

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Unión Europea. El sistema europeo de protección de los derechos humanos seguirá teniendo, en suma, distintos niveles de tutela, pues la Carta no eliminará la implicación en el sistema del derecho interno e internacional. Es inútil, por lo demás, enfatizar la trascendencia que los valores democráticos encierran para la configuración de la nueva Europa, necesariamente mestiza en el plano cultural (la Carta de Derechos Fundamentales afirma, en su art. 22, que “La Unión respeta la diversidad cultural, religiosa y lingüística”). Se comprende que en una vertiente tan sensible como el establecimiento de un “Espacio de libertad, seguridad y justicia” haya una invocación expresa a la materia (art. III-158,1): los valores democráticos hay que extenderlos y exigirlos a todos los residentes en la Unión. Sin embargo, las referencias que este capítulo hace a la Convención de Ginebra de 1951 y al Protocolo de Nueva York de 1967 sobre el estatuto de los refugiados (art. III-167,1) más parecen un homenaje publicitario, y hasta cínico, habida cuenta de la política europea en materia de asilo que se está diseñando y aplicando.

Otro ámbito de cooperación internacional que está cobrando autonomía como principio estructural –y transversal- del Derecho internacional, al igual que sucede en el Derecho de la Unión, es la preservación del medio ambiente, convertida en objetivo primordial de la construcción europea y de su acción exterior. Se entiende, dada la globalización que adquiere esta materia, que en la misma definición de esta política se haga mención al “fomento de medidas a escala internacional destinadas a hacer frente a los problemas regionales o mundiales del medio ambiente” (art. III-129,1, d)) y que el desarrollo sostenible figure como objetivo primordial de la acción interna e internacional de la Unión. De hecho, esta competencia europea se basa en pilares básicos de la protección internacional del ecosistema, como son los principios de cautela y de acción preventiva, de corrección de los atentados al medio ambiente, preferentemente en la fuente misma, y de quien contamina paga (art. III-129,2).

Unas palabras, por último, deben ser dedicadas a la cooperación institucional, esto es, la realizada por la Unión Europea con y en el seno de organizaciones internacionales. Por lo que se refiere a las relaciones con estos organismos, aparte de lo ya dicho respecto a la OTAN, el Tratado constitucional afirma que la “Unión establecerá todo tipo de cooperación adecuada con las Naciones Unidas, el Consejo de Europa, la Organización para la Seguridad y la Cooperación en Europa y la Organización de Cooperación y Desarrollo Económicos” (art. III-229,1). El apartado 2 de este mismo artículo añade que la Unión “mantendrá también relaciones apropiadas con otras organizaciones internacionales”. La mención diferenciada a la ONU se entiende por las razones antedichas: confianza en el sistema multilateral, y sometimiento a él, para la regulación de los problemas internacionales. La mención diferenciada a las otras tres organizaciones ha de entenderse, por su parte, como el propósito de establecer un orden internacional europeo e incluso “occidental” coherente. Como es sabido, los Estados miembros del Consejo de Europa (45), de la OSCE (55) y de la OCDE (30) son más



numerosos que los de la Unión; en el caso de la OCDE, además, no todos los miembros de la Unión forman parte todavía de esta organización. En consecuencia, el derecho internacional europeo no se agota en la Unión Europea, a pesar de la ampliación
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geográfica y funcional¹⁰ experimentada por ésta, y a pesar del equívoco título del Tratado constitucional: instituir “una Constitución para Europa”¹¹. En el supuesto del Benelux, el artículo IV-5 estipula que la Constitución no obstará a la existencia y perfeccionamiento de las uniones regionales entabladas entre Bélgica y Luxemburgo, y entre estos dos países y los Países Bajos. En cambio, no se hace alusión explícita a otras organizaciones que tienen en suelo europeo su ámbito natural de actividad, como es el Banco Europeo de Reconstrucción y Desarrollo. Téngase en cuenta que organismos como éste o el Consejo de Europa colaboran en las funciones y valores de la Unión, allanando el camino para que los Estados candidatos reúnan los criterios necesarios para la adhesión y correcta adaptación a la Unión y a su acervo jurídico. Aun así, es indudable que la razón de ser de estos organismos queda difuminada por el expansionismo de la construcción europea propiamente dicha. De ahí la necesidad de buscar fórmulas de cooperación, tendentes, además, a evitar solapamientos reñidos con la eficacia y con la austeridad.

En lo concerniente a la acción de la Unión en el seno de las organizaciones y conferencias internacionales, además de la cláusula específica dedicada al Consejo de Seguridad de Naciones Unidas, se establece el principio general de la debida coordinación de los Estados miembros en estos foros, con vistas a defender las posiciones de la Unión. Al futuro Ministro de Asuntos Exteriores se le encomienda organizar dicha coordinación (artículo III-206). Naturalmente, estas disposiciones no empecen que la Unión, ya con personalidad jurídica propia, pueda y deba ser miembro de aquellas organizaciones internacionales que desarrollen sus competencias, en sustitución, en su caso, de la membresía hasta ahora ejercida por la Comunidad Europea (recuérdese, por ejemplo, el caso de la OMC). La cuestión, de todas formas, es algo más alambicada, pues a las reticencias internas se suman los obstáculos externos derivados de los tratados constitutivos de numerosas organizaciones internacionales que no contemplan la adhesión a las mismas de entes no estatales. Un supuesto más, por consiguiente, de la difícil penetración de la Unión en los mecanismos jurídicos internacionales.

7. El principio de la buena fe

¹⁰ Es interesante, a este respecto, consignar que el Tratado constitucional añade la política relativa al espacio (el espacio exterior, se entiende) a la relativa a la investigación y desarrollo tecnológico (arts. III-146 a 156). Esta nueva competencia expresa de la Unión viene a justificar las relaciones de colaboración que la Comunidad ya viene entablando con otro organismo europeo: la Agencia Europea del Espacio (ESA).

¹¹ Conviene añadirse que el Consejo de Europa es objeto asimismo de referencia en relación a las políticas de cultura y educación (arts. III-181, 3 y III-182, 3, respectivamente). Ello sin señalar de nuevo las menciones hechas, a propósito de los derechos humanos, al Convenio de Roma de 1950. Otro tratado auspiciado por el Consejo de Europa, la Carta Social Europea de 1961, además de ser invocado en el preámbulo de la Carta de Derechos Fundamentales, es tenido presente en la definición de la política social de la Unión (art. III-103, 1). No obviemos, sin embargo, como idea adicional, la amenaza que pende sobre



la política social europea por el proceso de deslocalización de empresas, un proceso que viene aparejado a los tiempos de globalización que vivimos.

8 REVISTA ELECTRÓNICA DE ESTUDIOS INTERNACIONALES (2004)

La relación de principios fundamentales de las Naciones Unidas, y por extensión del Derecho internacional, recogida en la Resolución 2625, se ve completada con el valor de la buena fe, principio general del derecho con una importancia añadida en el campo internacional, dada la escasa vertebración de su ordenamiento jurídico. Aun así, y precisamente por este mismo motivo, el principio de la buena fe no tiene el mismo desarrollo del principio de lealtad constitucional (en el derecho interno) o de lealtad comunitaria (en el sistema europeo). Sin embargo, este espíritu de lealtad y solidaridad mutua cabe exigírselo a la Unión, no sólo para la configuración de su política exterior (como hace el art. III-195,2), sino también para la ordenación de sus relaciones exteriores (recordemos el principio *pacta sunt servanda*, subyacente al art. III-341). Este principio encierra, entre otras cosas, la sumisión a la Carta de Naciones Unidas como norma suprema entre los tratados internacionales.

III. ALGUNAS PALABRAS FINALES

El Derecho internacional, en definitiva, ha de ser entendido como un elemento perteneciente, y no ajeno, al acervo jurídico europeo, si bien hay que convenir en que la introducción de las normas y principios internacionales incorpora un componente incontestable de incertidumbre y debilidad en el Derecho de la Unión, mucho más perfeccionado.

Precisamente por ello, la Unión habrá no sólo de respetar, sino igualmente de fomentar el desarrollo normativo e institucional del Derecho de Gentes a fin de consolidarse como una auténtica "Unión de Derecho". No se pueden soslayar, claro, las dificultades que encuentra este sujeto atípico en su penetración en unos mecanismos jurídicos internacionales pensados esencialmente por y para los Estados. Tampoco cabe subestimar las reticencias internas, más allá de la letra del derecho primario, que los Estados miembros oponen en la práctica a la identidad y visibilidad exteriores de la Unión. La cohabitación en el plano exterior entre los Estados miembros y la Unión comporta, pues, un elemento permanente de complejidad y perplejidad para propios y extraños.

Confiemos, sin embargo, en que la divisa de la nueva Europa, "Unida en la diversidad", se vaya aplicando también a la acción exterior. Dadas las tribulaciones recurrentes de la articulación interna y externa de la Unión, y las sucesivas –y acumuladas y trágicas– crisis internacionales, junto a este eslogan habrá que acuñar y observar otro: "Unida en la adversidad".

Section C) Regional integration processes

Subsection 6. The European unification process

Moreiro González Carlos J.

El Principio de Democracia Participativa en el Proyecto de Tratado de Constitución Europea
in **Cuadernos europeos de Deusto**, n. 30 , 141 - 161

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Francesco Clementi

Electoral manifestos: urge prompt adoption of European Constitution

in *Federalismi*, Anno II, n. 13

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Rossi, Lucia Serena

En case de non-ratification... Le destin périlleux du "Traité-Constitution"

in *Revue Trimestrielle de droit européen*, n. 4/2004 , 621-638

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bursens Peter

Enduring Federal Consensus: An Institutional Account of Belgian Preferences regarding the Future of Europe

in *Comparative European Politics*, n. 3, vol. 2, december , 339-357

ABSTRACT: This article seeks to examine whether the new Constitution-making process had an impact on the domestic patterns of preference formation in Belgium. The analysis is conducted from an institutionalist perspective, which assumes that the Convention rules would create new opportunities, but that pre-existing domestic institutions would prove persistent, putting constraints on the extent to which opportunities could be exploited. By using the institutionalist approach, the article aims to assess the liberal intergovernmentalist account of preference formation. It argues that Belgian preferences and preference formation procedures with respect to the Future of Europe debate demonstrate considerable continuity against a background of enduring pro-European consensus with the federal government enjoying wide autonomy. At the same time, the existence of multiple transnational networks and in particular the role of the Convention vice-president challenge the liberal intergovernmentalist account. Since both factors can be explained from an institutionalist perspective, the article concludes that institutionalism is a useful complement to liberal-intergovernmentalism in the search for a comprehensive understanding of national preference formation.

Section C) Regional integration processes

Subsection 6. The European unification process

Brühlhart M., Crozet M., Koenig P.



Enlargement and the EU Periphery: The Impact of Changing Market Potential

in World Economy, Volume 27, Number 6 , 853-875

We study the impact of changing relative market access in an enlarged EU on the economies of incumbent Objective 1 regions. First, we track the impact of external opening on internal spatial configurations in a three-region economic geography model. External opening gives rise to potentially offsetting economic forces, but for most parameter configurations it is found to raise the locational attractiveness of the region that is close to the external market. Then, we explore the relation between market access and economic activity empirically. We simulate the impact of enlargement on EU Objective 1 regions. Predicted market-access-induced gains in regional GDP and manufacturing employment are up to seven times larger in regions proximate to the new accession countries than in 'interior' EU regions. We also find that a future Balkans enlargement could be particularly effective in reducing economic inequalities among the EU periphery, due to the positive impact on relative market access of Greek regions.

Section C) Regional integration processes

Subsection 6. The European unification process

Günter Verheugen

Enlargement of the European Union: Expectations, Achievements and Prospects

in Review of International Affairs (The) , Vol. LV, n. 1114, April-June

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Janez Potoènik

Enlarging Europe: Which Format and Which Architecture?

in Review of International Affairs (The) , Vol. LV, n. 1115, July–September

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Védrine M. Hubert

Entretien. M. Hubert Védrine, ancien ministre des Affaires étrangères, répond aux questions de la Revue sur La Constitution et sa ratification

in Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne, Numero 482, octobre-novembre , pp. 557-558

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process



Oschlies Wolf

Erweiterte EU mit slowenischen Altlasten

in *Blätter für deutsche & internationale Politik*, April, 2004 , 404-407

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Toots Anu, Vetik Raivo

Estland vor dem EU-Beitritt

in *Aus Politik und Zeitgeschichte*, Band 5-6, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bolle Michael, Meyer Thomas

Euro Adoption and Growth in Central Europe: Managing a Political Process

in *Intereconomics*, Volume 39 No. 5 , 236-240

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Beichelt Tim

Euro-Skepticism in the EU Accession Countries

in *Comparative European Politics*, n. 1, vol. 2, april , 29-50

ABSTRACT: In this paper, Euro-skepticism in post-socialist EU accession countries is conceptualized as a program, which is directed against both idea and practice of European integration. It is argued that Euro-skepticism is not an isolated phenomenon but has to be interpreted as an issue in party competition that is rooted in socio-cultural and socio-economic conflict. Two-party families are disposed to rely on the EU issue in their efforts to attract voters: nationalist and communist parties. Euro-skepticism, which is treated both on the attitude and parliamentary level, has different scopes in the accession area. Whereas in the Czech Republic and in Poland Euro-skepticist forces have a considerable weight both in the populations and in the parliaments, Lithuania, Hungary and Slovenia are countries with low levels of Euro-skepticism in both dimensions.

Section C) Regional integration processes

Subsection 6. The European unification process



Klaus Neubert

Europa 2004. La posta in gioco

in *Affari Esteri*, Anno XXXVI, n. 142 , 231-246

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Schwencke Olaf

Europa fördert Kultur

in *Aus Politik und Zeitgeschichte*, Band 49, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ferruta Ugo

Europa in difficoltà

in *Critica liberale*, n. 99 gennaio 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Gui Francesco

Europa in pericolo

in *Critica liberale*, n.101, marzo 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Roth Dieter, Kornelius Bernhard

Europa und die Deutschen: Die untypische Wahl am 13. Juni 2004

in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process



Vernet Daniel

Europa: von der Union zu der K nfederation
in *Europaische Rundschau*, Heft 1, 2004

No abstract available

Section C) Regional integration processes
Subsection 6. The European unification process

Gu erot Ulrike, Witt Andrea

Europas neue Geostrategie
in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available

Section C) Regional integration processes
Subsection 6. The European unification process

Quadrio Curzio Alberto

Europe and Italy: economic and institutional relationships
in *Rivista Internazionale di Scienze Economiche e Commerciali (International Review of Economics)*, 51 (1),
125-132

No abstract available

Section C) Regional integration processes
Subsection 6. The European unification process

Pascal Lamy

Europe and the Future of Economic Governance
in *Journal of Common Market Studies*, Vol. 42, Issue 1, March, 5-22

No abstract available

Section C) Regional integration processes
Subsection 6. The European unification process

Shan Liu

Europe's integration process and Sino-European cooperation
in *Rivista di Studi Politici Internazionali*, Volume 71, n. 4, pp. 585-591

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Thomas Diez

Europe's others and the return of geopolitics

in *Cambridge Review of International Affairs* , Vol. 17, n. 2, July , 319-335

In the context of European Union enlargement and the discussions about a European constitution, the question of Europe's identity has once again entered the limelight of political debates. From a poststructuralist perspective, identities are constructed through practices of othering, articulating a difference. In this article, I follow Ole Wæver to argue that for most of the time after the Second World War the most important other in the construction of a European identity has been Europe's own past. This temporal form of othering offered the possibility to form an identity through less antagonistic and exclusionary practices than was common in the modern international society. However, since the 1990s geographic and cultural otherings are on the increase, marking a return of geopolitics in European identity constructions and undermining the notion of European integration as a fundamental challenge to the world of nation-states.¹

Section C) Regional integration processes

Subsection 6. The European unification process

Venizelos Ev.

European Constitution: A Challenge for Constitutional Theory

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 19-28

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Franz C. Mayer, Jan Palmowski

European Identities and the EU The Ties that Bind the Peoples of Europe

in *Journal of Common Market Studies*, Vol. 42, Issue 3, September , 573-598

This article addresses a crucial issue underlying enlargement and constitutional reform: the ways in which the EU has come to relate to a common European identity. The discussion problematizes the concept of identity in order to distinguish between different types of identities. It proposes that, while a meaningful common European historical identification barely exists, European identities have come to be expressed first and foremost through EU institutions and EU law. The best way for EU institutions, and the Treaty establishing a Constitution for Europe, to respond to and promote such identifications are through enhancing distinctive common citizenship rights and strengthening Europe's supranational institutions.

Section C) Regional integration processes

Subsection 6. The European unification process



Ulrika Morth, Malena Britz

European Integration as Organizing: The Case of Armaments

in *Journal of Common Market Studies*, Vol. 42, Issue 5, December , 957-974

In this article we argue that organizations and organizing activities lie at the very heart of the European integration process. Cross-pillar issues require an analytical framework that allows one to study the interplay between the market and security spheres of European integration, including how supranational and intergovernmental actors, private and public, interact with each other. By using sociological institutionalism and its notion of how organizations are institutionalized, we analyse the organizational complexity in the multifaceted policy area of armaments, without losing theoretical clarity.

Section C) Regional integration processes

Subsection 6. The European unification process

Dušan Spasojević;

European Integration through Regional Cooperation: The EU's Stabilisation and Association Process and the Western Balkans

in *Review of International Affairs (The)* , Vol. LV, n. 1113, January-March

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Martin Rucker

European Integration, Unplugged

in *Foreign Policy* , Issue 144, September / October

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lucarelli Bill

European Monetary Union: A Neo-liberal Trojan Horse?

in *Contributions to Political Economy* , 23 (1) , 81-91

It will be argued that the neo-liberal policies of disinflation, which have governed the evolution of European monetary union, have contributed to the onset of 'Eurosclerosis' over the past two decades. These monetarist-inspired policies have set in motion the cumulative and self-reinforcing logic of competitive disinflation and have left a legacy of high unemployment and economic stagnation. The basic contention is that Germany constitutes the core, hegemonic state and that its trade and investment relations with its EMU partners are essentially asymmetrical. Consequently, the process of competitive disinflation between member states in order to qualify for the Euro-zone has been driven by the ideological preferences of the Bundesbank and the imperatives of German oligopolistic accumulation. Furthermore, the



anti-Keynesian bias of the Maastricht Treaty and the Stability Pact has merely reinforced this process of severe disinflation and austerity, the social costs of which are ultimately borne by the European working class.

Section C) Regional integration processes

Subsection 6. The European unification process

Neck Reinhard, Haber Gottfried, McKibbin Warwick

European Monetary and Fiscal Policies after the EU Enlargement

in **Empirica: Journal of Applied Economics and Economic Policy**, Volume 31, Number 2-3 , 229-245

This paper examines the design of macroeconomic policies after Central and Eastern European countries (CEECs) have joined the EU. We consider scenarios with and without CEECs being members of the European Economic and Monetary Union (EMU) and analyze consequences of different intermediate targets for the European Central Bank. For the fiscal policy variables, we assume that the governments of incumbent and new members either refrain from pursuing active stabilization policies or follow either non-cooperative or cooperative activist fiscal policies. Different scenarios are simulated with the macroeconomic McKibbin–Sachs Model (MSG2 Model), and the resulting welfare orderings are determined. They show that the advantages and disadvantages of different policy arrangements depend strongly on the nature of the shock the economies are faced with. Additional macroeconomic noise resulting from the CEECs' membership of the EMU does not seem to be too much of a problem.

Section C) Regional integration processes

Subsection 6. The European unification process

Luciano Bardi

European Political Parties: A (Timidly) Rising Actor in the EU Political System

in **International Spectator (The)**, Vol. XXXIX, n. 1, January-March

Despite three main European level party structures - national parties, EP groups and transnational federations - intergovernmentalism still prevails over supranationalism, in that national parties are much more effective through intergovernmental decision-making than EP parliamentary groups or transnational federations. The rather positive potential of parliamentary groups revealed by studies is hardly brought to fruition because of the weakness of their links to civil society. This has had a negative effect on the growth of real Europarties, on the effectiveness of the EP and on the democratic quality of the EU system. Changes will or could ensue from three recent developments: the European Constitution, EU enlargement and the statute for European political parties. In particular, the latter's provisions could consolidate the various party components operating at the European level.

Section C) Regional integration processes

Subsection 6. The European unification process

Peters Anne

European democracy after the 2003 Convention

in **Common Market Law Review**, issue 1, vol. 41 , 37-85

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Mosconi Nicoletta

European resistance for european unity

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 1 , 47-64

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Per Læg Reid, Runolfur Smari Steinhórsson, Baldur Thorhallsson

Europeanization of Central Government Administration in the Nordic States

in *Journal of Common Market Studies*, Vol. 42, Issue 2, June , 347-370

This article examines the Europeanization of public administration in the Nordic countries, and explores the changes in central administration due to EU and European Economic Area (EEA) membership. The focus is on Sweden and Finland, which have recently joined the European Union, and Norway and Iceland, whose participation in European integration is based on the EEA agreement. The database is a survey conducted in all ministerial departments and directorates in the Nordic countries. There are significant differences in the adaptation patterns between EU members and EEA members, but also important differences between countries with the same form of affiliation to the EU. The adaptation pattern of the EEA member ship of Norway and Iceland seems to follow a somewhat different path. To understand this, we have to add structural factors such as the size of the public administration. The institutional context of the domestic administrative tradition and strategy also has to be taken into account.

Section C) Regional integration processes

Subsection 6. The European unification process

Schmidt Vivien

Europeanization of National Democracies: the Differential Impact on Simple and Compound Polities

in *Politique européenne* , n 13, printemps 2004

While how to remedy the democratic deficit in the EU has become the central focus of deliberations in the Constitutional Convention, as model after model of EU institutional organization has been proposed, revised, rejected, and rethought, few have even thought about the democratic deficit at the national level, let alone about how to remedy it. And yet, coming to terms with the impact of the EU on the traditional workings of member-states' democracies is as if not more important than coming to terms with EU level democracy.

Section C) Regional integration processes

Subsection 6. The European unification process

Koppe Karlheinz



Europäer der ersten Stunde

in *Blätter für deutsche & internationale Politik*, Mai, 2004 , 614-623

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Linden Christoph

Europäische Bewegung. Zivilgesellschaft für Europa

in *Osteuropa*, Heft 5-6, 54. Jahrgang, Mai-Juni , 216-222

Die Erweiterung der EU und die voranschreitende Einigung Europas lenken den Blick auf das Zusammenspiel von Politik und Gesellschaft. Die bislang primär wirtschaftlich und politisch vorangetriebene EU hat nun neue Mitglieder, die ihre demokratische Entwicklung maßgeblich dem Wirken gesellschaftlicher Befreiungsbewegungen zu verdanken haben. Dies kann der Integration neue Impulse geben. Die Vertiefung der EU bedarf einer europäisch orientierten Zivilgesellschaft. Die Europäische Bewegung will zwischen Zivilgesellschaft und Politik vermitteln und die Demokratisierung europäischer Entscheidungen forcieren.

Section C) Regional integration processes

Subsection 6. The European unification process

Nissen Sylke

Europäische Identität und die Zukunft Europas

in *Aus Politik und Zeitgeschichte*, Band 38, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Wolfgang Hetzer

Europäische Strategien gegen Geldwäsche und Terror

in *Aus Politik und Zeitgeschichte*, Band 44, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Gerhards Jürgen

Europäische Werte - Passt die Türkei kulturell zur EU?

in *Aus Politik und Zeitgeschichte*, Band 38, 2004

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Schratzenstaller Margit

Europäischer Steuerwettstreit

in *Blätter für deutsche & internationale Politik*, März, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Schratzenstaller Margit

Europäisches Dilemma: Das Defizit der drei Prozent

in *Blätter für deutsche & internationale Politik*, September, 2004 , 1142-1144

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Aguilera de Prat Cesáreo R.

Existe un "demos" europeo? : una propuesta normativa

in *Revista de Estudios Políticos* , n. 125 , 157 ss.

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Koenig-Archibugi Mathias

Explaining Government Preferences for Institutional Change in EU Foreign and Security Policy

in *International Organization*, issue 1, vol. 58, january , 137-174

ABSTRACT: Some member-states of the European Union (EU) want a supranational foreign and security policy, while other member-states oppose any significant limitation of national sovereignty in this domain. What explains this variation? Answering this question could help us to better understand not only the trajectory of European unification, but also the conditions and prospects of consensual political integration in other regional contexts and territorial scales. The main research traditions in international relations theory suggest different explanations. I examine the roles of relative power capabilities, foreign policy interests, Europeanized identities, and domestic multilevel governance in determining the preferences of the fifteen EU member governments concerning the institutional depth of their foreign and security policy cooperation. I find that power capabilities and collective identities have a significant influence, but the effect of ideas about the nature and locus of sovereignty, as reflected in the domestic constitution of each country, is particularly remarkable.



Section C) Regional integration processes

Subsection 6. The European unification process

Hine David

**Explaining Italian Preferences at the Constitutional Convention
in Comparative European Politics**, n. 3, vol. 2, december , 302-319

ABSTRACT: Italy's position in the Convention represented a partial shift away from traditional national positions. This might have been expected given the apparent euro-scepticism of some parties in the government elected in 2001, and from the growing challenges Italy faced from monetary union and the internal market process. But, while the traditional rhetorical commitment to integration was toned down, on the key institutional choices facing the Convention Italy's representatives still favoured solutions generally supportive of the mainstream features of the Community method, and especially of further development of supra-national foreign and defence policy-making. The explanation lies in the interaction of the Convention process, evolving party interests and opportunities inside the Italian coalition, and the risks of Italian isolation in EU decision-making arenas arising from its close association with US policy in Iraq. A liberal intergovernmentalist explanation thus captures rather little of what happened. The explanation of Italian choices lies more plausibly in an institutionalist direction: the special nature of the Convention process, national decision-making processes and coalition relations, and the institutional logic, for Italy, of the EU itself.

Section C) Regional integration processes

Subsection 6. The European unification process

Ferry Jean Marc

**Face à la question européenne, quelle intégration postnationale ?
in Critique Internationale**, N°23 - Avril 2004

Les nations républicaines modernes sont le résultat d'une politique d'unification de la langue et de promotion d'un système pédagogique centralisé. Les Etats-nations qui se sont construits sur ce modèle au 19ème siècle sont confrontés aujourd'hui à l'émergence de mouvements nationalistes à caractère ethnique. Toutefois, parallèlement au développement de tels mouvements spontanés, le cosmopolitisme prend également de l'ampleur, comme en témoigne l'engagement d'un nombre croissant de citoyens pour des causes transnationales (telles que l'environnement, les questions humanitaires, etc.). L'Union européenne s'oriente dans cette même direction, sur la base d'un patriotisme constitutionnel, doctrine permettant à la communauté politique de se développer indépendamment des allégeances ethniques, sur la base de valeurs universelles et d'un engagement profond en faveur de l'Etat de droit. Si certains critiquent le patriotisme constitutionnel, qui serait à leurs yeux trop abstrait, an-historique et insaisissable pour tenir lieu d'identité, il reste pourtant la meilleure voie pour la construction d'une Union européenne incarnant une alternative à l'hégémonie américaine.

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Subsection 6. The European unification process

Murray Philomena

Factors for Integration? Transnational Party Cooperation in the European Parliament, 1952-1979
in *Australian Journal of Politics & History* , Volume 50, Issue 1, March , pp. 102-115

The idea that supranational institutions of the European Union (EU) such as the European Parliament (EP) actively promote integration has been manifest in discourses of the European Community (EC) since the 1950s. There is less evidence that parties in the EP do so, partly because their existence at the European level is a relatively new phenomenon. It is also problematic, as these parties do not constitute a European party system above the state. The article traces the development of transnational cooperative links among the parties of the European Parliament from 1952 to 1979, and illustrates that, from the earliest stages of European Integration, party representatives participating in the newly established Assembly chose to adopt political stances, organisational structures and norms that were transnational and supranational in style and representation.

Section C) Regional integration processes

Subsection 6. The European unification process

Gawrich Andrea

Finnland - Musterknabe in der EU?
in *Aus Politik und Zeitgeschichte*, Band 47, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Losoncz Miklós

Fiscal Consolidation in the New EU Member States and their Accession to EMU
in *Intereconomics*, Volume 39 No. 5 , 247-253

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Igashino Atsuko

For the Sake of 'Peace and Security'?: The Role of Security in the European Union Enlargement Eastwards
in *Cooperation and Conflict*, n. 4, vol. 39, december , 347-368

ABSTRACT: The need to achieve stability and security in Europe has been a core motivation for European Union actors in their decision in favour of enlargement, calling for new measures to advance the enlargement process. EU leaders have often justified changes to the existing enlargement strategy by making reference to threats to security in Europe and by claiming that eastern enlargement could be the way to attain peace and security in Europe. Never has EU enlargement been so frequently connected with security debates. The overall effect of security concerns on the enlargement process, however, has not been adequately analysed in previous studies of EU enlargement; enlargement



policy has largely been explained from economic and commercial viewpoints. This article explores the role of security concerns in EU enlargement — ‘security’ that does not necessarily come in the military form, but in what I refer to as a ‘speech act’, drawing on insights from the Copenhagen School of security studies. The article comprises (1) a conceptual framework to consider how ‘security’ as ‘speech act’ (or the ‘securitization’ approach) can explain the enlargement process, (2) three case studies of security influences in the context of EU enlargement, and (3) conclusions on when and how security has mattered in the EU enlargement process.

Section C) Regional integration processes

Subsection 6. The European unification process

Scuccimarra Luca

**Frammenti di memoria. L'Europa, l'identità, la storia
in Novecento**, n. 10

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lynch Francis M.

**France and European Integration: from the Schuman Plan to Economic and Monetary Union
in Contemporary European History**, volume 13 - Issue 01 - February 2004, 117-121

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Section C) Regional integration processes

Subsection 6. The European unification process

Treacher Adrian

**From Civilian Power to Military Actor: The EU's Resistable Transformation
in European Foreign Affairs Review**, Volume 9, Issue 1, pp. 49-66

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Spaventa Eleanor

**From Gebhard to Carpenter: Towards a (non-)economic European Constitution
in Common Market Law Review**, issue 3, vol. 41, 743-773

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Anand Menon

From crisis to catharsis: ESDP after Iraq

in *International Affairs* , issue 4, vol. 80, july , 631-648

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Crum Ben

Genesis and Assessment of the Grand Institutional Settlement of the European Convention

in *Politique européenne* , n 13, printemps 2004

This article charts the genesis of the proposals adopted by the European Convention on the EU institutions on the assumption that a proper understanding of this evolution can help us in assessing their quality. The article first outlines the background against which these proposals were conceived. Then the various stages of the Convention's debate are recounted. In conclusion it is submitted that the Convention's proposals embody some important steps towards a more transparent, democratic and effective Union but definitely cannot be considered exhaustive. Furthermore, while many of the specific proposals put forward by the Convention look likely to be discarded again by the member states, the fundamental principles inscribed in the draft Constitutional Treaty will put the institutional architecture on a fundamentally different basis.

Section C) Regional integration processes

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Norman Peter

Germany and the UK from convention to the IGC

in *German Politics*, Volume 13, Number 4, December , pp. 569-580

The UK and Germany approached the Convention with rather closer positions on many key issues than popular image would have it, developed further common aims during the Convention, and both ended up relatively satisfied with the outcomes. Based on close observation of the Convention proceedings, this article explores this pattern of convergence, commencing with a discussion of the 'visions' that Joschka Fischer for Germany and Tony Blair for the UK brought to the debate, and developing the discussion through an analysis of how each government 'played' the Convention. Perhaps surprisingly the UK government was more adept at alliance-building, with the lead German representative, Fischer, seen as aloof and outflanked by Franco-German initiatives agreed by the respective heads of government.

Section C) Regional integration processes

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Stuart Gisela

Germany, the UK and the Future of Europe

in **German Politics**, Volume 13, Number 4, December , pp. 645-647

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Manzella Andrea

Gli equilibri istituzionali dell'Unione

in **Mulino (il)**, n. 4, luglio-agosto, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Pistone Sergio

Gli obiettivi della politica estera europea e la natura del suo sistema difensivo

in **Federalista (Il)/Federalist (The)**, Anno XLVI, n. 2 , 94-102

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Behr Hartmut

Globalisierung als Motor regionaler Integration? Untersuchungen zum Selbstverständnis des »Akteurs EU«

in **Zeitschrift für Politik**, Jahrgang 51, Heft 2, 2004 , 135-154

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Maus D.

Gouvernance et identités en Europe. La problématique de la Constitution pour l'Europe.

in **Revue européenne de droit public**, Vol. 16 - No. 1 , 305-322

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process



Dinan Desmond

Governance and Institutions: The Convention and the Intergovernmental Conference

in *Journal of Common Market Studies*, Vol. 42, Issue s1, September , 27-42

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Frank Schimmelfennig, Ulrich Sedelmeier

Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe

in *Journal of European Public Policy* , Volume 11, Number 4 / August , 661-679

In the process of the EU's eastern enlargement, the Central and Eastern European countries (CEECs) have undergone a major process of external governance. What are the main characteristics of the mode of EU external governance in this region, and under which conditions is it most effective for the transfer of EU rules to the CEECs? The article presents the findings of a collaborative international research project including comparative case studies of EU rule transfer in a great variety of policy areas and CEECs. They show that rule transfer is best explained by an external incentives model of governance; its effectiveness varies with the credibility of EU conditionality and the domestic costs of rule adoption. The impact of these conditions, however, depends on two contexts of conditionality: democratic conditionality and *acquis* conditionality.

Section C) Regional integration processes

Subsection 6. The European unification process

Kyaw Dietrich von

Guest Editorial: The EU after the Agreement on a Constitutional Treaty

in *European Foreign Affairs Review*, Volume 9, Issue 4 , pp. 455-458

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Papí, M.

Guía del Tratado de la Constitución europea

in *Cuadernos de pensamiento político*, n. 4

Section C) Regional integration processes



Subsection 6. The European unification process

Becher Klaus

Has-Been, Wannabe, or Leader: Europe's Role in the World after the 2003 European Security Strategy in European Security, Volume 13, Number 4, Winter , pp. 345-360

In December 2003, the European Union presented its "security strategy", endorsed by all member states, to provide guidance for Europe's common foreign security and defense policy. In substance, this document is not an expression of a growing strategic rift between Europe and the United States. One of the purposes it serves, however, is defining Europe's own, separate "identity". It reflects the increasing awareness that Europeans need to employ their power more effectively in the service of international peace and security, as much as politically possible. Disagreements on key issues remain in Europe, however, and the practical implications of the security strategy still need to be worked out.

Section C) Regional integration processes

Subsection 6. The European unification process

Mentré Gilles

Hongrie, Lettonie, Lituanie : l'Union européenne et la citoyenneté in Politique Etrangère, 1/2004 (printemps 2004).

La Hongrie, l'Estonie et la Lettonie sont toutes trois confrontées, à des titres divers, à la question des minorités. A cet effet, ces trois pays ont récemment modifié leurs législations sur la citoyenneté et créé des statuts de "quasi-citoyen": pour les minorités hongroises présentes hors des frontières dans le cas de la Hongrie, et pour les minorités russes présentes à l'intérieur des frontières dans le cas de l'Estonie et de la Lettonie. Ces législations ont suscité des craintes en matière de discrimination au sein de l'Union européenne, ce qui a conduit la Commission, dès 1997 pour l'Estonie et la Lettonie et à partir de 2001 pour la Hongrie, à recommander des adaptations de ces statuts, fondées sur les critères de Copenhague, en particulier le respect du droit des minorités. Cette intervention a eu pour effet de marginaliser les dispositifs prévus dans les trois pays. Ce qui ne signifie pas que l'Union pourra continuer à agir dans ce domaine après leur entrée définitive en son sein, la citoyenneté relevant du domaine régalien des Etats membres.

Section C) Regional integration processes

Subsection 6. The European unification process

Gauttier, Pascal

Horizontal Coherence and the External Competences of the European Union in European law journal, January 2004 - Vol. 10 Issue 1, , 23 - 41

The concept of horizontal coherence, or inter-pillar coherence, appears to be consubstantial with the external action of the EC/EU: it can be defined as the absence of contradictions between the policies of the European Community and the Common Foreign and Security Policy, or CFSP (consistency) on the one hand, and the achievement of a synergy between these policies (coherence) on the other hand. First considered as a political requirement, its best expression is located in the Article 3 of the Treaty on the European Union. The practice of European foreign policy has demonstrated the importance of this requirement: the control of exports of dual-use goods as well as the adoption of sanctions, whether on the basis of Article 301 EC, or in application of international agreements with third states, have given the



example of overlapping competences. Besides, this overlap has been reflected in the internal organisation of the institutions (allocation of portfolios in the European Commission, conflict between the Political Committee and the Committee of the Permanent Representatives in the Council of the EU). However, the answers to these problems have been far too timid: the adoption of an integrated approach (conflict prevention) as well as the institutional adaptations of the Treaty of Amsterdam do not compensate for the absence of a vision of the European foreign policy which would overcome the old cleavage between federalism and intergovernmentalism. Indeed, it seems to us that much more innovative solutions are needed, such as an evolution towards the binding character of the coherence requirement, which would pave the way to a coherent European foreign policy, comprising external relations and CFSP (including the defence dimension).

Section C) Regional integration processes

Subsection 6. The European unification process

Cagiati Andrea

I problemi della difesa europea

in **Affari Esteri**, Anno XXXVI, n. 143 , 534-542

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Prodi Paolo

Identità storica e Costituzione dell'Unione Europea

in **Mulino (il)**, n. 4, luglio-agosto, 2004

ABSTRACT: Una visione di lungo periodo mette in luce la grande rilevanza dell'intuizione grazie alla quale, già da giovane deputato trentino al Parlamento di Vienna, De Gasperi vedeva lo snodo fondamentale del progetto europeo nella de-sacralizzazione degli Stati-nazione. Anche per questo, la sua opera resta fondamentale per comprendere la fase odierna del lungo processo costituente dell'Europa.

Section C) Regional integration processes

Subsection 6. The European unification process

Giuliani Marco

Il Deficit Democratico nell'Unione

in **Mulino (il)**, n. 2, marzo-aprile, 2004

ABSTRACT: Un'unione di Paesi che voglia essere anche Unione politica, per di più se composta da ben venticinque Stati , non potrà ignorare i problemi che le derivassero da una insufficiente legittimazione democratica. La percezione dell'Ue da parte dei cittadini europei deve dunque essere oggetto di particolare attenzione, al fine di



cogliere e correggere ogni insoddisfazione circa il suo grado di democraticità.

Section C) Regional integration processes

Subsection 6. The European unification process

Gianniti, Luigi

Il Trattato costituzionale dalla Convenzione alla Conferenza Intergovernativa: procedure e decisioni

in *Rivista di diritto costituzionale*, 2004 , 236 - 248

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Padoa-Schioppa Antonio

Il bicchiere mezzo pieno della Costituzione Europea

in *Mulino (il)*, n. 5, settembre-ottobre, 2004

Il progetto della Convenzione si è ormai tradotto nel testo approvato il 18 giugno 2004 dai capi di governo dei 25 Paesi dell'Unione europea. Si apre ora la procedura per la ratifica, che richiederà un paio d'anni e che in alcuni Paesi – tra cui Francia e Gran Bretagna, dopo le recenti decisioni politiche di Chirac e di Blair – passerà attraverso un referendum popolare. L'esito di questa fase è tuttora incerto.

Section C) Regional integration processes

Subsection 6. The European unification process

Amato Giuliano

Il contesto istituzionale europeo

in *Istituzioni del federalismo*, n. 1 , 11-22

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Federalista (II), editoriale

Il declino dell'Europa

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 1 , 3-11

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Leonardo Ceppa



Il dibattito Denninger-Habermas sulla costituzione

in *Teoria Politica*, Vol. 20, Fascicolo 1

The Habermas Denninger debate makes it possible to sum up the fundamental issues of Hebermasian philosophy of law and, at the same time, to draw some underlying traits of the constitutional debate which is currently taking place in Germany. The contribution to the symposium held for Denninger's 65th birthday is discussed in the second paragraph. In the third paragraph of this note, finally, two texts are considered: Denninger final reply and Habermas' essay *Kulturelle Gleichbehandlung- und die Grenzen des Postmodernen Liberalismus*. If apparently the debate between Denninger and Habermas ended with Denninger's reply, in fact the problems he took up keep on interesting Habermas and this shows very clearly in his most recent works.

Section C) Regional integration processes

Subsection 6. The European unification process

Díez Picazo Luis M.

Il principio di autonomia istituzionale degli Stati membri dell'Unione europea

in *Quaderni Costituzionali*, numero : 4, dicembre , 865-867

Section C) Regional integration processes

Subsection 6. The European unification process

Gianluigi Palombella

Il significato costituzionale della cittadinanza europea

in *Teoria Politica*, Vol. 20, Fascicolo 2

Whether the Constitution to be signed adds anything to the conception of citizenship worked out in the Maastricht and Amsterdam treaties is a question which has to be addressed. European (non cosmopolitan) organization is structured in such a way as to reflect the converging role of bodies accountable respectively to the states and the «european» citizens. EU has now its own goals which require a reflexive awareness different from the one required for the mere regulation of the market: people can not be treated as mere clients of public policies. The nature of citizenship depends on premises of organizational nature (the existence of two sources of power), of socio-historical nature (the non individualistic character of its institutional goals, among which the union of peoples stands out), of procedural nature (the production of a common point of view), and political-legal nature (the function of power as linked to the conception of rights as goals).

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Subsection 6. The European unification process

Capelli, Fausto

Il sistema istituzionale dell'Unione europea come fondamento di una nuova forma di democrazia

in *Diritto comunitario e degli scambi internazionali*, n. 2 , 221 - 230



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Edoardo Greblo

Il volto ambiguo dell'Europa

in *Filosofia Politica*, n. 3, Dicembre , 483-494

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Section C) Regional integration processes

Subsection 6. The European unification process

Kraus Peter A.

In Vielfalt geeint? Europäische Identität in der Zwickmühle

in *Blätter für deutsche & internationale Politik*, Juni, 2004 , 722-732

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Schieder Siegfried

In guter Verfasstheit? Nutzen und Nachteil eines europäischen Verfassungsvertrages

in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Vedovato Giuseppe

In tema di costituzione per l'Europa

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 1 , pp. 39-43

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bosco Giorgio

In tema di sfide che l'avvenire pone all'Unione Europea

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 4 , pp. 695-698



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Capiau Jeroen, Govaere Inge, Vermeersch An

In-Between Seats: The Participation of the European Union in International Organizations

in *European Foreign Affairs Review*, Volume 9, Issue 2 , pp. 155-187

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Binder Tanja, Wüst Andreas M.

Inhalte der Europawahlprogramme deutscher Parteien 1979 - 1999

in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Smith Michael E.

Institutionalization, Policy Adaptation and European Foreign Policy Cooperation

in *European Journal of International Relations* , Vol. 10, n. 1, March , 95-136

The expansion of European Union (EU) foreign policy cooperation since 1970 presents a number of puzzles for theorists of regional integration and International Relations. It is not directed by supranational organizations, does not involve bargaining over policy alternatives, and is not dominated by the largest EU states. Nor do the EU's common foreign policy decisions reflect 'lowest common denominator' preferences. Instead, cooperation has been achieved through decentralized institutional mechanisms, involving processes associated with both intergovernmental and social constructivist theories. This article first explains how changes in institutional context — in terms of intergovernmental, transgovernmental and supranational procedures — affect the propensity for cooperation. It then links processes of institutionalization to an expansion of foreign policy cooperation among EU member states. Finally, it explores three policy areas (the Middle East, South Africa and nuclear non-proliferation) where EU states have adjusted their national foreign policies in line with EU foreign policy norms.

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Subsection 6. The European unification process

Andres Rodriguez Pose, George Petrakos

Integracion economica y desequilibrios territoriales en la Union Europea



in *EURE - Revista latinoamericana de estudios urbano regionales*, vol.29 n.89 , Pag. 63-80

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Enrico Gualini

Integration, Diversity, Plurality: Territorial Governance and the Reconstruction of Legitimacy in a European 'Postnational' State

in *Geopolitics*, Vol. 9, n. 3, Autumn , 542-563

This article deals with the European 'legitimacy crisis' from a neglected perspective, looking at 'Europe' not primarily as a set of formal (or formalisable) institutions, but rather as an emergent, policy-driven institutional construct. In this perspective, European integration may be very much seen as the outcome of the policies that are enacted in the European supra-national arena as well as of the way such policies are continuously reinterpreted, renegotiated and re-enacted in the different arenas of its multi-level polity. What is at stake in adopting a policy approach to the European legitimacy issue is, hence, a critical appraisal of development of processes of 'institutionalisation of Europe' that range far beyond issues of constitutional design. A crucial consequence is the need to 'spatialise' discourse on European reforms. The conclusion is a plea for an integration model for Europe not only constitutionally respectful of diversity, but constitutively enhancing diversity, and for an approach to policy reforms acting upon a 'political geography of differences'.

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Subsection 6. The European unification process

Biegelbauer Peter

Interessenvermittlung unter den Bedingungen der europäischen Integration. Die Erstellung nationaler Positionen zum 5. Forschungsrahmenprogramm der EU in Österreich, den Niederlanden und Schweden

in *Oesterreichische Zeitschrift für Politikwissenschaft* , 2004/2 , 137-156

This paper focuses on the policy-finding processes prior to the drawing up of selected national position papers in the context of the 5th Framework Programme for Research, Technological Development and Demonstration. The paper seeks to explain the differences in the process of establishing national positions in Austria, the Netherlands and Sweden between 1995 and 1998. Three main factors form the framework for such an explanation: the differences in the structures of national innovation systems, the forms of interest aggregation and transmission between state and economy (which are reflected in the national and the EU-related research and technological development policies) as well as the date of EU-accession. Finally, a possible convergence or divergence of the three countries' political processes is investigated before the background of ongoing EU-integration.



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Subsection 6. The European unification process

Andrew Macmullen

Intergovernmental functionalism? The council of Europe in European integration
in *Journal of European Integration*, Volume 26, Number 4 / December , 405-429

The Council of Europe is a significant presence in European integration but, although appreciated by human rights lawyers, its varied policy competences and outputs are largely overlooked by social scientists. Functional and intergovernmental theoretical approaches are considered for their potential insights. The workings of the COE are analysed, using evidence from official sources and participant interviews, to establish the nature of the policy process. Five key institutional aspects are discussed: access to membership, policy coverage, the institutional apparatus, decision procedures and processes, and mechanisms to ensure output compliance. Substantial contributions by national officials and experts, and the importance of publicly accepted norms in setting the limits within which policy consensus can be achieved are important features. Both functionalism and intergovernmentalism offer insights into the incremental operation and flexible policy achievements of the COE. Its explicit commitment to promoting democratic values reduces the need to choose between the two theoretical approaches.

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Subsection 6. The European unification process

Koenig-Archibugi Mathias

International Governance as New Raison d'État? the Case of the EU Common Foreign and Security Policy
in *European Journal of International Relations* , Vol. 10, n. 2, June , 147-188

Various scholars have suggested that at times national governments use international cooperation to gain influence in the domestic political arena and to overcome internal opposition to their preferred policies. Klaus Dieter Wolf has argued that this practice represents the latest embodiment of a longstanding *raison d'état* and has provided theoretical foundations for its systematic study. This article assesses the usefulness of this 'new *raison d'état*' thesis as a source of empirical hypotheses about the origins and persistence of international institutions. On the basis of the general logic of the argument, I develop one crucial implication that may be corroborated by cross-national research. In the light of this, the preferences of European governments regarding the institutional depth of the European Union's common foreign and security policy are examined. Overall, the findings presented in this article confirm that 'collusive delegation' can be a significant factor in the creation of international governance arrangements.

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Subsection 6. The European unification process

Farrell Henry, Hèritier Adrienne

Interorganizational Negotiation and Intraorganizational Power in Shared Decision Making. Early Agreements Under Codecision and Their Impact on the European Parliament and Council
in *Comparative Political Studies* , Vol. 37 n. 10 , 1184-1212

The authors argue that closer attention should be paid to the interorganizational rules of decision making and their



implications for intraorganizational processes. They claim that exogenous changes in macro-institutional rules, which result in a move from formal and sequential to informal and simultaneous interaction between collective actors, will lead to changes in individual actors' respective influence over outcomes within organizations. Certain individuals controlling information flows between organizations will see an increase in their power over legislative outcomes. This begs the question of how organizations will respond to these shifts in the power balance among the individual actors that constitute them. The authors argue that collective actors that centralize coordination over dealings with external actors will respond effectively through internal rule change. In contrast, collective actors with multiple, ill-coordinated links to other organizations will find it difficult to change internal rules. The authors empirically explore the general argument by analyzing the relationship between the Council and the European Parliament in the process of codecision and its implications for intraorganizational processes.

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Subsection 6. The European unification process

Fabbrini Sergio, Piattoni Simona

Introduction: Italy in the EU: pigmy or giant?

in *Modern Italy*, Volume 9, Number 2 / November 2004 , 149 - 157

This introductory article discusses the circumstances under which Italy manages to forge 'national preferences' and push them through the European policy-making process. Drawing from the analysis of several policy areas, it concludes that Italy plays a major policy-making role, particularly when it acts as mediator between large countries and small- and medium-sized ones, and when it argues its case according to policy- and EU-appropriate logics. While Italy may not have it 'its way' all the time (as no member-state does), it still manages to influence the EU policy-making process more frequently and more significantly than the literature has so far conceded.

Section C) Regional integration processes

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Francis Snyder

Is the European Constitution Dead?

in *European law journal*, Volume 10: Issue 3, May , 255 - 256



2 Page(s)

Section C) Regional integration processes

Subsection 6. The European unification process

Wilfried Swenden

Is the European Union in Need of a Competence Catalogue? Insights from Comparative Federalism

in **Journal of Common Market Studies**, Vol. 42, Issue 2, June , 371-392

This article assesses the value of a detailed and rigid catalogue of competencies for curbing the process of European centralization and increasing the overall legitimacy of the EU. The article first details the reasons, and the actors who put the search for a catalogue of competencies on to the European agenda. Drawing from comparative federalism, it then lists five arguments why a detailed and rigid competence catalogue is neither feasible nor desirable. Finally, alternatives are provided leading to competence delimitation by other means. The main arguments are illustrated with reference to the European Convention's draft Constitutional Treaty.

Section C) Regional integration processes

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Heinemann Friedrich, Huefner Felix P.

Is the view from the Eurotower purely European? National Divergence and ECB interest rate policy

in **Scottish Journal of Political Economy**, Vol. 51 (4) September , 544 ss

The official view on ECB monetary policy claims that decisions are based on euro zone data and that diverging regional developments are disregarded. To test empirically whether regional developments have an impact on ECB decisions we develop a generalised monetary policy reaction function which allows for an influence of regional divergence. Reaction function estimations and a probit model of interest rate decisions for the first years of the euro area offer some first support for an impact of regional divergence. The results clarify that ignoring a potential national perspective may lead to biased estimates for the ECB reaction function.

Section C) Regional integration processes

Subsection 6. The European unification process

Caciagli Mario

Italien und Europa - Fortdauer eines Verhältnisses von Zwang und Ansporn

in **Aus Politik und Zeitgeschichte**, Band 35-36, 2004

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Foradori Paolo, Rosa Paolo

Italy and the politics of European defence: playing by the logic of multi-level networks

in *Modern Italy*, Volume 9, Number 2 / November 2004 , 217 - 231

The article looks at the role of Italy in the decision-making arena of the EU Common Foreign and Security Policy (CFSP), analysing the initiatives it put in place to address and influence the construction of a common defence. The article aims to explain the ability or inability of Italy to build up a consensus around its proposals. By studying two initiatives in the field of European defence and security, it seeks to determine the factors which resulted in the differing outcomes of Italian actions at the European level.

Section C) Regional integration processes

Subsection 6. The European unification process

Bafoil François , Beaumelou Fabienne , Guyet Rachel, Lepesant Gilles ,Lhomel Édith , Perron Catherine

Jumelages institutionnels : les limites d'un apprentissage collectif

in *Critique Internationale*, N°25 - Octobre 2004

Alors que les huit premiers pays d'Europe centrale et orientale sont officiellement devenus membres de l'UE, une évaluation des jumelages, instrument mis en place par la Commission en 1998 dans le cadre du programme PHARE semble opportune. Il s'agit dans un premier temps d'analyser le fonctionnement de cet outil et les types d'interactions entre les différents acteurs en jeu. On pourra ainsi mettre en évidence l'adaptation ou non des procédures aux objectifs qui visent l'harmonisation et la convergence entre les différents systèmes, la qualité de la prise en compte des besoins et des attentes des participants et pour finir la réussite du processus d'europanisation. L'enjeu central étant in fine celui de l'apprentissage des bonnes pratiques, comme processus d'accompagnement, d'imitation, de correction et en fin de compte d'adaptation des règles et normes de l'UE.

Section C) Regional integration processes

Subsection 6. The European unification process

Höreth Marcus

Kontinuität oder Pfadsprung? Das institutionelle Dreieck in Europa nach dem Verfassungsvertrag

in *Zeitschrift für Politikwissenschaft* , 14. Jahrgang (2004), Heft 4 , 1257- 1296, Lit. 1293- 1296

The article takes a look at the new rules and regulations laid down in the new constitutional treaty of the EU, particularly concerning the "institutional triangle" of the EU - the Commission, the Council and the European Parliament. To which extent do these changes express constitutional continuity or signify a true change in direction in the EU institutional development? The institutional rules in the constitutional treaty reveal merely incremental adjustments in the status quo rather than fundamentally novel „critical junctures" in regard to the EU-decision-making system. Even the future reform of the EU political system does not diverge considerably from the original path of European integration and institutional development. The EU will need to continue building on this constitutional construction site in the future.



Section C) Regional integration processes

Subsection 6. The European unification process

Haase Annegret

Kooperation statt Exklusion? Euroregionen an Polens EU-Außengrenze

in *Osteuropa*, Heft 5-6, 54. Jahrgang, Mai-Juni, 484-495

Die seit 1993 entstandenen Euroregionen gelten als Instrument, um Trennlinien an der neuen EU-Außengrenze im Osten zu verhindern. Euphorische Erwartungen wurden jedoch enttäuscht. Nicht Verbundenheit, gleiche Ziele oder die Aussicht auf intensive Kooperation führten zur Bildung der Euroregionen, sondern die Hoffnung auf EU-Mittel. Trotz einiger Mängel fördern die Euroregionen den Zusammenhalt zwischen den Nachbarn. Sie haben das Potential, Kooperation effektiver zu gestalten.

Section C) Regional integration processes

Subsection 6. The European unification process

Niess Frank

Kooperations- vs. Konkurrenz-Föderalismus. Vom "antifaschistischen Allheilmittel" zum "antidemokratischen Reformhemmnis"

in *Blätter für deutsche & internationale Politik*, November, 2004, 1353-1363

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Thiel Elke

L'Allemagne, l'UEM et le pacte de stabilité

in *Politique Etrangère*, 1/2004 (printemps 2004).

En créant l'euro, les pays membres de l'Union économique et monétaire se sont fixés un objectif de stabilité: garantir la valeur de la monnaie unique. Dans ce cadre, la Banque centrale européenne a pour mission principale le maintien de la stabilité des prix. Parallèlement, la politique budgétaire repose sur un instrument de contrôle des dépenses des Etats: le pacte de stabilité et de croissance. Celui-ci a déjà produit des résultats positifs en permettant aux Etats petits et moyens de la zone euro d'équilibrer leurs budgets, voire d'engranger des excédents. Il a également renforcé la coordination des politiques au sein de l'Union. Mais, faute d'avoir réalisé les réformes indispensables, la France et l'Allemagne se sont affranchies de ces règles de discipline budgétaire, créant un précédent qui risque de nuire, à terme, à la stabilité et donc à la croissance de l'ensemble de la zone.

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Carlo Azeglio Ciampi

L'Europa e il compito dei 6 fondatori

in *Affari Esteri*, Anno XXXVI, n. 141, 5-7

“AFFARI ESTERI”, N. 141, pp. 5-7

CARLO AZEGLIO CIAMPI

– Presidente della Repubblica Italiana –

L'EUROPA E IL COMPITO DEI SEI FONDATORI

Questo è il testo integrale della lettera che il Presidente della Repubblica Carlo Azeglio Ciampi ha inviato il 19 novembre 2003 ai Presidenti di Germania e di Francia ed ai Sovrani del Belgio, del Lussemburgo e dei Paesi Bassi, cioè ai Capi di Stato dei cinque Paesi che, assieme all'Italia, hanno fondato l'Europa.

Le scrissi un anno fa per ricordare insieme l'ideale comunitario dell'integrazione europea ed il ruolo vitale che i sei Paesi fondatori - il Belgio, la Germania, la Francia, l'Italia, il Lussemburgo, i Paesi Bassi - sono chiamati a svolgere nel condurre a buon fine l'indispensabile riforma istituzionale dell'Unione Europea.

Nel corso del 2003, la collaborazione fra i Paesi fondatori ha ancora dimostrato di essere l'anima del progetto di unificazione, capace di imprimere slancio ai suoi avanzamenti.

Ha facilitato, nelle cruciali fasi conclusive della Convenzione, il consenso su un testo di Trattato Costituzionale, che risponde alle esigenze di un'integrazione europea matura e pronta a trovare una compiuta definizione giuridica. Alla Conferenza Intergovernativa, continuatrice del lavoro costituente della Convenzione e depositaria delle sue acquisizioni, tale collaborazione è indispensabile, affinché il patrimonio originario di valori e la lunga esperienza accumulata contribuiscano alla realizzazione di una Costituzione per l'Europa.

Coesione e senso di responsabilità sono stati essenziali nei momenti decisivi dell'integrazione, dal mercato unico, all'abolizione integrale delle frontiere, all'introduzione dell'Euro. Non possiamo farne a meno oggi, quando l'Unione Europea è chiamata a darsi un assetto istituzionale che le consentirà di esercitare in maniera adeguata le responsabilità che le competono anche in campo internazionale ed avendo, inoltre, ampliato il numero dei suoi Stati membri.

Tante volte abbiamo invocato una più autorevole presenza dell'Europa sulla scena mondiale. È ora il momento di dare un peso politico ai principi che ci uniscono e che non riguardano soltanto l'economia e la moneta.

Ho avuto modo, durante i miei recenti colloqui a Washington con il Presidente Bush e il Vice Presidente Cheney, di mettere in luce il significato dell'integrazione europea ed il valore del progetto di Costituzione.

Ho illustrato la convinzione che gli Stati Uniti possono avere piena fiducia nell'Unione Europea. Analogamente, nel mio successivo incontro con il Segretario Generale delle Nazioni Unite, ho riscontrato l'aspettativa per il consolidamento di un ruolo unitario dell'Europa in ambito multilaterale.

Abbiamo una particolare responsabilità nell'assicurare l'adozione della Costituzione, che consentirà all'Unione Europea di diventare un soggetto politico di pieno diritto.

Ci sostiene la volontà di rispondere alle attese dei nostri cittadini.

Siamo chiamati ad un compito urgente, che deve essere portato a buon fine prima dell'allargamento ai dieci nuovi Stati membri, prima delle elezioni europee del prossimo mese di giugno.

Noi Paesi fondatori abbiamo compiuto uno straordinario investimento politico nel progetto di condivisione della sovranità; abbiamo tenacemente operato per il raggiungimento dei traguardi dell'integrazione.

Non possiamo immaginare alcun altro risultato, se non l'approvazione, entro il 2003, del nuovo Trattato Costituzionale.

I Paesi fondatori sono ben consapevoli che la volontà di unificazione europea è inarrestabile. L'Unione andrà comunque avanti, anche attraverso nuclei d'avanguardia, che, come per il passato, continueranno a perseguire e ad anticipare la



realtà di una necessaria, sempre più compiuta integrazione.

Con piena fiducia in questi comuni obiettivi e nel rinnovamento dello spirito unitario di cui siamo antesignani, oggi come agli albori dell'integrazione, indirizzo questa lettera a Lei, come a tutti i Capi di Stato dei Paesi fondatori.

Grato per le considerazioni che Ella riterrà farmi pervenire, La prego di accogliere l'espressione della mia viva stima.

Carlo Azeglio Ciampi

Section C) Regional integration processes

Subsection 6. The European unification process

Mark Gilbert

L'Europa in mezzo al guado: una discussione sull'unità europea

in *Rivista Italiana di Scienza Politica*, Numero 1, Aprile , 127-138

This article provides a detailed look at several central questions in the recent history of the European Union: monetary union, enlargement, federalism in Europe, Euroscepticism and the role of Europe in international politics. These subjects are covered via a reading of five original recent works (by Michael J. Baun, David P. Calleo, Kenneth Dyson and Kevin Featherstone, John Gillingham and Larry Siedentop). The article concludes by reflecting that the twin challenge of "deepening" and "widening" the European Union after Maastricht has not had the results that were expected and hoped for. The EU is finding that emerging as a coherent international force is beyond it, but that retracing its steps is impossible.

Section C) Regional integration processes

Subsection 6. The European unification process

Lefebvre Maxime

L'Europe politique est-elle encore possible ?

in *Debat (Le)*, N° 129 mars-avril 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Patat Jean-Pierre

L'Eurosystème dans la perspective de l'élargissement de l'Union monétaire

in *Lettre du CEPII*, n° 235, juin 2004-11-04

L'Eurosystème (SEBC), composé de la Banque centrale européenne et des banques centrales nationales des pays de la zone euro a, actuellement, un mode de fonctionnement décentralisé. Cette décentralisation se manifeste à la fois dans le processus de décision, dans les modalités de mise en œuvre de la politique monétaire et dans la surveillance bancaire. Avec l'élargissement de la zone euro aux nouveaux membres de l'Union européenne, le fonctionnement du SEBC pourrait évoluer vers une plus grande centralisation et se rapprocher, en apparence du moins, de celui de la Réserve fédérale américaine. Cependant, une telle modification des modalités de fonctionnement de l'Eurosystème



influencerait les équilibres entre les grandes places financières de la zone euro.

Section C) Regional integration processes

Subsection 6. The European unification process

Rotfeld Adam D.

L'Union a-t-elle besoin de la PESD?

in *Politique Etrangère*, 2/2004 (été 2004)

Pour la Pologne, la politique européenne de sécurité et de défense (PESD) est un pilier essentiel de l'Union européenne et constitue le meilleur rempart contre la renationalisation des politiques de sécurité en Europe. Mais la PESD ne doit ni remplacer ni dupliquer l'OTAN. Elle doit permettre aux nations européennes, au-delà de l'horizon commun, de garantir leur propre sécurité, tout en prévenant de nouvelles divisions entre ces nations. Enfin, il est temps que l'Europe passe, dans ce domaine, des grands desseins à la pratique. Pour ce faire, les capacités doivent être reliées aux besoins réels et aux possibilités d'emploi et une culture stratégique commune doit accompagner l'adoption, par l'ensemble des États membres, d'une stratégie européenne adaptée au nouvel environnement international.

Section C) Regional integration processes

Subsection 6. The European unification process

Laurent Eloi, Le Cacheux Jacques

L'Union européenne en quête d'un

in *Revue Tocqueville - The Tocqueville Review*, Vol. XXV, n. 1 - Printemps - été 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lepesant Gilles

L'Union européenne et son voisinage, vers un nouveau contrat

in *Politique Etrangère*, 4/2004 (hiver 2004-2005).

La nouvelle politique de voisinage mise en place par la Commission européenne (2003) vise au renforcement de la coopération entre l'Europe élargie et les pays qui bordent ses frontières sud et est. Sa portée géographique et ses nouvelles méthodes (les "plans d'action" doivent être conjointement acceptés par la Commission et chaque pays partenaire) en constituent les deux innovations principales. Les grandes règles des politiques communes de l'Union ménagent une étroite marge de manoeuvre pour une telle politique, notamment dans le domaine de la politique migratoire. Les intérêts européens pourraient ainsi contredire les États qui souhaitent un accès plus facile au marché du travail européen. À travers les plans d'action, un ajustement progressif des législations nationales sur celle de l'UE pourrait pourtant donner un nouvel élan à leurs relations économiques. Un tel scénario exigerait des pays partenaires une forte volonté politique, l'Union ne mentionnant comme contrepartie ni la



perspective de l'adhésion, ni celle de l'accès aux "quatre libertés".

Section C) Regional integration processes

Subsection 6. The European unification process

Sergio Fabbrini

L'Unione Europea come democrazia composita?

in *Rivista Italiana di Scienza Politica*, Numero 1, Aprile , 13-42

If the EU is no longer an international organization, what is it? The article argues that the EU is a compound democracy, because it is organized around a multiple separation of powers (vertical as well as horizontal) and functioning without a government (as a single institution). If this model of democracy has no equivalent in contemporary Europe, however, it was elaborated and pursued on the other shore of the Atlantic, namely in the United States. After all, the US grew out of the need to aggregate different and separated states, jealously preserving their own specific cultures and distinct social and economic structures. Also in the US, the democratic process is organized around a multiple separation of powers (vertical as well as horizontal) and functions without a government (as a single institution). If this is true, then the EU is not an exceptional system, but a species (although not yet fully developed) of a genus, represented by democracies built around the need to aggregate asymmetrical state units and communities of interest. Then it is necessary to investigate the political theory of a compound democracy, as it was elaborated in the US during the constitutional debate of the founding period, with the lens of the political experience developed afterward. This scrutiny offers useful indications for the EU. A compound democracy has both strength and weakness. The former lies in its capacity to constrain majority factions which could jeopardize the legitimate rights of the states, communities of interests or individuals constituting the compound. This strength comes from the territorial extension of democracy and from the protection, in terms of veto powers, enjoyed by its separated institutions. The latter lies in the fact that governing without a government makes it difficult to take coherent and responsible decisions, especially when the context requires them. Here the "responsibility dilemma" of a compound democracy.

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Subsection 6. The European unification process

Garibaldi Gabriele

L'Unione Europea nelle maglie dell'iperpotenza: l'unità politica alla deriva

in *Giano*, n. 46, anno XVI, aprile

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ignazi Piero

L'Unione degli Euroscettici

in *Mulino (il)*, n. 4, luglio-agosto, 2004

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Paruolo Silvana

L'Unione europea e il suo futuro tra globalizzazione, allargamento e dopo Cig

in Affari Sociali Internazionali, n. 1, 2004

ABSTRACT: Il 1° maggio del 2004, altri dieci nuovi paesi diventeranno membri effettivi dell'Unione. Data la sua importanza, questo allargamento ha accelerato una nuova fase costituente finora concretizzatasi nei lavori di una Convenzione europea, che ha partorito un progetto di Costituzione europea; e nell'avvio di una Conferenza intergovernativa, che - essendo stata incapace di decidere al Consiglio europeo del 12 -13 dicembre 2003 - ha, tra l'altro, riaperto il dibattito sulle cooperazioni rafforzate, e, un 'Europa a più velocità. Che bilancio trarre della presidenza italiana, cui è oramai subentrata la presidenza irlandese? E ancora, quali sono i principali rischi ed opportunità, riscontrabili nel processo di allargamento in corso? Quali sono le relazioni industriali nei nuovi paesi membri? Come gestire i cambiamenti - anche industriali - in corso? E in cosa consiste la cosiddetta Iniziativa comunitaria di Crescita? Sono i quesiti cui - qui - tenterò di dare una risposta.

Section C) Regional integration processes

Subsection 6. The European unification process

Bronzini Giuseppe

L'Unione in mezzo al guado: l'accordo sulla Costituzione europea

in Questione giustizia, fascicolo 6 , 1067-1083

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ciampi Carlo Azeglio

L'allargamento dell'unione europea nel pensiero del presidente Carlo Azeglio Ciampi

in Rivista di Studi Politici Internazionali, Volume 71, n. 3 , pp. 415-416

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Hans-Ulrich Wehler

L'autodistruzione dell'Europa con l'adesione della Turchia,

in Novecento, n. 10

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Draetta, U.

L'azione esterna dell'Unione nel Progetto di Costituzione Europea

in *Diritto dell'Unione europea*, Vol. 2 , pag. 267-280

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Allemand Frédéric

L'élargissement de l'Union économique et monétaire : enjeux et risques

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 476, mars , pp. 153-159

The enlargement of the Economic and Monetary Union: challenges and risks.

The enlargement of the European Union on the 1st of May 2004 at 10 new Member States imply their automatic admission in the Economic Monetary Union. Where such a prospect is concerned, it is important that the new member countries should continue both their nominal and real convergence processes beforehand, and that the reform of the Board of Governors of the ECB put in place during the spring of 2003 should quickly apply. Otherwise, managing monetary policy could prove to be difficult for the entire euro-zone and less than optimal for those states whose economies need to catch up. Moreover, the current problems regarding the economic aspects of the Economic and Monetary Union risk being exacerbated by the arrival of the new member countries. In the medium term, the modernisation of their social systems and infrastructure should lead to subsequent increases in their public debt and deficit, once again creating tension concerning the strict observance of economic co-ordination and budgetary discipline rules.

Section C) Regional integration processes

Subsection 6. The European unification process

Paolo Ridola

La "Costituzione europea" dopo il voto

in *Federalismi*, Anno II, n. 13

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Gaia Patrick

La Charte des droits fondamentaux de l'Union européenne

in *Revue française de droit constitutionnel*, n. 58 , 227 - 246



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Section C) Regional integration processes

Subsection 6. The European unification process

Lefebvre Maxime

La Commission Barroso et le consensus européen

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 483, décembre , pp. 634-636

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bracq Stéphane

La Commission européenne entre fonctions d'arbitrage et rôle politique

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 480, juillet-aût , pp. 440-449

The European Commission: between its arbitration functions and political role.

The recent Alstom affair demonstrated to what extent certain people are unaware of the exact role of the European Commission. This ignorance largely lies in the fact that they refuse to grant any political legitimacy to this institution. How can this situation be explained and resolved? The founding fathers of the treaties, and more particularly J. Monnet and P. Reuter, based the legitimacy of the Commission on a legal logic, with arbitration and the regulation of the economy being more important than political thinking. It is precisely this fact which draws most fire from its critics. The latter would like to see the Commission become a legitimate "government" in the political sense. We therefore need to give thought to the possibility of transforming the Commission into a government, purely political in nature, while at the same time enabling it to remain an independent regulatory authority. This objective could be achieved by means of separating the President of the Commission from the rest of the body. The President would stand for political legitimacy whereas the body would remain a technical and independent institution.

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Subsection 6. The European unification process

Chaltiel Florence

La Commission européenne face au Parlement européen - 27 octobre 2004, acte I de la démocratie européenne

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 483, décembre , pp. 629-633

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Section C) Regional integration processes

Subsection 6. The European unification process



Ponzano P.

La Commissione europea: composizione e ruolo nel sistema istituzionale dell'Unione
in *Diritto dell'Unione europea*, Vol. 4 , Pag-501-518

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Euzéby Alain

La Constitution - Constitution de l'Union européenne : des valeurs à défendre!

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 482,
octobre-novembre , pp. 566-568

European Union Constitution: Values to defend.

Comments and discussions that the European Union Constitution arouses do not discuss the values that the text clearly enhances, particularly values of dignity, freedom, solidarity, social justice, equality and democracy. Yet those values are the ultimate goals of the economic activity and are essential to the European social model. Therefore, they should be cultivated, taught and mediatised, both to prevent the Union from just being a mere economic and monetary union, and for it to arouse more interest and enthusiasm in its citizens.

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Subsection 6. The European unification process

Magnette Paul

La Convention européenne : argumenter et négocier dans une assemblée constituante multinationale

in *Revue française de science politique*, Volume 54, Numéro 1, Février , 5-42

En juin et juillet 2003, la " Convention européenne " présidée par l'ancien président français Valéry Giscard d'Estaing, adoptait un " projet de traité établissant une constitution pour l'Europe ". L'analyse menée ici vise à établir, en se référant à l'opposition conceptuelle entre délibération et négociation, dans quelle mesure ce processus prolonge la logique antérieure de réforme des traités, et jusqu'à quel point elle s'en distancie pour se rapprocher d'un processus constituant. En examinant les tendances lourdes des " réformes constitutionnelles " dans l'UE depuis les origines, la négociation du mandat de la Convention et le déroulement de ses travaux, on indique que la " délibération " n'a pu infléchir que de manière relative la logique de négociation intergouvernementale.

Section C) Regional integration processes

Subsection 6. The European unification process

Risi Cosimo

La Costituzione della grande Europa: coesione economica, sociale, territoriale

in *Diritto comunitario e degli scambi internazionali*, n. 4 , 831 - 858



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Section C) Regional integration processes

Subsection 6. The European unification process

Draetta Ugo

La Costituzione europea e il nodo della sovranità nazionale

in *Diritto dell'Unione europea*, Vol. 4 , Pag. 519-536

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Section C) Regional integration processes

Subsection 6. The European unification process

Draetta, U.

La Costituzione europea e il nodo della sovranità nazionale

in *Diritto dell'Unione europea*, Vol. 3 , pag. 519-536

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Section C) Regional integration processes

Subsection 6. The European unification process

Dini Lamberto

La Costituzione europea e le relazioni transatlantiche

in *Affari Esteri*, Anno XXXVI, n. 143 , 491-497

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Section C) Regional integration processes

Subsection 6. The European unification process

Ciampi Carlo Azeglio

La Costituzione è il passo decisivo per l'Europa

in *Affari Esteri*, Anno XXXVI, n. 142 , 229-230

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Alves C. M.

La Hiérarchie du droit dérivé unilatéral à la lumière de la Constitution européenne: révolution juridique ou sacrifice au nominalisme?

in *Cahiers de Droit Européen*, n. 5 - 6 , 691 - 726



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

D'Ottavio Gabriele

La Repubblica federale tedesca e l'integrazione europea: le conseguenze della caduta del Muro di Berlino sul processo di unificazione europea

in *Ventunesimo Secolo. Rivista di Studi sulle Transizioni*, Anno III, n. 6, ottobre - special issue "La Germania, la fine della guerra fredda e l'Europa"

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Section C) Regional integration processes

Subsection 6. The European unification process

Mosconi Nicoletta

La Resistenza europea per l'unità dell'Europa

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 1, 45-64

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Fuentes Monzonís-Vilallonga Jorge

La ampliación de la Unión Europea y el futuro de Europa

in *Cuadernos europeos de Deusto*, n. 31, 81 - 100

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Section C) Regional integration processes

Subsection 6. The European unification process

Pennera C. - Schoo J.

La codécision - Dix ans d'application

in *Cahiers de Droit Européen*, n. 5 - 6, 531 - 566

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Section C) Regional integration processes

Subsection 6. The European unification process

Lefebvre Maxime

La constitution - La Constitution européenne : bilan d'un accouchement (2002-2004).



in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 482,
octobre-novembre , pp. 559-565

The European Constitution: Review of a delivery.

The European Constitution is the last step of a long adjustment process the EU has undertaken to face the great challenge of the enlargement. The negotiation took more than two years ("European Convention" then Intergovernmental Conference). That "Constitution" is not a revolution. It simplifies and improves the functioning of the European Union. It is a compromise between big and small States, between the ones who favor the intergovernmental method and the ones who prefer a federalist Europe. The reform of the qualified majority voting and the size of the Commission have been the most delicate issues to deal with. Basically the European integration has not really moved forward, however some improvements have been made for economic governance, foreign policy and defense, justice and home affairs. Now the Constitution has to be ratified by the 25 Member States in order to come into force in 2006.

Section C) Regional integration processes

Subsection 6. The European unification process

Costa Olivier

La contribution de la composante “ Parlement Européen” aux négociations de la Convention in Politique européenne , n 13, printemps 2004

La Convention a été un peu rapidement présentée comme l’aboutissement des démarches du Parlement européen en faveur de l’adoption d’une constitution européenne et comme un exercice très profitable à l’institution. Il convient d’y regarder de plus près. Si les délégués de l’assemblée européenne bénéficiaient a priori d’importantes ressources, ils ont dû composer avec de nombreuses contraintes qui ont entravé leur prétention au leadership. Au terme de l’exercice, il apparaît néanmoins que les députés européens ont joué un rôle important dans la construction du consensus et sont parvenus, grâce notamment à l’action de coordination des partis politiques européens, à défendre efficacement leurs options.

Section C) Regional integration processes

Subsection 6. The European unification process

Andrea Cagiati

La crisi della Costituzione europea

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 1 , pp. 15-21

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Giuseppe Allegri

La domanda inesausta del referendum del PS francese sulla Costituzione europea: quale Europa, al giorno d'oggi?

in *Federalismi*, Anno II, n. 24



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Section C) Regional integration processes

Subsection 6. The European unification process

Aucante Yohann

La nouvelle exception suédoise ? Le référendum sur l'Euro de 2003

in *Critique Internationale*, N°22 - Janvier 2004

Après de longs atermoiements, le gouvernement social-démocrate suédois est finalement décidé à organiser un référendum sur l'Euro en septembre 2003. Malgré la nature consultative de cette procédure, le rejet populaire, renforcé par l'importance du taux de participation, ne pouvait que contraindre à repousser sine die la troisième phase de l'UEM, alors même que la Suède n'avait pas expressément demandé de clause d'exemption (contrairement au Danemark et au Royaume-Uni). Ce résultat ne peut être compris qu'il est résitué dans la continuité du référendum de 1994 sur l'intégration et dans la longue trame d'une revendication de souveraineté populaire frustrée par la tendance intergouvernementaliste et l'attitude des instances du pouvoir européen.

Section C) Regional integration processes

Subsection 6. The European unification process

Garibaldi Gabriele

La nuova Unione Europea: i dubbi e le "certezze"

in *Giano*, n. 47, anno XVI, settembre

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Napolitano Giorgio

La parlamentarizzazione dell'Unione Europea.

in *Comunità Internazionale (La)*, n. 4, vol. LIX, quarto trimestre

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Section C) Regional integration processes

Subsection 6. The European unification process

Majocchi Alberto

La politica economica nella Costituzione europea

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 2, 70-93

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Section C) Regional integration processes

Subsection 6. The European unification process

Villani Ugo

**La politica europea in materia di sicurezza e di difesa e i suoi rapporti con le Nazioni Unite
in Comunità Internazionale (La)**, n. 1, vol. LIX, primo trimestre , 63-90

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ehrhart Hans-Georg

**La politique de sécurité de l'Union européenne en devenir
in Politique Etrangère**, 3/2004 (automne 2004).

Après les profondes divisions face à la guerre contre l'Irak, qui semblaient marquer l'arrêt des progrès de la politique de sécurité et de défense de l'Union européenne, ceux-ci se sont au contraire accélérés, en particulier grâce à la coopération de l'Allemagne, de la France et du Royaume-Uni. De l'adoption d'une stratégie européenne de sécurité à la création d'une cellule de planification opérationnelle au sein de l'état-major militaire de l'Union, en passant par la formulation d'une politique commune de non-prolifération, la création d'une agence européenne de l'armement, la reprise de la mission de la Force de stabilisation en Bosnie ou l'intervention militaire en République démocratique du Congo, l'Union s'affirme ainsi de plus en plus comme un véritable acteur global dans le domaine de la sécurité. Certes, dans une Europe à 25, une volonté politique commune doit encore émerger pour mettre en place une véritable Union de la défense et de la sécurité. En attendant, les États membres partisans de l'intégration de la politique de sécurité devront continuer, au moins provisoirement, à se tenir à l'avant-garde.

Section C) Regional integration processes

Subsection 6. The European unification process

Yakemtchouk Romain

**La politique étrangère de l'union européenne
in Rivista di Studi Politici Internazionali**, Volume 71, n. 3 , pp. 379-394

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Cartabia, Marta

**La ratifica del trattato costituzionale europeo
in Quaderni Costituzionali**, numero : 4, dicembre , 863-864



Section C) Regional integration processes

Subsection 6. The European unification process

Paterniti Francesco

La riforma dell'art. 117, comma 1, Cost. e le nuove prospettive nei rapporti tra ordinamento giuridico nazionale e Unione europea

in *Giurisprudenza Costituzionale*, fasc. 3 , 2101 - 2128

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Section C) Regional integration processes

Subsection 6. The European unification process

Paolo Ponzano

La riforma delle istituzioni europee nel nuovo Trattato Costituzionale

in *Democrazia e diritto*, Anno XLII, n. 1

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Section C) Regional integration processes

Subsection 6. The European unification process

Mattera Alfonso

La riunificazione della "Grande Europa"

in *Nuova Storia Contemporanea*, Anno VIII, n. 4, luglio-agosto , pp. 137-144

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Section C) Regional integration processes

Subsection 6. The European unification process

Caracciolo I.

La rivelazione dei valori democratici nell'Unione europea

in *Teoria e diritto dello Stato*, Vol. 1 / 04

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Section C) Regional integration processes

Subsection 6. The European unification process

Ponzano , Paolo

La réforme des Institutions de l'Union européenne dans le cadre de la Constitution



in *Revue du droit de l'Union Européenne*, n. 1 , 25 - 38

Section C) Regional integration processes

Subsection 6. The European unification process

Ponzano P.

La sindrome di lilliput: grandi e piccoli Stati membri della nuova Europa

in *Diritto dell'Unione europea*, Vol. 4 , Pag. 537-546

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Montani Guido

La strategia federalista e la campagna per la Costituzione europea

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 2 , 94-102

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bellamy Richard, Castiglione Dario

Lacroix's European Constitutional Patriotism: A Response

in *Political Studies*, Volume 52, Issue 1, March , pp. 187-193

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Reich Charles

Le Conseil législatif : « chimère » ou réalité

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 479, juin , pp. 361-366

The Legislative Council: "pipe dream" or reality?

The creation of a Legislative Council has been one of the themes examined by the Convention on the Future of Europe, whose draft treaty proposed a "Council for legislative and general affairs" which would carry out these two responsibilities depending on its agenda of the moment. The increase in the scope of the Council's tasks (particularly its



legislative functions) has made the operation of this institution even more complex and more difficult to manage. In the report concerning the operation of the Council in light of an enlarged Europe, drafted in 1999 by the General Secretariat of the Council, it is pointed out that foreign ministers are not always entitled to initiate arbitrations between various ministers and do not always possess the required authority upon them. The need for a legislative Council can also be justified for functional reasons. Obstacles of an ideological nature (with a reticence to see the Council turned into a European Senate) and of a structural nature (concerning significant modifications to government structures within each member state and consequently their internal policies) currently makes such a development unlikely.

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Deloche - Gaudéz Florence

**Le Secretariat de la Convention Européenne: un acteur influent
in Politique européenne**, n 13, printemps 2004

Cet article vise à combler une lacune de l'actuelle littérature sur la Convention européenne, qui n'accorde qu'une attention limitée au Secrétariat de la Convention. Il est vrai que ses membres ont eux-mêmes tendance à le décrire comme un organe neutre, qui exerçait une fonction de rédaction encadrée par de nombreux acteurs. La position stratégique qu'il occupait au sein du processus de décision et d'expertise qu'il détenait ont néanmoins conduit à influencer le contenu du projet de traité constitutionnel. Son hétérogénéité, une contrainte initiale, est même révélée être une ressource, qui a contribué à l'élaboration de textes consensuels. Au terme de cette analyse, il apparaît donc nécessaire de compléter les approches actuelles de la Convention, le plus souvent inspirées des théories de la négociation et de la délibération, par la prise en compte d'une « logique d'expertise » qui permettrait de saisir le poids relatif non seulement du Secrétariat, mais aussi des administrations nationales et européennes.

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Delpierre, N. Papadimitriou, T. Pincemaille, D., Moulinier B.

Le Traité instituant une Constitution européenne
in *Revue du droit de l'Union Européenne*, n. 3, 609-632

No abstract available

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Fiorilla Rodolfo

Le elezioni europee del 2004 e l'approvazione del Trattato costituzionale della nuova Europa
in *Affari Sociali Internazionali*, n. 3, 2004

ABSTRACT: Due avvenimenti importanti per il futuro dell'Europa hanno caratterizzato il mese di giugno del 2004: le elezioni per il Parlamento e il varo della prima carta Costituzionale dell'U.E. Si tratta di due operazioni distinte, la prima di natura politica, la seconda istituzionale. Al voto per il rinnovo del Parlamento erano chiamati quasi mezzo miliardo di



cittadini, compresi quelli dei 10 nuovi paesi (otto dell'ex Patto di Varsavia più Malta e Cipro), per eleggere 732 eurodeputati, di cui 78 in quota all'Italia. La Costituzione nasce invece dall'approvazione a Bruxelles il 18 giugno del Trattato, sottoscritto dai 25 Capi di Stato e di Governo, che istituisce la prima carta costituzionale dell'Unione Europea. Il testo dovrà ora essere ratificato da tutti i paesi dell'Unione e potrebbe entrare in vigore nel 2007. La stesura del trattato ha richiesto ben 17 mesi di lavoro svolto da un'assemblea, denominata Conferenza intergovernativa, apertasi a Roma il 4 ottobre del 2003 e presieduta dall'ex capo di stato francese, Giscard d'Estaing.

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Lefebvre Maxime

Le grand bond vers l'Est: une nouvelle Europe

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 478, mai , pp. 281-289

No abstract available

Section C) Regional integration processes

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Meny Yves

Le principe démocratique et l'Union européenne: le défi d'une démocratie post-nationale

in *Revue Tocqueville - The Tocqueville Review*, Vol. XXV, n. 1 - Printemps - été 2004

No abstract available

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Gauchet Marcel

Le problème européen,

in *Debat (Le)*, N° 129 mars-avril 2004

No abstract available

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Monjal Pierre-Yves

Le projet de traité établissant une Constitution pour l'Europe: quels fondements théoriques pour le droit constitutionnel de l'Union européenne?

in *Revue Trimestrielle de droit européen*, n. 3/2004 , 443-476

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Vignes Daniel

Le projet du 18 juin 2004 d'un traité constitutionnel, continuité et discontinuité

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 480, juillet-aôut , pp. 417-420

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Balibar Etienne

Le radici culturali della Costituzione europea

in *Lettera Internazionale*, n. 81, 2004

No abstract available

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Martinelli , Stefano

Le rôle des Parlements nationaux dans l'architecture européenne

in *Revue du droit de l'Union Européenne*, n. 4 , 753 - 770

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Nicot Séverine

Le soutien constitutionnel européen au processus de démocratisation engagé dans les PECO - 2° L'assistance constitutionnelle

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 478, mai , pp. 298-305



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Andreani Pascale

Le traité constitutionnel et la CIG 2003-2004

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 480, juillet-aôut , pp. 413-416

No abstract available

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Garcia-Duran Huet Patricia

Le traité d'Athènes, un traité d'adhésion comme les autres?

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 478, mai , pp. 290-292

No abstract available

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Guyet Rachel

Le transfert de la Stratégie européenne pour l'emploi aux nouveaux États membres

in *Critique Internationale*, N°25 - Octobre 2004

Les difficultés observées dans le transfert de la Stratégie européenne pour l'emploi à huit des dix États nouvellement membres de l'Union européenne tiennent autant aux héritages historiques de ces États qu'à une méthodologie européenne complexe. La conclusion, qui se veut optimiste quant aux capacités d'apprentissage de ces États pour la mise en œuvre des nouvelles méthodes de travail européennes dans le domaine de la politique de l'emploi, interroge néanmoins la validité d'un modèle social européen dans le cadre de l'Europe élargie.

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Shaw Jo

Legal and Political Sources of the Treaty Establishing a Constitution for Europe

in *Northern Ireland Legal Quarterly*, Vol. 55, No. 3 , 214-241

No abstract available



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Altmann Franz-Lothar

Les Balkans occidentaux et l'Union

in *Politique Etrangère*, 4/2004 (hiver 2004-2005).

Depuis la conclusion des accords de Dayton, l'Union européenne est beaucoup engagée dans la stabilisation des Balkans occidentaux et a élargi à cette fin son éventail d'instruments politiques. Au sommet "UE-Balkans occidentaux" de Thessalonique, la perspective d'adhésion était présentée aux pays de la région, avec des programmes de coopération. Un soutien extérieur fort est de toute évidence nécessaire. Mais les pays de la région doivent savoir que sans efforts propres, sans coopération régionale raisonnée, aucun progrès durable ni aucune perspective de développement ne pourront être atteints.

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Bribosia , Hervé

Les coopérations renforcées et les nouvelles formes de flexibilité en matière de défense dans la Constitution européenne

in *Revue du droit de l'Union Européenne*, n. 4 , 647 - 708

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Lequesne Christian , Perottino Michel

Les élections européennes en République tchèque : anatomie d'une réticence

in *Critique Internationale*, N°24 - Juillet 2004

Un mois après que leurs pays eurent fait leur entrée officielle dans l'Union européenne, les populations d'Europe centrale ont été appelées à élire leurs représentants au Parlement européen. En République tchèque, la campagne électorale a surtout été dominée par la critique des réformes engagées par le gouvernement en place pour répondre aux demandes de l'Union. Comment interpréter la faible mobilisation de la population ? Quelles significations donner



aux scores des partis d'opposition dont le discours est plus ou moins ouvertement eurosceptique ? Enfin, doit-on voir dans l'exemple tchèque des traits spécifiques aux nouveaux adhérents ou simplement la manifestation de tendances plus générales, caractéristiques de l'ensemble des États membres ?

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Calamia Pietro

Lo stato dell'Unione Europea nel 2004

in *Affari Esteri*, Anno XXXVI, n. 144, 815-821

No abstract available

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Antonio Remiro Brotóns

Los límites de Europa como proyecto político

in *Revista Electrónica de Estudios Internacionales*, Nr.8

I. SER EUROPA

Un sujeto corriente al que se pregunte qué es Europa dirá que Europa es como todo el mundo sabe el viejo continente y si, además de corriente, el sujeto es bachiller precisará que Europa es la masa de tierra que se extiende como un puño desde los Urales y el Cáucaso en el este hasta al Atlántico en el extremo occidental del gran continente eurasiático. Pero ¿basta esto para identificar Europa como proyecto político?

Nada impide, desde luego, que la acepción (geográfica) corriente de Europa o, si se prefiere, la acepción (geográfica) de Europa para el sujeto corriente (y bachiller) inspire un concepto político de Europa al servicio de un proyecto determinado. De hecho el general De Gaulle partía de esta acepción cuando proponía una Europa del Atlántico a los Urales. La historia revela, sin embargo, el dinamismo geográfico de Europa en el proceso político. La misma raíz etimológica de la palabra Europa, que los griegos toman al parecer de los asirios, nos avisa: Erebus (Europa) es la oscuridad, el ocaso del sol, el occidente, que se contrapone a Acush (Asia), el amanecer, la salida del sol, la tierra de oriente. Con motivo de las Guerras Médicas el vocablo Europa se extiende a toda la Grecia continental¹. Ahora mismo, en nuestro tiempo, Europa se predica de una multiplicidad de acciones (del Consejo de Europa a la Organización de Seguridad y Cooperación en Europa) con geografías dispares. Europa no es, en este sentido, un mapa; es un conjunto de ellos, un atlas, histórico y actual.

Dentro de esas acciones, entre los proyectos en curso, es muy razonable vincular la búsqueda e identificación de Europa a la Unión Europea, el proceso de unificación

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** Catedrático de Derecho Internacional Público y Relaciones Internacionales en la Universidad



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1 Véase L. DIEZ DEL CORRAL, *El rapto de Europa*, nueva edición, Alianza Editorial, Madrid, 1974, p. 152 y ss.

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puesto en marcha por seis Estados europeos en los años cincuenta², hoy –a partir del 1 de mayo de 2004- con veinticinco miembros³. Este proceso se ha asociado tan estrechamente con Europa que ha acabado apoderándose de ella y de sus gentilicios⁴. Esto es particularmente explícito en el título mismo del Proyecto de “Tratado por el que se instituye una Constitución para Europa”, adoptado por consenso por la Convención Europea los días 13 de junio y 10 de julio de 2003 y presentado al Presidente del Consejo Europeo en Roma el 18 de julio⁵. Y aún lo es más, si cabe, en el doble preámbulo (tá barato, dame dos) del texto: Hay, en efecto, referencias a Europa (a los pueblos y Estados de Europa) en todos y cada uno de los seis párrafos preambulares del “tratado” y en los dos primeros del preámbulo introductorio de la parte II (sobre la Carta de Derechos Fundamentales de la Unión).

Sin embargo, lo único que, desde un punto de vista geográfico, nos dice de Europa el Proyecto de Constitución es que “Europa es un continente”⁶. Nada más. El término incluso desaparece prácticamente del texto articulado donde, salvo error por mi parte, hay sólo una mención de él⁷. ¿Cabe inducir la existencia para la Unión Europea de una Europa ontológica que marcaría los límites geográficos de un proceso aún inacabado en el que la europeidad del Estado es condición necesaria, aunque no suficiente, de membresía?

“La Unión está abierta”, se dice en el artículo I.1.2 del Proyecto de Constitución y se repite en el I-57, “a todos los Estados europeos” que respeten y se comprometan a promover en común los valores de respeto a la dignidad humana, libertad, democracia, igualdad, Estado de Derecho y respeto de los derechos humanos⁸. La Europa de la 2 Bélgica, Francia, Italia, Luxemburgo, Países Bajos y República Federal de Alemania.

3 De la Europa de los Seis se pasó a la Europa de los Nueve en 1973, al adherirse Dinamarca, Gran Bretaña y la República de Irlanda. En 1981, con la adhesión de Grecia, la Europa fue de los Diez y se convirtió en la Europa de los Doce en 1986 al incorporarse España y Portugal. Se llegó a la Europa de los Quince en 1995, con Austria, Finlandia y Suecia. La cuarta y más numerosa ampliación de la Unión ha supuesto la adhesión de los tres países bálticos (Estonia, Letonia y Lituania), cinco de la Europa Central y del Este (Eslovaquia, Eslovenia, Hungría, Polonia y República Checa) y dos Estados insulares del Mediterráneo (Chipre y Malta). Conviene señalar que en 1991 la absorción de la República Democrática Alemana por la República Federal de Alemania permitió la extensión territorial de la Unión sin ampliar la nómina de Estados miembros.

4 Véase N. SCHUMACHER, “Les Metaphores du Discours Européen”, *Revue du Marché Commun*, num. 314, febrero 1988, pp. 81-86; ID., “Les Termes Polémiques du Discours Européen”, *ib.*, num. 324, febrero 1989, pp. 110-118.

5 Nos referiremos, en adelante, a este documento como Proyecto de Constitución

6 Párrafo primero del preámbulo del Proyecto de Constitución.

7 Artículo I.3.3 del Proyecto de Constitución, donde se afirma que “La unión obrará en pro del desarrollo sostenible de Europa...” (énfasis añadido). Sí que hay otras referencias a los Estados de Europa o a los pueblos de Europa.



8 Estos valores se enuncian en el artículo I.2 del Proyecto de Constitución. El Proyecto no hace más que reiterar, con ligeras modificaciones formales, lo que dispone el artículo 49 del TUE en vigor: “Cualquier Estado europeo que respete los principios enunciados en el apartado 1 del artículo 6 (libertad, democracia, derechos humanos y libertades fundamentales y estado de derecho) podrá solicitar el ingreso como miembro de la Unión...”.

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Unión es, pues, una Europa de Estados europeos virtuosos. Ser europeo es un prius en la apreciación de la virtud necesaria del Estado para acceder a la Unión.

En todo caso ¿cómo establecer la europeidad de quienes no son Europa de la Unión y quieren serlo? Reduciéndolo a los términos estrictos de los tratados podrá considerarse europeo todo Estado que, siendo o no ontológicamente europeo (si el concepto existe), es aceptado como tal por todos los ya miembros de la Unión con la aprobación previa del Parlamento Europeo⁹. Se trata, cuando se produce, de una decisión irrevocable y de una calificación imperecedera. Los Estados miembros pueden dejar de ser democráticos o abandonar el estado de derecho, pero no pueden dejar de ser ya nunca jamás europeos a menos que todo el proceso político se vaya al garete. En este sentido la decisión unánime de los miembros, sobre la que no existe clase o forma alguna de control, es tan infalible como la del Sumo Pontífice en cuestiones dogmáticas; de ahí que podamos definir como europeos dogmáticos a los miembros de la Unión que no acrediten una europeidad ontológica (si es que existe).

Habrà quien trate de discutir conclusión y categoría recurriendo a la observación empírica del asentamiento sustancial de todos los Estados miembros de la Unión en el solar territorial del continente Europa. Los Estados miembros de la Unión forman parte, en efecto, del núcleo incontestado de la Europa geográfica. Cuando hablamos del continente europeo incluimos, desde luego, sus islas adyacentes, sean Estados insulares (Gran Bretaña y la República de Irlanda) o pertenencias de Estados asentados en el continente tout court. Teniendo en cuenta que los isleños británicos llamaban a eso, al continente, abroad cuando la bandera de otra Unión –la Unión Jack- señoreaba el mundo, no está de más considerar lo mucho que han cambiado para acabar siendo Europa aun a riesgo de devolverla a la condición de abroad con ellos dentro¹⁰.

Hablamos, sin embargo, de un asentamiento sustancial, pero no integral, en el solar europeo porque si bien, desde un punto de vista geográfico, todos los Estados miembros de la Unión son básicamente europeos, algunos no son sólo europeos y los tratados de la Unión se aplican en principio a todo su territorio, europeo o no¹¹. La Europa de la Unión incluye, pues, pertenencias de Estados miembros asentadas en -o adyacentes a- otros continentes, sin perjuicio de que en algunos casos se establezca para ellas un régimen especial. Piénsese por ejemplo en los Departamentos franceses de Ultramar (Guyana, Martinica, Guadalupe, Reunión) o en las regiones insulares ultraperiféricas portuguesas (Azores, Madeira) y españolas (Canarias)¹². Partiendo de la Europa geográfica la Europa política se extiende a otros continentes.

Pero la geografía y la voluntad políticas son aviesas. Entre los Estados que el 1 de mayo de 2004 se han convertido en miembros de la Unión, uno de ellos, la República de Chipre, se asienta territorialmente en una isla localizadada en el Mediterráneo oriental,

9 Véase artículo I-57.2 del Proyecto de Constitución.



10 Según la expresión de H. J. MACKINDER (Britain and the Britihs Seas, 2nd ed., Oxford, 1930, p. 12), las Islas Británicas eran “de Europa”, pero no estaban “en Europa”.

11 Véase artículo IV-4.1 del Proyecto de Constitución.

12 Véase artículo IV-4.2 y 3 del Proyecto de Constitución. Asimismo, artículo III.330.

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al sur de Anatolia, que conforme al principio de mayor proximidad respecto de costas continentales es geográficamente asiática (y así aparece habitualmente en los mapas)¹³.

A menos que imitando al Imperio Romano la Unión Europea considere Mare Nostrum al Mediterráneo o se hagan prevalecer sobre los territoriales elementos demográficos (el origen griego de la población mayoritaria) o históricos (el papel representado en Chipre por potencias europeas a lo largo de los siglos) para definir la europeidad, Chipre sería el primer europeo puramente dogmático de la Unión, rompiendo –o relativizando seriamente- la vinculación entre la geografía y el proyecto político.

Cabe, por otro lado, advertir que: 1) hay territorios insulares adyacentes al continente europeo bajo la jurisdicción de Estados miembros de la Unión que quedan fuera de Europa por propia decisión¹⁴; y 2) hay Estados indiscutiblemente situados en el continente europeo que se mantienen al margen de Europa, sea porque así lo quieren ellos (Islandia, Noruega, Suiza)¹⁵, sea porque las circunstancias imponen deferir una adhesión que tiene fecha para unos (Bulgaria, Rumania), pero no para otros (Albania, los Estados originados por la desintegración de Yugoslavia, salvo Eslovenia, que ya es miembro).

El caso más engorroso es, sin embargo, el de Estados que siendo geográficamente europeos (Moldova, Ucrania y Belarús)¹⁶ parecen excluidos del proyecto político de la Unión por los ya miembros. Esta actitud vendría a confirmar la exclusión de una Europa ontológica en la Unión al menos a partir de una dimensión geográfica, pues en otro caso, la impuesta marginación de algunos Estados europeos del proceso de unificación supondría la negación de un derecho fundamental reconocido por los propios tratados y sobre el que los Estados miembros no podrían pronunciarse arbitrariamente al ejercer la facultad de apreciar las condiciones de admisión dispuestas por esos mismos tratados. Esta actitud está fuertemente motivada por la vecindad de los países mencionados respecto de Rusia. De la antigua Unión Soviética la Unión Europea ha incorporado a su proyecto sólo a los tres países bálticos (Estonia, Letonia y Lituania). Este minimalismo pretende no aislar excesivamente a Rusia, facilitando la cobertura de la llamada Comunidad de Estados Independientes compuesta, bajo liderazgo ruso, por las restantes Repúblicas federadas de la Unión Soviética, europeas y asiáticas, salvo Georgia. A diferencia de los países bálticos e, incluso, de Polonia, Moldova no es limítrofe con

13 Véase, por ejemplo, Atlas General Santillana, Madrid, 1995, p. 73.

14 Véase artículo IV-4.4, 5 y 6 del Proyecto de Constitución. En principio, el tratado se aplica a los territorios europeos cuyas relaciones exteriores asuma un Estado Miembro, pero las islas Aland, las islas del Canal y la isla de Man sob objeto de previsiones particulares y el tratado no se aplicará en ningún caso a las islas Feroe y a las llamadas “zonas de soberanía” de Gran Bretaña en Chipre. No deja de llamar la atención tanto esfuerzo, finalmente baldío, para lograr el ingreso de la República de Chipre en la Unión con la zona turco-chipriota incluida, mientras perdura –dentro de la misma isla y, ahora dentro de la Unión- uno de los monumentos del colonialismo británico en el Mediterráneo.

15 Caso especial es el de los tradicionalmente llamados por la doctrina Estados exiguos (Andorra,



Liechtenstein, Mónaco y San Marino) y el de la Ciudad del Vaticano.

16 A ellos cabría añadir en el Cáucaso, Georgia, Armenia y Azerbaiján.

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Rusia, ni siquiera es totalmente eslava; pero si se sacrifica a Ucrania¹⁷, Moldova ha de seguir su destino, no el de Rumania¹⁸.

Tanto Rusia como Turquía (incluso Kazajstán) son parcialmente europeas desde el punto de vista geográfico. Realmente, desde este punto de vista, la Rusia eslava es, de los Urales al Oeste, el Estado europeo de mayor extensión. Pero la digestión de un Estado como Rusia que suma más de diecisiete millones de kilómetros cuadrados (cuando la Europa geográfica apenas rebasa los diez millones y medio) podría ser mortal, al menos por ahora, para un proceso político empujado hasta el Extremo Oriente de Asia. No obstante, el Presidente Putin ha dejado bien claro que desea relaciones de cooperación con la Unión, pero no tiene interés en hacer de Rusia uno de sus miembros¹⁹.

De acuerdo con los precedentes que un Estado sea europeo sólo por alguna de sus extremidades geográficas no debería obstar a que lo sea a los efectos de formar parte de la Unión. Un Estado sólo parcial, incluso marginalmente, europeo desde un punto de vista geográfico, puede ser Europa de la Unión. La negación de la Europa ontológica vinculada a la geografía facilita la respuesta. La voluntad de los miembros de la Unión puede convertir en Europa Estados que no son geográficamente europeos y excluir de la misma Estados que geográficamente sí lo son. El que ahora se especule sobre la eventual adhesión a la Unión de un Estado de Israel hipotéticamente federado con Palestina como contribución europea a la solución del horroroso conflicto de Oriente Próximo subraya las posibilidades que abre un planteamiento así.

La Unión es consciente de sus límites, pues el Proyecto de Constitución dedica un título de la Parte I a lo que llama su "entorno próximo"²⁰, es decir, "los Estados vecinos" con los que se propone desarrollar relaciones estrechas, preferentes de buena vecindad²¹. Pero no se precisa quienes son esos Estados vecinos, lo que hace la categoría fluida y variable, al ser posible un salto de calidad del entorno próximo a Europa que en unos casos (cuando el vecino es un Estado geográficamente europeo automarginado del proceso político) depende sobre todo de su voluntad y en otros (Estados, geográficamente europeos o no, situados en el entorno a su pesar) de su capacidad para ganar la voluntad de los miembros de la Unión.

La fluidez de la vecindad viene favorecida por el hecho de que Europa, aunque viejo, es un falso continente al que no llamamos península porque, al parecer, este concepto no resiste diez millones de kilómetros cuadrados. Sus límites terrestres con Asia en los Urales y en el Cáucaso no se condicen siempre con límites políticos. Sus límites

17 La Estrategia Común del Consejo Europeo sobre Ucrania (DOCE, 1999, L 331/1) reconoce "las aspiraciones europeas de Ucrania y se congratula de su opción a favor de Europa", pero no parece dispuesta por ahora a considerar su candidatura.

18 En cuanto a los países caucásicos, dos son vecinos de Rusia (Georgia, Azerbaiján) y todos lo son de Turquía (aunque Azerbaiján por un pelo).

19 The Russian Federation Middle Term Strategy Towards the European Union (2000-2010).

20 Título VIII de la Parte I.



21 Véase artículo I-56 del Proyecto de Constitución.

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marítimos, tanto con Asia como con Africa apenas los separan unas millas en el estrecho de Gibraltar o en el mar de Mármara, entre el Bósforo y los Dardanelos. Las islas griegas del Dodecaneso, además, acosan Anatolia. Si uno analiza los mapas advierte que, a menudo, Rusia, Turquía y los países del Cáucaso aparecen tanto en los de Europa como en los de Asia²².

Cabe, sin embargo, plantearse si más allá de la pura especulación geográfica –o del quantum de geografía europea que ha de tener, si ha de tener alguna, un Estado que quiere participar en la Europa de la Unión- la cualidad europea del candidato ha de ser apreciada por los Estados miembros atendiendo a criterios civilizatorios, religiosos, culturales o históricos susceptibles de asentar una identidad europea. Se pasaría así de la identificación del Estado europeo a la identidad europea del Estado o, si se prefiere, a la concreción de la identificación a través de la identidad.

La insistencia sobre el acervo greco-romano y judeo-cristiano de Europa de un número no despreciable de los miembros de la Convención que adoptaron el Proyecto de Constitución puede considerarse como una forma de negar que otros acervos formen parte de la identidad europea, aunque puedan estar presentes en su geografía. De prosperar semejante criterio Estados geográficamente europeos como Bosnia y Herzegovina o Albania podrían ver discutida su identidad europea. El problema sería infinitamente más grave respecto de Turquía, sustancial, aunque desleídamente, asiática en lo geográfico (Anatolia, Asia menor), especialmente para quienes advierten que Europa se hizo contra el Turco (aunque reyes cristianísimos fuesen sus aliados en la pugna por dominarla compitiendo con otros reyes igualmente cristianísimos). A diferencia de Rusia, Turquía exige, incluso apasionadamente, su ingreso en la Unión. De convertirse en miembro pasaría a ser (con 775.000 kms cuadrados y setenta millones de habitantes) el Estado territorialmente más extenso y el segundo más poblado de la Unión. Esto último le concedería un peso considerable en el proceso de toma de decisiones del Consejo y una presencia notable en el Parlamento Europeo. Cabe preguntarse si estos cálculos forman la parte oculta de discursos identitarios sobre Europa, excluyentes de una Turquía a la que no se imagina cabecera de la Unión. En diciembre se verá.

Pero los miembros de la Convención no han querido empantanarse en esta ciénaga. Europa, se dice en el preámbulo del Tratado, es un continente “portador de civilización” (no bárbaro pues, ni salvaje), cuyos habitantes “llegaron en oleadas desde los tiempos más remotos” (resultando pues de migraciones originadas en otro u otros continentes)²³.

Sin mayor precisión el preámbulo menciona las herencias (en plural) culturales, religiosas y humanistas que han hecho de los derechos inviolables e inalienables de la persona y del respeto del Derecho elementos arraigados de la vida social²⁴. Estas

²² Véase, por ejemplo, Atlas General Santillana, cit., pp. 72-73 y 82-83.

²³ Ib.

²⁴ Véase párrafo segundo del preámbulo del Proyecto de Constitución. El preámbulo de la Parte II del Proyecto de Constitución lo expresa así: “Consciente de su patrimonio espiritual y moral, la Unión está fundada sobre los valores indivisibles y universales de la dignidad humana, la libertad, la igualdad y la solidaridad, y se basa en los principios de la democracia y del Estado de Derecho”.



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últimas referencias son ampliamente desarrolladas en el texto articulado²⁵. Por supuesto, quienes opinan que el Islam es incompatible con la generación de estos elementos, han visto en ello una exclusión implícita del acervo islámico de la identidad europea; pero hay quienes opinan todo lo contrario y también, por supuesto, quienes quieren hacer abstracción de estos factores para vincular directamente la identidad europea a la virtud o las virtudes laicas o republicanas del estado de derecho, los derechos humanos, la democracia, la igualdad y no discriminación entre los individuos que forman parte de la comunidad estatal, heredados de la Revolución Francesa. Parece ésta una actitud prudente si se atiende a la composición demográfica y flujos migratorios de los miembros de la Unión y supone la neutralización de las iniciativas para dotar a la cualidad europea del Estado de un ingrediente histórico, religioso, civilizatorio o cultural que permite diferenciar dicha cualidad de otras cualidades que, aun respetadas, cerrarían las puertas de la Europa de la Unión a determinados candidatos.

Hace ya años, Luis Díez del Corral advertía como la aparición de las Comunidades Europeas supuso un cambio de signo de la literatura europeísta, que abandonando los problemas de mayor envergadura política, cultural e histórica, pretendió ceñirse a los problemas más concretos derivados de los tratados comunitarios en el campo de la vida económica²⁶. El mito de Europa, la bien dotada hija del rey de Fenicia raptada por Zeus metamorfoseado en toro, el animal favorito de la joven, frecuentemente evocado por pensadores y filósofos reflexionando sobre dicha identidad, fue marginado en beneficio de las consideraciones terrenales de políticos y burócratas pragmáticos.

Afortunadamente, se advierte en los últimos tiempos el retorno del mito y de los mitólogos al centro del debate²⁷. Sólo ellos cuentan con alguna posibilidad de atraer al sujeto corriente (y bachiller), mediante la asunción secular de los significados del mito, a un proyecto político que se dice hecho para él, pero que generalmente no le interesa. Que el dios supremo del Olimpo se pusiese a cuatro patas con tal de poseer a Europa es muy halagador para una princesa que desde los comienzos del mito se ha identificado con el continente. Según Carlos Thiebaut la bipolaridad (robo y seducción) del mito fundacional de Europa puede poner imágenes a la identidad europea contemporánea escindida entre una agonía, un conflicto, y la búsqueda de una seducción. Europa es, dice, fruto de una relación, no de un ensimismamiento. Si Europa llega a ser algo

²⁵ En el articulado el texto de referencia es el artículo I.2, que enumera los valores de la Unión. El Artículo II.21 prohíbe toda discriminación. El artículo I.3.3, último párrafo, dispone que la Unión “respetará la riqueza de su diversidad cultural y lingüística y velará por la preservación y desarrollo del patrimonio cultural europeo”. También II.22, que menciona, junto a la diversidad cultural y lingüística, la diversidad “religiosa”, que la Unión respeta. A la relaciones de la Unión con Iglesias y Organizaciones no confesionales se destina el artículo I.51 del Proyecto de Constitución.

²⁶ L. DÍEZ DEL CORRAL, El rapto de Europa, cit., p. 22

²⁷ Así en España ha aparecido recientemente una revista periódica bajo el título El Rapto de Europa con el propósito de “contribuir al devenir de una cultura cívica europea que tiene en Europa más una tarea que un campo que administrar”. Su número 3 tiene justamente como objeto “La República Europea”.

<http://www.elraptodeeuropa.com> En él Carlos THIEBAUT vuelve sobre el mito en una reflexión sobre la identidad europea (C. THIEBAUT, “¿Quién rapta a Europa?”). También Francisco RODRIGUEZ



ADRADOS dedica unas páginas al mito en su discurso de ingreso en la Real Academia de la Historia (“¿Qué es Europa? ¿Qué es España?”, 22 de febrero de 2004, Real Academia de la Historia, Madrid, 2004, pp. 17 ss.).

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dependerá de la forma de relación que mantenga con Zeus, de cómo, con quién, de qué manera sean las relaciones en las que se encuadre: “Las identidades nunca son definiciones de quienes somos enunciadas desde nosotros mismos, en aislamiento; las identidades son siempre relacionales...No es, pues, que seamos y, luego, nos relacionemos: más bien, la relación es el espacio de nuestra identidad”. De acuerdo con este planteamiento la identidad europea no puede definirse en el “espejo de la historia” ni proponerse como “un destino manifiesto en el mundo” y todos los intentos de definir dicha identidad por un rasgo definitivo y definitorio han conducido al infierno²⁸.

II. HACER EUROPA

Desde hace cincuenta años un número creciente de Estados europeos viene tratando, se dice, de hacer Europa o de hacer más Europa. ¿Qué significa? No está nada claro el objetivo último del proceso político de la Europa de la Unión. En los años fundacionales de las Comunidades Europeas los federalistas estaban ansiosos por plasmar los Estados Unidos de Europa, pero de acuerdo con un cálculo realista aceptaron el enfoque de los funcionalistas, que proponían una aproximación gradual a dicho objetivo, partiendo de una integración progresiva de sectores económicos, para saltar de ahí a la integración de otros sectores y acabar en la unificación política²⁹. Se trataba de una larga marcha, hecha de pequeños pasos, en que la unión política de Europa bajo forma federal se presentaba a los creyentes en la inacabable capacidad de evolución y progreso de este proceso, como el fruto del árbol o la coronación del edificio europeo, según conocidas aportaciones metafóricas de la biología y de la ingeniería civil a este orden de cosas.

Los hilos de la trama que se teje y alarga cada día, según la no menos metafórica, muy temprana y, ciertamente, poética expresión de P. Wigny³⁰, fabricaron con base en un racimo de tratados servidos por instituciones propias a las que se transfirió el ejercicio de competencias soberanas, un complejísimo orden jurídico que aspiraba a la aplicación directa de sus actos normativos en los Estados miembros y, según la doctrina del Tribunal de Justicia, a la supremacía sobre las normas estatales, incluidas las constitucionales, bajo un control judicial comunitario, garante de su respeto, unidad y coherencia. Se avanzó muchísimo desde que en 1952 se constituyó la primera de las Comunidades, la CECA (hoy extinta). Con el tiempo se contó con ese “espacio sin fronteras interiores en que la libre circulación de mercancías, personas, servicios y capitales estará garantizada”, prometido –sin empeñar la palabra- en el Acta Única Europea (1986) para el 1 de enero de 1993. Incluso se contó luego con un Banco Central y una Moneda Común, el euro. La comunitarización total de las políticas económica y monetaria tenía un calendario desde la firma del Tratado de Unión Europea (TUE) en Maastricht, el 7 de febrero de 1992.

²⁸ C. THIEBAUT, art. cit.

²⁹ De hecho, mientras que la CECA, la CEE y la CEEA entraban en vigor, la prematura Comunidad Europea de Defensa (CED) fracasaba estrepitosamente al ser sometida a la ratificación de la Asamblea Nacional francesa.



30 P. WIGNY, "Un témoignage sur la Communauté des Six", CECA, 1957, p. 26.

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Cabe preguntarse, sin embargo, si el paso del tiempo no sólo ha roto la alianza entre el objetivo perseguido y el método para lograrlo sino que ha desdibujado el objetivo mismo. La política exterior y de seguridad (PESC) y la cooperación en asuntos de justicia e interior (CAJI) se introdujeron empíricamente en los años setenta en el proyecto Europa por la vía de la cooperación intergubernamental y al margen del sistema –normas e instituciones- comunitario. La PESC fue positivada por el Acta Única Europea (Título III: artículo 30), mientras la CAJI era objeto de una declaración aneja al Acta y de una posterior incorporación a los tratados en la jornada de Maastricht (1992)³¹. Es entonces cuando por vez primera la Unión Europea se convierte en cabecera del proyecto a fin de absorber el pluralismo metodológico asumido por un proceso que ya no se limita a las Comunidades³². La Unión tiene, sí, su fundamento en éstas, pero "completadas con las políticas y formas de cooperación establecidas por el presente Tratado"³³. Seguramente porque se asentaba sobre varios pilares, comunitarios unos, intergubernamentales los otros, se habló de Maastricht como un tratado-templo, un templo de columnas asimétricas. A pesar de que, deliberadamente, se excluyó la personalidad jurídica de la Unión, dejándola flotar en un espacio ideológico indefinido como un ente de la razón con fundamento in re, según ha dicho Araceli Mangas evocando a los escolásticos³⁴, el TUE no tuvo empacho en reemplazar las cláusulas de adhesión de los nuevos miembros a los tratados constitutivos de cada una de las Comunidades, que sí contaban con personalidad, por otra previendo su ingreso en la Unión³⁵.

Sin embargo, el tratado fue incapaz, como todos los que le siguieron, de reconocer la vocación federal profesada por los funcional-federalistas, que hubieron de aceptar, para salvar el tratado, la ya vieja –y por lo visto eterna- formulación de Roma manifestando la aspiración a una unión más estrecha entre los pueblos de Europa³⁶. La expresión Unión para identificar el proceso podía ser considerada con recelo y desamor, teniendo en cuenta que se llamaba unionistas a quienes contemplaban el proceso, en clave intergubernamental, desde la cerrada defensa de la soberanía estatal. Algunos de éstos, como los amigos de la muy conservadora señora Thachter (entonces primera ministra británica y, luego, baronesa) vapuleaban a los que llamaban despectivamente eurointegradas e, incluso, eurofederadas. Hasta un liberal-socialdemócrata, como David Owen, siendo Secretario del Foreign Office y Presidente en ejercicio del

31 Mientras que la PESC es regulada en el Título V del TUE, la CAJI es objeto del Título VI del Tratado.

32 A la Unión Europea se había referido antes el Acta Única Europea en su preámbulo y en su artículo 1. La expresión, eso sí, había formado parte frecuentemente del atrezzo retórico de las declaraciones, solemnes pero sin relevancia jurídica, de sucesivos Consejos Europeos (París, 1972; París 1974, donde se encargó al belga Leo Tindemans un informe sobre la Unión que hizo historia...doctrinal; La Haya, 1976; y, sobre todo, Stuttgart, 1983). El Parlamento Europeo pretendió acuñarla en el proyecto de tratado (Tratado de Unión Europea) inspirado por Altiero Spinelli y su grupo y adoptado por el Parlamento el 14 de febrero de 1984, día de los enamorados.

33 Énfasis añadido. Artículo A, párrafo tercero, del TUE.

34 A. MANGAS, "El Tratado de Unión Europea: análisis de su estructura", Gaceta Jurídica de la CE y de



la Competencia, D-17, septiembre 1992, p. 29.

35 Artículo O del TUE.

36 Artículo A, párrafo segundo, del TUE.

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Consejo, se refería a los euroteólogos, practicantes del ejercicio intelectual gratuito al que se entregan los maníacos de las instituciones, sobre todo si se presentan como federalistas³⁷.

Bien es cierto que nada en el Tratado excluía una futura deriva federal y quienes la auspiciaban encontraban en él señales que podían alimentar su particular visión del proyecto Europa. Para empezar, el tratado se presentaba, una vez más, “como una nueva etapa en el proceso creador de la Unión”³⁸; anunciaba el examen en la programada Conferencia Intergubernamental de 1996 de “la medida en que las políticas y formas de cooperación... deben ser revisadas, para asegurar la eficacia de los mecanismos e instituciones comunitarios³⁹; afirmaba por vez primera un marco institucional único para Comunidades y formas de cooperación⁴⁰: preveía puentes o pasarelas unidireccionales que podían conducir de éstas a aquéllas sin necesidad de enmendar el tratado⁴¹ y, aunque no se cruzaran estos puentes, se producían interacciones y complicidades inevitables entre los pilares intergubernamentales y las Comunidades cuando la ejecución o la financiación de decisiones PESCA o CAJI debían cumplimentarse en el marco comunitario⁴². A largo plazo, más importante que la regulación de ámbitos como la política exterior y la de seguridad –en particular, la de defensa- era incorporarlos al proceso, que se hablase de ellos en los tratados; su melodía, se decía, es federalizante.

Seguramente, los funcional-federalistas hubieran preferido llamar a la Unión Comunidad, un término conceptualmente más rico, vinculado a la experiencia histórica del proceso. El mismo Jacques Delors confesaba esta preferencia. No lo lograron, pero pudieron consolarse con la conversión de la Comunidad Económica Europea, la CEE, en Comunidad Europea. Excluida una explicación en la mera economía de lenguaje, se sugería un guiño a la construcción progresiva de la Unión, haciendo de la Comunidad su núcleo duro y el motor de su dinamización, más aún teniendo en cuenta la inclusión en su tratado constitutivo de elementos federalizantes como la ciudadanía de la Unión (por excesiva que fuera la expresión para la regulación convenida)⁴³ o el reconocimiento de los partidos políticos a escala europea como un importante factor de integración⁴⁴.

Todo ello con independencia de que la Comunidad Europea extendía su acción a nuevos ámbitos, aumentaban los poderes del Parlamento Europeo, la Comisión

37 Cit. por N. SCHUMACHER, “Les Termes Polémiques...”, cit., pp. 116-117.

38 Artículo A, párrafo segundo, del TUE.

39 Énfasis añadido. Artículo B del TUE.

40 Compárese con el artículo 3 del Acta Única Europea, que se asentaba en el principio de dualidad de instituciones, de acuerdo con la estanqueidad entre Comunidades y formas de cooperación intergubernamental entonces asumida. En realidad, la unidad institucional es sólo parcial y se ve debilitada en todo caso por la sensible variación de competencias de las Comunidades a las formas de cooperación intergubernamental. Jugando con las palabras y con las lenguas se ha observado que el marco institucional de la Unión es más singular que single (WELLENSTEIN, “Guest Editorial”, *Common Market Law Review*, 1992-2, p. 209).



41 Artículos 100 C del TCE y K.9 del TUE.

42 Artículos 228 A del TCE y J.11.2 y K.8.2 del TUE.

43 Segunda Parte (artículos 8-8E) del TCE

44 Artículo 138 A del TCE.

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superaba las celadas de los intergubernamentalistas para convertirla en el chivo expiatorio del centralismo burocrático de Bruselas, el principio de mayoría cualificada en la toma de decisiones daba otro pequeño paso en el Consejo y hasta el mismo principio de subsidiariedad, cuya inclusión en el tratado⁴⁵ podía ocultar, según algunas opiniones, una operación de destrucción⁴⁶, lejos de sofocar la acción comunitaria podía acabar justificándola⁴⁷...

En aquel momento había quienes se ilusionaban con las formidables fuerzas centrípetas que en los Estados miembros podía desatar la culminación de la unión monetaria y económica. Otros, sin embargo, federalistas desencantados por el escaso, en su opinión, vuelo político de Maastricht, denunciaban la vieja alianza con los funcionalistas⁴⁸. Así, Ralph Dahrendorf advertía sobre el error de creer que la integración económica conduciría a la integración política: "Hay una profunda deshonestidad en muchos políticos", afirmaba Dahrendorf, "cuando dicen que las fuerzas económicas nos harán llegar a la unión política. No es verdad, y lo saben; pero lo proclaman porque son deshonestos"⁴⁹.

Desde este punto de vista insistir en la profundización del proceso de Unión a través de la integración arriesgaba ser sólo una franquicia de alcurnia, pero sin garantías de un uso correcto. Algunos datos apuntaban incluso a la intergubernamentalización progresiva y la mixtificación de lo comunitario. Una vez los unionistas fuera del armario, los europeístas críticos encontraron la más fuerte competencia de los críticos del europeísmo en el proyecto y en la ocupación de las palabras.

Merece ser destacado el hecho de que la mayoría de los gobiernos de los Estados miembros huyeron aterrados, como de la peste, de las propuestas para someter a los ciudadanos la ratificación del TUE y que allí donde las consultas se realizaron las encuestas demostraron la erosión progresiva del número de sus partidarios a medida que

⁴⁵ Preámbulo y artículo B del TUE y artículo 3 B del TCE.

⁴⁶ L. TINDEMANS, "L'Union Européenne après Maastricht", Journée d'Études, 21 février 1992, Bruselas, 1992, p. 43.

⁴⁷ El principio de subsidiariedad forma parte, además, del acervo y la tradición federalista. Implícito en las Comunidades desde su nacimiento, el TUE lo explicita con intención disuasoria de la acción de la Unión, aunque el mensaje que nos ofrece (en el artículo 3 B del TCE) es, finalmente, confuso: el principio parte, como no podía ser de otro modo, del respeto incondicional de la acción comunitaria en el ámbito de sus competencias exclusivas y limita su horizonte al de las competencias concurrentes de la CE con los Estados miembros, sin descender, por otro lado, los escalones domésticos (regionales, locales) de la subsidiariedad. Sobre estas bases, la Comunidad intervendrá "sólo en la medida en que los objetivos de la acción emprendida no puedan ser alcanzados de manera suficiente por los Estados Miembros y, por consiguiente, puedan lograrse mejor, debido a la dimensión o a los efectos de la acción contemplada, a nivel comunitario" (énfasis añadido). ¿En qué quedamos? La acción estatal, aun suficiente, ha de ceder ante la comunitaria cuando ésta, por su dimensión y efectos, sea más eficaz? Si lo mejor es más que



suficiente, lo suficiente no es siempre lo mejor. Véase en el Proyecto de Constitución, artículo I.9.3 y Protocolo sobre la aplicación de los principios de subsidiariedad y proporcionalidad.

48 “Europa como impostura” era el título provocador que, antes de Maastricht, publicó J. VIDAL BENEYTO en El País (1 de mayo de 1989, pp. 11-12) presentando el AUE como “resultado de una evidente regresión en el proceso de la Europa política”.

49 Entrevista en El País Semanal, número sobre Europa, 1993, p. 24. Véase también la reflexión de Dahrendorf “Entre la vieja y la nueva Europa”, Política Exterior, num. 34, 1993, pp. 19-25.

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la campaña avanzaba, prueba palpable de la contundencia del discurso nacionalista, pues no era precisamente la insatisfacción federalista la que hacía mella en una opinión pública ajena a hacer (más) Europa. Expuesto al escrutinio público el Tratado de la Unión, cuya lectura no se podía afrontar sin un entrenamiento previo, se convertía en el tratado de la división europea. ¿Acaso puede irse más allá sin la ciudadanía?

Los arreglos que debieron hacerse para que Dinamarca dijera finalmente sí al TUE, jurídicamente vinculantes según el gobierno danés, pusieron en evidencia los formidables obstáculos de la profundización a menos que se redujera el cuerpo expedicionario. Pues, ¿qué quería Dinamarca? Según el documento oficial Denmark in Europe: 1) no participar en el euro y Banco Central Europeo; 2) permanecer fuera de la política común de defensa; 3) no ir más allá en la ciudadanía de la Unión; y, 4) no avanzar por los puentes o pasarelas de la cooperación intergubernamental a la Comunidad Europea abiertas por el Tratado para determinados asuntos de justicia e interior. Dado que, con arreglo al TUE, Dinamarca podía satisfacer estas pretensiones por sí misma, tratándose de ámbitos en los que se aplicaba la regla de la unanimidad o se contaba con expresas reservas de soberanía, la exigencia danesa de que los demás se comprometieran con estas condiciones anunciaba el aprovechamiento radical de los derechos y prerrogativas del Tratado para un desenganche sistemático, con el consentimiento de sus socios, de políticas de profundización. Los efectos destructivos de este hecho sólo podían multiplicarse en la perspectiva de la ampliación de la Unión, pues haciendo abstracción de los agudos problemas que esta operación ha venido planteando por sí sola, las posibilidades de integración disminuyen a medida que aumenta el número de participantes.

Fue esta constatación la que, con independencia de la problemática institucional, presupuestaria y de asignación de recursos de la ampliación horizontal de la Unión, condujo a la que llamé en su día la Europa movediza⁵⁰, esa Europa servida por otras muchas imágenes, como la geometría variable, los círculos concéntricos, las velocidades múltiples o a la carta que se introdujo en el Tratado al aceptarse una política social a once (cuando eran doce) o el opting out británico a la última fase de la UEM, antes de pasar por las horcas danesas y acabar, finalmente, en la regulación convencional de las llamadas cooperaciones reforzadas, un esfuerzo reservado a grupos de miembros dentro del respeto del acervo común y del carácter abierto a la participación de quienes, cumpliendo condiciones objetivas establecidas, así lo decidan. Las realidades son recalcitrantes y los conjuros tienen sus límites. Imposible avanzar en formación cerrada.

Al final del juego se acaba chocando fatalmente con las preguntas que debían haberse resuelto en el punto de partida. ¿Cuáles son los objetivos? Ni horizontal ni



verticalmente es lo mismo tratar de construir una Europa federal como gran potencia sobre la Tierra, anhelada por quienes denuncian el enanismo político de la Unión, que asegurar un espacio de estabilidad y bienestar intra muros.

50 A. REMIRO BROTONS, -"La Europa movediza", Política Exterior, vol. VII, nº 36, 1993-1994, pags. 73-94.

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Europa, propone ahora el Proyecto de Constitución en el preámbulo "brinda (a sus pueblos) las mejores posibilidades de proseguir...la gran aventura que la hace ser un espacio especialmente propicio para la esperanza humana"⁵¹. Si nos atenemos a lo que en él (y en el preámbulo de la II Parte) se dice:

1. Hay "pueblos de Europa"⁵² (no un pueblo de Europa), hay "Estados de Europa"⁵³ (y miembros de la Unión), no un Estado Europeo; hay "ciudadanos" (¿de Europa o de la Unión?)⁵⁴.
2. Los pueblos de Europa están orgullosos de su identidad e historia nacionales, pero están resueltos a "crear entre sí una unión cada vez más estrecha" "superar sus antiguas divisiones y, cada vez más estrechamente unidos, a forjar un destino común"⁵⁵.
3. "Unida en la diversidad"⁵⁶ (divisa de la Unión)⁵⁷ la Europa "ahora reunida" se propone: a) avanzar por "la senda de la civilización, el progreso y la prosperidad"; b) "compartir un porvenir pacífico basado en valores comunes" dentro del respeto de "la diversidad de culturas y tradiciones de los pueblos de Europa, así como de la identidad de los Estados miembros y de la organización de sus poderes públicos en el plano nacional, regional y local"; c) seguir siendo un continente abierto a la cultura, al saber y al avance social; d) ahondar en el carácter democrático y transparente de la vida pública; y, e) obrar en pro de la paz, la justicia y la solidaridad en el mundo⁵⁸.

Estos objetivos son positivados en el artículo I.3 del Proyecto de Constitución y su satisfacción es la razón de ser de la Unión Europea, que ejerce "de modo comunitario" las competencias transferidas por los Estados miembros y, cuando no es ese el caso, coordina las políticas de éstos encaminadas a lograr tales objetivos⁵⁹. La Unión, a la que se ha negado durante años, personalidad jurídica, cuenta ahora con ella y no sólo por adición, sino subsumiendo la de la CE⁶⁰. Sin embargo, más allá de la voluntad de

51 Párrafo quinto del preámbulo del Proyecto de Constitución.

52 Párrafo cuarto del preámbulo del Proyecto de Constitución; párrafos primero y segundo del preámbulo de la Parte II.

53 Párrafo sexto del preámbulo del Proyecto de Constitución.

54 El párrafo sexto del preámbulo del Proyecto de Constitución se refiere a "los ciudadanos (y a los Estados) de Europa" en cuyo nombre los miembros de la Convención Europea han elaborado la Constitución para Europa, pero después el texto articulado siempre se refiere a los "Ciudadanos de la Unión" (véase por ejemplo artículo I-8 (Ciudadanía de la Unión)).

55 Párrafo cuarto del preámbulo del Proyecto de Constitución y párrafo primero del preámbulo de la Parte II.

56 Párrafo quinto del preámbulo del Proyecto de Constitución.

57 "La divisa de la Unión será : Unida en la diversidad" (Artículo IV.1 del Proyecto de Constitución que



se ocupa de “Los símbolos de la Unión” y que según la misma Convención estaría mejor situado en la Parte I y no en la IV (Disposiciones Generales y Finales).

58 Párrafo tercero del preámbulo del Proyecto de Constitución y párrafos primero y segundo del preámbulo de la Parte II.

59 Artículo I.1.1 del Proyecto de Constitución.

60 Artículos I-6 y IV-3 del Proyecto de Constitución.

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“construir un futuro común”⁶¹ no se precisa si la estación término de este sujeto no tipificado que es la Unión es la creación de los Estados Unidos de Europa. Una Unión “cada vez más estrecha”, “cada vez más estrechamente unidos, forjar un destino común” o “construir un futuro común” es todo con lo que contamos, sumando preámbulos y articulado.

Tal vez para compensar la ambigüedad oracular de estas manifestaciones los miembros de la Convención aceptaron de inmediato la posibilidad abierta por la Declaración de Laeken (15 de diciembre de 2001) de preparar el texto de una Constitución para Europa, dando pie a un debate en el que no han faltado los malentendidos. ¿Acaso esta audacia terminológica era una de las bases para progresar hacia el Estado europeo?⁶² Quienes vinculan el concepto de Constitución con la Norma Fundamental del Estado soberano deberían verlo así, a menos que censuren su invocación en vano para servir a otros señores. Cabe, sin embargo, señalar que no hay razón para objetar que, dentro de una acepción más amplia o por analogía se llame Constitución la Norma Fundamental de otros sujetos, típicos o no. En este sentido se ha hablado por ejemplo de la Carta de las Naciones Unidas como Constitución⁶³ y del Convenio Europeo de Derechos Humanos como instrumento constitucional del orden público europeo y el Tribunal de Justicia de la Unión Europea ha venido interpretando desde hace años los tratados constitutivos de las Comunidades, de la Unión, como una Constitución material, que no formal, en el sentido de incorporar las normas que son el fundamento de sus competencias y la medida de todos los actos que se derivan de ellas. Ahora, dentro de este orden de cosas, el texto que propone la Convención formalizaría dicha Constitución, incorporando elementos clásicos de las Constituciones estatales, como lo son en particular las partes dogmáticas de proclamación de derechos y libertades de las personas y, en particular, de los ciudadanos; bien es cierto que con algunas cautelas, como la advertencia de que la “Carta de los Derechos Fundamentales de la Unión” no supone modificación alguna en las competencias de la Unión⁶⁴ o la referencia miserable que se hace en el Preámbulo de la Parte II a la interpretación de la Carta “atendiendo debidamente a las explicaciones elaboradas bajo la responsabilidad del Praesidium de la Convención que (la) redactó”, explicaciones que, como es sabido, tenían un carácter netamente restrictivo. También puede llamarse la atención, a efectos de la naturaleza

61 Artículo I.1.1 del Proyecto de Constitución.

62 Compárese esta terminología con la utilizada en 1986 (Acta Única Europea) para bautizar al instrumento que incorporaba la más importante revisión de los tratados constitutivos de las Comunidades. “Acta Única Europea”, dijo Jacques Delors, “es el nombre bárbaro dado a la más importante reforma constitucional de la Comunidad desde que existe” (cit. Por F. RICCARDI, “Objectif 1992”, Echos de l’Europe, num.6-7, 1987, p. 4). El Tratado de Unión Europea o Tratado de Maastricht (1992) se movía en un magma inacabado de tratados, protocolos y declaraciones que en parte respetaba, en parte modificaba,



en parte derogaba, en parte sustituía, en un océano de números y letras casi en el límite del abecedario que exigía un pilotaje profesional a quien quisiera manejarse por estas cláusulas.

63 Así A. ROSS, Constitución de las Naciones Unidas (versión española por F. ARIAS PARGA, Prólogo de A. DE LUNA), Madrid, 1954.

64 Artículo II.51 del Proyecto de Constitución.

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constitucional del texto, sobre la decisión de derogar los tratados anteriores (TUE, TCE) con la entrada en vigor del Tratado que instituye una Constitución para Europa⁶⁵.

Hay en el texto otros elementos que unen a la impronta constitucional el guiño federalizante o, por lo menos, reman en dirección conforme con un proceso de esta naturaleza, como puede ser el establecimiento de las competencias de la Unión a partir de los principios de atribución, subsidiariedad y proporcionalidad⁶⁶, el principio de cooperación leal de la Unión y los Estados miembros⁶⁷, una tipología de actos normativos más afín a la propia de los Estados⁶⁸, la afirmación solemne de la primacía del Derecho de la Unión⁶⁹, asumiendo por vez primera en un texto normativo la jurisprudencia perseverante del Tribunal de Justicia, y lo que se dispone sobre la ejecución de las obligaciones de la Unión⁷⁰. Asimismo, cuentan el papel acrecido del Parlamento Europeo (en lo institucional y comunitario)⁷¹ y la asunción de la mayoría cualificada (en lo comunitario) como principio en la adopción de actos por el Consejo de Ministros⁷².

Hablar de una Constitución revela también un ánimo dirigido a acercar la Europa de la Unión a los ciudadanos, cuya voluntad de construir un futuro común es mencionada, junto con la de los Estados, como fuente originaria de la Norma Fundamental.⁷³ Que la Convención formulara propuestas al respecto fue una de las encomiendas del Consejo Europeo de Laeken (14-15 de diciembre de 2001) y los miembros de la Convención se han esforzado en progresar hacia esa Europa de los ciudadanos que, a menudo, se ha contemplado críticamente como un reclamo publicitario.

Los valores y objetivos de la Unión, las libertades fundamentales y la no discriminación por razón de nacionalidad anuncian ya en el umbral articulado de la Constitución este propósito⁷⁴, que encuentra su expresión más coherente -junto con la inclusión de la Carta de Derechos Fundamentales (Parte II de la Constitución)⁷⁵, que consagra uno de sus títulos a la "Ciudadanía"⁷⁶- en el Título VI de la Parte I, que bajo la cabecera "De la vida democrática de la Unión" acoge, entre otros, los principios de igualdad democrática, democracia representativa y participativa, así como el diálogo social, la

65 Artículo IV.2 del Proyecto de Constitución. No obstante el Tratado Euratom sigue en vigor, aunque con enmiendas (Protocolo por el que se modifica el Tratado Euratom).

66 Artículo I.9 del Proyecto de Constitución. Más la cláusula de flexibilidad (artículo I.17).

67 Artículo I.5.2 del Proyecto de Constitución.

68 Artículos I.23.1 y I.32 del Proyecto de Constitución. No obstante, artículo I.39.7.

69 Artículo I.10 del Proyecto de Constitución.

70 Artículos I.36 y 38 del Proyecto de Constitución.

71 Artículo I.19 del Proyecto de Constitución.

72 Artículo I.22.3 del Proyecto de Constitución.

73 Artículo I.1.1. del Proyecto de Constitución.



74 Artículos I.2, 3 y 4 del Proyecto de Constitución. Sobre la no discriminación por razón de nacionalidad véase también artículo II.21.2.

75 Véase también artículo I.7 del Proyecto de Constitución.

76 Título V de la Parte II (artículos II.39 a II. 46) del Proyecto de Constitución. Véase también artículo I.8.

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transparencia de los trabajos de las instituciones, la protección de datos personales, y la figura del Defensor del Pueblo Europeo⁷⁷.

Sin embargo, estos esfuerzos no bastan por ahora para atenuar la afirmación de que la legitimidad democrática de la Europa de la Unión reposa sólo indirectamente en los ciudadanos a través de los Estados miembros y que es su voluntad, la voluntad de éstos, la determinante de la marcha del proceso político. Puede haber una Constitución para Europa, pero la Unión es la creación de los Estados miembros y en este sentido son ellos, no los pueblos, ni los individuos, los auténticos ciudadanos de la Unión, los ciudadanos-Estados, intocables e inmortales según los principios de la Unión. En parte alguna se prevé que su condición pueda ser alterada y menos aún perdida. Lo que sale de los Estados sale de la Unión, lo que entra en la Unión entra por los Estados, que pueden retirarse⁷⁸, pero no ser expulsados, aunque sí amonestados y suspendidos en sus derechos cuando, justamente, están en trance de pecado o lo han consumado, todo ello (la penitencia, no el pecado) con las debidas garantías⁷⁹.

A este respecto es definitivo el hecho de que la Constitución de la Unión esté materialmente incorporada a un tratado internacional que ha de ser adoptado, autenticado y ratificado por los Estados miembros. La práctica ofrece ejemplos de Constituciones estatales introducidas mediante tratados suscritos por terceros que se han hecho garantes de ellas, generalmente en situaciones críticas de nacimiento de nuevos Estados (Chipre, 1960; Bosnia y Herzegovina, 1995)⁸⁰. No obstante, en estos casos, ya de por sí excepcionales, el poder constituyente se atribuye al pueblo soberano a los efectos de las reformas futuras de la Constitución ya promulgada (sin perjuicio de que los tratados pretendan la inmutabilidad de algunos de sus preceptos)⁸¹. En el caso de la

77 Artículos I.44 a I.51 del Proyecto de Constitución. Sobre la elección de los miembros del Parlamento Europeo por los ciudadanos europeos, véase también artículo I.19. Sobre el Consejo Económico y Social, organismo consultivo de la Unión, artículo I.31.

78 Véase artículo I-59 del Proyecto de Constitución. Se trata de un derecho de todo Estado miembro condicionado sólo por sus normas constitucionales y por un deber de notificación al Consejo Europeo que abre un período de dos años para formalizar mediante acuerdo la forma de la retirada y las relaciones futuras del Estado que se retira con la Unión. Siguiendo orientaciones del Consejo Europeo dicho acuerdo lo celebra en nombre de la Unión el Consejo de Ministros por mayoría cualificada, previa aprobación del Parlamento Europeo. Si dentro del término previsto el acuerdo no ha entrado en vigor, la retirada se hace efectiva en todo caso al cumplirse dicho término (a menos que el Estado que se retira y el Consejo Europeo convengan una prórroga).

79 Véase artículo I-58 del Proyecto de Constitución.

80 Asimismo, estos u otros tratados han impuesto la constitucionalización de determinadas obligaciones, como la asunción de una forma determinada de Estado, un estatuto de neutralidad, una prohibición de reelección presidencial, un régimen de minorías (véanse ejemplos clásicos del constitucionalismo inmediatamente posterior a la Gran Guerra en B. MIRKINE-GUETZEVITCH, *Droit Constitutionnel*



International, París, 1933, trad. española por L.LEGAZ, Madrid, 1936, pp. 67 y ss.).

81 En este sentido la Constitución de Bosnia y Herzegovina, que compone el anejo 4 del Acuerdo-Marco general de paz (Dayton-París, 21 de noviembre-14 de diciembre de 1995) no sólo afirma que los derechos y libertades del Convenio Europeo de Derechos Humanos y sus Protocolos se aplicarán directamente y prevalecerán sobre cualquier otra ley (artículo II.2), sino que considera inalterable la Constitución (artículo X.2) en relación con la protección de los derechos humanos establecida al más alto nivel (artículo II.1), incluidos por referencia una quincena de convenios internacionales (artículo II.7 y Anejo 1 de la Constitución).

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Unión el poder constituyente está siempre y sólo en manos de los Estados miembros y son ellos, conforme a sus propias normas constitucionales, los que determinan el papel a representar por sus propios ciudadanos en la formación de la voluntad estatal.

La Convención que ha preparado el Proyecto de Constitución no podía salir de la tela de araña tejida desde los orígenes del proceso por los Estados miembros para controlar absolutamente la reforma de los tratados a los efectos de asegurar la entrada en vigor del tratado que ha de incorporar la Constitución⁸², entre otras consideraciones porque ella misma la Convención, a pesar de su respetabilísimo nombre, no pasaba de ser un instrumento preparatorio de un proyecto a someter a una Conferencia intergubernamental (donde naufragó, aunque ahora se espera recuperar). Pero es que los miembros de la Convención no se han atrevido siquiera a corregir el poder constituyente de cara al futuro, esto es, de cara a las ulteriores reformas de la Constitución, que habrán de formalizarse mediante tratados consentidos por los Estados miembros⁸³, que son y seguirán siendo las Altas Partes Contratantes, terminología muy precisa de Derecho de los Tratados que chirría en términos constitucionales cuando se supone que es el pueblo soberano el titular del poder constituyente. Claro que en nuestro caso el pueblo europeo no existe, salvo en la etiqueta de su Defensor⁸⁴. Y aún más: la Constitución mantiene el valor determinante de la voluntad de cada uno de los Estados miembros, pues al exigir la ratificación de todos, concede un derecho de veto *uti singuli* sobre la reforma constitucional, esto es, la reforma de los tratados que incorporan la Constitución⁸⁵. Lo que resulta muy antiguo incluso para el Derecho de los Tratados cuando la nómina de

82 Artículo IV.8 del Proyecto de Constitución: "El Tratado por el que se instituye la Constitución será ratificado por las Altas Partes Contratantes, de conformidad con sus respectivas normas constitucionales". Adviértase que el artículo IV.8 se refiere a la "adopción, ratificación y entrada en vigor del tratado por el que se instituye la Constitución" y no a la "promulgación de la Constitución", haciendo del Gobierno de Italia, donde se procedería a su firma, depositario del mismo (artículo IV.10) y de los instrumentos de ratificación, en los términos más rancios del Derecho de los Tratados.

83 Artículo IV.7 del Proyecto de Constitución, sobre el procedimiento de revisión del Tratado. A lo más que llegan los miembros de la Convención es a constitucionalizar la Convención para examinar los proyectos de revisión presentados al Consejo de Ministros por el Gobierno de cualquier Estado miembro, el Parlamento Europeo o la Comisión, si así lo decide por mayoría simple el Consejo Europeo previa consulta a las instituciones de la Unión mencionadas (y al Banco Central Europeo si se trata de modificaciones institucionales en el ámbito monetario), debiendo suponerse que la consulta de Parlamento o Comisión no procede respecto de los proyectos que en uno u otra tienen su origen. La Convención adopta por consenso una recomendación a la Conferencia intergubernamental. El Consejo



Europeo, con mayoría simple y la aprobación del Parlamento Europeo, podría obviar la Convención y convocar directamente la Conferencia, si estima que la importancia de las modificaciones no justifica su convocatoria. Esta aprueba de común acuerdo las enmiendas, que entrarán en vigor después de haber sido ratificadas por todos los Estados miembros de acuerdo con sus respectivas normas constitucionales.

84 Artículos I.48 y II.43 del Proyecto de Constitución sobre el Defensor del Pueblo Europeo. Salvo error por mi parte no hay otro lugar en el texto en el que se hable del pueblo europeo.

85 Artículo IV.7.3 del Proyecto de Constitución. El artículo IV.7.4 se limita a reproducir literalmente la Declaración al Acta Final de firma del Tratado por el que se instituye la Constitución, según la cual: "Si transcurrido un plazo de dos años desde la firma del Tratado...las cuatro quintas partes de los Estados miembros lo hubieran ratificado y uno o varios Estados miembros hubieran experimentado dificultades para proceder a dicha ratificación, el Consejo Europe tomará conocimiento de la cuestión". La reproducción es tan literal que la previsión del artículo resulta disparatada, pues el plazo de dos años, en el caso del procedimiento de revisión debe predicarse del tratado que incluya las modificaciones o enmiendas y no del tratado por el que se instituye la Constitución.

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partes adquiere una cierta dimensión y no todas ellas son esenciales para la continuidad y desarrollo del proceso político.

El dominio de los Estados miembros sobre la Unión se manifiesta, a partir de ahí, en la adhesión de nuevos miembros⁸⁶, las instituciones de la Unión⁸⁷ y en sus competencias⁸⁸.

La exigencia de mantener un control eficiente de la Unión ha impuesto así el respeto absoluto, no sólo de su identidad nacional y forma de Estado, sino de su organización territorial⁸⁹, vehiculando el acceso de sus entes, territoriales o no, a las instituciones y organismos de la Unión⁹⁰. Limitada así la Europa de las Regiones, los Estados miembros parecen haberse aplicado a su propia conservación en la Unión frente a movimientos nacionalistas separatistas, pues ésta parece ser la significación de la afirmación de que la Unión "respetará las funciones esenciales del Estado, en particular las que tienen por objeto garantizar su integridad territorial, mantener el orden público y salvaguardar la seguridad interior"⁹¹. Más aún teniendo en cuenta –y este es uno de los más clamorosos vacíos del proceso en clave federal- que la Constitución carece de una

86 Artículo I.57.2 del Proyecto de Constitución.

87 Artículos I.20 (Consejo Europeo), I.22 (Consejo de Ministros), I.25 y 26 (Comisión), I.28 (Tribunal de Justicia). Las dos primeras instituciones se componen de representantes estatales. Los jueces del Tribunal de Justicia son designados de común acuerdo por los gobiernos de los Estados miembros. En cuanto a la Comisión, su composición parte del principio de igualdad entre los Estados miembros para acceder a la misma por un sistema de rotación, siendo los comisarios designados por el Presidente a partir de ternas presentadas por los Estados miembros, sometiéndose después colectivamente al voto de aprobación del Parlamento Europeo. Llama la atención la pasión de los Estados en defender la presencia de sus nacionales en esta institución, en la que prima el "interés general europeo" y en cuyos miembros, que han de actuar con absoluta independencia, se resalta el "compromiso europeo".

88 Son los Estados los que atribuyen competencias a la Unión (Artículo I.9). Las diferentes categorías de competencias se establecen en relación con los Estados miembros (Artículo I.11). La aplicación de la cláusula de flexibilidad depende, en último término, de la decisión unánime de los Estados miembros en sede de Consejo de Ministros (Artículo I.17.1).

89 Artículo 1.5.1 del Proyecto de Constitución: "La Unión respetará la identidad nacional de los Estados miembros, inherente a las estructuras fundamentales, políticas y constitucionales de éstos, también en lo



que respecta a la autonomía local y regional”.

90 El Comité de las Regiones (artículo I.31 del Proyecto de Constitución) es un organismo consultivo de la Unión cuyas limitaciones son particularmente criticadas por las regiones con competencias legislativas en el orden interno. La pretensión de que los parlamentos u otras instituciones regionales representaran un papel en la aplicación del principio de subsidiariedad (y proporcionalidad) no ha prosperado. La Comisión debe tener en cuenta en sus consultas previas a la propuesta de un acto legislativo (que son preceptivas, salvo urgencia excepcional) la dimensión y efectos regionales y locales de las acciones consideradas; pero los interlocutores estatales son los parlamentos nacionales o sus cámaras, a los que incumbe consultar, cuando proceda (según el Derecho interno) a los parlamentos regionales con competencias legislativas. El Comité de las Regiones es uno de los organismos que recibirá un informe anual de la Comisión sobre la aplicación de estos principios, pero no interviene en el procedimiento antes referido y no puede interponer recursos contra los correspondientes actos legislativos, pues su legitimación se limita a aquéllos cuya adopción requiera su consulta (Protocolo sobre la aplicación de los principios de subsidiariedad y proporcionalidad). Véase también el Protocolo sobre el cometido de los Parlamentos Nacionales en la Unión Europea.

91 Artículo I.5.1 del Proyecto de Constitución.

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garantía de defensa colectiva frente a la agresión⁹², aunque hace propuestas en relación con la lucha antiterrorista⁹³.

La residencia del poder constituyente de la Unión en los Estados miembros y su ejercicio a través de tratados internacionales cuya conclusión, lógicamente, ha de someterse a las normas constitucionales de cada Estado pone en entredicho uno de los rasgos constitucionales y federalizantes más conspicuos de la Constitución para Europa preparada por la Convención, a saber, la primacía del Derecho de la Unión sobre las normas estatales. Este precepto es claramente incompatible con las Constituciones estatales y, por ello, a menos que recojan –como es el caso de la holandesa- un procedimiento de conclusión particular de tales tratados que suele concretarse en exigencias similares a las de la reforma constitucional- ésta, la reforma constitucional (que podría concretarse en la constitucionalización del mismo Tratado instituyendo la Constitución europea) es necesaria para evitar un embrollo normativo.

Cabe por otra parte preguntarse hasta que punto el formidable poder de veto puesto en tantas manos es un chantaje permanente a la profundización de la Unión, unido a las dificultades objetivas de muchos de los Estados miembros, con más voluntad que virtud, para embarcarse en ella. En este sentido, una vez se ha renunciado a tirar por la borda a quienes estorban o no son útiles (a menos que llegue a darse una situación extrema) sólo queda enrolar a los más capaces y decididos en esos ámbitos de cooperación reforzada⁹⁴, estructurada⁹⁵ o más estrecha⁹⁶ a los que se refiere el Proyecto de Constitución siguiendo a los tratados en vigor.

Section C) Regional integration processes

Subsection 6. The European unification process

Nava Mario

L'Allargamento dell'Unione Europea: questioni finanziarie, di competitività e di crescita in Industria (L'), 2, aprile-giugno 2004 , 219-240



The relative size of the EU-15 and of the new member States, coupled with their mutual economic and political links, are such that the pure macroeconomic impact of the enlargement on EU-15 growth will probably be positive, but modest (albeit asymmetric across EU-15 countries), while the impact on the new Member States will be positive and significant. The impact on EU public finance will simply be negligible. The impact on EU competitiveness might be significant because enlargement will stimulate competition and reforms. However, this positive outlook on the economic side is mitigated by the outlook on the political side: the Council will lack the governance capacity needed in the EU-25 until a more balanced voting system is adopted. A new Constitution is a "conditio sine qua non" to make enlargement an economic and political success so that a larger Europe can work and act effectively.

Section C) Regional integration processes

Subsection 6. The European unification process

Paolo Guerrieri

L'Allargamento e i suoi benefici economici

in *Industria (L')*, 2, aprile-giugno 2004 , 241-258

To assess the net benefits of the enlargement of the Union to 25 member states the traditional trade integration theory is not adequate. A more satisfactory approach is an analysis based on dynamic scale economies and specialisation opportunities stemming from the integration of the accession countries. In this perspective enlargement could be a great economic opportunity and will have a net positive effect on the European economy. However, the size of these benefits is not given and is related to the adjustment and reform policies that will be implemented by both old and new member countries after May 1st 2004. Completing the Single Market and getting the Lisbon process back on track should be the central future policy goals of the EU 25.

Section C) Regional integration processes

Subsection 6. The European unification process

Romano Sergio

L'Europa ingovernabile

in *Affari Esteri*, Anno XXXVI, n. 142 , 349-352

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Nelli Feroci Ferdinando

L'Unione Europea e il Trattato costituzionale.

in *Comunità Internazionale (La)*, n. 4, vol. LIX, quarto trimestre

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process



L'Unione Europea e la politica di sicurezza e di difesa

in *Affari Esteri*, Anno XXXVI, n. 141 , 21-35

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Quermonne J.L.

L'union européenne : objet ou acteur de sa constitution ? Essai sur la portée d'une politique institutionnelle à long terme

in *Revue française de science politique*, Volume 54, Numéro 2, Avril , 221-236

Si le sens de l'intégration européenne a été, dès l'origine, la recherche de la paix, la question de ses institutions reste aujourd'hui posée. La science politique a longtemps buté sur l'identification de la Communauté, puis de l'Union. Elle en maîtrise mieux les politiques publiques que les processus de décision. Aussi, les travaux de la Convention lui offrent-ils l'occasion de s'interroger à nouveau. Deux sources de légitimité fondent la démocratie de l'Union : celle des États et celle des citoyens. Encore est-il que la règle majoritaire rencontre des difficultés à s'implanter. D'où l'intérêt d'interpeller le concept de " Fédération " qui s'inscrit dans l'interface de la confédération d'États et de l'État fédéral. Cette investigation est enrichie aujourd'hui par le projet de traité constitutionnel. Elle devrait pouvoir dépasser le stade de l'analyse de la " gouvernance " pour soulever la question du " gouvernement européen ".

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Solana Javier

L'élan de la politique européenne de sécurité et de défense

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 481, septembre , pp. 489-491

No abstract available

Section C) Regional integration processes

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Majocchi Alberto

L'armonizzazione delle politiche di bilancio in una Unione monetaria. Un'analisi critica del Rapporto Werner

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 3 , 191-211

No abstract available

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Cassen Bernard

Majorité qualifiée ou minorité de blocage?

in *Monde Diplomatique (Le)*, janvier 2004

La négociation de Bruxelles sur le projet de traité constitutionnel a principalement échoué en raison de l'opposition catégorique de l'Espagne et de la Pologne à un changement des règles de calcul de la majorité qualifiée fixées dans le traité de Nice, adopté en décembre 2000. Cette question, à première vue quelque peu ésotérique, renvoie aux pouvoirs respectifs des Etats dans la prise de décision, ou plutôt, comme on va le voir, dans l'empêchement d'une prise de décision. Pour simplifier, on peut dire que le Conseil (juxtaposition des représentants des gouvernements) est l'organe législatif de l'Union européenne dans tous les domaines. Dans certains d'entre eux (passés de 37 dans le traité de Nice à environ 80 dans le texte proposé par la Convention), mais pas les plus importants, il partage ce pouvoir avec le Parlement. C'est ce que l'on appelle la codécision.

En son sein, le Conseil décide soit à l'unanimité, ce qui confère à chacun de ses membres un droit de veto (57 cas dans le texte de la Convention, mais les plus cruciaux : fiscalité, régime linguistique, Sécurité sociale et protection sociale, défense, etc.), soit à la majorité qualifiée (une centaine de cas). C'est ici que les choses se compliquent...

Une décision prise à la majorité qualifiée signifie qu'un Etat peut lui être très hostile, mais qu'il devra s'y plier. Les gouvernements abordent donc cette question en envisageant, batteries de simulations sur ordinateur à l'appui, le type de coalition qu'ils pourront rassembler pour promouvoir une politique, mais encore davantage pour en empêcher une qui leur déplairait, afin de retrouver ainsi indirectement un droit de veto. Car la méfiance règne et les coalitions peuvent être très différentes selon les sujets (Nord contre Sud, « petits » pays contre « grands », « riches » contre « pauvres », bénéficiaires ou non de la politique agricole commune, libre-échangistes résignés ou frénétiques, atlantistes ou non, etc.).

Le projet de traité constitutionnel a le grand mérite de la simplicité : une décision est approuvée si elle réunit au moins la moitié des Etats (13 sur 25) représentant 60 % de la population de l'Union. Jusqu'au traité de Nice, il n'existait pas de clause démographique, la majorité qualifiée se calculant uniquement sur la base de 71,3 % du total du nombre de voix attribué à chaque Etat, qui variait lui-même de 2 pour le Luxembourg à 10 pour les quatre grands pays (Allemagne, France, Italie, Royaume-Uni) et 8 pour l'Espagne.

Nice a introduit trois critères de décision qui se cumulent : une majorité d'Etats membres, un nombre de voix favorables qui se situe à 72,3 % du total, avec un recours possible si la majorité qualifiée représente moins de 62 % de la population de l'ensemble de l'Union. Ces critères vont être en vigueur dans l'Union à 25 de mai 2004 à 2009. Dans ce régime, une des questions principales est évidemment de savoir de combien de voix dispose chaque Etat, ce nombre tenant compte de sa démographie. A Nice, l'Espagne et la Pologne (environ 40 millions d'habitants) avaient décroché chacune 27 voix, contre seulement 29 à l'Allemagne (80 millions d'habitants), à la France, à l'Italie et au Royaume-Uni, Malte (moins de 400 000 habitants) fermant le ban avec 3 voix. Ce calcul donnait à Madrid et à Varsovie un statut de quasi-« grands » et leur conférait une capacité de blocage ; mais la disparition du comptage par nombre de voix et l'abaissement du seuil démographique de 62 à 60 % leur en retirent une bonne partie. Pour ces deux capitales, et de manière caricaturale, le combat se résumait à « Nice ou la mort ! ».



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Hrbek Rudolf

Modelle politischer Ordnung. Föderalismus, Mehrebenensystem, variable Geometrie

in *Osteuropa*, Heft 5-6, 54. Jahrgang, Mai-Juni, 87-105

Drei Konzepte politische Ordnung für die erweiterte EU spielen in Politik und Wissenschaft eine wichtige Rolle. Beim Modell einer Föderation geht es um die föderale Qualität der EU; die gegenwärtige EU weist deutliche Merkmale einer föderalen Struktur auf. Der vom Konvent ausgearbeitete "Verfassungs"-Entwurf verstärkt diesen Charakter. Das Konzept Multi-level Governance versteht die EU als Mehrebenensystem mit einer spezifischen Form des Regierens. Konzepte einer Differenzierung wie Kerneuropa oder Europa verschiedener Geschwindigkeiten sind Ausdruck integrationsstrategischer Überlegungen, wie die Integration fortgesetzt und vertieft werden kann, auch wenn zunächst nicht alle Mitgliedstaaten an neuen Projekten mitwirken.

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Subsection 6. The European unification process

van Aarle Bas, Garretsen Harry, Huart Florence

Monetary and Fiscal Policy Rules in the EMU

in *German Economic Review*, Vol. 5 Issue 4

This paper studies the design and effects of monetary and fiscal policy in the euro area. To do so, a stylized two-region model of monetary and fiscal policy rules in the EMU is built. We analyse how monetary and fiscal rules affect the adjustment dynamics in the model. Both the effects on the individual countries and on the EMU aggregate economy are studied. Three aspects play an important role in the analysis: (i) the consequences of alternative monetary and fiscal policy rules, (ii) the consequences of asymmetries between EMU countries (asymmetries in macroeconomic shocks and macroeconomic structures), and (iii) the role of alternative degrees of backward- and forward-looking behaviour in consumer decisions and inflation expectations

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Ash Amin

Multi-Ethnicity and the Idea of Europe

in *Theory, Culture & Society*, Volume 21, n. 2, April, 1-24

This article explores the meaning and relevance of the 'Idea of Europe' in the context of a multicultural and multi-ethnic continent that increasingly draws on the presence and practices of people from non-European backgrounds. The Idea of Europe, even in its contemporary use, remains an ideal based on a Christian-Enlightenment-Romantic heritage, mobilized by supporters of European integration as the bridge between diverse European national cultures. In a Europe of extraordinary cultural interchange and immigration from all corners of the world, the classical Idea of Europe is strikingly exclusionary and backward looking – a poor motif for the future. The article tries to develop an alternative Idea of Europe, one based on a particular politics of the public domain and a particular ethos of belonging in Europe seen as



a migrant space, rather than one based on the enduring cultural values of a body of people called Europeans. It outlines a commons, protected by appropriate EU-level rights, that can both support and bind cultural pluralism and difference, and it proposes democratic vitalism as Europe's core political project, an idea of becoming European, read as the process of never-settled cultural invention resulting from the vibrant clashes of an equal and empowered multiple public. No myth of origin, no myth of destination, only the commitment to a plural demos.

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Ripollés Serrano, M.R.

National Constitution and European Convention

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 323-332

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bojkov Victor D.

National identity, political interest and human rights in Europe: the charter of fundamental rights of the European Union

in *Nationalities Papers*, Volume 32, Number 2, June 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Schroeder Werner

Nationale Maßnahmen zur Durchführung von EG-Recht und das Gebot der einheitlichen Wirkung

in *Archiv des öffentlichen Rechts* , Band 129 (2004), Heft 1, März 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Pollack Detlef

Nationalismus und Europaskepsis in den postkommunistischen Staaten Mittel-und Osteuropas

in *Aus Politik und Zeitgeschichte*, Band 38, 2004

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Csergo Zsuzsa, Goldgeier James M.

Nationalist Strategies and European Integration

in *Perspectives on Politics*, issue 1, vol. 2, march , 21-37

ABSTRACT: Contrary to conventional wisdom, nationalism remains alive and well across an increasingly integrated Europe. While most nationalisms are not violent, the desire for greater national voice by both states and groups continues to exist in both the East and the West. As the European Union deepens and widens, states and groups are choosing among four nationalist strategies: traditional, substate, transsovereign, and protectionist. The interplay among these nationalisms is a core part of Europe's dynamic present and future.

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Bo Bjurulf, Ole Elgström

Negotiating Transparency: The Role of Institutions

in *Journal of Common Market Studies*, Vol. 42, Issue 2, June , 249-270

On 30 May 2001, a new regulation on public access to EU documents was presented and was heralded in the European press as a breakthrough for transparency. We argue that a focus on institutions can cast light on the negotiation processes that led to this decision, and explain the final realist negotiation theory puzzling outcome. We demonstrate the importance of institutions in EU negotiations by detailing actor interests and strategies in the transparency case, and by tracing and analysing the negotiation process that resulted in the regulation. The institutions that receive particular attention are: agenda-shaping rules, decision-making procedures and voting rules, informal norms, time tables and deadlines, and intervention by institutional actors.

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Boris Tadić;

New Constitution and Greater Integration with Europe

in *Review of International Affairs (The)* , Vol. LV, n. 1115, July–September

No abstract available

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Subsection 6. The European unification process

Burkard Eberlein, Dieter Kerwer

New Governance in the European Union: A Theoretical Perspective



in **Journal of Common Market Studies**, Vol. 42, Issue 1, March , 121-142

New modes of governance based on voluntary performance standards, rather than compulsory regulation, have gained salience in the European Union (EU). Can these new modes of governance offer a credible solution to the current challenges faced by EU policy-making? In this article, we assess the potential of new governance in the light of the theory of democratic experimentalism. This theoretical perspective suggests, first, that co-ordination by voluntary performance standards can lead to more effective rules and more opportunities for political participation; second, that the scope of this mode of governance in the EU is not confined to cases which are explicitly flagged as new governance; and third, that one of the main problems is how a voluntary mode of governance can coexist with compulsory regulation.

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Bruter Michael

On what citizens mean by feeling 'European': perceptions of news, symbols and borderless-ness

in **Journal of Ethnic and Migration Studies**, Vol. 30 n. 1 , 21 - 39

What is 'Europe' for citizens? What do people mean when they say that they feel, or not, European? A growing literature by political scientists and journalists tries to assess European identity. Multiple theories of political identities exist, imposing fairly rigid and untested (and, essentially, untestable) assumptions on what they mean. No deductive technique, however, would allow us to let citizens explain the deeper signification of answers to questions on who they are and how they perceive their attachment to varying political communities. This paper, therefore, presents an analysis of a series of focus-group discussions run in France, the UK, and the Netherlands on what citizens believe to be 'Europe' and 'Europeans'. They relate how they believe the media inform them on Europe, and how they perceive the main symbols of the European Union. They explain what matters to them in terms of their direct experience of European integration, and finally, what a 'European identity' means to them and whether they think of themselves and of their peoples as European or not. We discover that citizens are relatively cynical with regard to the perceived bias of the media on the European question. We derive impressionistic but somewhat surprising findings on the meaning they attribute to Europe through its symbols, with references to peace, cosmopolitanism and other 'anti-identity' values; ultimately, discussants' predominant perception of European-ness relies, precisely, on the disappearance of internal EU borders. Finally, we can identify two main 'ways' for citizens to define a European identity: a predominantly 'civic' one, and a predominantly 'cultural' one.

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Benz Arthur

Path-Dependent Institutions and Strategic Veto Players: National Parliaments in the European Union

in **West European Politics**, n. 5, vol. 27, november , 875-900

ABSTRACT: According to the prevailing concept of 'dual legitimacy', national parliaments constitute an important source of democratic legitimacy in the EU. Reinforced parliamentary scrutiny and control of the national representatives in the Council of Ministers seem to contribute to a more democratic Europe. However, if parliaments tie the hands of their governments when they negotiate at the European level, effectiveness of policy-making is jeopardised and national



interests may be defeated. Realising this dilemma, members of national parliaments develop strategies to deal with conflicting requirements of national party politics and European policy-making. These strategies and their implications for democracy are influenced by the path-dependent institutional changes in national parliamentary systems. They therefore vary considerably between member states.

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Pasquazzi Matilde

Per una storia economica dell'unificazione europea

in *Rivista di Studi Politici Internazionali*, Volume 71, n. 3 , pp. 423-442

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Vacca Paolo

Per una strategia alternativa. Un nucleo federale in un'Europa a cerchi concentrici

in *Federalista (Il)/Federalist (The)*, Anno XLVI, n. 2 , 112-125

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ciampi Carlo Azeglio

Per un'autentica Europa politica

in *Affari Esteri*, Anno XXXVI, n. 144 , 677-682

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Chiti-Batelli Andrea

Perplexità sull'avvenire dell'Unione Europea

in *Affari Esteri*, Anno XXXVI, n. 143 , 573-589

No abstract available

Section C) Regional integration processes

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Ben Crum



Politics and Power in the European Convention

in *Politics*, Vol. 24, Issue 1, February , 1-11

The Convention on the future of the European Union has been heralded by many as a unique political setting. So far the process of EU Treaty change was subject to the collision of national political interests in Intergovernmental Conferences. By contrast, the Convention appears to promise a fundamentally open and normatively informed arena. This article probes the validity of this promise by dissecting the political dynamics of the Convention along three dimensions: political behaviour and alliance formation; agenda management; and the norms informing its proceedings.

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Hix Simon, Noury Abdul, Rolan Gerard

Power to the Parties: Cohesion and Competition in the European Parliament, 1979–2001

in *British Journal of Political Science*, issue 2, vol. 34, april , 209-234

ABSTRACT: How cohesive are political parties in the European Parliament? What coalitions form and why? The answers to these questions are central for understanding the impact of the European Parliament on European Union policies. These questions are also central in the study of legislative behaviour in general. We collected the total population of roll-call votes in the European Parliament, from the first elections in 1979 to the end of 2001 (over 11,500 votes). The data show growing party cohesion despite growing internal national and ideological diversity within the European party groups. We also find that the distance between parties on the left-right dimension is the strongest predictor of coalition patterns. We conclude that increased power of the European Parliament has meant increased power for the transnational parties, via increased internal party cohesion and inter-party competition.

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Celotto, Alfonso - Groppi, Tania

Primauté e controlimiti nel progetto di trattato costituzionale

in *Quaderni Costituzionali*, numero : 4, dicembre , 868-869

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della Cananea G.

Procedures in the New (Draft) Constitution of the European Union



in *Revue européenne de droit public*, Vol. 16 - No. 1 , 221-239

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Goudappel F.

Prospects of the European Common Defence Policy

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 245-261

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lepsius M. Rainer

Prozesse der europäischen Identitätsstiftung

in *Aus Politik und Zeitgeschichte*, Band 38, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Matteo Barbero

Quale patto per l'Europa (e per l'Italia) ?

in *Federalismi*, Anno II, n. 10

No abstract available

Section C) Regional integration processes

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Bafoil François

Quel outil de développement pour les économies est-européennes ?

in *Critique Internationale*, N°25 - Octobre 2004

Les Fonds structurels ont été forgés au sein de l'UE pour garantir le développement des économies dites en retard. Le premier d'entre eux par la taille des financements et l'ampleur des tâches est le FEDER, le Fonds européen de développement régional. Or dans quelle mesure un outil d'une telle importance est-il pertinent lorsqu'il est appliqué à des situations économiques et administratives présentant des traits fondamentalement différents de celles pour lesquelles il a été initialement conçu ? En se limitant à l'examen du FEDER, cet article cherche à isoler les traits hérités du passé pour mieux préciser là où les outils peuvent être opératoires et là où ils ne peuvent pas l'être. Une telle approche peut donner à penser où peut jouer la convergence au sein de l'UE et où, ensuite, elle peut ne pas jouer. Elle



peut ainsi permettre de comprendre d'une part que ce qui résiste à l'application des outils des Fonds structurels constitue peut-être le « noyau dur » de l'héritage soviétique et que ce qui converge est proprement l'eupéanisation.

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Dario Castiglione

Reflections on Europe's Constitutional Future

in **Constellations**, Vol. 11, Issue 3 September , 393-411

No abstract available

Section C) Regional integration processes

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Thym, Daniel

Reforming Europe's Common Foreign and Security Policy

in **European law journal**, January 2004 - Vol. 10 Issue 1, , 5 - 22

The reform of the constitutional foundations of Europe's Common Foreign and Security Policy (CFSP) featured prominently on the agenda of the European Convention. To the great surprise of many observers the much lamented absence of a common European response to the war in Iraq did not prevent the Convention from agreeing upon an ambitious reform package in the foreign-policy field. This article explores the legal implications of the new institutional balance for European foreign policy envisaged by the Convention against the background of the achievements and deficiencies of Europe's existing foreign policy regime. Thereby, we shall see in how far the Convention has met the original goal set by the Laeken European Council to consider steps to strengthen the Union's ability to 'shoulder its responsibilities in the governance of globalisation.'

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Keating Michael

Regions and the Convention on the Future of Europe

in **South European Society & Politics**, Volume 9, Number 1, Summer - special issue "Mobilizing Politics and Society? The EU Convention's Impact on Southern Europe" , pp. 192-207

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Jeffery Charlie

Regions and the constitution for Europe: German and British impacts

in **German Politics**, Volume 13, Number 4, December , pp. 605-624

Regions have attempted to influence the emerging constitutional order of the EU for around 20 years. The German Länder have made a particular impact in sensitising the Union to regional concerns at successive Intergovernmental Conferences since Maastricht. They were also the leading regional voice in shaping debates at the Convention on the Future of Europe, though the Scottish government also succeeded in leaving an imprint on the Constitution for Europe. This article contrasts the different understandings in Germany and Scotland of how regions should make their interests felt. The German Länder have opted for a strategy focused heavily on using the structure of the member state to limit EU regulation of their fields of competence, while the Scottish government developed a more open-ended and flexible strategy based also in constructive engagement beyond the member state at the EU level. In the light of the Scottish approach the article questions whether the Länder strategy is too one-dimensional, leaving them over-dependent on the German federal government.

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Subsection 6. The European unification process

Christopher Hill

Renationalizing or Regrouping? EU Foreign Policy Since 11 September 2001

in **Journal of Common Market Studies**, Vol. 42, Issue 1, March , 142-164

This article considers whether the most recent phase of European foreign policy-making, since the atrocity of 11 September, has exposed fatal flaws in the EU's Common Foreign and Security Policy (CFSP), or whether it is too soon for dismissive judgements. It asks to what extent Member States have fallen back on their own resources, and to what extent there are signs of regrouping, so as to take the CFSP on to the next stage. It examines the main substantive challenges which have preoccupied Europe since 11 September, some of the key foreign policy issues which predated but then became complicated by it, and finally the more structural issues such as the European Security and Defence Policy (ESDP), the Convention on constitutional reform, and enlargement. It concludes that the current crisis is not rendering European foreign policy redundant, and that there continues to be the will, if not always the capacity, to produce collective action.

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Feral Pierre-Alexis

Retour en force du principe de subsidiarité dans le traité constitutionnel : de nouvelles responsabilités pour les parlements nationaux et pour le comité des régions?

in **Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne**, Numero 481, septembre , pp. 496-499

No abstract available



Section C) Regional integration processes

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Papisca Antonio

Riflessioni in tema di cittadinanza europea e diritti umani

in *Pace Diritti Umani*, n. 1, anno 1, gennaio-aprile , 39-58

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Moussis Nicolas

Réussir la Constitution : l'adopter, puis l'adapter à la majorité

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 476, mars , pp. 151-152

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Diefenbacher Hans

Rückschritte in der EU-Umweltpolitik

in *Blätter für deutsche & internationale Politik*, März, 2004 , 363-365

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Huffschmid Jörg

Sackgasse EU-Verfassung

in *Blätter für deutsche & internationale Politik*, Juli, 2004 , 775-778

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

James A. Caporaso

Si può parlare di democrazia per l'Unione Europea?

in *Rivista Italiana di Scienza Politica*, Numero 1, Aprile , 69-94



The concepts of democracy and the democratic deficit are often applied to the European Union uncritically. However, before discussions of democracy can be meaningful, we must decide if the EU is a political entity that warrants evaluation by democratic standards. This paper challenges the notion that a primordial demos must exist before a democracy can be viable. A primordial demos is not necessary as illustrated by many nation-states which are not based on a distinct ethnic identity. Europe already has an emergent civic demos on which it draws for support and legitimacy. Having established that a demos exists, the paper goes on to assess the performance of the EU in light of democratic standards. While important limitations exist, the EU's democratic capacity is growing in terms of accountability, openness, and perhaps representation.

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Verwilghen Stéphanie

Signature et portée du traité du 29 octobre 2004 établissant la Constitution - Le traité établissant une Constitution pour l'Europe et les traités d'adhésion, un exercice d'adaptation au nouveau cadre constitutionnel
in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, Numero 483, décembre , pp. 637-641

The treaty establishing a Constitution for Europe (the European Constitution) signed on October 29, 2004, which will become effective after it ratified by all member countries, abrogates existing treaties and membership acts. However, the abrogation is subjected to a specific system, specified in both protocols appended to the European Constitution, one relating to the last treaty and membership act, the other applying to the first four treaties and membership acts. these protocols reproduce or mention the provisions of the treaties and membership acts which will remain relevant when the European Commission becomes effective. This approach required identifying provisions that needed protection, consideration on the protection of their legal effects and an adjustment to the legal framework established by the European Constitution. That was a technical exercise, according to a "constitutional approach", though lending attention to political considerations. the purpose was to prevent the provisions reproduced in both protocols from doubling with those of the European Constitution. It was also necessary to check whether the protection of the legal effects of some provisions was not already provided by ongoing Community and Union provisions. In addition, the provisions to be protected were to be included in the protocol structure appended to the Constitution, not in treaties or memberships acts, which sometimes required imaginative solutions to maintain the political visibility of some elements.

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Olivieri, Laura

Sovranità popolare, sovranità e statualità tra Carta europea dei diritti e futuro dell'Europa
in *Rivista italiana di diritto pubblico comunitario*, n. 1 , 33-62

No abstract available

Section C) Regional integration processes

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Mau Steffen



Soziale Ungleichheit in der Europäischen Union
in *Aus Politik und Zeitgeschichte*, Band 38, 2004

No abstract available

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Pereira A.M., Rodrigues P.G

Strategies for Fiscal Reform in the Context of the EMU: the Case of Portugal
in *Review of Development Economics*, Volume 8, Number 1, February , 141-163

The authors use an endogenous growth dynamic general-equilibrium model, which accommodates the institutional constraints of the Stability and Growth Pact, to study tax reform in Portugal. Simulation results suggest that tax cuts financed in a nondistortionary way increase long-term GDP; i.e., they are efficiency improving, but do not always increase welfare. The tradeoff between efficiency and welfare is alleviated when reductions in public spending or increased public indebtedness finance the tax cuts. Since these mechanisms are not realistic under the institutional setting of the Stability and Growth Pact, tax reform in Portugal must involve trading off distortionary tax margins. In this case, the best strategy to increase both efficiency and welfare is to increase investment tax credits and finance them either through personal income taxes or through employers' social security contributions.

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Van Kersbergen Kees, Verbeek Bertjan

Subsidiarity as a Principle of Governance in the European Union
in *Comparative European Politics*, n. 2, vol. 2, august , 142-162

ABSTRACT: Subsidiarity has been introduced at the 1991 Maastricht conference as a principle of European governance. This article traces its development over the past 15 years and attempts to assess the effect of the subsidiarity principle on European governance. The impact of subsidiarity varies across time and across issue area. This is related to the fact that the European Union is at the same time characterized by inter-state relations and relations typical of a 'regular' political system. This specific nature of the European polity requires us to analyze policy-making in terms of different policy arenas which are sometimes inter-state in nature and sometimes more 'regular'. This concept of European policy-making differs from the approaches currently dominating the field: intergovernmentalism and multi-level governance. Although the effect of subsidiarity varies with the different natures of European policy arenas, the principle has tended to strengthen the position of the national governments of the Member States. This tendency has been continued in the operation of the Open Method of Coordination and the proposals regarding subsidiarity in the European Convention.

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Jan Sawicki

Sui referendum di ratifica del trattato costituzionale europeo: qualche nota preliminare
in *Federalismi*, Anno II, n. 22

No abstract available

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Johan P. Olsen

Survey Unity, Diversity and Democratic Institutions: Lessons from the European Union
in *Journal of Political Philosophy*, Vol. 12, Issue 4, December , 461-495

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Vintrová Růžena

The CEE countries on the way into the EU--adjustment problems: institutional adjustment, real and nominal convergence
in *Europe-Asia Studies*, Volume 56, Number 4 (June 2004) , 521 - 541

Section C) Regional integration processes

Subsection 6. The European unification process

Choromides Constantinos

The Challenges and Prospects of South Eastern Europe Towards Regional and European Integration: a New Approach for Development, Peace And Security in South Eastern Europe
in *Peace, Conflict and Development*, Volume 5, Issue 5, July , full text available

<http://www.peacestudiesjournal.org.uk/docs/SoutheastEuropeanReconstruction.PDF>

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Trenz Hans-Jörg, Eder Klaus

The Democratizing Dynamics of a European Public Sphere: Towards a Theory of Democratic Functionalism
in *European Journal of Social Theory*, Volume 7, No. 1, February 2004 , 5-25

The riddle of how to democratize the multi-level polity of the EU is answered by pointing to the empirical impact of an



unfolding European public sphere. It is argued that there is a self-constituting dynamic of a European public sphere which abets the coupling of transnational spaces of communication with the institutional integration of the EU. From this perspective, democracy is not external to the EU, it is already part of the logic of European institution-building and governance and is fostered by collective learning processes in which definitions of the collective good as well as conditions for appropriate forms of political participation are negotiated. In discussing the case of the EU's constitutional reform, a theory of democratic functionalism is proposed which accounts for this specific form of democratization of the EU.

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Gian Luigi Tosato and Ettore Greco

The EU Constitutional Treaty: How to Deal with the Ratification Bottleneck
in *International Spectator (The)*, Vol. XXXIX, n. 4, October-December

Ratification of the Constitutional Treaty by all EU members will take at least two years and there is the concrete risk that one or more member states could fail to ratify. The anticipated application of some parts of the Constitutional Treaty before it enters into force could facilitate some of the reforms so badly needed by a Europe of 25 and anticipated enactment of some of these reforms could actually facilitate ratification of the Treaty itself. The article considers various scenarios in case of non ratification.

Section C) Regional integration processes

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Dutheil de la Rochère Jacqueline

The EU and the individual: Fundamental rights in the Draft Constitutional Treaty
in *Common Market Law Review*, issue 2, vol. 41, 345-354

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Monar Jörg

The EU as an International Actor in the Domain of Justice and Home Affairs
in *European Foreign Affairs Review*, Volume 9, Issue 3, pp. 395-415

No abstract available

Section C) Regional integration processes

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Jean-Victor Louis

The Economic and Monetary Union: Law and Institutions
in *Common Market Law Review*, issue 2, vol. 41 , 575-608

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

MacCormick Neil

The European Constitutional Convention and the Stateless Nations
in *International Relations*, n. 3, vol. 18, september , 331-344

ABSTRACT: This article discusses the European Constitutional Convention and its "parliamentarian" character, based on the author's experience of participating in the process. It examines openness and democracy at the Convention, and the opportunities for stateless nations. It also examines the "European Free Alliance" (EFA) approach to the Convention, namely, self-determination as a principle; support for the constitution but not a superstate; relations of Commission and Council; and subsidiarity and the "Regions". Ten particular EFA points are discussed: "region" or "nation"; reforming parliamentary representation - "digressive proportionality"; the Committee of the Regions - reform or abolish; rights to pre-legislative consultation; regional ministers in Council; access to the Court of Justice; subsidiarity criteria and mechanisms; connecting to COSAC; language rights; and territorial cohesion. How satisfactory is the Convention's Draft Constitution from the point of view of stateless nations?

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Lucarelli Sonia, Radaelli Claudio M.

The European Convention: A Process of Mobilization?

in *South European Society & Politics*, Volume 9, Number 1, Summer - special issue "Mobilizing Politics and Society? The EU Convention's Impact on Southern Europe" , pp. 1-23

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Magnette Paul, Nicolaidis Kalypso

The European Convention: Bargaining in the Shadow of Rhetoric
in *West European Politics*, n. 3, vol. 27, may , 381-404

ABSTRACT: The European Convention on the Future of Europe was initially presented as a turning point in the history of European integration. This article argues that, although its composition was broader, its process more transparent and its rules more flexible than classic intergovernmental conferences, the Convention was not Europe's Philadelphia. Since it took place under the shadow of the IGC and under a leadership especially sensitive to the positions of big member states, the Convention reproduced, by extension, the logic of intergovernmental bargains. Nevertheless, some



of the Convention's outcome - the most formal aspects of its draft treaty with less predictable distributional consequences - can be explained by the 'social norm' of constitutional deliberation conveyed by its president and supported by a majority of its members.

Section C) Regional integration processes

Subsection 6. The European unification process

Howorth Jolyon

The European Draft Constitutional Treaty and the Future of the European Defence Initiative: A Question of Flexibility

in *European Foreign Affairs Review*, Volume 9, Issue 4 , pp. 483-508

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Andrew Duff

The European Parliament Assesses the Constitution

in *International Spectator (The)*, Vol. XXXIX, n. 3, July-September

The European Constitution enhances the capacity of the European Union to act effectively at home and abroad. At the same time, it allow for the rapid development of parliamentary democracy to keep pace with integration. Greatly reinforcing both the legislative and budgetary roles of the European Parliament, the Constitution will bring the Union greater stability and legitimacy than it has had before.

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Brendan Donnelly

The European Parliament and the Dilemmas of European Integration

in *International Spectator (The)*, Vol. XXXIX, n. 2, April-June

Over the past twenty five years, the European Parliament has been an energetic advocate and effective promoter of European integration. This active role of the EP is, however, now constrained by the current clash within the European Union of differing visions for the Union's development. The clash is apparent in the ambiguous recommendations of the European Constitution on the role of the European and national parliaments. The European Parliament needs and most of its members want this debate to be resolved in favour of a European Union with strong and autonomous central institutions. But its capacity to influence the actual outcome of the debate is limited.

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Udo Diedrichs

The European Parliament in CFSP: More than a Marginal Player?

in *International Spectator (The)*, Vol. XXXIX, n. 2, April-June

Over the years, the European Parliament has skillfully used its limited powers in Common Foreign and Security Policy (CFSP) to increase its influence. Particularly in the budgetary field, the EP has an important say and, in the area of Security and Defence Policy (ESDP), it can shape civilian crisis management decisions. The conclusion of the Constitutional Treaty will probably not dramatically increase the EP's powers, but it could provide impulse for further development of the EP's role and functions, thereby enhancing accountability. In particular, relations with the future EU Foreign Minister will be crucial for defining Parliament's influence on CFSP. The EP should also try to establish itself as a public arena for debate of foreign and security issues within the European Union, in order to gain a higher profile in that field.

Section C) Regional integration processes

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Bermann George A.

The European Union as a Constitutional Experiment

in *European law journal*, July 2004 -Vol. 10 Issue 4, , 363 - 370

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Tillman Erik R.

The European Union at the Ballot Box? European Integration and Voting Behavior in the New Member States

in *Comparative Political Studies* , Vol. 37 n. 5 , 590-610



Scholars have developed a large body of knowledge on the domestic underpinnings and effects of European integration. Students of the European Union (EU) have devoted considerable attention to the sources of citizen and party support for EU membership. This attention would suggest the presence of a dynamic process in which parties compete for votes by adopting stances on the EU, and citizens vote on the European issue. Evidence from the three new member states—Austria, Finland, and Sweden—shows that citizen attitudes about the EU affected vote choice in national elections in all three states before and after accession. This finding suggests the existence of an electoral dynamic between voters and parties over European integration, with mass publics having an important role in constraining future efforts at integration. Implications and directions for future research are discussed.

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Alberto Alesina, Roberto Perotti

The European Union: A Politically Incorrect View

in **Journal of Economic Perspectives**, Vol. 18, No. 4, Fall

In this paper, we present our view of the recent evolution of European integration. We first briefly describe the main features of the institution and decision making process in the European Union, with particular attention to the debate between federalists and super nationalists. We then identify two key issues in the process of European integration: 1) an emphasis on "institutional balance" based on a complex web of institutions with overlapping jurisdiction; 2) A conflict between a dirigiste versus a more laissez faire approach to government. We argue that the first problem leads to a lack of clarity in the allocation of powers between European institutions, confusion in the allocation of prerogatives between national governments and EU institutions, and lack of transparency and accountability. The dirigiste culture also manifests itself in an abundant production of verbose rhetoric, which in our view is far from innocuous and direct set the European policy debate in the wrong direction. We then study how these problems play out in 4 important areas: employment policies, culture and scientific research, foreign and defense policies, and fiscal policy. Finally, we study the implications of the recently proposed European Constitution a potential solution of these two problems.

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Vivien A. Schmidt

The European Union: Democratic Legitimacy in a Regional State?

in **Journal of Common Market Studies**, Vol. 42, Issue 5, December , 975-998

Democratic legitimacy for the EU is problematic if it is seen as a future nation-state. If instead the EU were seen as a regional state with shared sovereignty, variable boundaries, composite identity, compound governance, and a fragmented democracy in which the EU level assures governance for and with the people through effective governing and interest consultation, leaving to the national-level government by and of the people through political participation and citizen representation the problems of the democratic deficit diminish at the EU level. But they become even greater at the national level, where the changes to national democratic practices demand better ideas and discourses of legitimization. A further complicating factor results from problems of 'institutional fit', because the EU has had a more disruptive impact on 'simple'polities, where governing activity has traditionally been channelled through a single authority, than on more'compound'polities, where it has been more dispersed through multiple authorities.



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Esther Barbé

**The Evolution of CFSP Institutions: Where does Democratic Accountability Stand?
in International Spectator (The)**, Vol. XXXIX, n. 2, April-June

The tendency to "cross-pillarise" EU security and defence aspects, together with the "mushrooming" of new security and defence institutions that are asymmetric in terms of membership and competences contribute to blurring the delimitation of responsibilities on security and defence issues. Consecutive reforms of CFSP institutions have been based on the principles of coherence, visibility and continuity and have not improved accountability. Despite the new figures of an elected President of the European Council and a European Foreign Minister, introduced with the Constitution, CFSP and especially ESDP have gone in the direction of further decentralisation of institutional structures and the creation of new flexibility instruments. These changes may make European foreign and defence policy more efficient, but they also pose challenges to the accountability dimension as they could cause greater fragmentation and less transparency.

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Johansson-Nogués Elisabeth

The Fifteen and the Accession States in the UN General Assembly: What Future for European Foreign Policy in the Coming Together of the 'Old' and the 'New' Europe?
in *European Foreign Affairs Review*, Volume 9, Issue 1, pp. 67-92

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Closa Carlos

The Formation of Domestic Preferences on the EU Constitution in Spain
in *Comparative European Politics*, n. 3, vol. 2, december, 320-338

ABSTRACT: Contesting the thesis of liberal intergovernmentalism that national governments aggregate the preferences formed in civil society through a pluralist process, this article argues that national governments create and shape their preferences within an institutional environment that may act as feeder of these preferences or as modeller of them. Using the Spanish case, a set of five variables operationalize the notion of institutional environment: the ideology of party in government, prevalent political culture and policy style, the institutional arrangements for EU policy making, the domestic structure of opportunities, the search for institutional congruence and the endogenization of preferences. These are used to explain the preferences of the Spanish government in negotiating the draft Constitutional Treaty. The conclusion underlines that rationality is not absent but attention must be paid to the institutional environment in which goals are formulated.



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Tanja E. Aalberts

The Future of Sovereignty in Multilevel Governance Europe - A Constructivist Reading
in *Journal of Common Market Studies*, Vol. 42, Issue 1, March , 23-46

Multilevel governance presents a depiction of contemporary structures in EU Europe as consisting of overlapping authorities and competing competencies. By focusing on emerging non-anarchical structures in the international system, hence moving beyond the conventional hierarchy/anarchy dichotomy to distinguish domestic and international arenas, this seems a radical transformation of the familiar Westphalian system and to undermine state sovereignty. Paradoxically, however, the principle of sovereignty proves to be resilient despite its alleged empirical decline. This article argues that social constructivism can explain the paradox, by considering sovereign statehood as a process-dependent institutional fact, and by showing that multilevel governance can feed into this process.

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Neil Walker

The Legacy of Europe's Constitutional Moment
in *Constellations*, Vol. 11, Issue 3 September , 368-392

No abstract available

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Trybus Martin

The Limits of European Community Competence for Defence
in *European Foreign Affairs Review*, Volume 9, Issue 2 , pp. 189-217

No abstract available

Section C) Regional integration processes

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Beetsma Roel, Massimo Giuliadori

The Macroeconomic Costs and Benefits of the EMU and Other Monetary Unions: An Overview of Recent Research.
in *Journal of Economic Literature*, Vol. 48, No. 3 , 603–41

This article provides an overview of recent research into the macroeconomic costs and benefits of monetary unification. We are primarily interested in Europe's monetary union. Given that unification entails the loss of a policy instrument, its



potential benefits have to be found elsewhere. Unification may serve as a vehicle for beneficial institutional changes. In particular, it may be a route toward an independent monetary policy, which alleviates the scope for political pressure to relax monetary policy. Unification also eliminates harmful monetary policy spillovers and competitive devaluations. We explore how disagreement between the monetary and fiscal authorities about their policy objectives can lead to extreme macroeconomic outcomes. Further, we pay considerable attention to the desirability (or not) of fiscal constraints and fiscal coordination in a monetary union. Monetary commitment and fiscal free riding play a key role in this regard. Similar free-riding issues also feature prominently in the analysis of how unification influences structural reforms. We end with a brief discussion of monetary unification outside Europe. The cost-benefit trade-off of unification may differ substantially between industrialized and less-developed countries, where differences in fiscal needs and, hence, the reliance on seigniorage revenues may dominate the scope for unification.

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Richard Bellamy, Justus Schönlaue

The Normality of Constitutional Politics: An Analysis of the Drafting of the EU Charter of Fundamental Rights in Constellations, Vol. 11, Issue 3 September , 412-433

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lee Miles

The Paradox of a Popular Europe

in **Journal of Common Market Studies**, Vol. 42, Issue s1, September , 1-8

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Wivel Anders

The Power Politics of Peace. Exploring the Link between Globalization and European Integration from a Realist Perspective

in **Cooperation and Conflict**, n. 1, vol. 39, march , 5-25

ABSTRACT: The purpose of this article is to explore globalization and European integration and the link between the two developments from a realist perspective. I demonstrate how realists have engaged in analyses of globalization and European integration but have so far failed to provide a link between the two developments. I argue that realists can convincingly provide such a link by utilizing the perspective's often neglected process variables: socialization, competition and interaction capacity. Using these variables, I demonstrate how the dynamics of power politics perfectly consistent with realism may result in an international system characterized by actors and processes incompatible with realist predictions. The article is a contribution to the ongoing debate on the applicability of international relations theory to globalization and European integration and to the contemporary debate between realists and their critics on the



development of the realist research programme.

Section C) Regional integration processes

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Cesare Pinelli

**The Powers of the European Parliament in the new Constitutional Treaty
in International Spectator (The)**, Vol. XXXIX, n. 3, July-September

The new powers with which the European Parliament has been entrusted by the European Union's Constitutional Treaty comprehend both the extension of the codecision procedure between the EP and the Council to the adoption of almost all legislative acts and the enhancement of the EP's role in appointing the European Commission. The importance of such developments within the European enterprise as a whole is evident, but there are nevertheless obstacles that could prevent the EP from fulfilling the role of an Assembly fully representing European citizens in the sometimes puzzling institutional assessment afforded by the Constitutional Treaty.

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Subsection 6. The European unification process

Sieberson Stephen C.

**The Proposed European Union Constitution - Will It Eliminate the EU's Democratic Deficit?
in Columbia Journal of European Law**, Vol. 10 n. 2 , 173 - 264

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ortega L.

The Reform of the Community Institutions

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 117-139

No abstract available

Section C) Regional integration processes

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Duško Lopandi

**The Treaty on the Constitution for Europe and its Effect on the EU Foreign Relations and the Position of Serbia
and Montenegro**

in *Review of International Affairs (The)* , Vol. LV, n. 1116, October–December

No abstract available



Section C) Regional integration processes

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Knowles Vanda, Thomson-Pottebohm, Silke

The UK, Germany and ESDP: developments at the convention and the IGC

in **German Politics**, Volume 13, Number 4, December , pp. 581-604

This article explores UK and German positions in the debates on European defence in the Convention on the Future of Europe and in the Intergovernmental Conference that followed. It also has a subsidiary interest in France, and develops a framework for exploring why UK, German and French positions on defence cooperation diverge, but also for plotting how those positions moved significantly towards convergence during the constitutional debate. The move towards more convergent positions is traced through a discussion of Common Foreign and Security Policy, the Petersberg Tasks, the solidarity clause, structured cooperation and the European armaments and strategic research agency.

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Cremona Marise

The Union as a global actor: Roles, models and identity

in **Common Market Law Review**, issue 2, vol. 41 , 553-573

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Closa Carlos

The Value of Institutions: Mandate and Self-Mandate in the Convention Process

in **Politique européenne** , n 13, printemps 2004

The Convention has introduced a new body in the process of Treaty reforms that, so far, have been monopolised by national governments through IGCs. In line with new institutionalism, this article argues that institutions do have an impact in the final outcomes. The Convention created the setting for a comprehensive design of an EU Constitution although this does not imply that it imposed an outcome against the preferences of still main players in constitutional politics, national governments.

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Federalist (The), editorial

The decline of Europe

in **Federalista (II)/Federalist (The)**, Anno XLVI, n. 1 , 3-11



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Victor Ferreres Comella

The european model of constitutional review of legislation: toward decentralization?

in *International Journal of Constitutional Law*, Vol. 2 n. 3 , 461 - 491

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Section C) Regional integration processes

Subsection 6. The European unification process

Kuijper Pieter Jan

The evolution of the Third Pillar from Maastricht to the European constitution

in *Common Market Law Review*, issue 2, vol. 41 , 609-626

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ortega, Luis

The institutional reform in the draft Treaty of the european Constitution

in *Rivista italiana di diritto pubblico comunitario*, n. 5 , 1195-1218

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dashwood Alan, Johnston Angus

The institutions of the enlarged EU under the regime of the Constitutional Treaty

in *Common Market Law Review*, issue 6, vol. 41 , 1481-1518

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

E.O. Eriksen and J. Weigrd

The new constitution as european 'demoi-crazy'?

in *Critical Review of International Social and Political Philosophy*, Vol. 7, n. 1, Spring , 76-98



How should we assess the project for a Constitution presented by the Convention on the Future of Europe? This paper argues that in order to succeed, an EU Constitution would need to present a positive vision of what democracy in Europe is about. While the draft Constitution fails in finding the right language in this regard, it does nevertheless contain an all too implicit manifesto: that ours is a European 'demoi-cracy' founded on the recognition of the persistent plurality of its component peoples but not reducible to a set of complex bargains between sovereign states. The paper analyses the main feature of the project against this benchmark and argues that it is closer to the spirit of demoi-cracy when dealing with the vertical relationship between the Union and its member-states than when dealing with the horizontal relationship among the member-states themselves

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Dashwood Alan

The relationship between the Member States and the European Union/European Community
in *Common Market Law Review*, issue 2, vol. 41 , 355-381

No abstract available

Section C) Regional integration processes

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Johannes Pollak, Peter Slominski

The representative quality of EU treaty reform: a comparison between the IGC and the convention
in *Journal of European Integration*, Volume 26, Number 3 / September , 201-226

This article assesses whether the Convention on the Future of Europe is more representative than the traditional way of Treaty reform by IGCs. The concept of representation is analysed and five dimensions are specified. By applying these dimensions both to IGCs and the Convention the article concludes that the setting-up of the Convention has led to a more balanced representation based not only on a broader presence of representatives but also on proper authorisation, room for manoeuvre and voting rights as well as an improved degree of responsiveness. The Convention was thus more appropriately reflecting the compounded pluricentric system of European governance. In all these aspects, the Convention is by no means perfect but still a considerable improvement to an IGC.

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Michael E. Smith

Toward a theory of EU foreign policy-making: multi-level governance, domestic politics, and national adaptation to Europe's common foreign and security policy
in *Journal of European Public Policy* , Volume 11, Number 4 / August , 740-758

The expansion of European foreign and security policy co-operation since the 1970s imposes unique requirements on European Union (EU) member states, and the co-ordination of these various obligations presents a major challenge to



the EU's pursuit of a common foreign and security policy (CFSP). However, the past decade has also seen significant progress toward the multi-level governance of EU foreign policy, particularly when compared to the limited policy co-ordination of the 1970s and 1980s. This article examines the relationship between institutional development and the multi-level governance of EU foreign policy, as represented by the CFSP. In particular, it explores: (1) the extent to which the CFSP policy space can be described in terms of multi-level governance; (2) the processes by which governance mechanisms influence the domestic foreign policy cultures of EU member states; and (3) how the interaction of domestic politics and governance mechanisms produces specific policy outcomes.

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Ladenburger C.

Towards a Post-national Constitution - Federal, Confederal or Genuinely Sui Generis? Introductory Comments on the Convention Method, and on Some Features of an Improved Constitutional Charter

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 75-110

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Stefano Bartolini

Tra formazione e trascendenza dei confini. Integrazione europea e stato-nazione

in *Rivista Italiana di Scienza Politica*, Numero 2, Agosto , 167-196

This paper sketches a historical and analytical framework for the interpretation of the process of European integration. The chosen approach tries to relate the European regional integration to the processes of nation states formation and consolidation. The latter completed the process of European territorial differentiation of the Middle Ages common heritage based on Christian cultural identity, Latin high-language and culture, and Roman public law, Germanic common law, and Church Canon law. European integration is interpreted as a new phase of development of the European system of nation-states characterised by an uneven process of territorial de-differentiation, which generates tensions due to the decoupling of the formerly territorially overlapping principles of identity, solidarity and legitimised decision rules within the nation state.

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Nagel Klaus-Jürgen

Transcending the National / Asserting the National: How Stateless Nations like Scotland, Wales and Catalonia React to European Integration

in *Australian Journal of Politics & History* , Volume 50, Issue 1, March , pp. 57-74

How can minority nations, how can minority nationalists who assert their national identity not only accept, but in some



cases even actively fight for a process of European integration which may have started to "transcend the national"? The article discusses what Europe has to offer them, and in what ways that offer may be "flawed". It will compare nationalist strategies (Europe of the Regions, Independence in Europe), and establish relations between the choice of an European strategy and the consolidation of minority nationalism at home.

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Delhey Jan

Transnationales Vertrauen in der erweiterten EU

in *Aus Politik und Zeitgeschichte*, Band 38, 2004

No abstract available

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Magone Giandomenico

Tratando con la complejidad de los multiniveles de gobiernos: cuatro lecciones de la experiencia de la Unión Europea.

in *Gestion y politica publica*, Vol. 13 n. 1

En este ensayo, se trata de mostrar la relevancia general que la Unión Europea tiene en la creación de política y construcción de instituciones. De una manera sorprendente esta experiencia, aunque en muchos aspectos única, refleja desarrollos que están ocurriendo en muchos otros países, grupos regionales y organizaciones internacionales.

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Grimm Dieter

Trattato o Costituzione?

in *Quaderni Costituzionali*, numero : 1, marzo , 163-165

Section C) Regional integration processes

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Moulier-Boutang Yann

Un New Deal pour l'Europe: constitution, fédéralisme et revenu social garanti européen

in *Ecorev' – Revue critique de l'écologie politique*, numero 17, été , full text available on-line

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Yataganas X.A.

Un cadre institutionnel intégré pour une politique extérieure commune de l'Union Européenne
in *Revue européenne de droit public*, Vol. 16 - No. 1 , 263-280

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Blackburn Robin

Un espoir persistant mais déçu

in *Monde Diplomatique (Le)*, janvier 2004

Trois chocs menacent les institutions sociales de l'Europe et son aspiration à jouer un rôle indépendant dans le monde : une puissance américaine débridée, des choix économiques à l'anglo-saxonne et l'élargissement de l'Union. Bien que ces trois dynamiques s'inscrivent dans le long terme, elles concentrent des forces et déjà suffisamment de force pour paralyser les institutions européennes, pour assujettir les politiques intérieures du continent aux diktats de la mondialisation néolibérale et sa politique extérieure au leadership des Etats-Unis ; formule utilisée par la Maison Blanche pour désigner son ambition impériale. Ce n'est pas de cette Europe-là que ses citoyens et le reste du monde ont besoin.

Dans la mesure où l'Union européenne (UE) est, à ce jour, la seule entité globale disposant d'un poids économique et d'un potentiel politique équivalents à ceux des Etats-Unis, elle a, du moins en principe, les moyens de défier leur prétention de puissance hégémonique. Il ne s'agit pas pour elle de s'américaniser davantage ; processus qui est déjà allé beaucoup trop loin ;, mais, d'une part, d'offrir un modèle différent, fondé sur la justice sociale, et, d'autre part, sur la scène internationale, de cesser de s'enchaîner aux roues du chariot des politiques guerrières de M. George Bush.

L'Europe a la possibilité de donner des réponses créatives aux défis qu'elle affronte. Parce que le leadership des Etats-Unis connaît lui-même de sérieuses difficultés, en premier lieu en Irak et au Proche-Orient. Parce que les deux pays du « noyau dur » de l'Union ; l'Allemagne et la France ; viennent de faire voler en éclats la formule stérile du pacte européen intitulé, de manière grotesque, « Pacte de stabilité et de croissance », remettant ainsi en question le pouvoir néfaste de la Banque centrale européenne (BCE) et ses désastreux dogmes monétaristes.

Les réactions des dirigeants européens à l'impasse dans laquelle se sont mis les Etats-Unis en Irak, comme à la crise de la gestion monétaire de l'Union, ne sont pas à la hauteur de l'occasion historique présente. Bien au contraire, elles affaiblissent l'Europe et trahissent les espoirs des peuples qui, partout dans le monde, aimeraient que l'arrogance américaine rencontre un minimum de résistance. Les alliés des Etats-Unis au sein de l'Organisation du traité de l'Atlantique nord (OTAN) protestent certes en public ou en privé contre l'« unilatéralisme » de Washington, mais c'est pour mieux en endosser ensuite les conséquences. Ils ont



ainsi voté aux Nations unies une résolution conférant une injustifiable légitimité post facto à l'occupation de l'Irak.

Plus les Etats-Unis enliseront et plus ils compteront sur leurs alliés, réticents mais soumis, pour envoyer des troupes sur place ; donc mettre leurs citoyens en péril ;, et tout cela pour tenter de contenir une situation dangereuse sur le terrain et contribuer à la réélection de M. Bush en novembre 2004.

Sur le front intérieur européen, le pouvoir de la BCE sera restauré et recyclé par l'ampleur accrue du programme que l'on peut qualifier de « privatisation implicite » : dégradation des services publics et de la protection sociale en vue de contraindre la masse des citoyens à se transformer en clients des rapaces que sont les établissements financiers et les compagnies d'assurances.

Cependant, l'opposition peut reprendre du poil de la bête. Le mouvement antiguerre, qui avait atteint son point culminant lors des manifestations du 15 février 2003, va connaître un second souffle au fur et à mesure que la nature de l'occupation de l'Irak ne laissera plus place au moindre doute. De la même manière, les mobilisations en défense de l'enseignement public et de la protection sociale fourniront une autre occasion de contester les politiques de ceux qui dirigent si mal l'Europe, d'enfoncer des coins et de faire naître des conflits dans cette alliance étonnante qui unit MM. Gerhard Schröder et Jean-Pierre Raffarin, Romano Prodi et Jacques Chirac, Silvio Berlusconi et Anthony Blair.

Les dirigeants du Vieux Continent n'ont même pas remarqué que leurs homologues de Washington, auxquels ils ont fait acte d'allégeance, sont en train de perdre du terrain dans l'opinion américaine elle-même. Avant la capture de M. Saddam Hussein, M. Bush avait fortement dégringolé dans les sondages. Au sein du Parti démocrate, l'élan militant qui se manifeste en faveur de la candidature de M. Howard Dean a de bonnes chances de le faire désigner comme candidat de ce parti. La force de M. Dean est de s'être opposé à la guerre, mais il ne peut l'exploiter à fond, car non seulement l'Europe ne demande pas le retrait des troupes américaines de l'Irak, mais plusieurs pays européens acceptent d'y jouer les suppléants.

Si les Européens élaboraient un projet d'évacuation des forces d'occupation ; peut-être sous les auspices de la Ligue arabe ou des Nations unies ;, cette initiative entrerait en résonance avec le désir de dizaines de millions d'Américains de voir leurs soldats rentrer à la maison.

L'élite européenne refuse de regarder en face une autre réalité : le modèle économique américain, loin de mériter qu'on tente de l'imiter, s'enfonce actuellement dans une série de difficultés. L'effondrement d'Enron a seulement constitué le début d'une éruption de scandales qui impliquent chaque institution financière importante de Wall Street. Au cours des deux derniers mois, le procureur de l'Etat de New York, M. Eliot Spitzer, a diligenté des enquêtes et procédé à des mises en examen montrant que les grandes banques et les grands fonds communs de placement avaient permis à des fonds spéculatifs d'« écrémer », c'est-à-dire de voler les caisses de retraite auxquelles avaient cotisé plus de 90 millions d'épargnants. Une conséquence de plus de la déréglementation et de la financiarisation...

Après la destruction des emplois au cours des ces dernières années, et malgré la reprise, l'opinion américaine craint que, dans les deux prochaines décennies, les systèmes de protection sociale privés, qui excluent déjà plus d'un cinquième de la population, ne viennent à s'effondrer. Les retraites et soins médicaux privés souffrent d'une sévère « maladie des coûts ». Les campagnes marketing de recrutement de clients consomment



des sommes considérables, cependant que les procédures de définition de prestations sur mesure pour chaque individu sont lourdes et onéreuses.

Aux Etats-Unis, beaucoup de secteurs de gauche, à la recherche de solutions de rechange, se tournent vers l'Europe, et ils sont de plus en plus déçus. Certes, la protection sociale demeure très supérieure sur le Vieux Continent, mais même des gouvernements comme celui des sociaux-démocrates et des Verts en Allemagne manquent de courage et d'imagination : au lieu de trouver de meilleures sources de financement de l'Etat social, ils préfèrent diminuer les prestations.

Le très visible affaiblissement de la capacité de l'Europe à protéger ses propres citoyens diminue son poids dans les affaires du monde. Pour empêcher ce qui reste du modèle social européen de s'effondrer, l'Union en tant que telle pourrait au moins offrir à tous ses ressortissants une forme ou une autre de nouvelle prestation sociale. On se souviendra que telle fut la démarche du président Franklin Roosevelt dans les années 1930, au moment où les Etats-Unis affrontaient leur plus grave crise sociale. La loi de 1935 créa une Sécurité sociale à couverture bientôt universelle, et la carte de la « Sécu » devint alors un signe d'identité civique.

des programmes de ce type devraient être imaginés en Europe. Certes, il existe les fonds dits structurels et de cohésion (1), la politique agricole commune et les programmes en faveur des pays candidats. Mais ces aides vont à des pays, à des régions, aux agriculteurs, mais pas à l'ensemble de la population de façon à créer un lien entre les citoyens des Etats fédérés.

Trois économistes – James Galbraith, Pedro Conceição et Pedro Ferreira (2) – ont développé des arguments en faveur d'un « Etat-providence réellement européen, avec un système de retraites continental », ainsi que pour « la création de nouvelles universités d'excellence dans les régions de la périphérie européenne qui disposent d'un beau cadre naturel, mais où les revenus sont les plus bas ;, avec une prise en charge complète de leurs étudiants ». Un Etat-providence européen devrait proposer une couverture universelle, de sorte que chaque citoyen de chaque pays en reçoive quelque chose. Il devrait être conçu comme un complément – et non pas comme un substitut – des systèmes de protection sociale nationaux qui, eux-mêmes, devraient pouvoir faire appel, en cas d'urgence, à un fonds européen disposant de ressources propres.

La Confédération européenne des syndicats (CES) demande depuis longtemps la mise en place d'un véritable Fonds social européen (3) doté de ressources lui permettant d'investir pour créer des emplois productifs et de garantir de futures dépenses de protection sociale. En 1959, la Communauté économique européenne (CEE [4]) avait créé la Banque européenne d'investissement (BEI), censée contrebalancer le pouvoir des banques centrales. Maintenant que l'Allemagne et la France ont mis le Pacte de stabilité et de croissance aux oubliettes, la BEI a plus que jamais un rôle à jouer. Trois économistes de Cambridge ont plaidé pour qu'elle monte en puissance comme contrepoids à la Banque centrale européenne (4).

Un fonds social viserait autant à produire de la richesse qu'à la distribuer. Dans un continent où les Bourses font largement la loi, il pourrait protéger les entreprises productives de la financiarisation, promouvoir celles d'entre elles qui se fixent des objectifs de responsabilité sociale et permettre un minimum de contrôle populaire sur le processus d'accumulation.

En refusant de se laisser entraîner dans les entreprises de conquête militaire des Etats-Unis, l'Europe pourrait mieux se consacrer au sauvetage et à l'amélioration de ses dispositifs de protection sociale. Le bellicisme de



Washington s’explique d’ailleurs lui-même par le désir de détourner l’attention des citoyens américains des graves problèmes sociaux et de l’explosion des inégalités que connaît leur pays.

L’Europe devrait aspirer à un modèle bien plus égalitaire et responsable, et cela aussi bien pour ses propres citoyens que pour le reste du monde. La mise en place d’un contrat social au niveau continental contribuerait à la construction d’une citoyenneté commune, elle-même socle d’une politique étrangère européenne plus indépendante.

Section C) Regional integration processes

Subsection 6. The European unification process

Fioravanti Maurizio

Un ibrido tra trattato e Costituzione

in *Filangeri (il) - rivista di diritto pubblico*, n. 2 aprile - giugno , 207 - 216

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Mancini Susanna

Un mostro bifronte: il recesso dall'Unione Europea nella Costituzione europea

in *Quaderni Costituzionali*, numero : 3, settembre , 637-640

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Tommaso Edoardo Frosini

Un referendum per la Costituzione europea

in *Federalismi*, Anno II, n. 14

No abstract available

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José M. de Areilza,

Un tratado de cual hay que tener opinion:La Constitución bifronte

in *Nueva Revista de Política Cultura y arte (España)*, n. 96



Hace dos veranos en un seminario que congregó a europeos y norteamericanos para debatir el proyecto de Constitución, un juez del Tribunal Supremo de Estados Unidos comentó, al leer la primera parte del borrador europeo: «Parece una Constitución y se siente como tal...» («feels like it»).

Cualquiera que dedique algo de tiempo a los más de 400 artículos de la nueva Constitución europea comprobará esta paradoja. Por una parte, el lenguaje es expresamente constitucional, aproximándose mucho más al de una Norma Fundamental de un Estado nación que al de la Carta de una organización internacional muy evolucionada. Pero, por otro lado, el texto se sigue pareciendo mucho a los tratados actualmente aplicados, tanto como que más de dos tercios de sus preceptos están en vigor en igual forma o muy parecida. Y en efecto, el Tratado por el que se establece una Constitución para Europa es un híbrido, su contenido material y terminología son en buena medida los de una Constitución, pero su forma, elaboración, ratificación y futura reforma de sus artículos básicos, además de importantes partes sustantivas, son las propias de un Tratado.

En el reforzamiento de su cara constitucional hay novedades positivas. El texto define una Unión de ciudadanos y Estados; otorga la personalidad jurídica a la Unión que antes tenía la Comunidad; contiene por primera vez el principio de primacía del derecho europeo; elimina la separación de políticas en «pilares»; clarifica el reparto de competencias Unión Europea-Estados, sin reducir los amplios poderes de la ue; y mejora la tipología y la jerarquía normativa comunitaria. La Constitución incorpora por primera vez, con carácter vinculante, una Carta de Derechos Fundamentales, aunque ha quedado algo devaluada en sus posibilidades de aplicación por exigencias británicas. A cambio, refuerza al Tribunal de Justicia, que tendrá jurisdicción sobre el espacio de libertad, seguridad y justicia. Ésta será por fin una política común, que incluye el principio de reconocimiento mutuo de sentencias.

El texto constitucional duplica el poder de codecisión del Parlamento y amplía las áreas de toma de decisión por mayoría cualificada en el Consejo. Crea dos órganos novedosos, que pueden fortalecer la defensa del interés europeo, el presidente del Consejo Europeo y el ministro de Asuntos Exteriores.

Desde una perspectiva constitucional e idealista, el abogado general de la ue, Miguel Poiares Maduro, ha explicado que este texto constitucional puede suponer una transformación sustantiva de la Unión gracias a sus posibilidades interpretativas. Aunque las reglas básicas no cambien radicalmente, hemos cambiado de símbolos y de lenguaje y ya hablamos de «Constitución europea», un nombre que pone de relieve la existencia de una comunidad política europea que ha trascendido su origen de organización internacional y que demanda ser comprendida y criticada a través de un constitucionalismo propio y un debate público todavía ausente en muchos Estados miembros.

Sin embargo, debajo del magnífico ropaje constitucional permanecen los rasgos básicos de las instituciones y del derecho europeo y sigue vigente el método comunitario para desarrollar la Unión Europea. Es decir, esta nueva Constitución formal conserva la mayor parte de las normas de la constitución material que ha permitido el éxito de la integración a lo largo de cinco décadas. En especial, el texto también es una continuación de las reformas de los Tratados Amsterdam (1997) y Niza (2000) en aspectos institucionales muy relevantes y en la formulación de las políticas económicas y sociales, cuyo impacto constitucional es enorme en la experiencia comunitaria.

El punto más polémico de la negociación en las Conferencias Intergubernamentales de 2003 y 2004 —el peso de los Estados en el Consejo—, se saldó con una fórmula mucho más complicada e injusta que la anterior. Esta solución, que algunos ya han calificado de «Niza II», se basa en el principio de población, como si tanto el Consejo como el Parlamento fueran Cámaras bajas. Consagra un mayor poder de decisión para Alemania y otorga claramente más voz a Francia, Reino Unido e Italia. Los Estados pequeños han recibido su compensación sobre todo en la Comisión.



España y Polonia han aceptado pasar del actual Consejo, muy influido por los seis Estados más poblados, a uno dominado por los cuatro grandes.

En esta línea de continuidad con la lógica de los tratados europeos, la Unión de 25 Estados no es ni será una federación. En la Constitución no subyace la aspiración a evolucionar hacia la forma de Estado ni a crear un pueblo europeo. Al contrario, la nueva Constitución refuerza el respeto a las identidades nacionales y a los Estados miembros. Por ahora, la nueva Unión no dispondrá de instituciones centrales fuertes, con policía propia y fuerzas armadas, ni de presupuesto suficiente y capacidad impositiva y, sobre todo, tendrá dosis débiles de legitimidad social y lealtad de sus ciudadanos, agrupados de forma preferente en demoi nacionales. La probabilidad de que la Constitución no entre en vigor en su forma actual es alta, porque las reglas de ratificación son muy exigentes: se necesita la aprobación de veinticinco parlamentos nacionales, de no pocos tribunales constitucionales y en al menos once países referendos de resultado afirmativo, en un clima de creciente escepticismo y a veces de crítica abierta hacia la política europea. En el caso de Francia, el referéndum constitucional será inevitablemente también sobre Turquía, a pesar de los intentos de separar ambos temas; y cada vez más analistas no descartan un posible resultado negativo, imitando el no francés de 1954 a la Comunidad Europea de Defensa.

EL CASO EN ESPAÑA

La Carta Magna europea prevé que el Consejo Europeo decidirá qué hacer si al menos cuatro quintos de los Estados han ratificado y el resto no lo han hecho. El problema es que los países en los que se produzca el «no» tienen derecho a que siga vigente el Tratado de la Unión Europea, versión Niza. Nadie puede obligarles a salirse de este Tratado y los principios del derecho europeo impiden que los que han ratificado la Constitución puedan aplicarla sólo a ellos.

En nuestro país, desde hace unos meses corremos el riesgo de devaluar tanto el debate europeo como de hacer disminuir el sentimiento europeísta de nuestros ciudadanos, por un exceso de propaganda oficial sin matices de este nuevo paso en la integración.

Para que salga bien el referéndum puede ser contraproducente no reconocer que en el nuevo texto, junto a las luces, también hay sombras: desde la pérdida de peso de nuestro país en el Consejo, pactada por el presidente Rodríguez Zapatero a cambio de nada, en contra del consejo de los negociadores expertos; hasta las mayores facilidades que se dan para desarrollar una Europa a varias velocidades, lo que producirá tensiones en el futuro muy difíciles de manejar entre países más y menos prósperos. Del mismo modo, es criticable la avalancha de declaraciones gubernamentales en España que, desde hace unos meses, identifican el europeísmo con las posiciones alemanas y francesas. Esta propaganda cierra los ojos a la lógica divergencia de intereses que en muchos temas puede tener España con sus socios comunitarios, desde la pesca y los fondos estructurales a los asuntos mediterráneos e iberoamericanos. Si esta es la tónica que se sigue en la campaña del referéndum español, la consulta puede cosechar una mayor abstención que en las elecciones europeas de junio pasado, puesto que lo normal es desconfiar de quien anuncia algo como maravilloso, imprescindible y gratis. El resto de los gobiernos europeos practican un sano realismo, preparan «planes B» y dan por descontado que es muy difícil que esta nueva Constitución entre en vigor tal cual, al ser casi imposible que se logre la ratificación de todos los Estados miembros.

Por eso convendría dejar de hablar de Europa como si no formáramos desde hace siglos parte consustancial de ella y como si la nueva Unión prevista en el texto constitucional fuera una panacea. Con sus interesantes añadidos constitucionales, en el fondo se parece mucho al actual sistema comunitario, basado en la defensa de intereses sin



complejos en el ágora de Bruselas.

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Subsection 6. The European unification process

Deborah Lassalle, Nicolas Levrat

Un triangle à quatre côtés : L'équilibre institutionnel et le conseil Européen

in *Journal of European Integration*, Volume 26, Number 4 / December , 431-450

The institutional framework of the EU, traditionally organised around the European Commission, the Council of Ministers and the European Parliament, is being unsettled by the ever increasing importance of the European Council. The Lisbon strategy, which the European Council initiated in 2000, even gives it the role of agenda setter. This evolution is explained by the insufficient political legitimacy of the Commission for launching new projects, in the current context of the absence of a clearly agreed objective in the pursuit of European integration. The findings of this article however show that, although the Commission's role seems to be under the greatest pressure, the inclusion of the European Council is leading to a new bipolar equilibrium between the European Council and the Commission as the effective policy-making instruments, to the detriment of the Council of Ministers and the European Parliament.

Resume L'équilibre institutionnel organisé autour d'un triangle Commission -- Conseil -- Parlement est perturbé par l'importance croissante prise par le Conseil européen. La stratégie de Lisbonne, dont il est l'initiateur, lui permet de fixer l'agenda européen. Cette étude explique cette évolution par le manque de légitimité politique de la Commission européenne pour lancer de nouveaux projets, dans l'actuel contexte dans lequel les Etats membres n'ont pas fixé un objectif clair à la poursuite de l'intégration. Il apparaît cependant que cette irruption du Conseil européen ne se fait pas au détriment de la Commission, dont c'est pourtant le rôle qui semble mis en cause. Celle-ci se replace au contraire dans un équilibre bipolaire face au Conseil européen, et ce sont le Conseil des Ministres et le Parlement européen qui paraissent finalement marginalisés dans le nouvel équilibre de processus décisionnel de l'Union.

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Arfè Gaetano

Un'Europa senz'anima: un federalismo incompiuto e deformato

in *Giano*, n. 47, anno XVI, settembre

No abstract available

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Vitale, Marco

Una Costituzione per l'Europa

in *Diritto comunitario e degli scambi internazionali*, n. 1, 177 - 190

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Cassen Bernard

Une Constitution pour sanctuariser la loi du marché

in *Monde Diplomatique (Le)*, janvier 2004

Entreprise d'une portée inédite, la construction européenne ne pouvait que rencontrer des difficultés à se concrétiser. Mais, esquivées par deux décennies de fuite en avant, celles-ci se télescopent au point de conduire à l'enlisement d'un projet qui soulève pourtant bien des espoirs dans le reste du monde. Le fiasco du sommet de Bruxelles en décembre 2003 en est qu'un des symptômes. L'élargissement de six à vingt-cinq membres est effectué en faisant l'impasse sur l'inadéquation croissante des procédures de décision. En guise de cadeau de bienvenue (en mai 2004), les prochains dix nouveaux Etats, tous plus pauvres que la moyenne communautaire, voient leurs financements gelés par les pays les plus riches. Une manière, pour Berlin et Paris, de rendre la monnaie de la pièce aux pays de l'Est qui, lors de la guerre en Irak, ont pris le parti de Washington.

Le projet de Constitution, ainsi mis en veilleuse, est qu'une application continentale des dogmes de la mondialisation néolibérale. Il réaffirme aussi la subordination de toute initiative de défense commune au bon vouloir des Etats-Unis, alors que la politique américaine n'a jamais été aussi contestée. Sans souffle, sans perspectives émancipatrices, l'UE risque de se transformer en simple gestionnaire administrative du règne du marché.

Par Bernard Cassen

Comment ne pas être étonné du contraste entre les propos tenus par certains dirigeants européens avant et après le sommet de Bruxelles des 12 et 13 décembre ? Sous la houlette du président du conseil italien, M. Silvio Berlusconi, la réunion du Conseil européen regroupant les chefs d'Etat ou de gouvernement des quinze actuels et des dix nouveaux adhérents au 1er mai 2004 était censée devoir entrer dans l'histoire par



l'adoption d'un traité, qualifié de constitutionnel, élaboré par la Convention pour l'avenir de l'Europe (1) et se substituant aux traités antérieurs (2). De partout montait le suspense et fusaient les mises en garde contre un échec éventuel de la conférence intergouvernementale (CIG), censé porter un coup de grâce à la construction communautaire. Or dès le samedi 13 décembre en début d'après-midi, soit 24 heures avant la fin programmée des travaux, et après constat de désaccords persistants, le Conseil était déclaré clos par M. Berlusconi, qui pouvait regagner l'Italie pour regarder un match de football. Surprise : aucun commentaire sur un registre dramatique, le ton étant donné par le président français Jacques Chirac : « Il n'y a pas de crise avec un grand C. »

Il n'y avait donc pas vraiment péril en la demeure des Vingt-cinq, comme certains l'avaient un peu vite proclamé ? La chronique de la construction européenne abonde en épisodes de ce type où une urgence, une échéance totalement artificielle, mais fortement médiatisée, est utilisée comme moyen de pression pour tenter de faire aboutir une négociation. Autre caractéristique classique, nullement contradictoire avec la précédente, et dont le processus qui a provisoirement capoté à Bruxelles fournit un exemple de plus : la fuite en avant dans les élargissements successifs de la Communauté économique européenne (CEE), devenue Union européenne (UE) en 1993 sans que soient décidées les adaptations institutionnelles nécessaires et, pour le plus récent d'entre eux ; qui va faire passer l'Union de quinze à vingt-cinq membres ;, sans qu'en soient tirées les conséquences budgétaires.

Enfin, les travaux de la Convention, puis de la CIG, témoignent de la faille démocratique profonde qui marque toute l'histoire communautaire, mais qui s'est considérablement élargie à partir des années 1980, et singulièrement de l'Acte unique de 1986 : le libéralisme économique de plus en plus débridé n'est pas considéré comme une option parmi d'autres, une idéologie à soumettre explicitement au suffrage universel, mais comme un « acquis communautaire » ayant plus vocation à être discuté et encore moins remis en cause.

Il avait été proclamé que la CIG devait impérativement accoucher d'un traité fixant les nouvelles règles de fonctionnement d'une Union à vingt-cinq avant que l'élargissement entre en vigueur, c'est-à-dire avant le 1er mai 2004. Cette proposition paraît relever du bon sens le plus élémentaire. Certes. Mais il était aussi plus discrètement rappelé que ces nouvelles règles s'appliqueraient seulement en 2009. En d'autres termes, l'UE élargie devra, quoi qu'il arrive, fonctionner pendant au moins cinq ans sur la base du dernier traité en date, celui de Nice adopté en décembre 2000.

Il y avait donc une urgence de la logique, mais aucune urgence du calendrier, à trancher à Bruxelles. L'urgence de la logique avait aussi une dimension fonctionnelle et surtout politique : si les Vingt-Cinq commencent à travailler ensemble à partir du printemps 2004 sur une base institutionnelle assez généralement reconnue comme peu viable, et sans perspective de rationalisation, le risque d'enlisement, voire de paralysie, n'est pas à négliger. Dans le même temps, les Etats ; Espagne et Pologne ; qui ont conquis, dans le traité de Nice, des positions de sur-pouvoir relatif et qui auront commencé à les exercer sans qu'un terme leur soit par avance fixé seront encore moins enclins à y renoncer.

La grande imposture

Indépendamment de son contenu idéologique, le projet de traité élaboré par la Convention (3) et mis en discussion au sein de la CIG a le mérite de procéder à un toilettage institutionnel qui aurait dû être entrepris, comme le réclamait d'ailleurs vivement la Commission, au plus tard avant 1995, lorsque l'Autriche, la Finlande et la Suède rejoignirent les Douze de l'époque. Ni le traité d'Amsterdam (1997) ni celui de Nice (2000) ne prirent



réellement la mesure de l'inadéquation croissante d'un modèle de fonctionnement conçu en 1957 pour six membres.

Certaines des innovations préconisées par la Convention ont fait l'objet d'un accord au sein de la CIG : la présidence tournante semestrielle de l'Union (en 2004, l'Irlande, puis les Pays-Bas) est remplacée par un président du Conseil européen désigné pour deux ans et demi, mandat renouvelable une fois ; un ministre des affaires étrangères (également vice-président de la Commission) est nommé par le Conseil européen.

La troisième innovation consiste dans la réduction à quinze (dont le président, élu par le Parlement sur proposition du Conseil, et le vice-président et ministre des affaires étrangères) du nombre de membres de la Commission disposant du droit de vote. Dans ces conditions, dix Etats n'auraient pas de commissaire de plein exercice... Le raisonnement est impeccable si l'on respecte la lettre et l'esprit des traités : un commissaire est certes désigné par un gouvernement, mais, une fois en fonctions, il est censé se dépouiller de ses réflexes « nationaux » et penser « européen ». Donc, en théorie, peu importe sa nationalité, et, en poussant l'argument jusqu'à l'absurde, ils pourraient tous être de la même ! C'est évidemment une pure vue de l'esprit et, à Bruxelles, chacun sait bien que, pour ne parler que d'eux, les commissaires britanniques (un conservateur, l'autre travailliste) font front commun dès lors que les intérêts ou présumés tels d'Albion sont en cause.

Le nombre de commissaires fait évidemment partie du grand bras de fer sur la répartition des pouvoirs entre Etats qui a débouché sur l'impasse de Bruxelles, mais qui est surtout focalisé sur le dossier, apparemment très technique, du calcul de la majorité qualifiée (lire page 7). On peut imaginer qu'un compromis sera trouvé pour donner un commissaire à chaque pays, ce qui porterait les effectifs de l'exécutif bruxellois à vingt-cinq, voire à trente et un si les six « grands » pays (les cinq actuels et la Pologne) avaient deux commissaires, comme c'est actuellement le cas. Une garantie d'inefficacité par l'atomisation des responsabilités...

Répartition des pouvoirs, mais de quels pouvoirs ? Les discussions de la CIG ont principalement porté sur une dizaine d'articles du document de la Convention, qui en compte 465. Il agit bien davantage de positions de pouvoir entre Etats membres de l'Union que d'un pouvoir de l'UE en tant que telle sur ses propres affaires, et encore moins d'un pouvoir par rapport au reste du monde. Les querelles ordinaires entre membres ne relèvent pas de la grande politique. Par exemple, il faut préserver l'unanimité (cas du Royaume-Uni, de l'Irlande ou du Luxembourg) quand on veut empêcher des mesures contre un dumping social et fiscal qui affecte en premier lieu les partenaires de l'Union. Idem pour la France en matière culturelle, afin de préserver une industrie de l'audiovisuel dont ses partenaires n'ont que faire. Il faut pouvoir réunir une minorité de blocage (France également) pour maintenir le plus longtemps possible en l'état une politique agricole commune dont ses gros agriculteurs tirent largement profit. Même préoccupation pour l'Espagne, qui entend bien continuer à émarger généreusement aux fonds structurels et au fonds de cohésion, même après l'adhésion de dix nouveaux membres tous moins bien lotis qu'elle. Comptons aussi sur Malte et Chypre pour rejoindre la Grèce contre toute législation contraignante en matière de sécurité du transport maritime...

Quant à l'action extérieure de l'Union, elle est largement cadenassée par la seconde nature atlantiste de la majorité de ses membres, et par la statue du Commandeur de l'Organisation du traité de l'Atlantique nord (OTAN), à laquelle le projet de traité confirme le droit de donner (ou non) le feu vert à toute initiative européenne en matière de défense. On est prié de s'extasier parce que M. George W. Bush a aimablement donné la permission à M. Anthony Blair de se joindre à la France et à l'Allemagne pour conclure un accord alambiqué



permettant la création d'une « petite cellule européenne » au quartier général de l'OTAN, à Mons, en Belgique, et d'une autre « cellule » chargée de la « planification stratégique d'anticipation pour les opérations civico-militaires » au sein de l'UE.

Que de circonvolutions pour parler d'un embryon de commencement de préliminaire à une véritable Europe de la défense... De toute manière, les règles du projet de traité (article 1-43) en matière de « coopérations renforcées », permettant d'aller plus vite et plus loin que les autres membres de l'UE dans l'adoption de politiques communes, sont draconiennes : il faut une décision du Conseil à la majorité qualifiée et un seuil d'un tiers d'Etats participants. Question : existe-t-il neuf Etats membres de l'Union désireux de s'affranchir de la tutelle de Washington ? Chacun connaît la réponse.

Par ailleurs, si le traité était adopté en l'état, quelles marges de manœuvre subsisteraient pour des gouvernements et même pour une majorité de gouvernements qui souhaiteraient revenir sur le caractère ultralibéral des politiques internes de l'UE, et donc sur des politiques nationales qui en sont seulement la transposition ? Par exemple en matière de libéralisation de La Poste ou d'aide à une industrie stratégique menacée de disparition (cas d'Alstom). Ce traité qui se baptise Constitution n'en respecte aucune des caractéristiques : en particulier pas de processus constituant démocratique (qui aurait nécessité l'élection d'une assemblée constituante), et surtout pas de possibilité d'alternance. La grande imposture consiste en effet à avoir réuni dans la partie III de ce document, et dans certains articles de la première partie, l'ensemble des politiques de l'Union avec la formulation de leurs présupposés idéologiques.

Une Constitution fixe normalement un cadre institutionnel permettant le choix entre des politiques différentes, voire contradictoires. Dans le cas présent, les contenus sont symboliquement « constitutionnalisés » au même titre que les contenants. Le primat de la « concurrence libre et non faussée » sur toute autre norme, et la subordination des services publics (dits « intérêt général » dans le jargon communautaire) à ses règles, l'affirmation que le libre-échange correspond à « intérêt commun », l'interdiction de toute restriction aux mouvements de capitaux, l'indépendance de la Banque centrale européenne (BCE), etc., ne sont pas présentés comme des opinions auxquelles on peut ou non souscrire, mais comme des objectifs de statut équivalant à celui de la recherche de la paix ou de la promotion du progrès scientifique et technique.

Si l'une de ces affirmations devait être remise en cause, il faudrait pour cela réviser le traité. Or l'article IV-7 stipule que d'éventuels amendements « entreront en vigueur après avoir été ratifiés par tous les Etats membres conformément à leurs règles constitutionnelles respectives ». C'est dire que la philosophie ultralibérale de ce texte est en quelque sorte gravée dans le marbre : un seul gouvernement sur vingt-cinq peut en empêcher la modification. Pour des partis politiques se réclamant de cette philosophie, on peut concevoir qu'il s'agit là d'une formidable prise de position dominante. Le ton euphorique de responsables d'autres formations se comprend moins. C'est le cas pour une ancienne ministre socialiste, Mme Elisabeth Guigou, qui, après avoir moqué ceux qui « font la fine bouche », concluait : « Il faut donc sauver la Constitution européenne. Pour les socialistes et sociaux-démocrates européens, c'est même un devoir historique et politique (4). »

Cet échec arrange beaucoup de monde

D'autres partisans de ce texte concèdent que la sanctuarisation de la partie III (celle qui détaille les politiques de l'Union) est exorbitante, et qu'il conviendrait de la sortir du traité en lui accordant des procédures de révision moins contraignantes. Cela ne résoudrait cependant pas la « question libérale » que posent d'autres



parties de ce texte, et qu'il faudrait donc expurger.

Le report sine die de la Conférence intergouvernementale est une nouvelle forme de fuite en avant, car le lancement d'une UE à vingt-cinq sur la base des procédures de décision de Nice, et dans une atmosphère peu conviviale, ne va pas être facile. Mais le recul de l'échéance arrange beaucoup de monde, en France en particulier. Si les élections européennes de juin 2004 pouvaient se tenir avant qu'un nouveau traité soit adopté, ses partisans et adversaires pourraient cohabiter sur des listes en remettant l'expression de leurs divergences à l'après-scrutin. Le président de la République française n'aurait pas à confirmer (ou à renier) son engagement de convoquer un référendum de ratification. Mais ce délai bénéficiera également à tous ceux qui pensent qu'une autre Europe est possible, et même nécessaire (lire Un espoir persistant mais déçu).

Populariser le texte de la Convention afin que le maximum de citoyens se l'approprient et en mesurent la portée véritable, c'est faire œuvre civique et réincorporer la dimension européenne dans l'environnement immédiat de chacun. Car combien de citoyens savent que la majorité des lois votées par leur Parlement, et qui les régissent, ne procèdent pas d'initiatives du gouvernement ni de la représentation nationale, mais sont la transposition en droit français (ou espagnol ou suédois) de décisions prises à quinze en Conseil. Un bon nombre d'autres « réformes » votées ou en cours de rédaction en France (retraites, décentralisation libérale dans l'éducation, statut d'EDF, Sécurité sociale, etc.) s'inspirent des injonctions de la Commission, de la BCE, elles-mêmes relais de la Banque mondiale, du Fonds monétaire international (FMI) ou de l'Organisation de coopération et de développement économiques (OCDE).

On comprend que beaucoup, qu'ils se réclament de la gauche ou de la droite, ne soient pas enthousiasmés par une mise à plat des textes qui montrerait à l'opinion comment, sous couvert d'Europe, de bons docteurs tentent de mettre définitivement celle-ci sous purge libérale. Si l'Europe est malade, il appartient à ceux qui en font une autre idée que la chétive créature actuelle de lui redonner des couleurs.

Section C) Regional integration processes

Subsection 6. The European unification process

Leonzi Christophe, Raynaud Fabien

Une nouvelle phase européenne? Lecture du projet de constitution européenne

in *Esprit*, n. 310, décembre 2004, 129-147

Contrary to what a lazy reading may suggest to some, the draft constitutional treaty is no haphazard hotchpotch of technical clauses. Its overall perspective and consistency are tangible. This in turn goes to show that the draft is far from devoid from any historical and political purport. This reading exercise suggests that a concern for proper information is a prime requisite of civic responsibility.

Section C) Regional integration processes



Subsection 6. The European unification process

Paruolo Silvana

Unione europea: avviata la ratifica della nuova Costituzione europea
in *Affari Sociali Internazionali*, n. 4, 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Curti Giardino C.

Unità nella diversità - Brevi considerazioni sul motto dell'Unione europea
in *Diritto dell'Unione europea*, Vol. 4 , Pag. 653-662

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Albonetti Achille

Un'iniziativa dei Fondatori per l'Europa politica
in *Affari Esteri*, Anno XXXVI, n. 144 , 763-780

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Sidjanski Dusan

Uné revolution democratique: l'émergence de l'Union Européenne
in *Transnational Associations*, n. 4, 2004 , 291-298

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Brunkhorst Hauke

Verfasst ohne Verfassung - Europäische Union zwischen Evolution und revolutionärer Umgründung
in *Blätter für deutsche & internationale Politik*, Februar, 2004

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Luhmann Hans-Jochen

Verkehr beschädigt klimapolitisches Standing der EU

in *Blätter für deutsche & internationale Politik*, Mai, 2004 , 629-631

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Guerra Martins, A.M.

Vers une Constitution post-nationale - Fédérale, confédérale ou vraiment sui generis?

in *Revue européenne de droit public*, Vol. 16 - No. 1 , 39-72

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Maurizio Ferrera

Verso una cittadinanza sociale aperta. I nuovi confini del welfare nell'Unione Europea

in *Rivista Italiana di Scienza Politica*, Numero 1, Aprile , 95-126

The deepening of European integration has altered the institutional configuration of social rights by weakening the traditional coercive monopoly of the state on actors and resources which are crucial for domestic redistributive arrangements. The article investigates such process in four steps. Firstly, it revisits the classical notion of citizenship - stressing the importance of "boundaries" - in order to offer both an adequate conceptualisation and a historical background to the problem. Secondly, it focuses on social rights proper and develops an argument about the way in which European integration is re-defining and challenging the established boundaries of social citizenship, in its national configuration. Thirdly, it offers a detailed map of how social rights actually operate in the EU, at different levels of provision. The map is organised around two dimensions: a territorial dimension, highlighting new exit/entry options across geographical frontiers and a membership dimension, highlighting the different degree of closure of the various "pillars" of social protection. The final paragraph discusses emerging trends and future options for post-national forms of social protection.

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Subsection 6. The European unification process

Margiotta Costanza

Vizi e virtù della secessione. A proposito dell'articolo 59 del progetto di Costituzione europea

in *Ragion Pratica*, numero 1, giugno 2004 , 257-272

No abstract available



Section C) Regional integration processes

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Heise Arne

Vom Modell Deutschland zum Modell Europa

in *Blätter für deutsche & internationale Politik*, Juni, 2004

No abstract available

Section C) Regional integration processes

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Mayer Franz C.

Wer soll Hüter der europäischen Verfassung sein?

in *Archiv des öffentlichen Rechts*, Band 129 (2004), Heft 3, September 2004

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Fabbrini Sergio

When a pigmy acts as a giant: the role of the Italian representatives in the Brussels constitutional convention

in *Modern Italy*, Volume 9, Number 2 / November 2004, 233 - 245

The Italian representatives in the Brussels Constitutional Convention played a greater role than expected. The Italians, who many thought would be destined to a role as pigmies in the Convention because of ideological differences and the personal mistrust they carried from their domestic arena, acted mostly as giants in the contributions they provided to the final text. The representatives of both the government and the opposition identified a series of points upon which they agreed and which were introduced in the final document. These positions, although not federalist, were much more advanced than those described as 'intergovernmental' or 'confederal'. There were many reasons for this. The deliberative method adopted in the Convention probably helped this convergence. Certainly, the Italians wanted to keep open the dialogue with the main EU member-states at a moment when the war with Iraq was undermining it, and the Italian representatives in the Convention shared a pro-European attitude, while this attitude was being called into question in the domestic arena by the Berlusconi government.

Section C) Regional integration processes

Subsection 6. The European unification process

Shore Cris

Whither European Citizenship? Eros and Civilization Revisited

in *European Journal of Social Theory*, Volume 7, No. 1, February 2004, 27-44

A claim frequently made about European Citizenship is that by decoupling 'rights' from



identity; it challenges us to rethink the classical Westphalian model of citizenship. According to some EU scholars and constitutional experts, this beckons a new form of supranational citizenship practice based not on emotional attachments to territory and cultural affinities (Eros;), but to the rights and values of a civil society; or what Habermas calls constitutional patriotism;. This article uses anthropological insights to critique these arguments and to analyse the EU's own citizenship-building policies and practices. It concludes that rights cannot be meaningfully divorced from identity and that citizenship devoid of emotion is neither feasible nor desirable. Finally, it considers the idea of post-national democracy; and what this might entail in a modern European context.

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Subsection 6. The European unification process

Nohlen Dieter

Wie wählt Europa? Das polymorphe Wahlsystem zum Europäischen Parlament

in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available

Section C) Regional integration processes

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Clapham Ronald

Wirtschaftsverfassung für Europa

in *Aus Politik und Zeitgeschichte*, Band 17, 2004

No abstract available

Section C) Regional integration processes

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Jarauschkonrad H.

Zeitgeschichte zwischen Nation und Europa - Eine transnationale Herausforderung

in *Aus Politik und Zeitgeschichte*, Band 39, 2004

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Gomes Saraiva, M.

A União Europeia como ator internacional e os países do Mercosul

in *Revista Brasileira de Política internacional*, vol. 47 n. 1



No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Capie David

Between a hegemon and a hard place: the 'war on terror' and Southeast Asian-US relations in Pacific Review (The), Volume 17, Number 2, June, pp. 223-248

The 'global war on terrorism' has imposed new challenges for Southeast Asian governments in their dealings with the United States. Regimes in Indonesia, Malaysia and the Philippines have found themselves caught between a need to work with the most powerful state in the international system and a variety of domestic pressures. The result has been a mix of cooperation and constraint in bilateral ties. While this might be expected to provide an incentive for revitalized multilateral cooperation, both ASEAN states and Washington continue to prefer working -bilaterally on security issues. This article considers ties between three ASEAN members and Washington against the backdrop of theoretical expectations about security alignment. Despite unprecedented American power and an increasingly assertive US role in the region, Southeast Asian states have not balanced against nor fully bandwagoned with the United States. Nor have they reacted like 'civilizations'. Rather, their responses to the war on terror have been pragmatic and driven primarily, although not exclusively, by domestic considerations. The article argues for the importance of integrating state-society relations into analyses of US-ASEAN security ties.

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Subsection 7. Inter-regional Cooperation

Hinkle Lawrence E. , Schiff Maurice

Economic Partnership Agreements Between Sub-Saharan Africa and the EU: A Development Perspective in World Economy, Volume 27, Number 9, 1321-1333

This paper draws on Hinkle and Schiff (2003). It analyses the planned Economic Partnership Agreements (EPAs) between the EU and Sub-Saharan Africa (SSA) from a development perspective. It does not take a position on whether SSA should enter into EPAs with the EU. Rather, it starts from the notion that the process of forming EPAs is unlikely to be reversed and examines the conditions that will maximise SSA's benefits from the EPAs. If this notion is correct, then the analysis presented in the paper applies. On the other hand, Pascal Lamy, the EU Trade Commissioner, made a proposal at the May 2004 G-90 summit in Dakar that might lead to a change in the EPA process. He proposed that the G-90, a group consisting of ACP and non-ACP LDC countries, should not have to make concessions at the WTO Doha Round of multilateral trade negotiations, i.e., he proposed a 'free round' for the G-90. This proposal opens the door to the possibility that the same might apply to the ACP countries in the EU-ACP negotiations and that the EPA process might be reversed. The paper considers the key issues raised by the planned EPAs, their relationship to the WTO's Doha Round and the EU's Everything-but-Arms Initiative, the changes needed to make the EPAs internally consistent, the domestic reforms in SSA that would need to accompany trade liberalisation in both goods and services, and the potential effects of the EPAs on regional integration in SSA. The EPAs will pose a number of policy challenges for SSA countries, including: restructuring of indirect tax systems, reduction of MFN tariffs, liberalisation of service imports on an MFN basis and related regulatory reforms in the services sector, and liberalisation of trade in both goods and services



within the regional trading blocs in SSA. The paper also finds that the EPAs provide an opportunity to accelerate regional and global trade integration in SSA. To realise the potential development benefits of the planned EPAs, two steps are essential. First, the EU must, as it has stated, truly treat the EPAs as instruments of development, subordinating its commercial interests in the agreements to the development needs of SSA. Second, the SSA countries need to implement a number of EPA-related trade policy reforms. However, the latter is far from certain, given the lack of reform momentum in SSA.

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Subsection 7. Inter-regional Cooperation

Toledo Hugo

Free trade and income redistribution in Colombia

in *International Trade Journal*, vol. 18, Number 2 / Summer , 127 - 146

The Free Trade Agreement of the Americas (FTAA) is an effort to unite the economies of South, Central, and North America by 2005. Each member country will have to adjust to free trade and the various sectors of each economy will adjust differently. This paper uses a specific factor model of production to predict the magnitude of output changes and income redistribution in Colombia with the FTAA. Adjustments in outputs and factor prices in the model are large.

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Subsection 7. Inter-regional Cooperation

Babarinde Olufemi, Faber Gerrit

From Lomé to Cotonou: Business as Usual?

in *European Foreign Affairs Review*, Volume 9, Issue 1 , pp. 27-47

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Gomart Thomas

Les trois enjeux du partenariat entre l'Union européenne et la Russie

in *Politique Etrangère*, 2/2004 (été 2004)

En raison du double élargissement de l'Organisation du traité de l'Atlantique Nord et de l'Union européenne, le partenariat entre celle-ci et la Russie se trouve à la croisée des chemins. Il souffre d'une incompréhension de fond due à la tension entre les intérêts et les valeurs censés l'alimenter. Afin d'en proposer une vue globale, cette tension est analysée en fonction de trois niveaux d'observation : la circulation des personnes avec la question des visas, le contenu des échanges économiques avec la question de l'approvisionnement énergétique et, pour finir, les moyens de stabilisation en matière de sécurité. Cette approche conduira à souligner la profonde différence de nature et d'objectif entre l'Union et la Russie, différence qui pourrait être à l'origine de frictions.



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Grugel Jean B.

New Regionalism and Modes of Governance — Comparing US and EU Strategies in Latin America
in *European Journal of International Relations* , Vol. 10, n. 4, December , 603-626

This article explores the extent to which it makes sense to see EU policies towards the developing world as distinctive. It does so through a comparative analysis of EU and US policies for the governance of Latin America, paying particular attention to Mercosur. The conceptual framework is drawn from theories of new regionalism. Despite some similarities in so far as issues of economic governance are concerned, I argue that there are important differences between the EU and the US models of new regionalism, especially in terms of the discursive importance attributed to notions of 'partnership', support for subregional integration, and political and social inclusion. I suggest that the EU is using new regionalism as a way to lay down an identity marker of what it perceives as a more humane governance model for Latin America than that of the USA.

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Rezende Martins, E.

O alargamento da União Européia e a América Latina
in *Revista Brasileira de Política internacional* , Vol. 47 n. 2

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Henri de Grossouvre

Paris, Berlin, Moscow: Prospects for Eurasian Cooperation
in *World Affairs*, Vol. 8, n. 1, January - March

No abstract available

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Subsection 7. Inter-regional Cooperation

Volpi Frédéric

Regional Community Building and the Transformation of International Relations: The Case of the Euro-Mediterranean Partnership
in *Mediterranean Politics*, Volume 9, Number 2, June , pp. 145-164

This article examines whether there exists a European approach to international relations that makes a difference to the



global prospects for political co-operation between western liberal democracies and other regional and cultural groupings. More precisely, it investigates whether, and how, the European Union through its Euro-Mediterranean Partnership (EMP) can create a new type of regional community that increases security and reduces politico-cultural tensions around the Mediterranean. In particular, the article addresses the issue of how far such a 'partnership' constitutes a new approach to community building that shuns old realist approaches to international relations but creates instead in the Mediterranean region a rationale for co-operation grounded in the social constructivist notion of a 'convergence of civilizations'.

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Lynch Dov

Russia's Strategic Partnership with Europe

in Washington Quarterly (The), Vol. 27, Issue 2 - Spring 2004 , pp. 99 - 118

Shortly before the twelfth Russian–European Union summit in early November 2003, in an interview with the Italian press, Russian president Vladimir Putin stated, “For us, Europe is a major trade and economic partner and our natural, most important partner, including in the political sphere. Russia is not located on the American continent, after all, but in Europe.” Russia, he continued, is “interested in developing relations with our partners in the U.S. and the American continent as a whole and in Asia, but, of course, above all with Europe.”

Putin has devoted significant time and energy to developing relations with the EU since his appointment as prime minister in 1999 and was involved in writing and presenting Russia’s official strategy to the EU in October of the same year. Since 2000, driven by the new president, the Russian government has sought to add substance to the strategic partnership that was declared between Moscow and Brussels. Putin’s objectives with the EU are based on his recognition of the need to foster closer and better ties with an enlarging economic and political union of states on Russia’s borders, which takes the lion’s share of Russian trade and is emerging as a new security actor across the European continent and in world affairs. The EU has become one of the central planks in Russia’s foreign policy of international engagement, put in place by Putin following the confusion and isolation of the last years of the Yeltsin era. Although Putin never tires of linking Russian identity, culture, and history to Europe, the stakes are more than psychological— the EU is Russia’s most important economic partner.

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Goh Evelyn

The ASEAN Regional Forum in United States East Asian strategy

in Pacific Review (The) , Volume 17, Number 1, March , pp. 47-69

This paper analyses the development of the US approach to the ASEAN Regional Forum (ARF), from 1991 onwards. It examines theories of why a superpower would participate in a multilateral security institution, and investigates the motivations for the attitudes and extent of participation of the George H. Bush, Clinton and George W. Bush administrations towards the ARF. It argues that, in the post-Cold War period and in the face of a rising China, US East Asia strategy has been geared towards retaining the American preponderance of power. Thus, the US has pursued a strategy of containment and deterrence centred upon the regional bilateral alliance structure. Multilateral institutions



have been treated as a supplementary means of supporting the secondary strategy of engaging with China. However, the ARF is not viewed as one of the important institutions through which to fulfil this supplementary aim. Because it cannot deal with the key regional security issues, the ARF is seen as a low-stakes arena by Washington. But the paper concludes that US participation in the ARF may nevertheless be crucial in boosting the legitimacy of American security interests in the region, thus helping to safeguard US preponderance.

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Georg Wiessala

The EU-Asia Dialogue on Values

in World Affairs, Vol. 8, n. 1, January - March

No abstract available

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Cooper Andrew F.

The Making of the Inter-American Democratic Charter: A Case of Complex Multilateralism

in International Studies Perspectives, issue 1, vol. 5, february, 92-113

ABSTRACT: This article examines the diplomatic process found in the making of the Inter-American Democratic Charter. Many components of this dynamic point to a significant bending of the "old" pattern of multilateralism associated with the Organization of American States (OAS). The normative purpose behind the charter centered on the collective right to democracy as opposed to the traditional defense of sovereignty. The pattern of involvement contained some parallels with initiatives considered the prototypes of a "new" multilateralism, namely the campaigns against antipersonnel land mines and for an International Criminal Court. That is to say it featured an intense style and a "bottom-up" diplomacy with extensive engagement by secondary states and nongovernmental organizations (NGOs). Notwithstanding these features, the multilateralism in the making of the Inter-American Charter is depicted as not simply "new" but complex. Stimulated by the 2000 political crisis located in that country, leadership on the charter came from Peru not a classic middle power. The United States was not the maker of the charter but neither was it an opponent or breaker of the initiative. The early burst of speed slowed when resistance appeared from a cluster of states. Serious splits appeared among NGOs involved with the charter process on a north/south basis. To nuance the claims of "new" multilateralism is not to discount the conceptual or (as witnessed by its use in the April 2002 crisis in Venezuela) operational significance of the charter. The argument made in this article, however, is that it was this hybrid nature of the initiative that contributed to its claims of innovation and measure of success.

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Iglesias, E. V

Un compromiso pragmático para 2005 La creación del Área de Libre Comercio de las Américas

in Nueva Revista de Política Cultura y arte (Spagna), N° 92. Marzo - Abril



Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Gasiorek Michael, Winters L. Alan

What Role for the EPAs in the Caribbean?

in *World Economy*, Volume 27, Number 9, 1335-1362

The aim of this paper is to consider the possible implications of an EPA between the EU and the Caribbean. The focus is on the Caribbean economies, and on the question of what form of EPA might be pro-development and pro-poor for the region. The discussion outlines the specificities of the Caribbean region, and some of the economies therein as well as detailing the key analytical issues which need to be considered. The empirical analysis focuses on examining patterns of trade by product and geographical source at a highly detailed level of disaggregation. The analysis suggests that future EPA arrangements are more likely to lead to significant trade diversion as opposed to trade creation or trade reorientation. MFN liberalisation would serve to minimise trade diversion, but in turn is likely to lead to greater adjustment costs. If the EPAs are to be pro-development and pro-poor than maintaining/increasing levels of market access to the EU, and ensuring appropriate levels of assistance and aid will be critical.

Section D) Federalism as a political idea

Subsection 1. Federalism

Kleingeld Pauline

Approaching Perpetual Peace: Kant's Defence of a League of States and his Ideal of World Federation

in *European Journal of Philosophy*, Volume 12, Issue 3, December 2004, 304 - 325

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Section D) Federalism as a political idea

Subsection 1. Federalism

Di Salvatore E.

Constantin Frantz e la dottrina del "Federalismo organico"

in *Teoria e diritto dello Stato*, Vol. 1 / 04

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Caranti Luigi

Dalla pace democratica alla pace kantiana

in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 3, 47-64



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Section D) Federalism as a political idea

Subsection 1.Federalism

Simone Chambers

Democracy, Popular Sovereignty, and Constitutional Legitimacy

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Section D) Federalism as a political idea

Subsection 1.Federalism

Malandrino Corrado

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Section D) Federalism as a political idea

Subsection 1.Federalism

Johnson Joel A.

Disposed to seek their true interests: representation and responsibility in anti-federalist thought

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Section D) Federalism as a political idea

Subsection 1.Federalism

Hernandez, A.M.

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Subsection 1.Federalism

Garat, P.M.

En la perspectiva de recuperar la vigencia plena de la Republica federal

in Cuaderno de federalismo, vol. 18



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Section D) Federalism as a political idea

Subsection 1.Federalism

White John V.

Federalism and the Challenge for Human and Civil Rights

in *Federalismi*, Anno II, n. 8

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Section D) Federalism as a political idea

Subsection 1.Federalism

Sofia Ventura

Federalismo e nazionalismo: il federalismo asimmetrico

in *Rivista Italiana di Scienza Politica*, Numero 3, Dicembre , 405-432

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Section D) Federalism as a political idea

Subsection 1.Federalism

Caranti Luigi

Kant: una guerra perpetua per la pace perpetua?

in *Filosofia e Questioni Pubbliche*, Volume IX (2004), n. 2 , 105-123

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Section D) Federalism as a political idea

Subsection 1.Federalism

Maria Luna Argudin

La representacion en el pacto federal de 1857

in *Metapolitica : revista trim. de teoria y ciencias de la politica*, n. 37

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Section D) Federalism as a political idea

Subsection 1.Federalism

Deudney Daniel

Publius Before Kant: Federal-Republican Security and Democratic Peace

in *European Journal of International Relations* , Vol. 10, n. 3, September , 315-356



Reflecting American and allied ascent, Liberal IR theorists have revived earlier theorists, notably Kant and democratic peace, constructing neoclassical liberalism to challenge Realism. Republican security theory (RST) begins in antiquity and reaches a conceptual watershed in the Enlightenment, not in Kant, but in Publius = Federalist. Pessimistic, RST assumed republics were small and expansion would fatally deform, a conclusion derived from Roman history. In a pivotal advance, Publius advanced federal union, suggesting the federal-republican security hypothesis — federal union enables republican viability in competitive interstate systems. Kant does not address the logically and historically prior question of how democracies come to populate competitive state systems sufficiently to make pacific unions. The historical record of the global industrial state system suggests federal-republican security is more important than democratic peace.

Section D) Federalism as a political idea

Subsection 1. Federalism

Eberl Oliver

Realismus des Rechts - Kants Beitrag zum internationalen Frieden
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Subsection 1. Federalism

Israel Arroyo

Representacion politica y federalismo Vernaculo, 1824-1857
in *Metapolitica : revista trim. de teoria y ciencias de la politica*, n. 37

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Section D) Federalism as a political idea

Subsection 1. Federalism

Hauke Brunkhorst

The Right to War: Hegemonial Geopolitics or Civic Constitutionalism?
in *Constellations*, Vol. 11, Issue 4 December , 512-526

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Subsection 1. Federalism

Delbrück, Jost.

Transnational Federalism: Problems and Prospects of Allocating Public Authority Beyond the State
in *Indiana Journal for Global Legal Studies*, Volume 11, Issue 1, Winter , 31-55



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Section D) Federalism as a political idea

Subsection 1. Federalism

MacMillan John

Whose Democracy; Which Peace? Contextualizing the Democratic Peace

in International Politics , Vol. 41, n. 4, December , 472-493

'Whose Democracy; Which Peace?: Contextualising the Democratic Peace' is a critical analysis of the key foundational texts of the orthodox Democratic Peace position. The essay analyses Michael Doyle's 'Kant, Liberal Legacies and International Affairs' (1983) and Bruce Russett's *Grasping the Democratic Peace* (1993) in terms of four major questions that have exercised and divided the wider liberal internationalist tradition. Besides illustrating the richness of this wider tradition, the essay finds that the orthodox Democratic Peace position presents not only a selective account of liberalism and democracy in international relations but one that corresponds most closely to the conservative strand of liberal internationalism. This finding is interpreted in terms of disciplinary, methodological and sociological factors. At the same time as establishing the subjectivity of the orthodox Democratic Peace position, the essay also highlights the empirical credibility and theoretical insights of the left- and radical-strands of the liberal tradition. As such, it is no longer possible to maintain the existence of one authoritative version ³/₄ or scientifically authenticated ³/₄ version of the Democratic Peace, but the existence of several actual and possible accounts of the relationship between liberalism/democracy and peace/war.

Section D) Federalism as a political idea

Subsection 1. Federalism

Lutz Donald S.

Why Federalism?" a review essay of DOUGHERTY, Collective Action under the Articles of Confederation; Kersh, Dreams of a More Perfect Union; Lenner, The Federal Principle in American Politics, 1790–1833; and MCDONALD, States' Rights and the Union: Imperium in Imperio, 1776–1876.

in William and Mary Quarterly, Vol. LXI, No. 3 July 2004 , 582-587

American federalism was developed as one answer to a problem that lies at the heart of our political culture: How does one induce collective action while preserving liberty? One can solve this problem in a number of ways, but federalism seems in retrospect to be an inevitable part of the American solution. For one thing, compared to most earlier regimes, the American emphasis on liberty precluded asking the easier part of the question: How does one induce collective action? Faced with the more difficult problem that their British heritage handed them, a liberty-loving heritage that was amplified by the diverse reasons for emigration, Americans developed and borrowed a variety of solutions. The bottom-up organization of colonial government, the implicit federal structure linking the colonies to Britain, and the brute existence of thirteen separate polities at the time of Independence all seemed to dictate that what we now know as federalism would be part of the solution. However, a history that retrospectively has an apparent logic could have gone in other directions. One can easily imagine three unitary republics centered around Massachusetts, Pennsylvania, and Virginia. The Virginia Plan adopted early in the Constitutional Convention visualized a unitary state. One can more easily imagine thirteen independent nations that failed to unite at all. Even if we grant a high probability for some kind of federal



system, federalism did not have to take the form it did. Together, the four books under review here examine the unfolding federalism of the early Republic, and each attempts to contribute to our understanding of why a specifically American version of federalism was generated as part of the answer to the problem of inducing collective action while preserving liberty. 1

Keith Dougherty's book asks why the states cooperated at all. Using analytic techniques borrowed from economics that are together known to political scientists as "positive theory," he points out that, under the institutional structure of the Articles of Confederation, the states had no apparent reason for cooperation once the War of Independence was over. The real question, he says, is not why the states failed to comply 100 percent with national levies and requisitions; rather, it is why the states provided 53 percent of the men levied for the Continental army from 1777 to 1783 and 40 percent of the money requisitioned for the federal treasury from 1782 to 1789. (Reliable data on compliance with levies and requisitions are available only for the time periods he cites.) Viewing each state as a "rational actor," one might conclude that the inability of Congress to raise taxes directly or to force state compliance fairly pleads for each state to act as a free rider—that is, to wait for the other states to provide men and money—and thus to reap the shared benefits without contributing to the common pool.

Section D) Federalism as a political idea

Subsection 1. Federalism

David McKay

William Riker on federalism: sometimes wrong but more right than anyone else?

in *Regional and Federal Studies*, Volume 14, Number 2 / Summer , 167-186

This article reviews the contribution made by William H. Riker to the study of federalism. It concludes that Riker's claim that federalism is always a result of a collective response to external or internal threats to dominant central and regional coalitions needs to be qualified to include economic and cultural threats. The EU and Australian examples demonstrate this. Riker was also mistaken about the precise origins of Indian federation, which owed more to the hegemony of a centralist Congress Party than to central local bargaining. Riker was less specific on the factors that account for the sustainability of federations although his emphasis on the role of political parties has proved helpful. The article concludes that any attempt to build a general theory on the sustainability of federal systems has so far proved elusive. This is demonstrated by an analysis of the role of upper houses, direct democracy and parties in maintaining federal systems of government

Section D) Federalism as a political idea

Subsection 2. Nationalism

Schlie Ulrich

"Behausung des Menschen in einer unbehausten Welt" - Nation und Europa in der deutschen Geschichte

in *Aus Politik und Zeitgeschichte*, Band 39, 2004

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Section D) Federalism as a political idea



Subsection 2.Nationalism

Malesevic Sinisa

"Divine Ethnies" and "sacred Nations": Anthony D. Smith and the Neo-Durkheimian Theory of Nationalism in Nationalism and Ethnic Politics, Volume 10, Number 4, Winter 2004 , 561-593

This article is an analysis of the epistemological foundations of Anthony D. Smith's theory of nationalism. The author argues that Smith's theory can be properly understood only when one engages more directly with the broader sociological worldview that his position is an integral part of—Durkheimianism. Although Smith's vision of the social world goes a step beyond classical Durkheimianism, the historicist, collectivist, and idealist nature of his argument is still chained to the Durkheimian legacy, which prevents it from developing an all-inclusive account of nations and nationalism.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Stephen Jacobson

'The head and heart of Spain': new perspectives on nationalism and nationhood in Social History, Volume 29, Number 3 / August 2004

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Section D) Federalism as a political idea

Subsection 2.Nationalism

Kennedy James

A Switzerland of the north? The Nationalistes and a bi-national Canada in Nations and Nationalism, Vol. 10, Issue 4, October 2004 , 499-518

Nationalism is frequently associated with the break-up of states. This article seeks to demonstrate that nationalism, through the guise of bi-nationalism, can be compatible with the creation and maintenance of a multinational state. The political vision of the Nationalistes of Québec provides the focus. In the early twentieth century these individuals believed that Canada could emulate states such as Switzerland and Belgium, which were marked by a degree of power-sharing. They sought the adoption of practices which have since become associated with the doctrine of 'consociationalism'. The research suggests that these nationalists were conscious that federalism, on its own, is not sufficient to accommodate a significant national minority.

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Subsection 2.Nationalism

Mattuglia Sandor

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Subsection 2. Nationalism

Herrejón Peredo, C.

Carlos Hidalgo y la nación

in *Relaciones (Messico)*, N. 99

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Section D) Federalism as a political idea

Subsection 2. Nationalism

Cole Juan

Chiites et sunnites unis par le nationalisme

in *Monde Diplomatique (Le)*, mai 2004

Près de 600 tués et de 2 000 blessés : tel est le bilan des victimes irakiennes des combats qui ont opposé les soldats de la coalition et les insurgés chiites et sunnites durant les trois premières semaines d'avril ; 100 marines ont aussi été tués. L'occupation américaine est rejetée par un nombre grandissant d'Irakiens, rassemblés autour d'un nationalisme qu'on croyait moribond, mais qui transcende les divisions confessionnelles.

Il y a un an, le nationalisme irakien et le panarabisme étaient considérés comme morts. Le Baas portait une grande responsabilité dans ce discrédit. Le parti au pouvoir avait vanté partout un nationalisme à la fois « local » et « régional » : il glorifiait le rôle civilisateur de l'Irak à travers l'histoire, revendiquant l'héritage de Hammourabi et de Nabuchodonosor. Bagdad voulait se substituer au Caire comme principal défenseur des intérêts du monde arabe. Mais le caractère odieux du pouvoir de M. Saddam Hussein avait incité de nombreux Irakiens à se détourner de ce nationalisme de propagande.

Symboles de ce panarabisme, les Palestiniens réfugiés en Irak faisaient l'objet de la méfiance populaire. Les médias panarabes, notamment Al-Jazira, étaient accusés d'avoir été trop compréhensifs à l'égard de la dictature. Et les politiciens reprochaient à la Ligue arabe, dominée par des pouvoirs sunnites, d'être inquiétée officiellement de la montée en puissance des chiites et des Kurdes en Irak. Chez les chiites, le radicalisme religieux semblait plus redevable à l'ayatollah iranien Khomeiny qu'à tel ou tel penseur irakien. D'ailleurs, le principal dirigeant spirituel chiite, le grand ayatollah Ali Sistani, est lui-même iranien. Quant aux Arabes sunnites, ils ouvraient aux mouvements intégristes d'origine jordanienne.

La renaissance du salafisme, partisan d'un retour aux sources de l'islam, est développée à la faveur du commerce routier avec la Jordanie. La version littéraliste de l'islamisme politique sunnite qui se propage dans les petites villes de la Jordanie, comme Maan et Zarqa (dont est originaire le célèbre terroriste Abou Musab Al Zarqawi), se répand aussi à l'ouest de l'Irak, et notamment à Fallouja, ville-étape. Vers la fin de son règne, le Baas, qui se réclamait à ses origines de la laïcité, avait levé certaines restrictions qui pesaient sur les mouvements religieux, perçus comme alliés potentiels contre les Etats-Unis.

Cependant, au printemps 2004, les soulèvements à Fallouja, place forte des sunnites, et dans tout le Sud chiite,



montrent comment l'occupation fait ressurgir un nationalisme transcendant les divisions confessionnelles. Après l'assassinat, le 22 mars, du cheikh Ahmed Yassine, un groupe d'habitants de Fallouja prend son nom et tue quatre agents de sécurité, anciens nageurs de combat américains passés dans le privé, dont les cadavres seront profanés. Les marines répliquent en investissant la ville, en déclarant l'état de siège et en faisant donner l'artillerie, ce qui entraîne de nombreuses pertes civiles. Transmises par les télévisions Al-Jazira et Al-Arabiya, les images très dures du siège suscitent l'indignation à travers l'Irak et le monde musulman.

En même temps, la « coalition » décide de s'en prendre à un dirigeant chiite radical de trente ans, M. Moqtada Al-Sadr, dont le journal Al-Hawzah a attisé les sentiments anti-américains, notamment après l'assassinat du cheikh Yassine. Les autorités ferment le journal le 28 mars, puis délivrent 28 mandats d'arrêt contre ses collaborateurs. Persuadé qu'il va être arrêté, il déclenche l'insurrection à Koufa, Nadjaf, Bagdad, Nassiriya, Kout et Bassora, où ses fidèles ont formé des milices.

Comme en 1920, face aux Britanniques

il aspire à une république islamique à iranienne, M. Al-Sadr invoque aussi le patriotisme irakien. Il se plaint amèrement de l'hégémonie iranienne sur le chiisme de son pays. Sa position contredit les prétentions du Guide suprême de l'Iran, l'ayatollah Ali Khamenei, qui se veut l'autorité suprême, juridique et spirituelle, des chiites du monde entier. Son mouvement a été fondé par son père, Sadiq Al-Sadr, assassiné par le Baas en 1999 pour avoir organisé, dans les taudis où ce parti pénétrait difficilement, la prière du vendredi que le tyran avait interdite aux chiites.

Ses prêches attaquaient Israël et les Etats-Unis, et incitaient les tribus chiites des campagnes à abandonner la coutume tribale et à opter pour la tradition scripturale chiite. Son mouvement était puritain et théocratique. Il avait pour but la création en Irak d'une république islamique de type khomeiniste. Il en vint à disputer le leadership spirituel des chiites d'Irak au grand ayatollah Ali Sistani, qui s'était montré très discret sous la dictature pour tenir le clergé à l'écart des affaires de l'Etat.

Malgré les oppositions entre sunnites salafistes et chiites sadristes, une solidarité faite de nationalisme irakien et de panislamisme est apparue entre les deux communautés face à la « coalition ». Ainsi une vieille rivalité opposait le quartier chiite de Bagdad, Kazimiyah, à son voisin sunnite, Azamiyah, plus prospère. Or, ils parvinrent à mettre leur inimitié entre parenthèses pour organiser un convoi humanitaire de soixante camions, parti pour Fallouja le 8 avril et accompagné d'une foule brandissant des portraits du cheikh Yassine et de M. Moqtada Al-Sadr. Les marines durent en laisser passer quelques-uns.

Composé de sunnites rigoristes et dirigé par M. Abdoul Salam Al-Kubaisi, le Conseil du clergé musulman a tiré quelque prestige des négociations qu'il a parrainées entre les assiégés de Fallouja et les Etats-Unis. Il a également publié un communiqué le 17 avril, soutenant M. Moqtada Al-Sadr et appelant les Irakiens à « expulser les occupants ».

En dépit d'une perméabilité aux courants religieux et politiques provenant des pays voisins, le peuple irakien s'est forgé une identité nationale forte. Pour les composantes confessionnelles du pays, l'identité religieuse ne passe pas avant l'appartenance à la nation.

Les partis politiques chiites comme Al-Daawa furent persécutés par le président Saddam Hussein, et beaucoup de leurs adhérents ont dû se réfugier en Iran ou au Royaume-Uni. Au cours des années 1980-1990, la section de Londres d'Al-Daawa s'est scindée en deux : d'un côté les nationalistes soucieux de maintenir



indépendance du parti, d'autre les cléricaux voulant le subordonner à ayatollah Khomeiny. Dans l'ensemble, les nationalistes ont emporté.

Dans les années 1990, Al-Daawa contribuera aux efforts de M. Ahmad Chalabi pour forger une alliance entre les partis irakiens en exil. Mais il rompra avec le Congrès national irakien sur la question de la semi-autonomie des Kurdes. Al-Daawa reste en effet attaché à l'idée d'un Etat central fort regroupant sunnites, chiites et Kurdes. Son dirigeant, M. Ibrahim Jaafari, a joué un rôle important, début avril 2004, quand il se rendit à Téhéran pour susciter une médiation du gouvernement Khatami entre M. Moqtada Al-Sadr et les Etats-Unis. Sa tentative a échoué, mais M. Jaafari y a gagné en prestige.

Les observateurs qui attribuaient aux Irakiens une faible conscience nationale et voyaient le pays comme naturellement divisé entre un Sud arabe chiite, un Centre arabe sunnite et un Nord kurde, sont passés à côté de nombreux indices d'une identité nationale tenace.

Dès le 18 avril 2003, quelques jours à peine après la fin de la dictature, le quotidien Al-Hayat, basé à Londres, a publié un entretien avec M. Mohammad Rida Sistani, le fils du grand ayatollah. Ce dernier déclare que son père « rejette toute puissance étrangère qui voudrait régner sur l'Irak » et en appelle à l'unité de tous les musulmans sunnites et chiites. Il a condamné, rappelle-t-il, les attaques chiites contre des mosquées sunnites comme des péchés, et effectué des dons pour leur reconstruction. Pour l'ayatollah, « l'Irak appartient aux Irakiens. C'est à eux de gouverner l'Irak et ils n'ont pas à le faire sous l'égide d'une puissance étrangère ». Au début du XXe siècle, conclut-il, les clercs allaient à la bataille aux côtés de leurs enfants pour résister à l'occupation britannique ; allusion à la rébellion de 1920, premier soulèvement national de l'histoire de l'Irak moderne conduit par des notables et des clercs chiites.

Si le souci de stabilité de l'ayatollah amènera à modérer ses propos, il n'en continuera pas moins de se plaindre de l'occupation et à rechercher l'unité nationale. En février 2004, un visiteur décrit ainsi sa position : « Il pense que les différends entre chiites et sunnites sont beaucoup moins importants que le danger qui menace à présent la nation irakienne... Le plus important en ce moment est l'unité. Diviser le peuple est un acte de trahison [dit-il]. Mes hommages à toutes vos tribus et au clergé sunnite et dites-leur que Sistani leur baise les mains et les implore de s'unir avec tous les autres Irakiens, les chiites, les Kurdes, les chrétiens, les Turkmènes. Unissez-vous et comptez sur moi pour tenir tête aux Américains... »

Tout dirigeant chiite qu'il est, M. Sistani rencontre aussi des responsables politiques kurdes et sunnites, estimant qu'il s'agit d'un intérêt de la nation. Il est peu intervenu dans les affaires politiques, mais, chaque fois qu'il s'est opposé aux Etats-Unis, c'est lui qui a emporté : il a obtenu que la Constitution définitive ne soit rédigée que par des élus du suffrage universel, et que le gouvernement légitime de l'Irak soit aussi issu d'une élection, ce qui a fait dérailler le projet américain d'un scrutin sous tutelle au printemps 2004.

Paradoxalement, l'émulation qui oppose les différents groupes peut constituer aussi une sorte de ciment politique. Kirkouk, ville pétrolière du Nord, est en ébullition permanente. Sa population d'un peu moins d'un million se compose à parts égales de Kurdes, de Turkmènes et d'Arabes. Traditionnellement, les Turkmènes, chiites et sunnites, formaient la majorité. Les Kurdes sont venus, attirés par les emplois que créait le pétrole. La dictature en expulsera un grand nombre, qu'elle remplacera par des Arabes, y compris des chiites.



Lorsqu'en août 2003 une lutte éclate entre Turkmènes chiites et Kurdes sunnites pour le contrôle d'un lieu saint près de Kirkouk, les chiites arabes de Nadjaf envoient des émissaires pour soutenir les chiites turkmènes. M. Moqtada Al-Sadr « condamne toute tentative d'isoler le Nord du reste du pays » et se plaint de la purification ethnique en cours ; les Kurdes affluent dans la ville pour réclamer leurs maisons aux Arabes qui les occupent. M. Al-Sadr étend ainsi son influence sur la scène nationale.

Les tensions ethniques vont de nouveau s'aggraver à Kirkouk en décembre-janvier 2003-2004 autour du projet d'incorporer la ville à un canton kurde. En réponse, M. Al-Sadr fait défiler 2 000 combattants de sa milice, l'armée du Mahdi, pour soutenir les 300 000 résidents turkmènes en grève. Cette entente a quelque peu surpris.

Le nationalisme ne se forge pas seulement à partir de l'unité de la nation, mais aussi à travers les conflits en son sein, les luttes et les compromis, qui font le jeu des partis religieux. Un sunnite radical comme cheikh Yassine (déjà « martyr » pour ses adeptes) et un chiite radical comme M. Moqtada Al-Sadr (qui pourrait connaître le même destin) sont tous deux, pour nombre d'Irakiens, des symboles de la résistance à l'occupation de terres arabes par des troupes étrangères.

Washington voyait dans sa présence en Irak un exercice de « nation building ». La grande ironie est que ce projet risque de réussir en se cristallisant autour de l'objectif d'expulsion des Etats-Unis. Depuis ce jour du XIXe siècle où le sultan ottoman Abdulhamid II et le réformateur Sayyid Jamal Al-Din Al-Afghani ont lancé le projet panislamique, à savoir l'alliance entre sunnites et chiites contre l'impérialisme européen, celle-ci a toujours échoué. Il semble bien que l'hyperpuissance des Etats-Unis soit en train de la faire passer du rêve à la réalité.

Il y a un an, le nationalisme irakien et le panarabisme étaient considérés comme morts. Le Baas portait une grande responsabilité dans ce discrédit. Le parti au pouvoir avait vanté partout un nationalisme à la fois « local » et « régional » : il glorifiait le rôle civilisateur de l'Irak à travers l'histoire, revendiquant l'héritage de Hammourabi et de Nabuchodonosor. Bagdad voulait se substituer au Caire comme principal défenseur des intérêts du monde arabe. Mais le caractère odieux du pouvoir de M. Saddam Hussein avait incité de nombreux Irakiens à se détourner de ce nationalisme de propagande.

Symboles de ce panarabisme, les Palestiniens réfugiés en Irak faisaient l'objet de la méfiance populaire. Les médias panarabes, notamment Al-Jazira, étaient accusés d'avoir été trop compréhensifs à l'égard de la dictature. Et les politiciens reprochaient à la Ligue arabe, dominée par des pouvoirs sunnites, de s'être inquiétée officiellement de la montée en puissance des chiites et des Kurdes en Irak. Chez les chiites, le radicalisme religieux semblait plus redevable à l'ayatollah iranien Khomeiny qu'à tel ou tel penseur irakien. D'ailleurs, le principal dirigeant spirituel chiite, le grand ayatollah Ali Sistani, est lui-même iranien. Quant aux Arabes sunnites, ils ouvraient aux mouvements intégristes d'origine jordanienne.

La renaissance du salafisme, partisan d'un retour aux sources de l'islam, s'est développée à la faveur du commerce routier avec la Jordanie. La version littéraliste de l'islamisme politique sunnite qui se propage dans les petites villes de la Jordanie, comme Maan et Zarqa (dont est originaire le célèbre terroriste Abou Musab Al Zarqawi), se répand aussi à l'ouest de l'Irak, et notamment à Fallouja, ville-étape. Vers la fin de son règne, le Baas, qui se réclamait à ses origines de la laïcité, avait levé certaines restrictions qui pesaient sur les mouvements religieux, perçus comme alliés potentiels contre les Etats-Unis.



Cependant, au printemps 2004, les soulèvements à Fallouja, place forte des sunnites, et dans tout le Sud chiite, montrent comment l'occupation fait ressurgir un nationalisme transcendant les divisions confessionnelles. Après l'assassinat, le 22 mars, du cheikh Ahmed Yassine, un groupe d'habitants de Fallouja prend son nom et tue quatre agents de sécurité, anciens nageurs de combat américains passés dans le privé, dont les cadavres seront profanés. Les marines répliquent en investissant la ville, en déclarant l'état de siège et en faisant donner l'artillerie, ce qui entraîne de nombreuses pertes civiles. Transmises par les télévisions Al-Jazira et Al-Arabiya, les images très dures du siège suscitent l'indignation à travers l'Irak et le monde musulman.

En même temps, la « coalition » décide de s'en prendre à un dirigeant chiite radical de trente ans, M. Moqtada Al-Sadr, dont le journal Al-Hawzah a attisé les sentiments anti-américains, notamment après l'assassinat du cheikh Yassine. Les autorités ferment le journal le 28 mars, puis délivrent 28 mandats d'arrêt contre ses collaborateurs. Persuadé qu'il va être arrêté, il déclenche l'insurrection à Koufa, Najaf, Bagdad, Nassiriya, Kout et Bassora, où ses fidèles ont formé des milices.

Comme en 1920, face aux Britanniques

il aspire à une république islamique à l'iranienne, M. Al-Sadr invoque aussi le patriotisme irakien. Il se plaint amèrement de l'hégémonie iranienne sur le chiisme de son pays. Sa position contredit les prétentions du Guide suprême de l'Iran, l'ayatollah Ali Khamenei, qui se veut l'autorité suprême, juridique et spirituelle, des chiites du monde entier. Son mouvement a été fondé par son père, Sadiq Al-Sadr, assassiné par le Baas en 1999 pour avoir organisé, dans les taudis où ce parti pénétrait difficilement, la prière du vendredi que le tyran avait interdite aux chiites.

Ses prêches attaquaient Israël et les Etats-Unis, et incitaient les tribus chiites des campagnes à abandonner la coutume tribale et à opter pour la tradition scripturale chiite. Son mouvement était puritain et théocratique. Il avait pour but la création en Irak d'une république islamique de type khomeiniste. Il en vint à disputer le leadership spirituel des chiites d'Irak au grand ayatollah Ali Sistani, qui s'était montré très discret sous la dictature pour tenir le clergé à l'écart des affaires de l'Etat.

Malgré les oppositions entre sunnites salafistes et chiites sadristes, une solidarité faite de nationalisme irakien et de panislamisme est apparue entre les deux communautés face à la « coalition ». Ainsi une vieille rivalité opposait le quartier chiite de Bagdad, Kazimiyah, à son voisin sunnite, Azamiyah, plus prospère. Or, ils parvinrent à mettre leur inimitié entre parenthèses pour organiser un convoi humanitaire de soixante camions, parti pour Fallouja le 8 avril et accompagné d'une foule brandissant des portraits du cheikh Yassine et de M. Moqtada Al-Sadr. Les marines durent en laisser passer quelques-uns.

Composé de sunnites rigoristes et dirigé par M. Abdoul Salam Al-Kubaisi, le Conseil du clergé musulman a tiré quelque prestige des négociations qu'il a parrainées entre les assiégés de Fallouja et les Etats-Unis. Il a également publié un communiqué le 17 avril, soutenant M. Moqtada Al-Sadr et appelant les Irakiens à « expulser les occupants ».

En dépit d'une perméabilité aux courants religieux et politiques provenant des pays voisins, le peuple irakien s'est forgé une identité nationale forte. Pour les composantes confessionnelles du pays, l'identité religieuse ne passe pas avant l'appartenance à la nation.

Les partis politiques chiites comme Al-Daawa furent persécutés par le président Saddam Hussein, et beaucoup de leurs adhérents ont dû se réfugier en Iran ou au Royaume-Uni. Au cours des années 1980-1990, la section de Londres



Al-Daawa est scindée en deux : d'un côté les nationalistes soucieux de maintenir l'indépendance du parti, de l'autre les cléricaux voulant le subordonner à l'ayatollah Khomeiny. Dans l'ensemble, les nationalistes ont emporté.

Dans les années 1990, Al-Daawa contribuera aux efforts de M. Ahmad Chalabi pour forger une alliance entre les partis irakiens en exil. Mais il rompra avec le Congrès national irakien sur la question de la semi-autonomie des Kurdes. Al-Daawa reste en effet attaché à l'idée d'un Etat central fort regroupant sunnites, chiites et Kurdes. Son dirigeant, M. Ibrahim Jaafari, a joué un rôle important, début avril 2004, quand il se rendit à Téhéran pour susciter une médiation du gouvernement Khatami entre M. Moqtada Al-Sadr et les Etats-Unis. Sa tentative a échoué, mais M. Jaafari y a gagné en prestige.

Les observateurs qui attribuaient aux Irakiens une faible conscience nationale et voyaient le pays comme naturellement divisé entre un Sud arabe chiite, un Centre arabe sunnite et un Nord kurde, sont passés à côté de nombreux indices d'une identité nationale tenace.

Dès le 18 avril 2003, quelques jours à peine après la fin de la dictature, le quotidien Al-Hayat, basé à Londres, a publié un entretien avec M. Mohammad Rida Sistani, le fils du grand ayatollah. Ce dernier déclare que son père « rejette toute puissance étrangère qui voudrait régner sur l'Irak » et en appelle à l'unité de tous les musulmans sunnites et chiites. Il a condamné, rappelle-t-il, les attaques chiites contre des mosquées sunnites comme des péchés, et effectué des dons pour leur reconstruction. Pour l'ayatollah, « l'Irak appartient aux Irakiens. C'est à eux de gouverner l'Irak et ils n'ont pas à le faire sous l'égide d'une puissance étrangère ». Au début du XXe siècle, conclut-il, les clercs allaient à la bataille aux côtés de leurs enfants pour résister à l'occupation britannique ; allusion à la rébellion de 1920, premier soulèvement national de l'histoire de l'Irak moderne conduit par des notables et des clercs chiites.

Si le souci de stabilité de l'ayatollah amènera à modérer ses propos, il en continuera pas moins de se plaindre de l'occupation et à rechercher l'unité nationale. En février 2004, un visiteur décrit ainsi sa position : « Il pense que les différends entre chiites et sunnites sont beaucoup moins importants que le danger qui menace à présent la nation irakienne... Le plus important en ce moment est l'unité. Diviser le peuple est un acte de trahison [dit-il]. Mes hommages à toutes vos tribus et au clergé sunnite et dites-leur que Sistani leur baise les mains et les implore de s'unir avec tous les autres Irakiens, les chiites, les Kurdes, les chrétiens, les Turkmènes. Unissez-vous et comptez sur moi pour tenir tête aux Américains... »

Tout dirigeant chiite qu'il est, M. Sistani rencontre aussi des responsables politiques kurdes et sunnites, estimant qu'il s'agit d'un intérêt de la nation. Il est peu intervenu dans les affaires politiques, mais, chaque fois qu'il s'est opposé aux Etats-Unis, c'est lui qui a emporté : il a obtenu que la Constitution définitive ne soit rédigée que par des élus du suffrage universel, et que le gouvernement légitime de l'Irak soit aussi issu d'une élection, ce qui a fait dérailler le projet américain d'un scrutin sous tutelle au printemps 2004.

Paradoxalement, l'émulation qui oppose les différents groupes peut constituer aussi une sorte de ciment politique. Kirkouk, ville pétrolière du Nord, est en ébullition permanente. Sa population d'un peu moins d'un million se compose à parts égales de Kurdes, de Turkmènes et d'Arabes. Traditionnellement, les Turkmènes, chiites et sunnites formaient la majorité. Les Kurdes sont venus, attirés par les emplois que créait le pétrole. La dictature en expulsera un grand nombre, qu'elle remplacera par des Arabes, y compris



des chiïtes.

Lorsqu'en août 2003 une lutte éclate entre Turkmènes chiïtes et Kurdes sunnites pour le contrôle d'un lieu saint près de Kirkouk, les chiïtes arabes de Nadjaf envoient des émissaires pour soutenir les chiïtes turkmènes. M. Moqtada Al-Sadr « condamne toute tentative d'isoler le Nord du reste du pays » et se plaint de la purification ethnique en cours ; les Kurdes affluent dans la ville pour réclamer leurs maisons aux Arabes qui les occupent. M. Al-Sadr étend ainsi son influence sur la scène nationale.

Les tensions ethniques vont de nouveau s'aggraver à Kirkouk en décembre-janvier 2003-2004 autour du projet d'incorporer la ville à un canton kurde. En réponse, M. Al-Sadr fait défiler 2 000 combattants de sa milice, l'armée du Mahdi, pour soutenir les 300 000 résidents turkmènes en grève. Cette entente a quelque peu surpris.

Le nationalisme ne se forge pas seulement à partir de l'unité de la nation, mais aussi à travers les conflits en son sein, les luttes et les compromis, qui font le jeu des partis religieux. Un sunnite radical comme cheikh Yassine (déjà « martyr » pour ses adeptes) et un chiïte radical comme M. Moqtada Al-Sadr (qui pourrait connaître le même destin) sont tous deux, pour nombre d'Irakiens, des symboles de la résistance à l'occupation de terres arabes par des troupes étrangères.

Washington voyait dans sa présence en Irak un exercice de « nation building ». La grande ironie est que ce projet risque de réussir en se cristallisant autour de l'objectif d'expulsion des Etats-Unis. Depuis ce jour du XIXe siècle où le sultan ottoman Abdulhamid II et le réformateur Sayyid Jamal Al-Din Al-Afghani ont lancé le projet panislamique, à savoir l'alliance entre sunnites et chiïtes contre l'impérialisme européen, celle-ci a toujours échoué. Il semble bien que l'hyperpuissance des Etats-Unis soit en train de la faire passer du rêve à la réalité.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Bosma Ulbe

Citizens of Empire: Some Comparative Observations on the Evolution of Creole Nationalism in Colonial Indonesia

in Comparative Studies in Society and History, Volume 46, Issue 4, October , pp. 656-681

(Excerpt from Editorial Foreword on section 'Becoming Nationalists')

Ulbe Bosma seeks to knit up the raveled sleeve of the standard story of nationalism, which makes it endogenous in Europe and the Americas but exogenous and somehow second-hand in Asia and Africa, and imported product disseminated through colonial education. Examining the creole nationalism that grew up in Indonesia, with comparative forays into the early comprador nationalisms of Bengal and Senegal, the author argues that nationalism in Asia and Africa does not differ essentially from the creole nationalism of immigrants in the Americas, and that both are anti-imperialist at the core.

Section D) Federalism as a political idea



Subsection 2.Nationalism

Sy Wonyu Aissatou

Construction nationale et construction impériale aux Etats Unis au XIXe siècle
in *Cité, philosophie, politique, histoire*, n. 20/2004

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Hamilton Paul

Converging Nationalisms: Québec, Scotland, and Wales in Comparative Perspective
in *Nationalism and Ethnic Politics*, Volume 10, Number 4, Winter 2004 , 657-685

In many developed post-industrial states increasing agitation for regional and subnational autonomy on the part of nationalist parties has increasingly taken account of the internationalization of domestic politics. One clear manifestation of this phenomenon has occurred in Québec, Scotland and Wales where self-described nationalist parties pay increasing attention to continental integration and have sought to exploit this trend for electoral benefit. This strategic choice is sensible but does not entirely account for the nationalist enthusiasm for integration. Economic and political globalization is acting as an independent variable, altering the discourse of domestic politics and particularly that of nationalist politics.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Sassen Saskia

Così si destruttura la cittadinanza nazionale
in *Reset*, Numero 82, Marzo / Aprile

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Morag Nadav

Cyprus and the Clash of Greek and Turkish Nationalisms
in *Nationalism and Ethnic Politics*, Volume 10, Number 4, Winter 2004 , 595-624

This article seeks to explain which factors played a central role in the development of rival Greek and Turkish Cypriot national identities and how geography, modernization, and colonial policies came to play a critical role in this development. The article argues that the development of rival nationalisms on Cyprus must be analyzed by looking at seven factors: (1) the geographic and topographic setting; (2) demographic changes and realities; (3) socio-cultural factors, such as education, language, symbolism, religion, and links to the mainlands; (4) economic and class factors;



(5) the internal impact of the colonial power; and, after the achievement of statehood in 1960 (6) Cypriot governmental organization; and (7) the geopolitical position of the island.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Ramm Thilo

Die Deutschen - eine Nation?

in *Aus Politik und Zeitgeschichte*, Band 39, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Frölich-Steffen Susanne

Die Identitätspolitik der FPÖ: Vom Deutschnationalismus zum Österreich-Patriotismus

in *Oesterreichische Zeitschrift für Politikwissenschaft* , 2004/3 , 281-296

In the 1990s the Austrian Freedom Party (FPÖ) continuously managed to increase its share in votes in national parliamentary elections. The party's success was often attributed to the charismatic appeal of the new chairman Jörg Haider. Furthermore, the voters' disappointment with the Austrian party system (Konkordanz), the growing protest potential among the population as well as the increasing voter volatility are regarded as factors determining the rapid boost of the party. A development that has been neglected as an explanatory factor for the success of the FPÖ so far, is the party's adoption of the strategy of "Österreich-Patriotismus" (Austrian patriotism). Its former German nationalism became part of the FPÖ's subculture, a shift that made the party eligible for a broader public. At the same time, the conservative Austrian People's Party (ÖVP) and the Austrian Socialdemocratic Party (SPÖ) emphasised the poorly developed awareness of a unified Europe in connection with Austria's anticipated membership in the European Union and focused on new areas in their identity policies. Thus, the ÖVP and SPÖ left two traditional areas of public discourse, national consciousness and national pride, to the FPÖ which has ever since claimed the role of the only true patriotic party. This article outlines the historical context and particularities of the Austrian identity after introducing the theoretical debate on idiosyncrasy and success factors of right-wing populist parties. Subsequently, the FPÖ's identity policy from 1956 onwards is discussed and it is examined whether and to what extent the changing national identity policies of SPÖ, ÖVP and FPÖ may have contributed to the latter party's success. A final summary will try to explain the FPÖ's devastating losses in the 2002 elections by the findings of the prior analysis.

Section D) Federalism as a political idea

Subsection 2.Nationalism



Chavier Jean-Marie

**En Russie, nostalgie soviétique et nouveau patriotisme d’Etat
in Monde Diplomatique (Le), mars 2004**

La réélection probable du président Vladimir Poutine lors du scrutin du 14 mars marquera un tournant politique en Russie. Au seuil d’une nouvelle avancée du capitalisme, le président russe fait face à des exigences de « mise au pas des oligarques », de redistribution des richesses, de reconstitution de la protection sociale et de retour à la puissance. Ces demandes vont de pair avec une réévaluation de l’héritage de l’Union soviétique, non réductible à la caricature qu’en font les libéraux d’une « nostalgie » passéiste.

Qui n’a vu un jour, fût-ce à l’écran, la sculpture signée Vera Moukhina représentant l’ouvrier et la paysanne kolkhozienne s’élançant vers l’avenir radieux en brandissant faucille et marteau (1) ? Dressée à l’entrée du Parc des expositions de Moscou, elle vient d’être démontée. Pour être, non pas mise au rebut, mais rénovée. Des drapeaux rouges refléussent le 9 mai pour les célébrations officielles de la victoire sur l’Allemagne nazie, comme aux défilés communistes du 1er mai et du 7 novembre (2). L’hymne de l’URSS retentit à nouveau (3). Des adolescents arborent des maillots ornés de l’inscription « Ma patrie, l’URSS ». Des groupes rock recyclent des « tubes » soviétiques. La bande FM à Moscou retentit davantage de chansons en langue russe. Des cafés branchés et des publicités commerciales se parent également de symboles soviétiques, témoignant ainsi d’une nostalgie postmoderne.

Ce retour du balancier s’est amorcé dès le milieu des années 1990. Les films soviétiques repassent à la télévision « à la demande du public », disent les chaînes. Un éditorialiste s’inquiète : le « peuple soviétique » est toujours là, la nostalgie apparaît comme « la dominante de l’humeur ambiante (4) ». Les sondages d’instituts réputés sérieux confirment : « 57 % des Russes veulent revenir à l’URSS » (2001), 45 % considèrent le système soviétique comme « meilleur » que l’actuel, 43 % souhaitent même « une nouvelle révolution bolchevique » (2003). Les opinions sur le présent apparaissent tout aussi peu « correctes » : discrédit de la « révolution démocratique » d’août 1991 (5) et rejet massif (à près de 80 %) des grandes privatisations « criminelles ». Les démocrates vitupèrent : amnésie (« ils ont oublié le goulag et les pénuries »), haine des riches parce que riches, médiocrité de perdants et de vieux, « la biologie réglera le problème ». Sous M. Vladimir Poutine, des événements politiques sont venus conforter leurs angoisses : poursuites judiciaires contre plusieurs grands oligarques de leurs amis et sponsors (6), reprise de contrôle de grands médias par le Kremlin, réhabilitation du NKVD et du KGB (7), influence croissante des siloviki (8) et du FSB, volonté de restaurer l’influence russe dans l’espace ex-soviétique, critiques officielles portées contre les Etats-Unis et leur pénétration dans cet espace, contre leur guerre en Irak, et ce malgré l’« alliance stratégique » nouée par le président Poutine avec Washington au lendemain du 11 septembre 2001.

Les efforts n’ont pourtant pas manqué pour éradiquer le communisme. Depuis 1991, les Russes sont submergés d’archives, d’articles, de livres et d’émissions de télévision dénonçant les « crimes bolcheviques » : terreur rouge sous Lénine et Trotski, « Grande Terreur » sous Staline, famine de 1932-1933, goulag, déportation de peuples « punis » ou « suspects » de collaboration avec l’Allemagne nazie, répressions sous Brejnev. La « bataille de la mémoire », conjuguée avec la promotion des « valeurs marchandes démocratiques », a été livrée avec fougue par les grands médias, des journalistes, des historiens, épaulée par un vaste réseau occidental et surtout américain d’institutions, d’universités et de fondations – Ford, Soros, Hoover, Heritage, Carnegie, USIS, Usaid, sans parler des oligarques philanthropes de Russie (9).



Les débats contradictoires de l'époque Gorbatchev (10) ont fait place au réquisitoire contre l'« empire du Mal » dans toutes ses incarnations. La virulence de cet anticommunisme russe a de quoi faire pâlir les croisés occidentaux. Mais il agit d'agiter, à chaque moment de crise menaçante pour le nouveau régime, l'épouvantail du « retour des rouges » et de la guerre civile.

La condamnation du bolchevisme entraîne la réhabilitation de ses opposants, principalement le mouvement blanc et les dissidences. Même certaines collaborations avec les nazis sont vues avec compréhension. Ainsi le chroniqueur des Izvestia Maxim Sokolov tente d'expliquer : « Les temps étaient complexes ; [Le IIIe Reich] était l'unique bastion protégeant l'Europe de la barbarie bolchevique. S'il avait vécu jusqu'à nos jours, le Reichsführer SS serait probablement honoré comme combattant contre le totalitarisme (11). »

Ce révisionnisme caricatural qui ignore les contextes réels, les périodes, les régimes, les sociétés et les cultures très diverses de l'histoire soviétique est contesté par de nombreux historiens, mais ce n'est pas eux qui donnent le ton. Plus largement répandus sont les best-sellers de Viktor Souvorov. Le dernier en date, sorti fin 2002 (12), ouvre sur cette affirmation : « Tous les dirigeants soviétiques, sans exception, ont été des crapules et des vauriens. »

Un des pionniers de l'anticommunisme officiel, Alexandre Tsipko, juge cette mode du dénigrement contre-productive : ses effets démoralisateurs, combinés avec ceux des « réformes confiscatoires », déplorait-il dès 1995, « ont préparé le terrain pour une réhabilitation de l'histoire soviétique (13) ». Il avait bien vu. Au-delà du « système », les attaques visent les valeurs égalitaires et collectivistes, communautaires, tant russes traditionnelles que soviétiques. Elles ciblent les « gens en bas », les ouvriers, qui, en même temps que déstabilisés dans leurs conditions de vie, sont stigmatisés comme « complices » de l'ancien régime, « assistés », « paresseux » et « inutiles » au progrès postindustriel (14).

Malgré cette avalanche, la Russie échappe encore à la pensée unique sur l'URSS. Il y a, ici, trop d'expériences vécues, d'héritages culturels, de mémoires déchirées pour permettre ce genre d'uniformité. Les récits de vie peuvent, d'une même veine, charrier les échos chaotiques de temps extrêmes où les frontières étaient mouvantes, imprévisibles, entre la foi cristalline, les joies positives, la chute incomprise et soudaine aux enfers d'une terreur aveugle.

Une Mémoire reconstruite

Un témoin majeur de l'univers concentrationnaire, Varlam Chalamov (15), évoque sa jeunesse frémissante, le rayonnement de Lénine et des idéaux de la révolution (« Quels horizons, quelles immensités s'offraient au regard de chacun, de l'homme le plus ordinaire »), en cette période soviétique très ambiguë des années 1920 (16). La voix de destins plus ordinaires, laissant percevoir les raisons de l'adhésion populaire à ce socialisme-là, se laisse entendre à travers le récit de Lioudmilla, fille de paysans brutalisés par la dékoulakisation, mais qui franchit la frontière des mondes pour gravir, en ville, le chemin de la promotion sociale (17).

Ce fut effectivement celui de millions de ruraux. Parmi les paysans qui ont traversé la guerre civile et sont restés au village après la grande coupure de la collectivisation, d'autres récits de vie ont été collectés en temps utile (18), au début des années 1990, lorsque la parole se libéra avant d'être reformatée par l'idéologie anticommuniste dominante.

Un des problèmes de la mémoire reconstruite dans ce nouveau contexte est l'embrigadement des



victimes et des martyrs au service d'une idéologie « antitotalitaire » formulée à posteriori. Or il y avait parmi eux beaucoup de communistes et d'opposants de gauche trotskistes (19), des gens qui, au retour des camps, n'avaient pas cessé de croire et de servir le « socialisme » qu'on prétend leur faire renier aujourd'hui. Qui parle, et de quel droit, au nom des morts ?

Mais la majeure partie des ex-Soviétiques encore en vie n'ont pas connu les temps extrêmes. Ils évoquent la quarantaine d'années soviétiques vécues après la guerre et la mort de Staline. Un artiste se souvient de l'atmosphère des années 1960 : « J'idéalise peut-être, mais il y avait alors un élan optimiste dans le pays. Je ne parle pas de politique, mais du climat moral des gens qui m'entouraient. L'impulsion donnée par les Beatles a révélé l'aspiration à l'amour, qui a connu son zénith avec le mouvement hippie ; c'était un temps lumineux, qui a appris à vivre en regardant l'avenir avec optimisme. » Collision-collusion inattendue de références : l'une en phase avec les idéaux officiels (« l'avenir avec optimisme »), l'autre avec une culture non conformiste (les Beatles).

C'est que la confiance dans les perspectives d'un pays en plein essor, où nul n'avait peur du lendemain, a pu coexister chez beaucoup avec l'apolitisme et les tentations d'une culture alternative. D'autres, contestataires du régime brejnévien, regrettent le temps où on refaisait le monde dans les cuisines. « L'avenir n'avait pas encore eu lieu » et il serait, on le sait, bien décevant. Combien d'entre eux, après 1991, se sont retirés de la scène, malades, déprimés ou morts de tristesse en voyant ce qu'a produit le changement tant espéré ?

« Les nouveaux chefs discréditent les chestidisiatniki, les gens des années 1960, raconte Vassili Jouravliov, parce qu'ils sont pour eux un reproche vivant. Car c'est sur leurs épaules que les oligarques et autres hommes d'affaires se sont hissés au pouvoir (20). » D'anciens jeunes qui étaient ni militants, ni contestataires, ni intellectuels ou cadres du parti, mais simplement avides de vivre pleinement ; avaient quitté le confort urbain pour les « grands chantiers » des années 1950-1980, par romantisme ou attirés par les primes. La construction de la Cité des savants à Novossibirsk, des grandes centrales sur les fleuves sibériens, des complexes industriels de Togliatti et sur la Kama, du deuxième transsibérien, le BAM, leur ont souvent laissé les souvenirs d'une jeunesse intense, en dépit du sentiment aujourd'hui répandu d'un immense gâchis.

D'autres sont revenus meurtris d'une aventure abominable : la guerre en Afghanistan, dont parlent dans les rues et le métro les mutilés d'une quarantaine d'années. Et la jeune génération « retour de Tchétchénie », autre abomination, a déjà pris la relève.

Mais le plus grand nombre n'a pas participé à des engagements aussi forts. Ils ont simplement vécu, baignant dans un mode de vie, de relations sociales, une culture dont ils ne se séparent pas sans douleur. Né en 1961, l'écrivain ukrainien Andréi Kourkov en parle à sa façon, qui n'est pas rare : « Cette société était fondée sur l'amitié. Tu pouvais frapper à la porte de tes voisins, si tu avais besoin d'argent, ils t'en prêtaient. Après la chute, toute cette solidarité s'est effondrée. (...) Les gens qui sont nés juste avant la chute, qui ont 20 ans, s'adaptent très vite. Pour ma génération, la solitude est la maladie de cette époque. J'ai perdu beaucoup d'amis. Beaucoup se sont suicidés, d'autres ont émigré (21). »

Souvenir de rapports conviviaux, ou vivacité d'une culture sociale encore décelable dans les résistances à la libéralisation ? La sociologue de la culture Lioudmila Boulavka rapporte les témoignages de milieux ouvriers engagés dans les récents mouvements de protestation : les militants jugent avec sévérité leurs propres illusions des années



1989-1991 (le soutien aux démocrates), ils ressentent une perte douloureuse avec la fin de l'URSS, n'acceptent pas que des patrons fassent la loi sans les consulter, veulent encore croire que « l'Etat, c'est nous », ils restent attachés à une culture de consensus et de paternalisme social (22).

Tout un continent de connaissances manque aux Occidentaux pour comprendre ce qu'est la perte ainsi ressentie : une culture, une épaisseur d'une vie sociale qui ne cadrent avec aucune idéologie. Où classer, dans leurs petits tiroirs, non seulement l'avant-garde, mais la culture populaire de masse qui a marqué des générations, les comédies musicales d'Alexandrov et le jazz d'Utesov, l'humour d'Ilf et Petrov, les aventures du soldat Vassili Tiorkine, les personnages « entre deux » du cinéma de Vassili Choukchine, l'art amateur des clubs d'usines et le vaste mouvement de la chanson d'auteur, contestation de masse la plus importante des années 1960-1980 ? Où situer la décision récente des bardes non conformistes de tous âges de consacrer « chanson du siècle » la ballade Grenada, de Mikhaïl Svetlov, « poète du Komsomol » des années 1920 ? Pourra-t-on jamais transmettre les messages de cette Atlantide qui a réellement existé ?

Une enquête réalisée avec le concours de la fondation allemande Friedrich Ebert et dirigée par Mikhaïl Gorchkov (23) montre à quel point la réhabilitation de l'URSS procède d'une réflexion mûrie, peu conforme aux stéréotypes. Elle révèle l'échec du pouvoir et des médias dans leur tentative de présenter les soixante-dix années soviétiques comme un « cauchemar », estimant même que la pression exercée dans ce sens a épuisé ses effets. Les jugements diffèrent toutefois selon les périodes envisagées et l'âge des personnes interrogées :

« Les crimes du stalinisme ne peuvent en rien être justifiés » : c'est le point de vue de 75,6 % des 16-24 ans ; de 73,5 % des 25-35 ans ; de 74 % des 36-45 ans ; de 66,8 % des 46-55 ans ; de 53,1 % des 56-65 ans ;

« Les idées marxistes étaient justes » : les réponses positives varient, des plus jeunes aux plus âgés, de 27,4 % à 50,3 % ;

« La démocratie occidentale, l'individualisme et le libéralisme sont des valeurs qui ne conviennent pas aux Russes » : cette opinion est approuvée par 62,9 % des 56-65, mais seulement 24,4 % des 16-24 ans ;

Parmi les « raisons de fierté », environ 80 % dans toutes les catégories d'âge citent la victoire de 1945. Les plus de 35 ans évoquent en seconde position la reconstruction d'après-guerre, les plus jeunes (16-35) citent « les grands poètes russes, les écrivains, les compositeurs ». Environ 60 % dans tous les groupes d'âge citent les exploits de la cosmonautique. L'affirmation selon laquelle « l'URSS fut le premier Etat de toute l'histoire de la Russie à assurer la justice sociale pour les gens simples » est retenue par la majorité des plus de 35 ans, 42,3 % des 25-35 ans, seulement 31,3 % des 16-24 ans.

Parmi les caractéristiques des différentes périodes, la majorité des participants désigne principalement :

pour la période stalinienne : la discipline et l'ordre, la peur, les idéaux, l'amour de la patrie, un développement économique rapide ;

pour la période brejnévienne : la protection sociale, la joie de vivre, les succès dans la science, la technique et l'enseignement, la confiance entre les gens ;



pour la Russie actuelle : la criminalité, l'incertitude de l'avenir, les conflits entre nations, la possibilité de s'enrichir, la crise et l'injustice sociale. Les personnes d'opinion libérale accordent une balance positive à 25 % à l'ère brejnévienne (45,9 % chez les communistes) et négative à 21 % à la période eltsinienne (les communistes : 59 %).

Quant à l'avenir, une large majorité se prononce pour une gestion étatique des grands secteurs de l'économie, de l'enseignement et de la santé, ne validant la gestion mixte (avec le secteur privé) que dans les domaines de l'alimentation, du logement et des médias. Une majorité (54 %) « choisit une société d'égalité sociale » et définit comme caractère principal de la démocratie « l'égalité des citoyens devant la loi ».

Evolutionnaire, la vision du passé est donc filtrée par l'expérience de « réformes de marché », dont le caractère désastreux est désormais largement reconnu.

La première inspiratrice de ces réformes, la sociologue Tatiana Zaslavskaja (24), estime que les travailleurs sont « encore plus aliénés de la propriété et privés de droits qu'à l'époque soviétique. (...) La production ne s'est pas seulement tassée, mais dégradée du point de vue structurel et technologique. (...) Des secteurs qui assuraient les besoins sociaux à l'époque soviétique et élevaient, fût-ce modestement, la qualité de vie de la population, se dégradent aujourd'hui de plus en plus. Les conquêtes démocratiques de l'époque de la perestroïka et de la glasnost sont en danger (...). La polarisation de la société a pris une allure colossale (...) : 20 % à 30 % de la population vivent dans de sérieuses privations, habitent des logements en ruine, ne mangent pas à leur faim, sont malades et meurent prématurément ».

L'économiste libéral Grigori Iavlinski, dirigeant du parti réformateur Iabloko, parle de « démodernisation » de la Russie, l'écologiste Oleg Ianitskii de « société de tous les risques ». « Nous vivions derrière le rideau de fer, nous explique l'historien du monde paysan et de la collectivisation Viktor Danilov. Ignorant les réalités extérieures, nous avons cru vivre dans la misère du nivellement. Maintenant que le rideau de fer est tombé (...) nous avons subi l'épreuve de la véritable misère. Nous savons désormais que, à l'époque soviétique, nous ne vivions pas dans la misère, mais dans une suffisance nivelée quoique peu élevée. Le système de santé et d'enseignement était accessible à tous malgré les privilèges des serviteurs du peuple. Les files existaient pour que chacun puisse se procurer le nécessaire, qui n'est plus accessible au grand nombre aujourd'hui. »

Selon Danilov, pour beaucoup, « on a sans doute ouvert les portes vers le monde extérieur mais des portes blindées ont été dressées entre les gens. Jamais l'atomisation n'avait atteint un tel degré. » Au-delà de ces tristes constats, il ne manque pas, en Russie, de réflexions intéressantes sur le passé, le futur et les possibilités de développement. Mais cet univers très pluriel de la pensée russe est ignoré en Occident, où on ne répercute que les points de vue libéraux occidentalistes.

Points de non-retour

Le patriotisme re-figuré se nourrit cependant du ressentiment né du désarroi, de la misère, de la nouvelle image de l'ennemi ; le « terroriste » arabo-musulman ; formée de concert avec l'Occident civilisé auquel on s'identifie. Le climat n'est plus à l'« anti-impérialisme », mais à la xénophobie « petit blanc » envers les peuples encore plus démunis, le Sud menaçant. C'est paradoxal : beaucoup regrettent en même temps l'esprit d'amitié qui régnait dans les communautés multinationales soviétiques



d'ouvriers et d'étudiants, et déplorent l'érection de nouvelles frontières, les entraves politiques et financières à la liberté de voyager, les familles et les groupes d'amis disloqués. On accepte le massacre des Tchétchènes tout en savourant le film culte des années 1930, *Le Cirque*, où l'acteur juif Solomon Mikhoels qui mourra assassiné par Staline lors de la campagne antisioniste/antisémite de la fin des années 1940, chante une berceuse yiddish à un enfant noir arraché aux griffes du racisme américain !

La nostalgie de l'URSS et sa réévaluation dans la population ne sont pas à confondre avec leurs divers usages politiques. La réalité exclut un retour du soviétisme : la liquidation du système social soviétique, les privatisations, le rôle de l'argent et les pressions du monde extérieur « globalitaire » ont atteint des points de non-retour. Et, si les traditions de puissance, bureaucratiques et policières, sont réactivées pour les besoins internes du pouvoir et du contrôle de la rente pétrolière, c'est aussi dans un contexte international où l'exemple de la militarisation, de la culture sécuritaire vient du « modèle » américain, vénéré par les nouveaux Russes.

Dans les « réhabilitations », le président Poutine n'a pas oublié Pierre le Grand, le réformateur libéral autoritaire Piotr Stolypine, sous Nicolas II ni la très actuelle Eglise orthodoxe. Le Kremlin a pour emblème l'aigle impérial bicéphale couronné. L'idole de la nouvelle bourgeoisie est un Veau d'or vert comme le dollar.

Quant au couple de métal de Vera Moukhina, brandissant encore les outils du communisme, la nouvelle de sa rénovation ne doit pas effrayer les libéraux : lorsqu'ils seront à nouveau debout, fiers et pétrifiés dans leur élan vers le futur antérieur, l'ouvrier et la paysanne kolkhozienne devraient se poser sur un plus grand socle, digne des temps nouveaux. Au-dessus d'un centre commercial.

La réélection probable du président Vladimir Poutine lors du scrutin du 14 mars marquera un tournant politique en Russie. Au seuil d'une nouvelle avancée du capitalisme, le président russe fait face à des exigences de « mise au pas des oligarques », de redistribution des richesses, de reconstitution de la protection sociale et de retour à la puissance. Ces demandes vont de pair avec une réévaluation de l'héritage de l'Union soviétique, non réductible à la caricature qu'en font les libéraux d'une « nostalgie » passéiste.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Das Runa

Encountering (cultural) nationalism, Islam and gender in the body politic of India in Social Identities, Volume 10, Number 3, May 2004, 369-398

In this article, I analyse how the ideology of Hindutva has been manipulated by the contemporary Bharatiya Janata Party (BJP) government of India to locate an internal enemy along religious lines to support its nationalist agenda, with subsequent implications for gender. Following a brief introduction to the literature of nationalism, with special reference to nationalism as an 'invented tradition' and the role of 'ideology as doxa', I situate the case of post-colonial Indian nationalism whereby I highlight how a complexity of 'social imaginaries' and 'identities' have been used by the post-colonial Indian state leaders as constituting the 'mental state' of India. I contrast the conceptions of a political/territorial nationalism as evidenced under the Congress with that of the emerging Hindu/cultural nationalism under the contemporary BJP and highlight how the BJP, like the colonialists but with subtle differences, has sought to replay the re-construction of Islam/Indian Muslims as Others to the supposedly Hindu India. Interweaving feminism to



support its nationalist project becomes an integral part of the BJP's nationalist/communalist agenda.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Mauro Marsella

Enrico Corradini's Italian nationalism: the 'right wing' of the fascist synthesis
in *Journal of Political Ideologies* , Volume 9, Number 2 / June , 203-224

Scholars of fascist ideology have defined fascism as a political synthesis of revolutionary syndicalism and integral nationalism. The ideological evolution from the far left of Italian fascism, embodied by Benito Mussolini, has already been effectively demonstrated. Considering that recent scholarship of fascist ideology has increasingly emphasized the nationalist or rightist aspect of the fascist synthesis, there is also a need to examine the development of the far right, represented in Italy by Enrico Corradini's Italian Nationalist Association. The evolution of Corradini's thought, however, has not been adequately isolated and analyzed within the specific context of Liberal Italy, nor evaluated in relation to the development of fascism. Corradini's ideology was not only an integral source of the original fascism of 1919, but his doctrine also played a progressively significant role as fascism shifted rightwards and became a mass movement. This article will trace Corradini's ideological development in six historical stages, from 1909, during the second wave of modern nationalism in Italy, to 1923, when the National Fascist Party absorbed the Italian Nationalist Association. It will illustrate how Corradini applied a coherent and proto-fascistic worldview to the turbulent historical events of the period that included the war in Libya, the Great War, and the post-war era, which saw the Liberal regime collapse in the face of internal and external stresses and the onslaught of fascism.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Helmerich Antje

Ethnonationalismus und das politische Potenzial nationalistischer Bewegungen
in *Aus Politik und Zeitgeschichte*, Band 39, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Hale Henry E.

Explaining Ethnicity
in *Comparative Political Studies* , Vol. 37 n. 4 , 458-485

Although scholars often treat "ethnicity" as one of the most important phenomena in politics, nothing close to a consensus has emerged about not only what its effects are but also what it is. Theorists typically divide this debate into



two camps, usually dubbed "primordialism" and "constructivism," but these categories are unhelpful and actually obscure some of the most important questions. This study recasts the debate by providing a micro-level explanation for why and how people tend to think and act in terms of macro-level identity categories in the first place. Drawing heavily on recent psychological research, this approach reveals why ethnicity is special and why it is ascribed importance by researchers in fields as diverse as sociology, anthropology, and political science. As it turns out, neither constructivism nor primordialism is fully accurate, and theorists are advised to think in terms that are more consistent with psychological research.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ramet Sabrina P.

Explaining the Yugoslav Meltdown, 1 “for a charm of pow'rful trouble, like a hell-broth boil and bubble”;1 theories about the roots of the Yugoslav troubles

in **Nationalities Papers**, Volume 32, Number 4, December 2004 , 731-763

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ramet Sabrina P.

Explaining the Yugoslav meltdown, 2 A theory about the causes of the Yugoslav meltdown: The Serbian national awakening as a “revitalization movement”;

in **Nationalities Papers**, Volume 32, Number 4, December 2004 , 765 - 779

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Arash Abizadeh

Historical Truth, National Myths and Liberal Democracy: On the Coherence of Liberal Nationalism

in **Journal of Political Philosophy**, Vol. 12, Issue 3, September , 291-313

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ara Angelo

Il problema delle nazionalità in Austria da Metternich al Dualismo

in **Rivista Storica Italiana**, vol. CXVI, fasc. 2, agosto 2004 , pp. 409 - 473

No abstract available



Section D) Federalism as a political idea

Subsection 2. Nationalism

Brubaker Rogers

In the name of the nation: reflections on nationalism and patriotism¹

in *Citizenship Studies*, n. 2, vol. 8, giugno , 115-127

ABSTRACT: Treating nationhood as a political claim rather than an ethnocultural fact, this paper asks how "nation" works as a category of practice, a political idiom, a claim. What does it mean to speak "in the name of the nation"? And how should one assess the practice of doing so? Taking issue with the widely held view that "nation" is an anachronistic and indefensible or at least deeply suspect category, the paper sketches a qualified defence of inclusive forms of nationalism and patriotism in the contemporary American context, arguing that they can help develop more robust forms of citizenship, provide support for redistributive social policies, foster the integration of immigrants, and even serve as a check on the development of an aggressively unilateralist foreign policy.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Öktem Kerem

Incorporating the time and space of the ethnic 'other': nationalism and space in Southeast Turkey in the nineteenth and twentieth centuries

in *Nations and Nationalism*, Vol. 10, Issue 4, October 2004 , 559-578

This paper aims to develop a model for the ethno-nationalist incorporation of the space and time that is of the geography and history of ethnies considered as 'others' by the ethno-nationalist core of an emerging nation-state. It contends that one of the reasons for the recurring power and emotive force of nationalist discourse and practice stems from the disjunction between the complex history of a locality exemplified in its material culture and the homogenised present, which various strategies of ethno-nationalist incorporation have brought about. Based on the analysis of the empirical evidence of the case of the city of (Sanli) Urfa in Southeast Turkey, it argues that a 'spatial perspective' focusing on the locale might facilitate unveiling hitherto understudied aspects of local nationalisms, as well as the rather dark sides of most nation-building projects such as large-scale population exchanges or ethnic cleansing.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Dieckhoff Alain, Jaffrelot Christophe

La résilience du nationalisme face aux régionalismes et à la mondialisation

in *Critique Internationale*, N°23 - Avril 2004

Alors que l'État-nation subit les assauts de la globalisation, de son régionalisme croissant et des flux transnationaux, le nationalisme fait preuve d'une puissante capacité de résistance. Du fait de l'indigénisation des modèles étrangers par les sociétés locales, la diffusion des modes de vie occidentaux ne



remet pas vraiment en question les identités nationales. Parallèlement, le développement des diasporas n'entraîne pas la création de communautés déterritorialisées, et ce surtout parce que les migrants restent fortement attachés à leur mère-patrie, attachement qui se mue même parfois en « nationalisme à distance ». En ce qui concerne les régionalismes, ni les différents « pan-ismes » ni les zones régionales de coopération n'ont érodé jusqu'ici les identités nationales. La construction de l'Union européenne elle-même, bien qu'elle soit le cas le plus abouti de transfert de souveraineté au niveau supranational, n'est pas parvenue à donner naissance à une nouvelle identité européenne qui aurait pu affaiblir les identités nationales.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Frost Catherine

Literature, nationalism and the challenge of representation

in *Review of Politics (The)*, Vol. 66, N. 3, Summer , 499- 512

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Coakley John

Mobilizing the Past: Nationalist Images of History

in *Nationalism and Ethnic Politics*, Volume 10, Number 4, Winter 2004 , 531-560

There is an obvious sense in which nationalist mobilization has an important basis in images of the past; images which are typically embellished to produce a tendentious image of the community's own history. This article first examines the mechanisms by which myths of history are created and disseminated, making an important distinction between circumstances where those engaged in this process control a state structure and those where they do not. It then seeks to generalize about the kinds of historiographical stereotypes that have emerged, identifying in particular myths of origin, myths of development (including the golden age, the dark age and the age of struggle) and myths of destiny. These are illustrated by evidence mainly from Europe, and their instrumental character is stressed.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Akman Ayhan

Modernist nationalism: statism and national identity in Turkey

in *Nationalities Papers*, Volume 32, Number 1, March 2004 , 23 - 51

No abstract available



Section D) Federalism as a political idea

Subsection 2. Nationalism

Cesar Cansino

Nacionalismo ayer y hoy

in *Metapolitica : revista trim. de teoria y ciencias de la politica*, n. 37

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Rosie Michael , MacInnes John, Petersoo Pille, Condor Susan, Kennedy James

Nation speaking unto nation? Newspapers and national identity in the devolved UK

in *Sociological Review*, Vol. 52, Issue 4, November 2004 , 437-458

There are two problems with the existing account of the relationship between newspapers and national identity in the UK. The first is that although it is widely assumed that the mass media are central to the reproduction and evolution of national identity this has never been empirically demonstrated. The second is that exactly what comprises the relevant 'national' context in the UK is unclear. Content analysis of 2,500 sampled articles, together with qualitative comparison of different editions of the same newspaper titles and interviews with editors and journalists are used to show the extent and nature of 'national' frames of reference in newspapers in England and Scotland. Paradoxically, devolution may have reduced the spatial diversity of news stories in the press in England and Scotland.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Planert Ute

Nation und Nationalismus in der deutschen Geschichte

in *Aus Politik und Zeitgeschichte*, Band 39, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Wang Horng-luen

National Culture and Its Discontents: The Politics Heritage in Taiwan 1949-2003

in *Comparative Studies in Society and History*, Volume 46, Issue 4, October , pp. 786-815

(Excerpt from Editorial Foreword of section "Frontier Patrol")

Horng-luen Wang analyzes the predicament of national culture in Taiwan, in the face of a stronger, competing Peoples Republic of China version of Chinese national culture, and an indigenist Taiwanese nationalism. National culture, the author says, has to function both on the domestic and international levels, and failure to articulate well at either level leads to a crisis of identity, which is the case in Taiwan today. The material discussed is the vast (600,000-item)



collection of Chinese antiquities brought to Taiwan with the retreating armies of Chiang-Kai-shek, and the problems of the simplification of the Chinese script and the pinyin system of Romanization.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Schumann Christoph

Nationalism, diaspora and 'civilisational mission': the case of Syrian nationalism in Latin America between World War I and World War II

in *Nations and Nationalism*, Vol. 10, Issue 4, October 2004 , 599-617

The notion of 'civilisational mission' (risala hadariyya) is a core concept of nationalism, particularly of Arab and Syrian nationalism. Its importance lies in the ability to bring three aspects of nationalist thought into one pattern of meaning: the projected modernisation of the nation, the nation's quest for recognition and equal participation in the international arena, and the claim to political leadership of the rising educated middle class. In the Syrian diaspora during the interwar period, the notion was additionally shaped by the refutation of the neo-colonial aspirations of the mandate powers (mission civilisatrice) as well as by the interaction between the diaspora community and the host society. This article analyses this concept in its discursive context focusing on Dr Khalil and Antun Sa'adeh, who were both eminent intellectuals, party founders and editors of several diasporic newspapers and magazines in Argentina and Brazil.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Sabbagh Daniel

Nationalisme et multiculturalisme

in *Critique Internationale*, N°23 - Avril 2004

Pour évaluer les arguments stratégiquement avancés par certains acteurs en vue de concilier nationalisme et multiculturalisme, cet article examine successivement les deux possibilités suivantes : prendre pour point de départ l'opposition entre nationalisme civique et nationalisme ethnique et trancher en faveur de la variété civique/politique, que sont censés incarner les modèles américain et français de citoyenneté avec leurs méthodes de gestion de l'hétérogénéité culturelle pourtant très différentes ; ou procéder au démontage de la notion de « multiculturalisme » en montrant qu'en réalité les revendications politiques généralement avancées sous cette appellation soit visent à promouvoir l'intégration des minorités ethno-culturelles au sein des institutions nationales du pays englobant, soit s'interprètent comme des revendications concurrentes, nationalistes. Il en conclut que, aussi longtemps que l'identité nationale est la seule à pouvoir fournir un sentiment d'appartenance commune sur laquelle repose en définitive le projet antidiscriminatoire comme, plus généralement, la promotion de la justice sociale, les partisans du "multiculturalisme" feraient sans doute mieux de s'abstenir de dénoncer le caractère uniformisateur et oppresseur du nationalisme, ne serait-ce que pour des raisons stratégiques.

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Subsection 2. Nationalism



Levis Sullam Simon

Nazione, religione e rivoluzione: Risorgimento italiano e religioni politiche

in *Società e Storia*, fasc. 106/2004, 681-686

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Dérens Jean-Arnault

Poussée ultranationaliste en ex-Yougoslavie

in *Monde Diplomatique (Le)*, mars 2004

Suscitant l'inquiétude internationale, le président du Parti démocratique de Serbie, M. Vojislav Kostunica, devenu premier ministre, devrait former le prochain gouvernement serbe avec le soutien des partisans de M. Slobodan Milosevic. En Croatie comme en Bosnie-Herzégovine, le bilan des démocrates au pouvoir n'a pas satisfait les électeurs. La région, tenue à l'écart des perspectives d'intégration européenne, est-elle condamnée à demeurer sous l'emprise du nationalisme ?

Les espérances de démocratisation des Balkans ont-elles fait long feu ? Tandis que la Serbie s'enfonce dans une crise politique à issue imprévisible, les nationalistes de la Communauté démocratique croate (HDZ) sont revenus au pouvoir à Zagreb avec les élections du 23 novembre 2003. Et, en octobre 2002, les trois partis nationalistes de Bosnie-Herzégovine avaient chassé la fragile coalition démocratique au pouvoir.

Courtisées par les Occidentaux durant les années 1990, les oppositions démocratiques balkaniques entendaient rompre avec le nationalisme, « normaliser » leurs pays respectifs et les rapprocher de l'Union européenne.

L'unité de la nouvelle majorité serbe allait pourtant guère tarder à se fissurer, M. Vojislav Kostunica et son Parti démocratique de Serbie (DSS) entrant en guerre ouverte contre le Parti démocratique (DS) du premier ministre Zoran Djindjic. A peine au pouvoir, les démocrates serbes semblaient reproduire les divisions de la décennie précédente, dont les élections du 28 décembre montrent qu'elles pourraient faire le jeu des nationalistes du Parti radical serbe (SRS). (1)

Les conflits se sont focalisés sur les relations avec le Tribunal pénal international (TPIY). Derrière les arguties juridiques avancées par M. Kostunica pour refuser une pleine coopération avec la juridiction internationale se cache une défiance fondamentale envers celle-ci. Des Serbes ne sauraient être coupables de crimes de guerre et de crimes contre l'humanité, puisque les Serbes seraient toujours collectivement victimes de l'histoire. Très peu de voix se sont élevées pour expliquer que le jugement des individus suspectés d'avoir commis des crimes était la condition pour dissiper le soupçon de responsabilité collective du peuple serbe. Même le premier ministre Djindjic n'a guère tenu ce langage de vérité, se bornant à expliquer que la coopération avec le TPI était une obligation incontournable, prix à payer pour assurer la réintégration internationale du pays et obtenir de précieuses aides.

Ainsi celles des Etats-Unis ont été conditionnées à l'arrestation des inculpés serbes, et assorties d'ultimatums. Avec un bilan paradoxal : M. Slobodan Milosevic a été transféré vers La Haye le 28 juin 2001, la quasi-totalité des inculpés serbes ont suivi le même chemin, à la notable exception près du général Ratko Mladic, mais les crédits n'ont pas été à la hauteur des mirobolantes promesses.



Cette logique de chantage et de marchandage n'était guère de nature à convaincre l'opinion serbe de la nécessité historique du tribunal. De plus, le TPI demeure suspecté de partialité antiserbe. L'ambassadeur américain pour les crimes de guerre, M. Charles-Richard Prosper, a rappelé au printemps 2003 l'exigence des Etats-Unis ; l'arrestation de MM. Mladic et Karadzic ;, laissant entendre que les inculpés d'autres nationalités bénéficieraient d'une sorte « amnestie (2) ».

Procureure générale, Mme Carla del Ponte explique que les prochaines inculpations toucheront « toutes les communautés », mais elle reconnaît que les enquêtes sur des Albanais du Kosovo « se heurtent à de nombreuses difficultés ». Certains signes indiquent que les forces de l'Organisation du traité de l'Atlantique nord (OTAN) déployées dans la province ne cherchent guère à faciliter les investigations concernant d'ex-guérilleros de l'Armée de libération du Kosovo (UCK).

Economie de pillage

En Croatie, le gouvernement social-démocrate de M. Ivica Racan, au pouvoir de janvier 2000 à novembre 2003, est contenté de déclarations de principe en faveur de la coopération avec le TPI. En octobre 2002, l'inculpation du général Janko Bobetko, ancien chef d'état-major de l'armée croate, a débouché sur une crise grave entre Zagreb et La Haye. Le gouvernement et l'opposition nationaliste ont fait bloc pour refuser de livrer l'inculpé, dont le décès a mis fin à la crise. M. Racan refusait tout débat sur les crimes commis par les forces croates et toute réévaluation de la « guerre patriotique » de 1991-1995, de crainte d'être accusé de « trahison ». Tout comme en Serbie, les exigences du TPI n'ont pas permis à la société croate d'ouvrir un véritable débat sur son passé récent.

Les démocrates arrivés au pouvoir en 2000 ont aussi dû gérer les séquelles catastrophiques de « économie de pillage » pratiquée par les élites nationalistes (3). En Croatie, les privatisations ont permis aux proches de l'ancien président Franjo Tudjman de faire main basse sur les richesses du pays. Les sociaux-démocrates de M. Racan n'ont pas osé s'y attaquer : les détenteurs des grandes fortunes accumulées durant les années 1990 n'ont été inquiétés par la justice, ni en Croatie ni en Serbie.

Dans le même temps, l'économie des pays de la région n'est pas sortie de la crise. La Serbie compte un million de chômeurs, pour un million de retraités et un million d'actifs ayant encore un emploi. En moyenne, les salaires ne dépassent pas 150 euros par mois, et les retraites la moitié. La Croatie semble en meilleure position, grâce à la manne du tourisme. Mais le chômage touche aussi près d'un tiers des actifs, et la dette extérieure dépasse 20 milliards de dollars.

Partout, les électeurs ont fait payer très cher cet échec économique aux démocrates au pouvoir. Ces derniers n'ont pas de doctrine économique et sociale, malgré les références sociales-démocrates des formations de M. Racan en Croatie et de feu Zoran Djindjic en Serbie. Aucune formation ne fait entendre la voix des laissés-pour-compte de la transition. A Belgrade, le Parti socialiste de M. Milosevic prétend, sans convaincre, être devenu une formation de gauche, mais l'extrême droite nationaliste est mieux placée pour occuper l'espace laissé vacant.

Un seul dossier a connu des améliorations sensibles, celui des relations régionales. Depuis le printemps 2003, les citoyens croates et serbo-monténégrins n'ont plus besoin de visa pour se rendre dans un pays à l'autre. A l'automne, le président de l'Union de Serbie-Monténégro, M. Svetozar Marovic, a échangé des excuses sur les crimes de la guerre avec son homologue croate, M. Stjepan Mesic, puis en a présenté à la



Bosnie-Herzégovine. La reconstitution d'un espace de relations dans l'aire post-yougoslave semble donc bien amorcée, accentuée par la reprise des échanges économiques. Mais la communauté internationale n'a joué aucun rôle dans cette normalisation.

L'histoire aurait donc bien tourné, et les nationalistes de 2004 ne seraient plus ceux de 1991. En Croatie, le premier ministre Ivo Sanader souligne que le « nouveau » HDZ qu'il dirige a rompu avec les excès des années 1990 ; il a d'ailleurs été admis au sein du Parti populaire européen.

Paradoxalement, M. Sanader aura sûrement moins de difficultés à arrêter les Croates inculpés par le TPI que son prédécesseur social-démocrate. Personne, en effet, ne saurait l'accuser d'être un « mauvais Croate ». Pour les nouveaux dirigeants de Zagreb, le jeu en vaut la chandelle : une bonne coopération avec la juridiction internationale est une des clés permettant à la Croatie de prendre le train européen ; en 2007, 2009 ou 2010... ; sans devoir attendre les autres pays de la région. Le « nouveau » HDZ a des objectifs clairs, et connaît le prix à payer. M. Sanader ne devrait pas avoir trop de difficultés à faire taire les critiques.

Pour les démocrates serbes et bosniaques, qui affichaient aussi leurs espérances européennes, la perspective est moins claire. Le sommet européen de Thessalonique, en juin 2003, a affirmé la « vocation européenne » des Etats des « Balkans occidentaux » (c'est-à-dire des Républiques anciennement yougoslaves, moins la Slovénie, membre de l'Union dès mai 2004, plus l'Albanie). Cependant, aucun calendrier d'adhésion ne leur a été proposé. Difficile de demander aux peuples de nouveaux sacrifices économiques et de leur expliquer l'importance de la coopération avec le TPI quand l'objectif européen demeure aussi incertain.

Dans le cas de la Serbie et de la Bosnie-Herzégovine, l'incertitude sur la nature et les formes de l'Etat continue de faire peser une lourde hypothèque sur toute perspective d'intégration européenne. Bruxelles a imposé la création d'une Union de Serbie et du Monténégro, proclamée le 5 février 2003, en remplacement de la République fédérale de Yougoslavie, dans le but de « geler » un peu plus longtemps la question du Kosovo. Cet « Etat à durée déterminée », formé pour une période de trois ans, paralyse toutes les politiques de réforme dans les deux Républiques. Comment parler d'intégration européenne quand on ne sait pas si la Serbie et le Monténégro devront définir de manière indépendante leur marche vers l'Europe, et alors que le statut final du Kosovo n'est pas défini (4) ?

En Bosnie-Herzégovine, la remise en cause des accords de Dayton n'est plus un tabou. L'European Stability Initiatives, un organisme de conseil indépendant, a proposé une refonte radicale des institutions (5). Au lieu des deux « entités » prévues par les accords, le pays serait divisé en douze cantons, dont la Republika Srpska et la ville de Brcko. Cette idée a suscité un tollé parmi les nationalistes serbes, croates et musulmans.

Les trois partis nationalistes revenus au pouvoir en 2002 ; le Parti d'action démocratique (SDA), le Parti démocratique serbe (SDS) et le HDZ Bosnie-Herzégovine ; bloquent toute réforme qui pourrait entamer leur monopole politique. Les rares avancées sont imposées par le haut représentant international. M. Paddy Ashdown a été accusé de se comporter en vice-roi impérial, et la lourde tutelle de la communauté internationale contribue à déresponsabiliser les dirigeants bosniaques (6). C'est pourquoi les électeurs restent sensibles aux sirènes de la démagogie et expriment un vote « identitaire ».

Paradoxalement, les protectorats internationaux deviennent ainsi le principal obstacle à l'intégration européenne. Huit ans après Dayton, force est de constater que la communauté internationale ne dispose pas



une feuille de route lisible et réaliste pour la région.

Un transfert des compétences de sécurité à l'Union européenne a été amorcé en Macédoine et en Bosnie avec l'arrivée de forces de police européennes qui se déploieront parallèlement au désengagement de l'OTAN, alors que l'hypothèse de confrontations armées ne peut être écartée en Macédoine, au Kosovo, voire au Monténégro. L'Europe va donc devoir assumer de lourdes responsabilités, alors qu'elle semble en panne de stratégie.

Si M. Sanader parvient à tenir ses promesses, la Croatie pourra peut-être échapper à la malédiction des « Balkans occidentaux ». Mais les autres pays de la région risquent fort de devenir une île de sous-développement chronique enclavée dans l'Union européenne. Nul ne saurait s'étonner que les nationalistes renforcent encore leur emprise, dans des pays gangrenés par la corruption comme par le crime organisé et fournisseurs de contingents de migrants clandestins, prêts à tout pour gagner le rêve occidental.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ukana B. Ikpe

Public Culture and National Integration in Multi-Cultural States. Comparative Observations from the United States and Nigeria

in *Comparative American Studies*, Vol. 2 n. 1 , 91-114

National integration in multi-cultural states is untenable without an entrenched public culture because this comprises the values shared by all groups and constitutes the common grounds on which the diverse groups conceptualize and appreciate the state. In the United States of America groups tend to struggle to define public culture from a universalistic/impersonal perspective, whereas in Nigeria, groups strive to impose their particularistic definition of public culture on the entire polity. The result is that in the United States the universalist position vis vis 'America' engenders widespread identification of groups with the existing public culture. In Nigeria, the area of society-wide agreement which constitutes public culture is still too narrow. People therefore struggle to overthrow existing public culture rather than identify with it due to its parochiality. National integration and its attached benefits, like democracy and political stability, can be realized only with the development and entrenchment of a supportive public culture.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Piper Laurence

Review Article: Return to the Organic: Onions, Artichokes and 'The Debate' on the Nation and Modernity in *Theoria*, 103 (April 2004)

No abstract available

Section D) Federalism as a political idea



Subsection 2.Nationalism

Baracco Luciano

Sandinista Anti-Imperialist Nationalism and the Atlantic Coast of Nicaragua: Sandinista-Miskitu Relations, 1979-81

in **Nationalism and Ethnic Politics**, Volume 10, Number 4, Winter 2004 , 625-655

This article addresses the cultural roots of conflict between the Sandinista government and the Miskitu Indians of Nicaragua's Atlantic Coast during the early 1980s. It examines how fundamental contradictions between the Sandinistas' anti-imperialist nationalism and the Miskitu's Anglo cultural affinities were exposed during the Literacy Project in Languages, leading the emergence of a militant form of Miskitu nationalism and the violent rejection of the Sandinista revolution.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Dalsheim Joyce

Settler nationalism, collective memories of violence and the 'uncanny other'

in **Social Identities**, Volume 10, Number 2 , 151-170

Focusing on representations of violence in the national past among a hegemonic group of self proclaimed left-wing, liberal Israeli Jews, this article illustrates one of the ways in which the settler colonial project is supported by such representations. In particular, the article theorises the 'uncanny absence' of the Palestinian/Arab 'other' in this nationalist imagination, arguing that the liberal sensibilities (political correctness) of these Israelis combined with the ongoing violent struggles and dispossession result in a particular articulation that fantasises a removal of the local population, often without force, but somehow magically. The essay makes comparisons between this inscription of nationalism, earlier Zionist expressions and similar circumstances in Australia, arguing that this expression of 'uncanny absence' may be indicative of a settler imagination more generally. The article shows the processes and techniques involved in presenting the past in a kibbutz-affiliated high school history classroom and during a field trip to a museum commemorating the 1948 war, illustrating the character of the nation that is constituted, and the silences and absences that are present.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Babuna Aydin

The Bosnian Muslims and Albanians: Islam and nationalism

in **Nationalities Papers**, Volume 32, Number 2, June 2004 , 287-321

No abstract available



Section D) Federalism as a political idea

Subsection 2. Nationalism

Marc Baer

The Double Bind of Race and Religion: the Conversion of the Domne to Turkish Secular Nationalism in Comparative Studies in Society and History, Volume 46, Issue 4, October , pp. 682-708

(Excerpt from Editorial Foreword on section 'Becoming Nationalists')

The Domne of Salonika, descendants of seventeenth-century Jewish converts to Islam, remained a distinct community from Ottoman times through the creation of the Turkish republic. Marc Baer follows their negotiation of the rough terrain crossed in their (incomplete) transformation from a religious group to citizens of a (not quite completely) secular state. (On the Domne, see also Leyla Neyzi, "Remembering to Forget: Sabbateanism, National Identity, and Subjectivity in Turkey" CSSH 2002: 137-58)

Section D) Federalism as a political idea

Subsection 2. Nationalism

Laciner Sedat, Bal Ihsan

The Ideological and Historical Roots of the Kurdist Movements in Turkey: Ethnicity, Demography, and Politics in Nationalism and Ethnic Politics, Volume 10, Number 3, Autumn 2004 , 473-504

The Partia Karkare Kurdistan, or the Workers Party of Kurdistan (PKK) campaign of violence has cost Turkey about 30,000 lives and billions of dollars. In 20 years the organization made great efforts to create a Kurdish nation and to establish a separate state. However the lack of popular support forced the PKK to shift its policies. In fact the PKK movement is no exception. All Kurdist movements in Turkey's history have failed. This article looks at the reasons of this failure. According to the authors the ethnic origin, history, and demography did not provide a suitable environment for Kurdish nationalism, particularly in the Anatolian territories. The study focuses on the ethnic origin of the Kurds, their current perceptions, sociological and cultural descriptions of the Kurds, demography and their impact on Kurdish uprisings and separatism.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Chaims Gans

The Limits of Nationalism in Contemporary Political Theory, Vol. 3, n. 2, August , 219-221

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Stevenson Garth

The Politics of Remembrance in Irish and Quebec Nationalism



in **Canadian Journal of Political Science--Revue canadienne de science politique**, Volume 37 - Issue 04 - December 2004 , pp 903-925

Abstract. This article describes how the remembrance of historical events contributes to, and is shaped by, nationalism in Ireland and Quebec. Remembered historical events contribute to the growth of nationalism if they serve at least one of five purposes: defining the conceptual boundaries of the nation, reinforcing a sense of pride in the nation's achievements, evoking feelings of pity and indignation at the losses suffered by the nation, legitimizing the actions or principles of present-day leaders, or inspiring a belief that the nation will eventually triumph. Eight remembered events, four in Ireland and four in Quebec, are discussed in relation to these five purposes. The article concludes that historical remembrance has been a more powerful influence on nationalism in Ireland than in Quebec.

Résumé. Cet article raconte comment le souvenir des événements historiques contribue au renforcement du nationalisme en Irlande et au Québec. Le souvenir d'un événement historique aura cet effet s'il aide à définir la communauté nationale, s'il stimule des sentiments de la pitié et de l'indignation envers la nation et ses tribulations, s'il légitime les actions et les idées des nationalistes actuels, ou s'il encourage l'esperance que la nation va triompher contre ses adversaires. L'article examine quatre événements historiques, irlandais ou québécois, avec le but de déterminer s'ils contribuent à ces cinq objectifs. Selon sa conclusion, l'influence des souvenirs historiques a été plus puissante en Irlande qu'au Québec, ce qui explique la plus grande intensité du nationalisme irlandais.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Giesen Klaus-Gerd

The Post-National Constellation: Habermas and "the Second Modernity"

in **Res Publica**, Volume 10, Number 1, March , pp. 1-13

For some years now, Jürgen Habermas, possibly the most influential European philosopher of today, has been producing a growing number of publications on world politics. In the historical context of the collapse of bipolarity and the advent of the triad, along with the punitive wars in the Gulf and Yugoslavia, he is very far from being alone: Jacques Derrida and Norberto Bobbio, Michael Walzer and John Rawls, to name only the most forceful, have also been thinking out loud about the new political configurations beyond the nation-state. The characteristic feature of Habermas's thought is to perceive a radically new historical configuration, which he calls a 'post-national constellation' and which would justify the development of a new political project, as a transition to a new cosmopolitan law. In what follows, I examine the precise modalities that are supposed to transform his philosophical design into political and legal arrangements, attempting to dissect the Habermasian vision of a post-Cold War politics better adapted to the challenges of the new century, and to throw light on the ideology behind it, as a prolegomenon to the larger project Habermas invites us to undertake.

Section D) Federalism as a political idea



Subsection 2.Nationalism

Rabow - Edling Susanna

The political significance of cultural nationalism: the Slavophiles and their notion of a Russian enlightenment in Nationalities Papers, Volume 32, Number 2, June 2004 , 441 - 456

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Laruelle Marlène

The two faces of contemporary Eurasianism: an imperial version of Russian nationalism in Nationalities Papers, Volume 32, Number 1, March 2004 , 115 - 136

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Nakano Takeshi

Theorising economic nationalism

in **Nations and Nationalism**, Vol. 10, Issue 3, July 2004 , 211-229

Economic nationalism has been regarded as a set of attitudes rather than a coherent theory. However, by using Durkheim's analytical framework and bringing the concept of the nation into political economy, the author argues that economic nationalism can be provided with a systematic theory. This theory for economic nationalism helps us to grasp the reciprocal relationship between the political and economic power of the nation-state. Economic modernisation, especially industrialisation, needs the powerful state, and the state derives its power from the nation. Economic development can amplify the social imaginary of the nation by expanding mobilisation and communication. Protectionism, industrial policy and Keynesian policy can strengthen not only the economy but also nationalism. The proposed theory for economic nationalism thus paves the way for understanding the role of nationalism in political economy.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Carrillo Rowe Aimee

Whose "America"? The Politics of Rhetoric and Space in the Formation of U.S. Nationalism in Radical History Review, Number 89, Spring 2004

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism



Simonsen Kirsten

'Europe', National Identities and Multiple Others

in *European Urban and Regional Studies*, Volume 11, No. 4 , 357-362

Provoked by recent developments in Denmark (and also other European countries), I consider the construction and reconstruction of territorial (national and transnational) identities in the 'new' Europe to be a question of exceptional ethical and political importance. Therefore, the paper concentrates upon this issue and discusses the construction and re-negotiation of (trans)national identities as a multi-scalar process of 'othering'. Specific attention is drawn to current discourses of 'neo-nationalism'.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Levis Sullam Simon

«Fate della Rivoluzione una religione» aspetti del nazionalismo mazziniano come religione politica (1831-1835).
in *Società e Storia*, fasc. 106/2004 , 705-730.

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Previti Allaire Catherine

A propos des archives Emil Noel: aux origines d'une carrière européenne (1922-1958)
in *Journal of European Integration History*, n. 2, vol. 10 , 77-92

Emile Noel a occupé une place significative dans l'administration communautaire dans le mesure où il a été le secrétaire général de la Commission européenne de 1958 à 1987. L'auteur tente de cerner les idées et les expériences qui ont pu contribuer à sa formation et à sa progression avant son arrivée à Bruxelles et qui ont pu exercer leur influence après cette date. On remonte ainsi à sa participation à la Résistance ainsi qu'aux mouvements de jeunesse pendant et après la guerre, à sa découverte des théories fédéralistes, à sa présence dans l'évolution de la Section française de l'Internationale Ouvrière face à la question européenne dans les années cinquante et à son rôle dans la rédaction des traités de Rome. Ces faits font conclure à l'arrivée d'un "idéaliste pragmatique" à un poste stratégique au sein de la Commission.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Leymarie Michel

Albert Thibaudet et l'Europe
in *Revue historique*, n. 632 - octobre 2004 , 821-842

No abstract available



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Bernardi Emanuele

Alcide De Gasperi tra riforma agraria e guerra fredda (1948-1950)

in *Ventunesimo Secolo. Rivista di Studi sulle Transizioni*, Anno III, n. 5, marzo - special issue "De Gasperi e la costruzione della democrazia"

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

D. Chan Michael

Alexander Hamilton on Slavery

in *Review of Politics (The)*, Vol. 66, N. 2, Spring , 207-232

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Edling Max M. - Kaplanoff Mark D.

Alexander Hamilton's Fiscal Reform: Transforming the Structure of Taxation in the Early Republic

in *William and Mary Quarterly*, Vol. LXI, No. 4 October 2004

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Iring Fetscher

Alle radici della costituzione europea. Una proposta di Umberto Campagnolo scritta nel 1943

in *Teoria Politica*, Vol. 20, Fascicolo 3

Umberto Campagnolo, for many years General Secretary of the Société Européenne de Culture (Venezia), was Kelsen's disciple, even though a clear distance from Kelsen's « Reine Rechtslehre» characterizes his *Toward a Federal Constitution for Europe* left unpublished by the author and published only recently. Campagnolo believed that such a constitution wasn't only absolutely necessary but possible as well. It was necessary since the two World Wars were European in their origin and reflected the failure to give peace to the world through the League of Nations and a more binding international law. And it is now also possible as the economic union has been built and the people may expect that what is now perceived as a far away bureaucratic body may be turned into a truly democratic federal collective body. Without a real participation of the European peoples with their different cultures, the European federal state will remain a tree.trunk with no life



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Di Salvatore, E.

Constantin Frantz e la dottrina del federalismo organico

in *Teoria del diritto e dello stato*, n. 1 - 2004 , pag. 134-138

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Curzio Alberto Quadrio

Da Cesare Beccaria all'Unione Europea: un viaggio ideale su due secoli

in *Economia Politica*, Fascicolo 1 , 181-194

In this essay we consider the personality of Beccaria (1738-1794), its intellectual and political profile in the Europe of XVIII century. Looking to his contribution for the re-organisation of the monetary system of the State of Milan in its European profile and connecting these to the thought of Luigi Einaudi, the author considers the euro and the eurodemocracy as a new form of democracy which has been built more on intellectual values (ideals, rationality, pragmatism) than on political powers, more on convictions that on constrictions.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Pietsch Roland

Dante Alighieri als Politischer Denker

in *Politische Studien*, Heft 394, 55. Jahrgang, March-April , 25-34

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Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Hendrickson Kimberly

Edward Banfield on the promise of politics and the limits of federalism

in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 139-152

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Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Kincaid John

Felix Morley on freedom and federalism

in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 69-88



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Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Adler Jonathan H.

Frank Meyer: the fusionist as federalist

in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 51-68

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Luther Joerg

Il pensiero federalista di Lucio Levi

in *Federalismi*, Anno II, n. 7

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Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Maddox Graham

James Bryce: englishness and federalism in America and Australia

in *Publius: The Journal of Federalism*, Vol. 34, n. 1, Winter , 53-70

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Turner Charles

Jürgen Habermas: european or german?

in *European Journal of Political Theory*, Vol. 3, n. 3, July , 293-314

Habermas's recent writings on the future of Europe advocate a European constitution as a means of consolidating the achievements of post-war social democracy and providing European level institutions with a normative foundation without the need to appeal to the idea of Europe as a 'community of fate'. This article argues that, while these aims are laudable, the terms in which Habermas formulates them owe much both to a domestic German agenda and to his theory of communicative rationality and the public sphere, which restricts the horizon within which the legitimacy of a European polity might be discussed and entails premature assumptions about what the core of a European identity consists in. It ends by suggesting an alternative sense of the European achievement and European identity.



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Airaksinen Timo, Siitonen Arto

Kant on Hobbes, peace, and obedience

in History of European Ideas, Volume 30, Issue 3 - Essays for Kant's Anniversary (1804-2004), September , pp. 315-328

Kant's essay 'On the common saying: "This may be true in theory, but it does not apply in practice"' contains a chapter 'On the relationship of theory to practice in political right' to which he added, in brackets, '(Against Hobbes)'. The problem is that Kant leaves his Hobbes-criticism implicit. The main point seems to be the Hobbes's citizens are without any rights. We explore the differences and similarities between Kant's and Hobbes's political views and evaluate the effectiveness of Kant's criticism. We pay attention to Nominalism and Platonism, the idea of happiness in social life, the use and role of the Golden Rule (Categorical Imperative) in political thought, the quest for freedom, and the principle of political non-resistance. Especially freedom of speech is important for Kant as an Enlightenment thinker. This is the only right Kant's citizens may have, independently of the sovereign's will. Our conclusion is that both Kant and Hobbes emphasize peace and order under sovereign power although they do not agree on how such an ideal can be achieved.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Quagliariello Gaetano

La Ced, l'ultima spina di De Gasperi

in Ventunesimo Secolo. Rivista di Studi sulle Transizioni, Anno III, n. 5, marzo - special issue "De Gasperi e la costruzione della democrazia"

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Modugno, F.

La dicotomia

in Teoria del diritto e dello stato, n. 1 - 2004 , pag. 33-88

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Gouzy Jean-Pierre

La saga dei federalisti europei durante e dopo la seconda guerra mondiale

in Federalista (II)/Federalist (The), Anno XLVI, n. 1 , 12-44

No abstract available



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Craveri Piero

L'incancellabile impronta del Trentino e di Vienna

in Ventunesimo Secolo. Rivista di Studi sulle Transizioni, Anno III, n. 5, marzo - special issue "De Gasperi e la costruzione della democrazia"

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Sheehan Colleen A.

Madison v. Hamilton: The Battle Over Republicanism and the Role of Public Opinion

in American Political Science Review, issue 3, vol. 98, august , 405-424

ABSTRACT: This article examines the causes of the dispute between James Madison and Alexander Hamilton in the early 1790s. Though Hamilton initially believed that Madison's opposition to the Federalist administration was probably motivated by personal animosity and political advantage, in later years he concluded what Madison had long argued: the controversy between Republicans and Federalists stemmed from a difference of principle. For Madison, republicanism meant the recognition of the sovereignty of public opinion and the commitment to participatory politics. Hamilton advocated a more submissive role for the citizenry and a more independent status for the political elite. While Madison did not deny to political leaders and enlightened men a critical place in the formation of public opinion, he fought against Hamilton's thin version of public opinion as "confidence" in government. In 1791–92 Madison took the Republican lead in providing a philosophic defense for a tangible, active, and responsible role for the citizens of republican government.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Volden Craig

Origin, operation, and significance: the federalism of William H. Riker

in Publius: The Journal of Federalism, Vol. 34, n. 4, Fall , 89-108

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Herzog Annabel

Political itineraries and anarchic cosmopolitanism in the thought of Hannah Arendt

in Inquiry, Volume 47, Number 1 / February 2004 , 20 - 41



In this paper, I argue that Arendt's understanding of freedom should be examined independently of the search for good political institutions because it is related to freedom of movement and has a transnational meaning. Although she does not say it explicitly, Arendt establishes a correlation between political identities and territorial moves: She analyzes regimes in relation to their treatment of lands and borders, that is, specific geographic movements. I call this correlation a political itinerary. My aim is to show genealogically that her elaboration on the regimes of ancient, modern, and 'dark' times is supported by such a correlation. I read Arendt in light of the current clash between an amorphous global political identity (and 'new' international order) and the renewal of nationalisms. I show that, for Arendt, the world is divided by necessary frontiers - territorial borders and identity frames - and that the political consists precisely of the effort to transgress them. Arendt never proposed a restoration of authority but, on the contrary, a worldwide anarchic (that is, based on no predetermined rule) politics of de-localization and re-localization; in her terms, a politics of free movement of founded identities, a cosmopolitanism, which, nevertheless, would have nothing to do with global sovereignty.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Lynch G. Patrick

Protecting individual rights through a federal system: James Buchanan's view of federalism
in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 153-168

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Bailey Jeremy David

Richard Weaver's untraditional case for federalism
in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 33-50

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Nagel Robert F.

States and localities: a comment on Robert Nisbet's communitarianism
in *Publius: The Journal of Federalism*, Vol. 34, n. 4, Fall , 125-138

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Martel Gordon



The Origins of World History: Arnold Toynbee before the First World War

in *Australian Journal of Politics & History* , Volume 50, Issue 3, September , pp. 343-356

Arnold Toynbee's ambitious work "A Study of History" was a phenomenal publishing success in its day, but it came under severe criticism from academic historians. In recent years, there has been something of a Toynbee revival among the proponents of the growing discipline of world history. This article suggests that Toynbee makes a somewhat unlikely founding figure for the broadly liberal and cosmopolitan world history movement, and investigates the very particular origins of Toynbee's vision of world history in the intellectual world of the pre-1914 British Empire, and especially in Toynbee's education at Winchester and Oxford.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Gouzy Jean-Pierre

The saga of the european federalists during and after second world war

in *Federalista (II)/Federalist (The)*, Anno XLVI, n. 1 , 12-46

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Rakove J. N.

Thinking Like a Constitution

in *Journal of the Early Republic*, Volume 24, Number 1, Spring , pp. 1-27

Discusses on constitutionalism in the U.S. Analysis of the concept of the State. Developments in the formative era of American constitutionalism. Assessment of the political writings of James Madison.

(full text on-line) <http://jer.pennpress.org/PennPress/journals/jer/sampleArt3.pdf>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Levy Carl

Anarchism, Internationalism and Nationalism in Europe, 1860-1939

in *Australian Journal of Politics & History* , Volume 50, Issue 3, September , pp. 330-342

This article is part of a broader project on the social history or histories of anarchism. The standard accounts of anarchism (Nettlau, Joll, Woodcock, Marshall etc.) have been combinations of the histories of ideas and political/social movements. A larger project I am engaged in uses another methodology and is reliant upon the vast outpouring of published and unpublished academic writing on social history that has been produced since the 1960s. I will cover only several interconnected themes here: anarchism, internationalism and nationalism in Europe. This article will give a synoptic overview of the internationalism of the European anarchist and syndicalist movements during the "classical" period of anarchism (1860 1939). It focuses on the First and Second Internationals and the birth of the Third. It examines the ideology and culture of Internationalism, which was the nursery of the modern anarchist movement. The



linkage between federalist and regionalist republicanism is stressed and the legacy of the Paris Commune of 1871 is highlighted. The desire to secure a global level playing field in labour markets promoted labour internationalism during the First International and a revival of this strategy by anarchists and syndicalists during the era of the Second International. The mismatch of industrial development and union density between industrialised Britain or Germany and artisanal and industrialising France and southern Europe limited internationalism in the 1860s and the 1900s. Equally the patriotic legacy of the Commune of Paris undermined the internationalism of anarchists and syndicalists when war broke out in 1914. In 1917-1918 anarchist and syndicalist internationalism seemed to be revived as Europe entered a period of revolutionary discontent. But very quickly the Bolsheviks and the Soviet Union channelled this wave into the Third International and ultimately the interests of the newly born Soviet State. Anarchist and syndicalist internationalism had little effect on the fortunes of the anarchists in the Spanish Civil War in a world of nation-states and state-centric political parties and movements.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Popp Susanne

Auf dem Weg zu einem europäischen "Geschichtsbild" - Anmerkungen zur Entstehung eines gesamteuropäischen Bilderkanons

in *Aus Politik und Zeitgeschichte*, Band 7-8, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

John M. Alexander

Capabilities, human rights and moral pluralism

in *International Journal of Human Rights (The)*, Vol. 8 Nr. 4 Winter , Pag. 451-469

Amartya Sen and Martha Nussbaum, the pioneers of the capability approach, have divergent views on human rights. Sen considers human rights to be a set of goals towards which every society could progress. In contrast, Nussbaum thinks of human rights as side constraints and as non-negotiable fundamental entitlements for international standard-setting and national public policy debates. The article critically examines the difference between these two views and explores the relation between the concept of capabilities and human rights. It argues for an approach of moral pluralism which could clarify and press forward pertinent issues relating to socio-economic rights and group rights.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Masala Carlo

Carl Schmitt als Theoretiker der Internationalen Politik

in *Zeitschrift für Politikwissenschaft* , 14. Jahrgang (2004), Heft 3



No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Beck Ulrich

Cosmpolitical realism: on the distinction between Cosmopolitanism in Philosophy and the Social Sciences in Global Networks, n. 2, vol. 4, april , 131-156

ABSTRACT: In the article I outline a wide range of challenges, both normative and analytical, that the rise of globalism represents for the social sciences. In the first part, a distinction is drawn between 'normative' or 'philosophical' cosmopolitanism on the one hand and an analytical-empirical social science cosmopolitanism, which is no longer contained by thinking in national categories, on the other. From such a perspective we can observe the growing interdependence and interconnection of social actors across national boundaries, more often than not as a side effect of actions that are not meant to be 'cosmopolitan' in the normative sense. In the second part I focus on the opposition between methodological nationalism and the actual cosmopolitanization of reality and outline the various errors of the former. In the third and final part of the article I outline a research programme of a 'cosmopolitan social science' around four topics: first, the rise of a global public arena resulting from the reactions to the unintended side effects (risks) of modernization; second, a cosmopolitan perspective allows us to go beyond International Relations and to analyse a multitude of interconnections not only between states but also between actors on other levels; third, a denationalized social science can research into the global inequalities that are hidden by the traditional focus on national inequality and its legitimation; finally, everyday or banal cosmopolitanism on the level of cultural consumption and media representation leads to a growing awareness of the relativity of one's own social position and culture in the global arena.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Dundas Guy

Cyprus from 1960 to EU Accession: The Case for Non-Territorial Autonomy in Australian Journal of Politics & History , Volume 50, Issue 1, March , pp. 86-94

The political history of Cyprus illustrates the difficulty of instituting political power-sharing and cultural autonomy in states where multiple ethnic groups are present, particularly where they are territorially intermixed. Contemporary political realities relating to the accession of the island to the European Union demonstrate that old and new approaches to these issues are still in need of evaluation. This article seeks to explore an "old" method for reconciling the needs of Cyprus' two ethnic groups "non-territorial autonomy" as embodied in the island's failed 1960 Constitution. It also examines the potential relevance of this concept for a fully European Cyprus, in which the right to free movement of Greeks and Turks throughout the island may recreate an environment of intermixed heterogeneity, and thus stimulate the need for appropriate political institutions.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Owen John M

Democratic Peace Research: Whence and Whither?



in *International Politics* , Vol. 41, n. 4, December , 605-617

The democratic peace has become a topic about which every IR scholar must hold an opinion. Empirical and theoretical scepticism about the peace endures, but the consensus seems to be that it is real and only needs explaining. Predictably, rationalists and constructivists, broadly defined, differ on what causes the peace: rationalists now emphasize how democracies reveal more information; constructivists, how they adhere to distinctive norms. Although strictly speaking, the democratic peace does not constitute a Lakatosian research programme, a 'democratic distinctiveness' programme has emerged, whose core includes the proposition that relations among democracies are qualitatively different from those among non-democracies or between democracies and non-democracies. Future research should focus on the conditions under which the international system selects for democracy; the links between democratic peace and international power, especially US hegemony; and what democratic peace and European integration can tell us about one another.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Schäfer Isabel

Die Europäische Union und der Nahostkonflikt

in *Aus Politik und Zeitgeschichte*, Band 20, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Benson Michelle A.

Dyadic Hostility and the Ties That Bind: State-to-State versus State-to-System Security and Economic Relationships

in *Journal of Peace Research*, Volume 41, Number 6, November , pp. 659-676

An important question in the conflict processes literature concerns what types of international relationships are more likely to lead to peaceful interactions. Both security and economic ties have been posited as powerful determinants of conflict, yet their effects are often examined independently from one another. Furthermore, a debate exists as to whether it is states ties to the international order or to each other that are most important in determining conflict. A resolution of the competing perspectives would expect that two states that have a tight network of security and economic relationships, both to each other and to the international order, should be extremely unlikely to engage in hostile action against each other. Surprisingly, a series of multinomial logits using non-directed dyads from 1951 to 1985 suggests that dyads with tight economic and security ties at both the state-to-state and state-to-system levels are only slightly less likely to engage in dyadic disputes than those without such simultaneous ties. However, this study finds that both (1) tight security and economic ties to the international order and (2) tight intra-dyadic security and economic ties have important, independent effects in limiting dyadic hostility. This suggests that the states within a dyad have two separate paths to more peaceful interactions - the first lies in tightening ties between states, the second in strengthening dyadic security and economic ties to the international order.



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Subsection 4. Various/Miscellaneous

Birgit Mangels-Voegt

Erneuerbare Energien - Erfolgsgaranten einer nachhaltigen Politik? Die Novelle des EEG im Zeichen der Nachhaltigkeit

in *Aus Politik und Zeitgeschichte*, Band 37, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Harrington Austin

Ernst Troeltsch's Concept of Europe

in *European Journal of Social Theory*, Volume 7, No. 4, November 2004 , 479-498

Recent writing in social theory has seen a renewed preoccupation with questions of religion, secularization and civilizational difference. This article reappraises the work of one early twentieth-century thinker in relation to these issues: the German historical theologian and close colleague of Max Weber, Ernst Troeltsch (1865-1923). The article concentrates particularly on Troeltsch's late writings on Europe and 'Europeanism'. The thesis is defended that Troeltsch offers an important gloss on Weber's famous assertion of the 'universal significance and validity' of occidental rationalism. Troeltsch offers a thicker, more concretized reading of Weber's statement that serves as a precursor to contemporary thinking about 'multiple modernities' and also as a fund of trenchant counter-responses to the claims of recent post-colonial critics about Eurocentrism in western social science. Troeltsch's writings give us one example among many of a current of cosmopolitan reflexivity in European social thought between the wars that avoided both nationalism and chauvinism, on the one hand, and nihilism and obscurantism, on the other.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Hübinger Gangolf

Ernst Troeltsch. Die Bedeutung der Kulturgeschichte für die Politik der modernen Gesellschaft

in *Geschichte und Gesellschaft*, Heft 2004/30,2 , 189-218

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Diana Marcela Rojas Riviera



Estados Unidos y Europa: Cronica de un divorcio anunciado

in *Analisis politico* , n. 51 , pag.81-85

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Bonazzi Tiziano

Europa, Zeus e Minosse, ovvero il labirinto dei rapporti euro-americani

in *Ricerche di Storia Politica*, numero 1, aprile 2004 , pp. 3-24

The article uses the Labyrinth and Minotaur metaphor to throw light on a long-standing muddle over the historical roles within the «European States system» (down to 1945 the author sees this as including the United States). An object of love-hate, though never acknowledged as an external, independent entity, America initially allowed Europe to define itself and its own civilizing mission in the world. After the American ex-colonies gained independence from their mother-countries, however, it was the U. S. population that began to define itself in opposition to the Old Continent. Europe versus America thus became a cornerstone of the American identity, a feeling which grew stronger during the first half of the Twentieth Century.

The aftermath of 1945, together with the Cold War, sealed U. S. autonomy from Europe, which now began to represent the past as opposed to the «American present». With the end of the Cold War and the rise of a United State-led «global western society», all the stereotypes of the Labyrinth - «Europe’s America», «America’s Europe» and «Europe as past» – disappeared.

Relation across the Atlantic should henceforth rest on realism rather than the stereotypes of the Labyrinth. Not alienage, therefore, but a fruitful development away from the Labyrinth of the past.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Krieger Heike

European and American Constitutionalism

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 52, 2004 , 245-254

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Idesbald Goddeeris

Exiles strategies for Lobbying in International Organisation: Eastern European Participation in the Nouvelles Equipes Internationales

in *European Review of History - Revue Européene d'Histoire*, v. 11, n. 3 autumn 2004 , 383-400

No abstract available



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Brill Heinz

Geopolitisches Denken in den internationalen Beziehungen

in *Zeitschrift für Politik*, Jahrgang 51, Heft 2, 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Peatling G. K.

Globalism, Hegemonism and British Power: J.A. Hobson and Alfred Zimmern Reconsidered

in *History*, Vol. 89, Issue 295, July 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tyler Colin

Hegel, war and the tragedy of imperialism

in *History of European Ideas*, Volume 30, Issue 4 - European Radicalism, 1789-1919 , pp. 403-431

This article contextualises Hegel's writings on international order, especially those concerning war and imperialism. The recurring theme is the tragic nature of the struggles for recognition which are instantiated by these phenomena. Section one examines Hegel's analysis of the Holy Roman Empire in the context of French incursions into German territories, as that analysis was developed in his early essay on 'The German Constitution' (1798–1802). The significance of his distinction between the political and civil spheres is explored, with particular attention being paid to its implications for Hegel's theory of nationalism. The second section examines Hegel's development of the latter theory in *The Phenomenology of Spirit* (1807), stressing the tragic interpenetration of 'culture' and intersubjective recognition. A recurring theme here is the influence of this theory on Hegel's interpretation of Napoleon's World-Historic mission, as that was revealed in his contemporaneous letters. Section three traces the tragic dynamic underlying the discussion of war between civilised states in *The Philosophy of Right* (1821). Section four examines three other types of imperial action in Hegel's mature writings, particularly *The Philosophy of History* (1832). These are relations between civilised states and culturally developed yet politically immature societies; colonial expansion motivated by capitalist under-consumption; and conflict between civilised states and barbarous peoples. It is concluded that it is misleading to claim that Hegel glorified conflict and war, and that he did not see domination by 'civilised states' as the 'final stage' of World History.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous



Ratzinger Joseph

I fondamenti spirituali dell'Europa

in *Nuova Storia Contemporanea*, Anno VIII, n. 4, luglio-agosto

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Macleod Alex, Masson Isabelle, Morin David

Identité nationale, sécurité et la théorie des relations internationales

in *Etudes Internationales*, 1, Mars 2004 , 7-24

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

James M. Boughton

New Light on Harry Dexter White

in *Journal of the History of Economic Thought*, Volume 26, Number 2 / June , 179-195

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pomian Krzysztof

Occident et Europe

in *Revue des deux mondes*, octobre/novembre 2004

Qu'est-ce que l'Occident ? Peut-être ne nous a-t-il jamais été plus nécessaire qu'aujourd'hui de pouvoir répondre à cette question. D'y répondre en rejetant la solution qui consisterait à se replier sur la différence entre l'idéal et le réel, entre l'Occident mythique des uns, l'Occident empirique des autres. Quant à la différence entre Occident et Europe, serait-elle secondaire et ne toucherait-elle pas à l'essentiel ? On se convaincra aisément du contraire en lisant les réponses que Krzysztof Pomian, directeur scientifique du futur " musée de l'Europe " à Bruxelles, tire de l'histoire des nations européennes et de la civilisation commune née de cette histoire. Ainsi est-ce dans les réflexions de cet éminent historien que nous trouvons les pièces à conviction en faveur de l'Europe - cet Occident défini par un principe d'identité - à partir de ce qu'elle fut, de ce qu'elle est, mais aussi de ce qu'elle peut devenir.

Eryck de Rubercy

Revue des Deux Mondes - Étudier les représentations de l'Occident ne nous conduit-il pas nécessairement à la question de l'Europe ?



Krzysztof Pomian - Oui, évidemment, car les deux sont dans une certaine mesure inséparables. Pour les Grecs qui introduisent le mot " Europe " en tant que nom d'une déesse et celui d'un continent, l'Europe est à l'ouest, à l'opposé de l'Asie à l'est. Certains spécialistes en étymologie prétendent d'ailleurs que l'équivalent grec du mot " Europe " a une origine sémitique et le lie au mot hébreu : soleil couchant, ténèbres. Toute la tradition médiévale situe l'Europe du côté de l'Occident. Plus près de nous, Europe et Occident sont parfois interchangeables ; ainsi dans les philosophies de l'histoire, dont nous reparlerons. Parfois leur rapport est celui de l'inclusion tantôt de l'Occident dans l'Europe tantôt de l'Europe dans l'Occident ; ainsi dans le langage politique, où l'Occident englobe l'Europe et les États-Unis. Je pense donc vraiment qu'on ne peut pas parler de l'un sans parler de l'autre. Il y a bien entendu des raisons historiques à cela. La première, c'est précisément le point de vue grec qu'on vient d'évoquer et qui est incorporé, pour ainsi dire, dans l'opposition même entre l'Europe et l'Asie. À cela se superpose, très efficace dans la longue durée, la division de l'Empire romain en provinces occidentales et en provinces orientales, majoritairement asiatiques. Mais la frontière entre les unes et les autres sépare en fait l'espace latin de l'espace grec ; elle traverse donc la partie européenne de l'Empire. La coupure entre l'Orient et l'Occident devient définitive suite à la translation de la capitale de l'Empire de Rome à Constantinople, ce qui, à terme, aboutira à la séparation de deux parties de l'Empire, dont les destins historiques seront différents. Ensuite, c'est selon la même frontière qu'une déchirure entre Rome et Constantinople va s'opérer sur le plan religieux, en donnant naissance aux deux chrétientés : latine et grecque, orientale et occidentale, catholique en attendant de devenir aussi protestante et orthodoxe. Déjà à la fin des années 720, quand Byzance était plongée dans la crise iconoclaste, le pape Grégoire II (715-731), en réponse au décret de l'empereur Léon III l'Isaurien (v. 675-741) contre le culte des images et à des mesures fiscales contraires aux intérêts de Rome, lui envoie une lettre véhémente où il se pose en porte-parole de l'Occident. Environ trente ans plus tard, *Constitutum Constantini*, un faux fabriqué à la cour papale, fait du pape un quasi-empereur de l'Occident. En 1054, la rupture entre les deux chrétientés est consommée. C'est dans ce contexte que les deux termes Occident et Europe se définissent, dès les XIVe-XVe siècles, l'un par rapport à l'autre. À l'époque moderne, à partir du XVIIIe siècle, pour les pays situés à l'est de l'Allemagne, l'Europe c'est centralement la Grande-Bretagne et la France, deux visages, économique et politique, de la modernité, en attendant que l'Allemagne prenne la relève dans les dernières décennies du XIXe. C'est donc de nouveau l'Occident. La distinction entre l'Occident et l'Orient est introduite parallèlement dans la géographie culturelle et politique de l'Europe, à partir d'un point de vue occidental, avec la division de celle-ci en Europe occidentale et Europe orientale, auxquelles on ajoute l'Europe centrale. Enfin, au cours de la guerre froide, et j'omets, faut-il le dire, beaucoup de choses au passage, la division Est-Ouest, bloc soviétique-Pacte atlantique est conceptuellement et idéologiquement très claire, tout en étant matérialisée sur le terrain. C'est dans ce cadre que s'est faite, au cours du dernier demi-siècle, l'intégration de l'Europe qui a commencé par l'Europe occidentale pour s'étendre vers l'est après la chute de l'URSS.

Europe à géométrie variable

Revue des Deux Mondes - Justement, ne pensez-vous pas que l'Europe et l'Occident se rejoignent d'abord par une certaine indétermination géographique ?

Krzysztof Pomian - Oui, si vous voulez dire par là que l'Europe n'est pas une entité spatialement fixe, mais que ses frontières ont varié au cours du temps tout autant que son contenu. Il y a donc un problème de territorialité de l'Europe, à telle enseigne d'ailleurs qu'il se pose aujourd'hui avec une grande force et acquiert même une actualité carrément politique avec l'ouverture des négociations sur l'entrée ou non de la Turquie dans l'Union européenne. En ce sens, les frontières de l'Europe ne sont pas définies, elles ne l'ont du reste jamais été, et personne n'est en mesure de dire, surtout à partir du moment où l'adhésion de la Turquie est envisageable, où s'arrêtera cette Europe identifiée à l'Union européenne, qui est d'un tout autre ordre qu'une pure fiction géographique. Sur le papier, il est permis, par exemple, de faire passer la frontière le long de l'Oural, par le Bosphore ou encore ailleurs. Sur le terrain, le tracé de cette frontière est



infiniment plus difficile à déterminer. L'Europe réelle, en tant que système religieux, culturel, politique, économique a eu dans son histoire des frontières extrêmement variables. Cette Europe englobait à un certain moment l'Amérique du Nord et l'Amérique du Sud quand elles abritaient des colonies européennes. Ce n'est plus le cas depuis qu'elles mènent leur propre vie. Mais cette Europe laissait dehors à une certaine époque le Sud-Est balkanique inclus depuis le XIV^e siècle dans l'Empire ottoman, et le Nord-Est, c'est-à-dire la Moscovie. C'est précisément l'entrée de ces espaces dans l'horizon mental des Européens et en ce sens dans l'Europe, à partir du XVIII^e siècle pour la Russie et du XIX^e pour les Balkans, qui a conduit à introduire la division en Europe occidentale et Europe orientale. Quant à la notion d'Occident, suite à l'indépendance des États-Unis suivis par les pays d'Amérique latine, elle a cessé d'être limitée à une partie de l'Europe pour s'étendre au-delà de l'Atlantique. En particulier, au cours de la guerre froide, l'Occident, c'était l'Europe et les États-Unis, plus des pays aussi étrangement occidentaux en apparence que le Japon et la Turquie. En apparence seulement, car si l'Occident est assimilé seulement à l'espace de la modernité institutionnelle et matérielle, alors le Japon et la Turquie y sont parfaitement entrés. Le premier à partir de 1868 quand il a entrepris de s'occidentaliser sans pour autant s'eupéaniser. Le second à partir de la révolution kémaliste qui visait, elle aussi, à occidentaliser la Turquie, voire carrément à l'eupéaniser en imposant en particulier la laïcité. Les deux notions Occident et Europe entretiennent donc des relations très complexes, mais ni l'une ni l'autre n'ont effectivement de références spatiales immuables et il n'y a jamais de correspondance univoque entre la définition purement spatiale et les contenus religieux, culturel et politique.

Revue des deux Mondes - Se définir comme européen ou comme occidental, ne serait-ce pas aussi affirmer son appartenance à une même culture ?

Krzysztof Pomian - Pendant assez longtemps, la culture européenne était identique à la culture occidentale, mais je ne suis pas sûr que cela soit encore le cas aujourd'hui. Certes, lorsqu'on se dit occidental, on se définit par une appartenance culturelle, aussi vague soit-elle. Mais on ne se définit pas de la même manière que lorsqu'on se dit européen. Il suffit par exemple de quitter l'Europe (ici, au sens purement géographique) pour s'apercevoir très vite de la différence entre, par exemple, la ville européenne et la ville états-unienne devenue le prototype de ville américaine. Une ville européenne possède un " centre " et non pas un downtown ; les deux mots ne dénotent pas le même type d'urbanisme. Quand vous êtes à Mexico, à New York ou à Montréal, vous êtes dans trois variantes de ville américaine. C'est évidemment tardif dans le cas de Mexico, qui au départ était une ville espagnole avec un centre qui existe toujours ; plus tard, la ville s'est développée selon le modèle américain, de sorte qu'indépendamment de son ancien centre, elle a aussi un downtown. Ce que je veux dire en prenant cet exemple, c'est qu'il suffit de quitter le continent européen pour s'apercevoir des différences qui existent réellement à l'intérieur de l'ensemble occidental. Car cet ensemble résulte d'un transfert de la modernité européenne sous d'autres cieux, parfois même d'une assimilation de cette modernité par une culture complètement différente avec, par conséquent des rapports avec l'espace, le temps, la nature, la technique et probablement bien d'autres choses encore, différents de ceux qui caractérisent l'Europe. Le cas du Japon illustre d'une façon particulièrement flagrante. Mais même là où au début on ne pensait que refaire une Europe hors d'Europe, une lente dérive, d'abord imperceptible, puis assumée comme telle, a éloigné les nouveaux mondes de leur modèle d'origine, si bien que de nos jours, les États-Unis, l'Australie, le Canada, les pays d'Amérique latine mènent leur propre vie culturelle et ne sont donc plus des Europes hors d'Europe, tout en faisant partie du même ensemble occidental. L'Occident est défini dans ce cas, non seulement par la modernité matérielle et institutionnelle, mais aussi en tant qu'une communauté de culture issue du christianisme et des Lumières, et il s'oppose de ce fait à des espaces culturels qui ont un tout autre passé : à celui de l'Islam ainsi qu'au Japon, à l'Inde et à la Chine - trois espaces où la modernisation, bien qu'indéniable sur le plan matériel et institutionnel, s'est effectuée autrement et dans un autre environnement culturel. Si l'éventualité de l'entrée de la Turquie dans l'Union européenne pose problème et éveille des passions, c'est précisément parce que la question reste ouverte dans ce cas des effets culturels de la modernisation : est-elle en train de faire de la Turquie un pays européen comme les autres ou est-elle plutôt en train de créer une synthèse originale de la modernité matérielle et institutionnelle avec une culture issue de l'Islam - synthèse tout aussi



différente à certains égards de celle qui est propre à l'Europe que celles qu'illustrent, chacun à sa guise, le Japon, l'Inde ou la Chine ?

Revue des deux Mondes - Dans ce contexte, la permanence d'une disposition d'esprit qui continue de s'organiser à partir de la distinction de l'Orient et de l'Occident vous paraît-elle encore de mise ?

Krzysztof Pomian - Non, je ne pense pas que l'opposition Orient-Occident ait beaucoup de sens. Mais je pense qu'entre la civilisation occidentale et d'autres civilisations, il existe des différences principielles. Je pense en outre que l'uniformisation du monde dont on parle tant et qui est un effet manifeste de la propagation de la technique moderne (y compris les médias, les finances et la gestion) s'accompagne nécessairement de nouvelles différenciations qui épousent souvent les lignes de fracture déjà présentes, en les investissant toutefois de significations qu'auparavant elles n'avaient pas. Cela résulte de l'action de quatre facteurs au moins. Le premier, c'est le substrat sur lequel agissent les tendances uniformisatrices et qui n'est rien d'autre que toute l'histoire passée inscrite dans le langage, visible dans les paysages, matérialisée sous forme d'objets, incorporée dans les gestes, les réflexes, les attitudes qui se transmettent en changeant imperceptiblement de génération en génération, sédimentée aussi dans les institutions, les rituels, les croyances, les savoirs et les savoir-faire. Le deuxième, c'est tout bonnement la position sur la surface du globe, qui est tout sauf homogène et qui produit de ce fait des besoins et des intérêts différents. L'ennemi le plus décidé du déterminisme géographique est obligé d'admettre que les conditions climatiques et géomorphologiques, l'hydrographie, les ressources ouvrent aux hommes, dans chaque portion de l'espace, telles possibilités et non pas telles autres, et que ce sont ces possibilités qu'ils sont obligés de mettre à profit. Le troisième facteur, c'est la diversité irréductible des individus humains, diversité à la fois génétique, culturelle et psychologique. Et enfin, nous avons affaire à une recherche délibérée des différences que chaque groupe humain poursuit pour affirmer son individualité en se distinguant de tous les autres. S'il en est ainsi, il y aura toujours une pluralité d'aires culturelles ou, si l'on veut, de civilisations avec tout ce que cela entraîne.

Le rôle des Lumières

Revue des Deux Mondes - Le christianisme médiéval n'a-t-il pas joué un rôle dans la genèse et en conséquence dans l'unification de l'Occident ?

Krzysztof Pomian - Le christianisme a unifié l'espace devenu à terme celui de l'Europe moderne ; il l'a unifié à la fois religieusement et culturellement, car cela allait alors de pair. Il l'a unifié, tout en y introduisant une coupure dont il a déjà été question : deux langues savantes, deux liturgies, deux Églises. Mais derrière ces différences non négligeables, on retrouve une organisation du temps humain, un aménagement de l'espace, une attitude face à la vie, au visible en général, à la transcendance structurellement similaire dans les deux cas. En ce sens, le christianisme a imposé au continent européen une culture fondée sur les mêmes principes. Cependant, les circonstances historiques ont fait que l'espace grec, orthodoxe, est resté pendant plusieurs siècles isolé de l'espace latin, dans le Sud-Est balkanique parce qu'il est tombé sous la domination ottomane, et dans le Nord-Est ukrainien et russe à cause des invasions mongoles. Aussi n'a-t-il vécu ni la Renaissance ni surtout la Réforme avec les guerres de Religion qui ont entraîné la sécularisation des relations internationales d'abord, puis, au temps des Lumières, aussi des relations internes aux États et des mentalités, du moins de celles des élites. C'est dans ce cadre que l'Europe s'est substituée à la chrétienté dans la partie occidentale du continent, sa partie latine. Dans l'espace orthodoxe, les Lumières sont arrivées tard et elles y sont restées assez superficielles ; leurs effets ne se sont fait sentir que dans la seconde moitié du XIXe siècle. Mais, je le souligne, ce furent là les effets des conjonctures historiques particulières. Reste donc que le christianisme a été derrière l'eupéanisation et derrière l'apparition de l'Occident suite à l'expansion européenne dans le Nouveau Monde. Il n'y aurait pas des États-Unis d'Amérique sans les Pilgrim Fathers qui se sont embarqués sur le Mayflower et sans tous les



migrants partis en Amérique avec des motivations strictement religieuses. La sécularisation elle-même a été rendue possible par le christianisme, à telle enseigne que la tournure qu'elle avait prise dans différents pays dépendait fortement de la variante de celui-ci qui y était professée par les détenteurs des pouvoirs. Cela dit, il faut ajouter que du fait que le christianisme a incontestablement fourni leur assise à l'Europe et à l'Occident, il ne résulte nullement que l'Occident ou que l'Europe d'aujourd'hui soient chrétiens. C'est sur ce point que, selon moi, Jean-Paul II a tort, parce qu'en l'affirmant, il efface le rôle tout à fait fondamental qu'ont joué, dans l'histoire de l'Europe et de l'Occident, les Lumières en tant que mouvement de modernisation et de sécularisation, et plus précisément de dissociation de la religion et de la politique, de la religion et de l'économie, de la religion et de la culture, de la religion et des mœurs, ce qui a abouti à l'émancipation de tous ces domaines de la vie en commun, de la tutelle religieuse, au cours de luttes parfois difficiles. Un type de croyance collective a été ainsi remplacé par un autre car la religion a laissé place à l'idéologie, dont à son tour il a fallu s'émanciper, ce qui n'est pas encore terminé, si tant est que cela soit vraiment commencé. Quel type de croyance collective s'établira sur les ruines de l'idéologie ? Il est probablement trop tôt pour en discerner les contours.

Revue des Deux Mondes - L'orientation d'étude de l'Occident n'est-elle pas néanmoins nécessairement dépendante de cette équivocité du " soleil couchant " et des images de déclin qu'elle véhicule ?

Krzysztof Pomian - Absolument pas. L'image du soleil couchant peut d'ailleurs se lire dans les deux sens, en mettant à profit une interprétation extrêmement ingénieuse de la phrase de Hegel qui dit que " l'oiseau de Minerve s'envole à la tombée de la nuit ". Cette phrase, on l'interprète en général au sens où l'oiseau de Minerve, c'est-à-dire la Sagesse, arrive après coup. Mais un de mes maîtres l'interprétait d'une toute autre manière et, à mon avis, il lisait Hegel beaucoup mieux qu'on ne le lit d'ordinaire. Il disait en effet que " si l'oiseau de Minerve s'envole à la tombée de la nuit, c'est parce qu'il voit poindre l'aube ". L'oiseau de Minerve arrive donc non seulement après coup, mais aussi avant coup. Autrement dit, il ne se contente pas de savoir ce qui s'est déjà passé ; il anticipe ce qui surviendra. Arrivé après la journée qui vient de s'écouler, il ouvre celle qui se lève. L'idée d'Occident peut dire très exactement la même chose. Reportons-nous, encore une fois, à Hegel. Dans la dynamique historique, telle qu'il la voit à l'œuvre dans l'histoire universelle, la marche vers l'ouest est une montée vers le sommet, plus encore - vers l'apogée de l'histoire. Ce n'est d'ailleurs même pas l'invention de Hegel ; le vrai auteur en est Voltaire qui, dans l'Essai sur les mœurs, fait avancer l'histoire d'est vers l'ouest et qui dit des peuples d'Orient : " Ils nous ont devancés, mais nous les avons dépassés. " L'idée d'Occident peut donc tout aussi bien s'inscrire dans une vision de progrès que dans celle de la régression, de sorte que l'exploitation d'Abend-land par Oswald Spengler et par toute une pensée du déclin, très vivace dans les premières décennies du XXe siècle, n'en est qu'une des utilisations possibles.

Revue des Deux Mondes - L'Occident, plutôt que de désigner un lieu du monde, désignerait-il davantage un lieu historial - celui de l'Antiquité grecque ou de la civilisation hellénique - comme premier moment historique, à partir duquel se serait institué l'acte de la pensée comme geste spécifique de la puissance occidentale ?

Krzysztof Pomian - Mais les Grecs ne se considéraient pas, que je sache, comme des Occidentaux. Cependant je suis tout à fait d'accord avec vous pour redire que ce n'est pas en des termes géographiques que se pose la question de l'Occident. Les tentatives de donner à la notion d'Occident une signification géographique ne peuvent en effet conduire qu'à des résultats aberrants. Cette notion appartient d'abord au langage théologico-politique ; il en était ainsi par exemple, lorsque la papauté romaine s'opposait en tant qu'occidentale au patriarcat de Constantinople en tant qu'oriental, en utilisant explicitement ces termes. Dans la période moderne, c'est-à-dire depuis le XVIIIe siècle, la notion d'Occident relève en priorité de la philosophie de l'histoire. C'est Voltaire qui, dans l'Essai sur les mœurs, introduit à la fois l'idée déjà évoquée de l'histoire qui progresse d'est en ouest et l'expression " philosophie de l'histoire " appelée à une belle carrière. Une philosophie de l'histoire camouflée sous diverses formes devint ensuite une composante essentielle de toutes les idéologies du XIXe et du XXe siècle qu'elles aient été de droite ou de gauche. Et des auteurs



comme Spengler ou Toynbee ou bien aujourd'hui quelqu'un comme Huntington qui, lui, prétend représenter la science politique, ne font que de la philosophie de l'histoire. Cela ne signifie d'ailleurs pas, en ce qui concerne Huntington, qu'il n'y ait pas beaucoup de choses fort raisonnables dans ce qu'il dit. Reste que chaque fois qu'on commence à parler de l'Occident, on est plus généralement dans ce que j'appelle la chronosophie et dont relèvent toutes les tentatives de donner du sens au temps, qu'elles soient théologiques, philosophiques ou scientifiques (avec ou sans guillemets). Que ce sens soit une régression, un déclin, une décadence ou, au contraire, un progrès, une avancée, un perfectionnement n'y change rien car dans les deux cas de figure, on est sur un même terrain, en train seulement d'y adopter des positions opposées. Mais, pour en revenir encore une fois au terme d'Occident, s'il a été très directement attaché au thème du déclin chez un auteur comme Spengler, il l'a été également, à partir des Trente Glorieuses, à l'idée du progrès, à savoir d'un progrès de l'Occident, et en premier lieu des États-Unis, contrasté avec le pseudo-progrès, voire la stagnation du régime communiste. Encore une controverse qui reste sur le terrain de la chronosophie et plus particulièrement sur celui de l'idéologie et de la philosophie de l'histoire, sur le terrain d'une pensée qui cherche en quelque sorte à imaginer le futur et à justifier une certaine idée de l'avenir possible ou souhaitable, en prenant des formes extrêmement différentes.

Revue des Deux Mondes - Mais alors, quelle est finalement la pertinence de parler aujourd'hui de l'Occident ?

Krzysztof Pomian - C'est une bonne question à laquelle je répondrai ceci : s'il y a une pertinence à parler encore de l'Occident, c'est surtout pour s'opposer à des tentatives d'effacer à peu près toutes les différences entre les civilisations et de les remplacer par la vision d'une humanité uniforme dont les divisions ne peuvent être que mauvaises. Or, je pense que nous avons affaire à des civilisations à nombre d'égards dissemblables et que, dans cette pluralité, il existe une civilisation occidentale, elle-même diversifiée et au sein de laquelle des tendances divergentes sont sans doute à l'œuvre, qui aboutiront peut-être, certes pas dans un avenir très proche, à des différences si fortes entre ses différentes composantes qu'elles donneront, chacune, naissance à une civilisation distincte. À présent toutefois, quelles que soient les divergences entre l'Europe et les États-Unis, le Canada, l'Amérique du Sud, l'Australie, les composantes de l'ensemble occidental restent encore très proches les unes des autres, surtout dès qu'on les compare à des énormes ensembles chinois ou indien. Je vais même plus loin car je pense qu'au-dessus du niveau national d'intégration des sociétés humaines, un nouveau type d'intégration, qui englobe des masses beaucoup plus grandes que les nations, est en train aujourd'hui de se mettre en place ; son importance ne fera que croître. Le passage des petites communautés à des nations, c'était le passage des entités de l'ordre de quelques milliers ou dizaines de milliers de personnes à des entités de l'ordre de quelques dizaines, plus rarement centaines de millions de personnes. Nous assistons actuellement au passage à des entités de l'ordre de plusieurs centaines de millions, voire de plus d'un milliard de personnes. La Chine, c'est un milliard trois cent millions de personnes, l'Inde, c'est pratiquement autant, l'Union européenne à elle seule, c'est quatre cent cinquante millions et l'ensemble occidental dépasse un milliard, de même que l'ensemble islamique. Le monde est ainsi divisé en plusieurs civilisations avec des populations qui n'entrent dans aucune et qui resteront probablement dans les interstices. Il se peut qu'un jour, très lointain, émergera un niveau d'intégration supérieur à celui que représente une civilisation, et qui se superposera à ce dernier comme il s'est superposé aux nations qui se sont superposées à des communautés plus petites. On en voit dès aujourd'hui certains germes. Mais je constate avec effroi qu'en disant tout cela, je me mets moi-même à faire à mon tour de la philosophie de l'histoire.

Revue des Deux Mondes - La rationalité occidentale en fin de compte, ce n'est pas encore la fin de l'Histoire ?

Krzysztof Pomian - Certainement non ! Et d'abord, malgré toute la sympathie que j'ai pour Hegel, je ne crois pas à la fin de l'Histoire. Sur ce point, il s'est, à mon avis, totalement trompé, et, n'en déplaise à des épigones, tel monsieur Fukuyama, épigone de Kojève, lui-même épigone de Hegel, sur la fin de l'Histoire on ne peut dire qu'une chose avec certitude : nous n'y sommes pas et ne risquons pas de nous y trouver de sitôt. D'ailleurs, même si l'on s'en tient à des critères qui nous ont été proposés, ni la démocratie ni l'économie de marché n'ont encore gagné à l'échelle mondiale et il n'est dit nulle part que leur victoire soit assurée. Je ne crois pas à ce genre de prédiction, car plus que jamais, nous



sommes dans une situation où l'avenir reste indéterminé. À ce propos, je viens de commencer la lecture de la Fracture des Nations de Robert Cooper, qui est le conseiller de Javier Solana, après avoir été celui de Tony Blair. Le livre s'ouvre par ces phrases : " L'histoire européenne connut ses moments les plus noirs au XIVE siècle, pendant et après la guerre de Cent Ans, puis au XVIIe avec la guerre de Trente Ans et, enfin, dans la première moitié du XXe. Le XXIe siècle pourrait cependant s'avérer pire encore. " Alors pour la fin de l'Histoire, armons-nous de patience !

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

DE LOMBAERDE P.

Optimum Currency Area Theory, Inter-Industry Labour Mobility, and Industrial Development Paths
in *Economia internazionale*, Volume LVII, No. 4- November 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

De Benoist Alain

Parigi - Berlino - Mosca. L'asse che fa tremare Washington
in *Diorama*, n. 266, luglio-agosto , 1-9

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Chartier Gary

People or person? Revising Rawls on global justice
in *Boston College International and Comparative Law Review*, Vol. 27 n. 1 , 1-98

John Rawls's *The Law of Peoples* offers an account of international justice grounded in a hypothetical contract between "peoples." I argue that a model of transnational justice rooted in a hypothetical agreement among deliberators representing individual persons—like the one that provides the basis for Rawls's account of domestic justice—would be preferable. In Part I, I focus on Rawls's idea of a "people" before critiquing his almost non-existent argument for beginning with peoples rather than persons. In Part II, I examine the nature of the human rights protections that follow from Rawls's starting point and the appropriate responses of liberal societies to violations of these protections. In Part III, I explore and criticize Rawls's perspectives on international economic aid and the rules of warfare.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Scurr Ruth

Pierre-Louis Roederer and the Debate on Forms of Government in Revolutionary France
in *Political Studies*, Volume 52, Issue 2, June , pp. 251-268



The French Revolution raised the problem of how to construct a modern republic under conditions of acute political conflict. The debate over the forms of government was at its most intense before the outbreak of the Terror in 1793, when there seemed to be no alternative to instituting a republic, but there was serious disagreement over what this entailed. The problem was considered in terms of the political thought of Hobbes, Locke, Bayle, Voltaire, Helvetius, Montesquieu, Rousseau and Sieyès. The urgent political and constitutional need to reconcile accountable with effective government was central to the use made of both inherited and new ideas about the republican form of government. This parallels Madison's concern to reconcile accountable with effective government during the constitutional debates of the American Revolution.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Augusto Catoggio

Politica de seguridad en America Latina. Los derechos Humanos no son negociables

in *Relaciones internacionales* : revista publ. por el Instituto de Relaciones Internacionales , VOL.13, Nr. 26 , pag. 35-56

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Jullien François

Pour un nouveau rôle théorique de l'Europe

in *Revue des deux mondes*, octobre/novembre 2004

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Keith K.J.

Sovereignty At The Beginning Of The 21st Century: Fundamental Or Outmoded?

in *Cambridge Law Journal (The)*, Volume 63 - Issue 03 - Nov , 581-604

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Myriam Felperin; Carlos Vasallo

Teoría Y alquimias de la nueva política

in *Geosur* : publicacion mensual , Vol. 26 n. 295-296 , pag.14-21



No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Müller Harald

The Antinomy of Democratic Peace

in International Politics , Vol. 41, n. 4, December , 494-520

Research on the 'democratic peace' has neglected the fact that democracies fight wars that no one else would, particularly to preserve international law and to prevent human disasters and large-scale violations of human rights. What is more, data on average probabilities of democratic war involvement have obscured that there have been vast differences in democracies' use of military force. This article demonstrates that the causal mechanisms of established approaches to the democratic peace do not preclude democracies' involvement in war. Most importantly, the ambivalence of the Kantian tradition allows for two competing logics of appropriateness that can be used to construct two ideal types: whereas, militant democracies conceive of their entire relation to non-democracies as antagonistic, and frequently fight wars to de-throne dictators, pacifist democracies believe in a modus vivendi with autocracies and try to assist their transformation into democracies.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Breda Vito

The Incoherence of the Patriotic State: A Critique of Constitutional Patriotism

in Res Publica, Volume 10, Number 3, September , pp. 247-265

Habermas proposes a new solution to the problematic relation between republican values and democracy. He asserts that a new model of social cohesion is needed and he suggests that the sense of community in a democratic society should be founded exclusively on the acceptance and support of a system of constitutionally established rules which are the logical result of the historical evolution of constitution-making. He argues that an account of the constitutional process which led to the formation of the modern republican state should provide the criteria for a rational set of norms which will exclude nationalism from the political arena. In this article, I point out the democratic hazards and the internal incoherence of Habermas's alternative to the national state and I argue that a theoretical substitute should consider the existence of national identities as one of the aspects of modern pluralistic society.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Dembinska Matthias, Hasenclevera Andreas, Wagnera Wolfgang

Towards an Executive Peace? The Ambivalent Effects of Inter-Democratic Institutions on Democracy, Peace, and War

in International Politics , Vol. 41, n. 4, December , 543-564



This essay joins the discussion on the liberal peace by exploring the effects of inter-democratic institutions on democracy and peace. We begin by arguing that the international organization of cooperation among democracies makes a distinctive contribution to the absence of war between democracies. At the same time, democracies are particularly vulnerable to detrimental effects of inter-democratic cooperation. Most importantly, the integration of military forces may diminish democratic control of the executive's decision on the use of military force. However, the 'democratic peace' may transform into an 'executive peace' because the integration of military forces not only loosens institutional constraints at the national level but at the same time creates new ones at the international one. Taken together, inter-democratic institutions exert rather ambivalent effects on democracy and peace. Instead of subscribing to enlightenment's optimism that the spread of democracy and international organization amount to a virtuous circle, we plead for an appreciation and further exploration of inherent tensions between democracy, international institutions and peace.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Krieger Martin

Transnationalität in vornationaler Zeit? Ein Plädoyer für eine erweiterte Gesellschaftsgeschichte der Frühen Neuzeit

in **Geschichte und Gesellschaft**, Heft 2004/30,1 , 125-136

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Patel Kiran Klaus

Überlegungen zu einer transnationalen Geschichte

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