



Bulletin n. 3/2007 - December 2007

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Costituzionalizzare una democrazia composita. Quali insegnamenti dall'esperienza europea e statunitense?
in *Quaderni di Scienza Politica*, n. 2, anno XIV, agosto , 195-225

No abstract available

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

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Decker F.

Democracia directa en el partidista Estado Federal Alemán
in *Teoria y realidad constitucional*, n. 19 , 283 - 294

No abstract available

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

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Bakke Kristin, Wibbels Erik

Diversity, disparity, and civil conflict in federal states
in *World Politics*, n. 1, vol. 59, october , 1-50

ABSTRACT: Policymakers and scholars have turned their attention to federalism as a means for managing conflicts between central governments and subnational interests. But both the theoretical literature and the empirical track record of federations make for opposing conclusions concerning federalism's ability to prevent civil conflict. This article argues that the existing literature falls short on two accounts: first, it lacks a systematic comparison of peaceful and conflict-ridden cases across federal states, and second, while some studies acknowledge that there is no one-size-fits-all federal solutions, the conditional ingredients of peace-preserving federalism have not been theorized. The authors make the argument that the peace-preserving effect of specific federal traits-fiscal decentralization, fiscal transfers, and political copartisanship-are conditional on a society's income level and ethnic composition. The argument is tested across twenty-two federal states from 1978 to 2000.

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D'Andrea Antonio

Federalismi, regionalismi, autonomie
in *Federalismi*, Anno V - N. 21



No abstract available

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

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Taylor B. D.

**Force and Federalism: Controlling Coercion in Federal Hybrid Regimes
in Comparative Politics**, Vol. 39 n. 4

Studies of federalism ascribe a central role to coercion in the birth and death of federations. In contrast, the role of force almost completely disappears when the focus shifts to the management of federations. However, in conditions faced by many federal hybrid regimes, the institutions said to manage federal relations' political parties, constitutions, and judiciaries' often are too weak to fulfill this role successfully. Thus, control coercion may play an important role in resolving center-subunit disputes. Securing control over coercive power has been a prominent feature of federal relations in post-Soviet Russia. Despite the weakness of coercion as a mechanism of regulating the federal bargain, certain modes of organizing force may assist federal stabilization, at least until parties and courts develop a stronger capacity to play this role.

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Ehlert Niels, Henll Anika, Kaiser André

Föderalismus, Dezentralisierung und Performanz. Eine makroquantitative Analyse der Leistungsfähigkeit territorialer Politikorganisation in entwickelten Demokratien

in *Politische Vierteljahresschrift*, Heft 2, 48. Jahrgang, Juni , 243-268

ABSTRACT: „Does federalism matter?“ Wir leiten zunächst ein theoretisches Erklärungsmodell der Zusammenhänge zwischen Föderalismus, Dezentralisierung und Performanz aus der föderalismustheoretischen und der finanzwissenschaftlichen Literatur her und überprüfen dieses sodann mittels einer statistischen Analyse für die OECD-Staaten. Es zeigt sich, dass Föderalismus und Dezentralisierung nicht nur theoretisch, sondern auch empirisch als zwei unterschiedliche Dimensionen mit eigenem Erklärungspotenzial für die Ergebnisse von Staatshandeln aufgefasst werden müssen. Die theoretisch erwarteten positiven Effekte von Dezentralisierung und die tendenziell negativen Auswirkungen von Föderalismus werden im Wesentlichen bestätigt.

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Verdussen M.

Il federalimo asimmetrico in Belgio

in *Diritto pubblico comparato ed europeo*, n. 3 , 1172 - 1181

No abstract available



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Benz Arthur

Inter-Regional Competition in Co-operative Federalism: New Modes of Multi-level Governance in Germany
in *Regional and Federal Studies*, Volume 17, Issue 4 , 421 - 436

In its territorial dimension, the reconfiguration of the state is mainly revealed in the development of multi-level governance. Generally speaking, we observe a shift from hierarchical and co-operative modes towards competitive modes. As a consequence, regions are increasingly challenged by competition. Beyond the driving forces of the market, which are often overestimated, central governments use policy competition to influence and control regional policy making. Based on an analytical distinction between these types of competition, the article explains how this new mode of multi-level governance works. Empirical evidence is provided for Germany where inter-regional policy competition organized by the federal government is implemented in a co-operative federalism. This case allows us to explain practical problems and constraints of competitive governance.

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Pieret J.

La Belgique fédérale est-elle un Etat souverain?

in *Revue belge de Droit constitutionnel*, n. 1 , 3 - 18

No abstract available

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Young E. A.

The Constitution Outside the Constitution

in *Yale Law Journal (The)*, Vol. 117 n. 3 , 408 - 473

Countries lacking a single canonical text define the “constitution” to include all laws that perform the constitutive functions of creating governmental institutions and conferring rights on individuals. The British Constitution, for example, includes a variety of constitutive statutes, such as the Magna Carta and the Parliament Acts. This Article proposes a thought experiment: what if we defined the U.S. Constitution by function, rather than by form? Viewed from this perspective, “the Constitution” would include not only the canonical document but also a variety of statutes, executive materials, and practices that structure our government. What these constitutive materials lack is a third characteristic shared by some (but not all) constitutions: formal entrenchment against legal change. Decoupling the entrenching function from the constitutive functions offer a relatively simple answer to one of the most important problems in constitutional theory: how do we explain the evident fact that the structure of our government and the rights of the people have changed pervasively since the Founding, in ways that are simply not reflected in Article V amendments to the canonical text? The answer is that the constitutional order can change in this way because most of it was never entrenched in the canonical text to begin with. Most of the salient changes—the growth of the administrative state, the



proliferation of individual entitlements—are changes to our “constitution outside the constitution” that are neither mandated nor forbidden by the canonical document. This functional account of constitutionalism also has implications for constitutional doctrine and scholarship. It tends to undermine doctrinal prescriptions grounded in a sharp dichotomy between constitutional and statutory claims, and it suggests that basic constitutional values—such as federalism or concern for individual rights—are relevant to statutory construction. Finally, the functional account suggests a broader set of concerns for constitutional law teaching and scholarship.

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Caminal Badia M.

Una lectura republicana i federal de l'autodeterminació

in Revista d'Estudis Autònoms i Federals, n. 5 , 11- 38

The prospect of offering a positive solution to the right to self-determination and to regulate it constitutionally is an inevitable step in the convergence between the liberal democratic tradition and republican patriotism. As societies become increasingly democratic, and become more advanced in terms of material equality, the more national diversity is recognised and the closer we come to a republican and federal culture, given that we are allowing real nations to speak without internal or external discrimination or domination. A republican and federal interpretation of self-determination is necessary to succeed in reversing the treatment of national conflicts within liberal democracies.

The time for unilateral decisions based on sovereignty is over, insofar as democratic constitutions include and regulate the multi-nation state and the federal principle, such as recognition and the means to agreement between nations based on equality, respectively.

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D'Orlando E.

la parabola del federalismo "senza qualità": il modello federale austriaco dall'originaria concezione kelseniana alle recenti tendenze riformatrici

in Diritto pubblico comparato ed europeo, n. 2 , 583 - 608



No abstract available

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Ruggeri A.

la tutela "multilivello dei diritti fondamentali, tra esperienze di normazione e teorie costituzionali in *Politica del diritto*, n. 3 , 317 - 346

No abstract available

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

Subsection 2. Constitutional reform

Novkov Julie

Bringing the States Back In: Understanding Legal Subordination and Identity through Political Development in *Polity*, Volume 40, Issue 1, January , 24-48

A wealth of scholarship has addressed the connections among legal categorization and regulation, subordinated identity, and the process of political development in the United States. Focusing primarily upon the U.S. Supreme Court, this scholarship has enhanced our understandings of both the legal generation of group identity and constitutional/political development. Nonetheless, it misses a significant aspect of development due to its national location. Although citizenship since the Civil War has been seen as a national phenomenon, many of the specifics of ascriptive conceptions of citizenship have been worked out on the subnational level. Thus, the states must be studied to understand the context for citizenship and identity, especially when subordinated group identities are placed in the center in research. Using states' legal and constitutional struggles over race, intimate associations, and family relationships as an example of a developmental process occurring in significant part on the state level, this article argues for incorporating analysis of states more directly in studying constitutional and political development. As the example suggests, focus on processes of subordination occurring on the state level generates important questions for scholars interested in understanding development, citizenship, and constitutional change through broader lenses.

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Subsection 2. Constitutional reform

Woelk Jens

Eppur si muove: la riforma del sistema federale tedesco in *Istituzioni del federalismo*, n. 2 , 193 - 216

No abstract available

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

Subsection 2. Constitutional reform

Schefold D.

Federalismo, regionalismo e la riforma del federalismo tedesco



in *Diritto pubblico comparato ed europeo*, n. 1 , 82-97

No abstract available

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parodi G.

Integrazione eura e rapporti tra Federazione e Lander

in *Diritto pubblico comparato ed europeo*, n. 1 , 135 - 145

No abstract available

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

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D'orlando E., Zwilling C.

L'arbitro dell'unitarietà e della differenziazione: il sindacato di costituzionalità sulla Erforderlichkeitsklausel alla luce del novellato art. 93 GG

in *Diritto pubblico comparato ed europeo*, n. 1 , 120 - 134

No abstract available

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

Subsection 2. Constitutional reform

Losco V.

La riforma dei compiti comuni e degli strumenti di finanza mista

in *Diritto pubblico comparato ed europeo*, n. 1 , 146 - 156

No abstract available

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

Subsection 3. The division (and the conflicts) of powers and competences

Scavo Carmine, Kearney Richard C., Kilroy Jr Richard J.

Challenges to Federalism: Homeland Security and Disaster Response

in *Publius: The Journal of Federalism*, Volume 38, Number 1, Winter , 81-110

This article examines the state of federalism in the Bush Administration from the perspective of the policy area of homeland security and disaster response. The article uses the International City and County Management Association homeland security survey completed in the spring and summer of 2005 as a source of data. The article argues that while it is tempting to look for one single agency to control homeland security and disaster response, a networked model is better supported by the survey data and by recent experience in terrorist and natural disaster response.



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Stonecash Jeffrey M., Boscarino Jessica E., Kersh Rogan T.

Congressional Intrusion to Specify State Voting Dates for National Offices

in *Publius: The Journal of Federalism*, Volume 38, Number 1, Winter , 137-151

Through the nation's first century, states used their concurrent constitutional right to schedule presidential and House elections at widely varying times. Senators were also elected within the states at diverse times. This study examines the gradual establishment of uniform election dates and offers an explanation of why Congress felt it appropriate to override state autonomy to eventually establish uniformity of state practices.

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Fischer A., Gees Th

Die Auswirkungen der Internationalisierung und Europäisierung auf Schweizer Entscheidungsprozesse. Institutionen, Kräfteverhältnisse und Akteursstrategien in Bewegung

in *Schweizerische Zeitschrift für Geschichte*, Band 57, Heft 4

No abstract available

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

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Palermo F.

Il nuovo riparto delle competenze legislative nell'ordinamento federale tedesco, tra retorica ed effettività

in *Diritto pubblico comparato ed europeo*, n. 1 , 98 - 112

No abstract available

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Spadacini Lorenzo

Integrazione europea e ordinamenti regionali: la debolezza dei Consigli

in *Istituzioni del federalismo*, n. 3/4 , 353 - 431

No abstract available

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Michelot Vincent



La Cour suprême des États-Unis durant la présidence de George W. Bush. Un nouvel équilibre des pouvoirs ?
in *Vingtième Siècle*, n. 97 , 117-129

À onze mois de la fin du mandat de George W. Bush, la Cour suprême des États-Unis, qui s'était retirée du devant de la scène politique américaine après *Bush v. Gore* en 2000 est revenue « dans l'œil du cyclone ». Transformée dans sa composition après deux nominations en 2005 et 2006 qui faisaient suite à une période de onze ans sans changement de personnel, confrontée à une expansion sans précédent du pouvoir exécutif, partagée sur l'idéologie mais aussi sur le respect du précédent, décidant un nombre d'affaires toujours plus faible, la Cour suprême est aujourd'hui un tribunal qui peine à trouver son identité institutionnelle et son point d'équilibre politique entre une présidence impériale et un Congrès dysfonctionnel. En résulte une déférence autoprotectrice vis-à-vis de l'exécutif, une définition floue du cadre démocratique dans laquelle la Cour se refuse à poser clairement une hiérarchie des droits ou à leur donner forme, mais aussi un virage conservateur assumé sur les questions culturelles dans lequel la révélation des droits se substitue à la pédagogie démocratique.

Eleven months from the end of George W. Bush's second term, the US Supreme Court, which had stepped out of the public eye after its 2000 decision in *Bush v. Gore*, is back "in the eye of the storm". Two transformative appointments in 2005 and 2006 ended eleven years of personnel stability. The Court is now confronted with an unprecedented expansion of the executive branch power, it is divided on ideological grounds but also on the principle of *stare decisis* and it decides an ever lower number of cases per year. In other words this is a Court in search of its institutional identity and of its role in the system of checks and balances, caught as it is between an imperial presidency and a dysfunctional Congress. The result is a self-protective deference towards the executive, a lax definition of the democratic framework in which the Court refuses to offer preferred freedoms or to give form and content to rights, but also a determined conservative shift on cultural questions with a revelation rather than a pedagogy of rights.

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Panara Carlo

La delimitazione delle sfere di competenza del Bund e dei Länder nella giurisprudenza del BVerfG tra "dogmi" superati ed assenza di una "teoria generale"

in *Diritto pubblico comparato ed europeo*, n. 3

No abstract available

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Villaverde Menéndez Angel Ignacio

La función de los derechos fundamentales en el marco del Estado de las Autonomías

in *Revista d'Estudis Autonomics i Federals*, n. 5 , 203-240

In this paper, the author analyses the position of Spanish constitutional rights in the Spanish autonomous State territorial structure by means of art.

149.1.1 of the Spanish Constitution. An analysis of the decisions of the Spanish Constitutional Court regarding state power concerning the basic conditions which safeguard equality in the exercising of constitutional rights throughout the



State leads the author to assert that Spanish constitutional rights are not a matter of territorial power. They regulate the basic position of the citizen within the State. Their constitutional definition is the same in every area within the State, despite the power that the Autonomous Governments have to regulate the practice of constitutional rights (equality in diversity); and the central State is empowered to establish the processes and institutions to guarantee the identity of constitutional rights in the State as a whole (unity in equality).

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Pickerill J. Mitchell, Chen Paul

Medical Marijuana Policy and the Virtues of Federalism

in **Publius: The Journal of Federalism**, Volume 38, Number 1, Winter , 22-55

We analyze the policy issue of medical marijuana to illustrate how key virtues of federalism can be used to make a threshold determination as to whether a particular public policy should be subject to federal regulation or reserved for states. When the substantive merits of the policy issue are currently debated and unresolved, and that issue area has traditionally been regulated by states, we employ a three-prong test for determining as a threshold matter whether the federal government should assert preemptive jurisdiction over the policy. That test has its roots in well-established theories of federalism that comprise what we refer to as the "classic virtues of federalism." Based on our analysis, medical marijuana is a policy that should be left to the states.

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Odone Cecilia

Regioni e diritto comunitario: il quadro delle norme di procedura e l'attuazione regionale delle direttive CE

in **Istituzioni del federalismo**, n. 3/4 , 327 -352

No abstract available

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Derthick Martha

Where Federalism Didn't Fail

in **Public Administration Review**, December 2007 - Vol. 67 Issue s1 , 36-47

The governmental response to Hurricane Katrina was not the unalloyed failure that is often portrayed. The response was a mixture of success and failure. Successes occurred when a foundation had been laid for intergovernmental cooperation, as with the largely successful pre-landfall evacuation of Greater New Orleans, the multistate mobilization of the National Guard, and the search and rescue operations of the U.S. Coast Guard and the Louisiana Department of Wildlife and Fisheries. Postmortems should draw lessons from such successes rather than concentrate entirely on the numerous failures.



It is now clear that a challenge on this scale requires greater federal authority and a broader role for the armed forces—the institution of our government most capable of massive logistical operations on a moment's notice.

—President George W. Bush, September 15, 2005

I can say with certainty that federalizing emergency response to catastrophic events would be a disaster as bad as Hurricane Katrina. The current system works when everyone understands, accepts, and is willing to fulfill their responsibilities.... the bottom-up approach yields the best results.

—Florida governor Jeb Bush, October 19, 2005

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Balducci David E., Wandner Stephen A.

Work Sharing Policy: Power Sharing and Stalemate in American Federalism

in **Publius: The Journal of Federalism**, Volume 38, Number 1, Winter , 111-136

Work sharing benefits are partial unemployment benefits, and federal policy related to them is in an administrative muddle. A lack of leadership by the federal government has stalled state implementation. During economic downturns when political voltage is high, policy makers look to work sharing as one way to manage job loss. Conversely, work sharing is often forgotten during prosperous times. This article describes how federalism sometimes facilitates state initiation of work sharing policy and at other times impedes it. The authors discuss work sharing through six policy phases during a thirty-year era of devolving federal authority to states for employment services and job training, and they make observations about the stalemate in federal policy.

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Subsection 4. The legislative branch

Scarciglia R.

Federalismus novelle, limitazione del potere di veto e nuovo ruolo del Bundesrat

in **Diritto pubblico comparato ed europeo**, n. 1 , 113-119

No abstract available

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

Subsection 4. The legislative branch

Doria Giancarlo

In cerca di una normalizzazione. Il Senato canadese alla luce dei modelli comparati del bicameralismo

in **Federalismi**, Anno V - N. 23



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Subsection 4. The legislative branch

Tauxe Lionel

La concrétisation législative des initiatives populaires fédérales acceptées en votation: un processus aux outputs très incertains

in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 13, Number 3, Autumn 2007 , 433-458

Abstract:

L'étude des processus de concrétisation législative des rares initiatives populaires fédérales adoptées en votation a été négligée par la recherche politologique. Dans une démarche exploratoire, en abordant l'initiative "pour l'internement à vie" et en recourant à des études de cas traitant des initiatives "des Alpes" et "de Rothenthurm", le contenu de ces dispositions constitutionnelles est comparé avec leurs outputs législatifs d'exécution. Les résultats mettent en lumière l'issue difficilement prévisible de ces processus: les lois d'application ne correspondent pas toujours aux souhaits des initiants tels qu'inscrits dans la Constitution. Paradoxalement, alors que la majorité des Chambres fédérales est généralement opposée aux initiatives populaires, c'est précisément au parlement que revient la charge de concrétiser celles qui sont acceptées par le peuple et les cantons.

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Martino Pamela

Le seconde Camere africana tra stabilità politica e consolidamento democratico

in *Diritto pubblico comparato ed europeo*, n. 3 , 1201-1230

No abstract available

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

Subsection 5. The executive branch

Wells Samuel F.

Une présidence de temps de guerre ? Étude de la centralisation du pouvoir aux États-Unis après le 11 septembre 2001

in *Vingtième Siècle*, n. 97 , 9-24

Depuis le début du premier mandat de George W. Bush, des responsables de l'Administration, à commencer par le vice-président Dick Cheney, ont voulu consacrer le maximum d'énergie à la restauration des pouvoirs présidentiels qu'ils estimaient érodés par les désastres jumeaux du Vietnam et du Watergate. Les attentats du 11 Septembre leur ont fourni une occasion sans pareille d'y parvenir. L'Administration a obtenu du Congrès le vote du Patriot Act ainsi que



l'autorisation de conduire deux guerres, elle s'est octroyé de larges pouvoirs pour poursuivre ses ennemis et en matière de traitement des prisonniers, a procédé par décret à l'extension des pouvoirs de la CIA, placé sous surveillance certaines messageries électroniques et communications téléphoniques. Combinée à des pratiques de campagnes électorales sans grands scrupules et un accent sur le caractère vital de la « guerre contre le terrorisme », cette concentration des pouvoirs lui a permis de remporter les élections de 2002 puis de 2004. Mais elle a par la suite pâti de la détérioration de la situation en Irak, de son incompétence face à l'ouragan Katrina et de la révélation de multiples affaires de corruption qui ont débouché sur sa défaite lors des dernières élections.

Since the beginning of George W. Bush's first term, administration officials, beginning with Vice President Dick Cheney, have wanted to focus a maximum of energy on the restoration of presidential powers they believed had been eroded by the twin disasters of Vietnam and Watergate. The September 11 attacks provided them with an unparalleled occasion to reach that aim. The Administration got the Patriot Act from Congress as well as the authorization to wage two wars; it was granted extensive powers to pursue enemies, and in the treatment of prisoners, proceeded by decree to increase the CIA's powers, placed certain electronic mail and telephone under surveillance. Combined with not so scrupulous election campaigning and a focus on the vital nature of the "war against terrorism", this concentration of powers allowed it to win the 2002 and then the 2004 elections. But it has since suffered from the worsening situation in Irak, its incompetence in face of Katrina and the revelation of many corruption scandals that led to its defeat in the last elections.

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Subsection 6. The judiciary branch

Doherty Brendan J.

Interpreting the Bill of Rights and the Nature of Federalism: Barron v. City of Baltimore
in **Journal of Supreme Court History**, November 2007 - Vol. 32 Issue 3 , 211–228

In 1833, a mere forty-five years after the Constitution of the United States took effect, the young republic was striving to establish the form its constitutional government would take. For while the Constitution and its first ten amendments had set forth many principles regarding the rights of individual citizens with respect to the actions of their government, the precise nature of these relations would be determined in large part by U.S. Supreme Court Chief Justice John Marshall.

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Nieto S.

La reforma del Poder Judicial en el marco de la reforma del Estado: temas para discusión
in **El Cotidiano : revista de la realidad mexicana actual** , n. 146

No abstract available



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Subsection 6. The judiciary branch

Brouillet E.

Le principe fédératif et l'évolution recente de la jurisprudence de la Cour supreme du Canada

in *Revue belge de Droit constitutionnel*, n. 1 , 39 - 60

No abstract available

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Schertzer Robert

Recognition or imposition? Federalism, national minorities, and the Supreme Court of Canada

in *Nations and Nationalism*, Vol. 14, Issue 1, January 2008 , 105–126

ABSTRACT. This paper makes two main arguments. First, federalism in Canada, properly conceived, is a system which evolves as a result of struggles over the norms of mutual recognition between territorially based groups. Second, if federalism is to work as a way of accommodating national minorities, the role of the judiciary in adjudicating this relationship must be taken into account, because it plays an integral role in the continuing contestation of the arrangement.

I begin with the 'problem' of national minorities in the nation-state system and why federalism is espoused as a solution for alleviating tensions, focusing on Canada. I then turn to review the relevant jurisprudence of the Supreme Court of Canada (SCC) in adjudicating the federal arrangement. Finally, considering this jurisprudence, I reflect on why it is important to account for the role of the Court when promoting federalism to accommodate national minorities. I go on to argue that a dialogical approach to federalism, as opposed to a monological one, is best suited to do this.

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Subsection 6. The judiciary branch

Pfander James E.

Removing Federal Judges

in *University of Chicago Law Review*, Vol. 74, n. 4 , 1227-1250

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

Gravelle Jane G. , Gravelle Jennifer

How Federal Policymakers Account for the Concerns of State and Local Governments in the Formulation of Federal Tax Policy

in *National Tax Journal*, 60 , 631-48



Federal tax policy affects states and localities in at least four ways. First, it grants tax preferences such as deductions for taxes and tax exempt bonds. Secondly, it has indirect effects, especially on interest rates. Thirdly, when states conform to the federal base to simplify compliance and administration, changes in the federal base have implications for state revenues. Finally, the federal government imposes restrictions and mandates. While federal policy has been very protective of direct preferences, and states and local governments are given a fairly free hand with these benefits, in the other cases, state concerns appear to have little impact.

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Subsection 7. Economic and fiscal federalism

Smart Michael

Raising taxes through equalization

in **Canadian Journal of Economics/Revue Canadienne d'Economie**, Volume 40, Number 4 , 1188-1212

A simple theory suggests that a common form of federal horizontal equalization grants should cause subnational governments to levy higher tax rates, distorting local tax bases and so increasing federal transfers. To test this, I examine Canadian provincial tax policies in the 1972-2002 period. Consistent with the theory, provinces respond to expansions of equalization transfers by increasing their own tax rates. I estimate that on average tax rates in grant-receiving provinces were substantially and significantly higher as a consequence of the transfer formula.

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Subsection 7. Economic and fiscal federalism

Heckelman Jac C. , Dougherty Keith L.

An Economic Interpretation of the Constitutional Convention of 1787 Revisited

in **Journal of Economic History (The)**, Volume 67 - Issue 04 , 829-84

Empirical studies of delegate voting at the Constitutional Convention have relied on the same 16 roll call votes. This article re-examines various assumptions used in the collection of these data. We first create a baseline regression. We then consider the effect of dropping delegates not in attendance, re-inferring the votes from primary sources, examining various subsamples of the roll calls, and reconstructing constituency variables to include state districts. Our findings suggest that personal interests were indeed important for decision making at the Constitutional Convention, but constituent interests were less important than previously claimed.

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

Subsection 7. Economic and fiscal federalism

Mazza Isidoro, Winden Frans van

An endogenous policy model of hierarchical government

in **European Economic Review**, Volume 52, Issue 1, January 2008

Endogenous policy models usually neglect that government policies are frequently the result of decisions taken at different tiers by different agents, each enjoying some degree of autonomy. In this paper, policies are the outcome of the choices made by two agents within a hierarchy. A legislator decides on the budget to be successively spent by a bureaucrat. Both agents are lobbied by one or two interest groups. The combination of sequential decisionmaking and



lobbying implies that the interaction between the agent at one tier and the interest group(s) depends on the exchange between the same interest group(s) and the agent at the other tier. Our results concerning multi-tier lobbying and legislatorial oversight substantially qualify the conventional wisdom related to one-tier lobbying. In particular, the reaction of the legislator to lobbying at the bureaucratic tier may make lobbying wasteful even when there is no competition from other lobbies. Moreover, the legislator benefits from lobbying only when there is competition between interest groups at the upper tier. It is also shown that competition for influence at the bureaucratic tier may work as a perfect substitute for legislatorial oversight. Extensions of the model indicate its usefulness for the analysis of decisionmaking in other multilevel governance structures, like federations or firms.

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

Subsection 7.Economic and fiscal federalism

Urrea Corres Mariola

Ayudas de Estado y capacidad fiscal de los entes subestatales: la doctrina del caso Azores y su aplicación a las haciendas forales vascas. (Comentario a la Sentencia del TJCE de 6 de septiembre de 2006, República de Portugal/Comisión, as. C-88/03)

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

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

Enikolopov Ruben, Zhuravskaya Ekaterina

Decentralization and political institutions

in *Journal of Public Economics*, Volume 91, Issue 11-12 , 2261-2290

Does fiscal decentralization lead to more efficient governance, better public goods, and higher economic growth? This paper tests Riker's [Riker, W. (1964) "Federalism: Origins, Operation, Significance," Little, Brown and Co, Boston, MA.] theory that the results of fiscal decentralization depend on the level of countries' political centralization. We analyze cross-section and panel data from up to 75 developing and transition countries for 25 years. Two of Riker's predictions about the role of political institutions in disciplining fiscally-autonomous local politicians are confirmed by the data. 1) Strength of national political parties significantly improves outcomes of fiscal decentralization such as economic growth, quality of government, and public goods provision. 2) In contrast, administrative subordination (i.e., appointing local politicians rather than electing them) does not improve the results of fiscal decentralization.

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

Subsection 7.Economic and fiscal federalism

Streeck W.

Fine-gioco? La crisi fiscale dello stato tedesco

in *Stato e mercato*, n. 2 , 177 - 208

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

Schneider a A.

**Governance Reform and Institutional Change in Brazil: Federalism and Tax
in Commonwealth and Comparative Politics**, Vol. 45 n. 4 , 475 - 498

This paper contrasts two processes of governance reform in Brazil in the 1990s: federal relations and tax. The degree of institutional change possible in each case depended on whether powerful actors reached a new social pact. Discarding old social pacts in favour of new ones was not easy, however, and it only occurred when the interests and powers of actors had shifted sufficiently through a series of incremental changes. In the case of federal relations, incremental changes cumulated until they breached a threshold and a wholesale change could occur. In the case of tax, the fundamental actors and interests remained the same, and incremental change occurred only within the institutions that already existed. The point of this distinction is more than semantic. A social pact is necessary for wholesale institutional change, and this is the only way to attain an increase in both the capacity and the accountability of government institutions. Without such wholesale change, governance reform occurs within existing institutions and therefore does not constitute an increase in both capacity and accountability.

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

Subsection 7.Economic and fiscal federalism

Honkapohja Seppo, Turunen-Red Arja

**Increasing Returns, Learning, and Beneficial Tax Competition
in Journal of Public Economic Theory**, Vol. 9 Issue 6 , 927–958

We analyze the welfare impact of entrepreneur mobility in a two-country overlapping generations model. Increasing returns in production yield multiple equilibria that are stable under adaptive learning. Governments compete for the mobile resource by setting income taxes. We show that large welfare gains can arise from noncooperative taxation. If expectational barriers prevent the realization of high output equilibria, tax competition can sufficiently perturb expectations so that high steady states become attainable. Once in a high production regime, governments may institute cooperative tax increases or reductions so as to bring the economy to the global joint optimum without disturbing the regime.

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

Subsection 7.Economic and fiscal federalism

Melo Marcus André Barreto Campelo de

**Institutional Weakness and the Puzzle of Argentina's Low Taxation
in Latin American Politics & Society**, Vol. 49, Nr. 4

Current explanations of taxation levels have identified a host of factors, such as levels of economic development and GDP per capita, tax handles, tax morale, and political regimes. But none of them can account for Argentina's exceptionalism. Using a "transaction cost politics" approach and the case of Brazil for comparison, this article argues that the key to explaining low taxation in Argentina is political instability. Systemic instability affects the tax behavior



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Memorizza governments. Facing an uncertain future, incumbent governments choose to extract resources from society through inflation rather than normal taxation. This article argues that political institutions, particularly federalism, contribute to instability and thereby reduce the discount rates of government policymakers.

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

Subsection 7.Economic and fiscal federalism

Jens Friis Lund

Is small beautiful? Village level taxation of natural resources in Tanzania

in Public Administration and Development, Volume 27 Issue 4 , 307 - 318

This article examines collection of natural resources revenue by village governments in Tanzania as part of a decentralisation reform. An analysis of empirical data in the form of taxation records from 14 villages, which collect and retain revenues on natural resources utilisation suggests that decentralising revenue collection to the lowest local government tier may yield: (i) considerable increases in revenue collection; (ii) increased transparency in public finances through requirements that village governments document their incomes and expenditures to the villagers; and (iii) a financial surplus that is used to finance public services at the village level. The evidence presented in this article suggests that decentralising taxation to the lowest local government tier may be a viable approach to enhance revenue collection on the utilisation of relatively low value natural resources, and assure that a share of the collected revenue is used to finance public services.

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

Subsection 7.Economic and fiscal federalism

Piciocchi Pietro

Le relazioni finanziarie intergovernative in Canada: tra regole costituzionali e prassi cooperative

in Diritto pubblico comparato ed europeo, n. 3 , 1231-1252

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

Amihai Glazera, Hiroki Kondo

Migration in search of good government

in Regional Science and Urban Economics, Volume 37, Issue 6 , 703-716

Residents both enjoy the policies adopted in their cities, and choose those policies. If some people can better evaluate policies than can others, then the most perceptive people will be the most willing to move to the city with better policies, thereby making that city more likely to adopt good policies in the future. Such migration can cause agglomeration, with some cities prospering and others failing

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



Subsection 7.Economic and fiscal federalism

Chari V.V., Kehoe Patrick J.

On the need for fiscal constraints in a monetary union

in *Journal of Monetary Economics*, Volume 54, Issue 8, November 2007

The desirability of fiscal constraints in monetary unions depends critically on whether the monetary authority can commit to following its policies. If it can commit, then debt constraints can only impose costs. If it cannot commit, then fiscal policy has a free-rider problem, and debt constraints may be desirable. This type of free-rider problem is new and arises only because of a time inconsistency problem.

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

Subsection 7.Economic and fiscal federalism

Gamkhar Shama, Ali Hamid

Political Economy of Grant Allocations: The Case of Federal Highway Demonstration Grants

in *Publius: The Journal of Federalism*, Volume 38, Number 1, Winter , 1-21

This article examines the political economy of U.S. federal highway demonstration grant allocations. Demonstration grants are a rapidly growing segment of federal highway grants directly earmarked for a congressional district by Congress, unlike the majority of highway grants where Congress determines a formula and allocates funds accordingly to states. Our empirical analysis, considering the period 1983–2003, suggests that a state's ability to attract demonstration project grants is positively influenced by its contributions to the highway trust fund and political variables, and it is not affected by the formula highway aid and vehicle miles traveled in a state.

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

Subsection 7.Economic and fiscal federalism

Peralta Susana

Political Support for Tax Decentralization

in *Journal of Public Economic Theory*, Vol. 9 Issue 6 , 1013–1030

We present a spatial model of a city with two unequally productive jurisdictions. City residents bear a commuting cost to work in either of the two jurisdictions. Each jurisdiction must finance a public budget with a wage and a head tax. We compare the first best optimum to tax decentralization. From the total welfare viewpoint, tax competition is always inefficient. However, majoritarian local governments may prefer the inefficient tax decentralization to the first best.

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.

Pre-emption: Federal Statutory Intervention in State Taxation

in *National Tax Journal*, 60 , 649-62

This paper examines the implications of federal statutory restrictions on state government taxing powers. Such pre-emption can prevent states from pursuing policies that are best adapted to their economic circumstances and



objectives, inefficiently constraining decentralized state tax policymaking. States policy choices may, however, harm the efficient operation of the US federation as a whole; in such cases, the "visible hand" of federal pre-emption may lead to improved policy outcomes. Existing and proposed statutes that regulate state taxation of retail sales, retirement savings distributions, and corporation income illustrate the potential advantages and disadvantages of pre-emption.

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

Subsection 7.Economic and fiscal federalism

Cheikbossian Guillaume

Rent-seeking, spillovers and the benefits of decentralization

in **Journal of Urban Economics**, Volume 63, Issue 1 , 217-228

In the presence of spillovers, decentralized provision of local public goods may lead to a higher surplus than centralized provision even though localities have identical preferences. Indeed, free-riding costs associated to decentralization can be lower than the costs of rent-seeking and influence activities under centralization. Actually, centralization yields a higher level of regional surplus only if both the spillover effect from local public spending is sufficiently large and the elasticity of the influence function is sufficiently small.

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

Subsection 7.Economic and fiscal federalism

Michael Keen, Jenny E. Ligthart

Revenue Sharing and Information Exchange under Non-discriminatory Taxation

in **Scandinavian Journal of Economics**, Volume 109 Issue 3 , 487–504

The international exchange of tax information, and its merits compared to withholding taxation, has emerged as a central topic in international tax policy. We characterize and compare the outcomes that emerge, in a two-country world, with and without information exchange, under the assumption that countries are unable to tax residents and non-residents differentially. The analysis focuses on the role of asymmetries in country size (capturing a key feature of tax havens) and on the impact and potential desirability of schemes to share the revenue raised by withholding (as under the new EU savings tax arrangements) or (more innovatively) as a consequence of information exchange. We show that, irrespective of any difference in country size, it is in the interests of both countries, in terms of tax revenue, that all revenue collected from non-residents be transferred to the residence country—which would entail taking the EU practice even further from the norm, but is currently the standard in relation to information exchange. A withholding scheme with revenue fully reallocated in this way gives both countries more revenue than does information sharing, whatever the allocation under the latter.

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

Subsection 7.Economic and fiscal federalism

Adam Antonis , Kammas Pantelis

Tax policies in a globalized world: Is it politics after all?

in **Public Choice**, Volume 133, Numbers 3-4 , 1573-7101

In a panel dataset of 17 OECD countries over 1970–1997, we provide empirical support for the joint existence of the



efficiency and the compensation effects of globalization. Our regression analysis shows that higher economic integration—and the associated external risk—lead to a need for social security policies that require higher taxes. The latter take the form of larger social security contributions that are part of taxes on the immobile factors (labor). The tax burden on the relatively mobile factor (capital) is affected negatively by increased economic integration.

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

Subsection 7.Economic and fiscal federalism

Fox William F. , Swain John A.

The Federal Role in State Taxation: A Normative Approach

in *National Tax Journal*, 60 , 611-30

Federal intervention in state taxation is normatively supportable when state tax policies generate negative externalities or result in excessive compliance burdens. States usually do not have sufficient incentive to cooperate to eliminate these distortions, and state cooperative cartels tend to break down over time. Although the national government can in principle correct for these defects, it similarly lacks the incentive in many instances to adopt efficiency-enhancing corrective measures. One promising approach is efforts such as the International Fuel Tax Agreement or the Streamlined Sales Tax Project, which reinforce (or seek to reinforce) state cooperative initiatives with federal mandates or incentives.

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

Subsection 7.Economic and fiscal federalism

Hall Jeremy L.

The Forgotten Regional Organizations: Creating Capacity for Economic Development

in *Public Administration Review*, January February 2008 - Vol. 68 Issue 1 , 110–125.

Government capacity helps explain variance in public sector organizations' performance, and measuring capacity helps identify deficiencies that may be addressed in order to improve the efficiency and effectiveness of these organizations. This study examines the capacity of regional economic development districts to leverage federal grant funds in the counties they serve, controlling for additional sources of potential capacity and demand for federal grants. A decade of data reflecting federal grant funding to counties in one state was compiled from the Federal Awards Data System and analyzed using pooled cross-sectional time-series analysis with panel-corrected standard errors. The results indicate that regional economic development districts demonstrate varied but significant capacity to leverage federal grant funds in the counties they serve. The results suggest that similarity in the purpose and structure of regional economic development districts within a state are not enough; we need to better understand the resources within the organization and the mission that determines how those resources are applied.

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

Subsection 7.Economic and fiscal federalism

Dan Usher



The Reform of Equalization Payments

in *Canadian Public Policy* , Volume 33 Number 3 , 337-366

A reasonable and fair interpretation of the mandate for equalization payments in Section 36(2) of the Canadian Constitution would differ from the present equalization formula in these respects: (a) transfers to the poorer provinces would be financed by transfers from the richer provinces rather than from the federal government; (b) entitlement to equalization payments would depend on provincial income rather than on a tax-by-tax comparison of the provinces' many tax bases; (c) for this comparison, provincial income would include revenue accruing directly to the provincial governments as well as the private income of residents of the province; and (d) compensation would be made for the exemption of provincial resource revenue from federal income tax. The most pronounced effect of these proposals would be to transfer the greater burden of equalization payments from Ontario to Alberta which is now, by far, the richest province.

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

Subsection 7.Economic and fiscal federalism

Gonçalves Veiga Linda, Pinho Maria Manuel

The political economy of intergovernmental grants: Evidence from a maturing democracy

in *Public Choice*, Volume 133, Numbers 3-4 , 457-477

We evaluate the impact of political forces in the allocation of intergovernmental grants in Portugal, as it matured from a young to an established democracy. Using a large and unexplored dataset we show that political variables condition the granting system, and that their importance changed over time. While tactical manipulation in the distribution of grants among municipalities seems to exist only in the early years of democracy, opportunistic effects are stronger in the latter years. We argue that the latter effect is due to a change in the political environment and to the electorate's lack of information on intergovernmental grants.

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

Subsection 7.Economic and fiscal federalism

Kangoh Lee

Voluntary contributions and local public goods in a federation

in *Journal of Urban Economics*, Volume 63, Issue 1 , 163-176

This paper considers nonneutral effects of government spending in a federation of multiple jurisdictions. Both government spending and private donations finance local public goods, redistributive programs, that provide transfers for the poor. In the standard model, government spending has no effect on the public goods, as donors reduce their donations one for one in response to an increase in government spending. In a federation, donors of a jurisdiction donate, through federal charities, to help the poor in the jurisdiction and the poor in other jurisdictions as well. Jurisdictions are thus linked through donations. Such linkage influences donors' behavior beyond the traditional crowding-out effect. As a result, government spending has nonneutral effects on the level of public goods.

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

Subsection 8.The Central Bank(s)



Rotondi Zeno, Vaciago Giacomo

Lessons from the ECB Experience: Frankfurt Still Matters!

in *Economic Notes*, Volume 36, Number 2 , 147-170

This paper compares the European Central Bank's (ECB) conduct of monetary policy (1999-2005) with that of the Bundesbank (after the German Unification: 1990-1998) in order to test the hypothesis of an ECB with 'Bundesbank's preferences' put forward in the theoretical literature (Alesina and Grilli, 1993; Fatum, 2006). Econometric tests and simulations based on monetary policy reaction functions show that the continuation of the former Bundesbank regime is supported by the data. Given this empirical evidence we discuss the lessons for future Monetary Unions stemming from the ECB experience.

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

Subsection 8. The Central Bank(s)

Wray L. Randall

A Post Keynesian view of central bank independence, policy targets, and the rules versus discretion debate

in *Journal of Post Keynesian Economics*, Volume 30, Number 1 , 119 - 141

This paper addresses three monetary policy issues—policy independence, choice of targets, and rules versus discretion. According to the new monetary consensus, the central bank needs policy independence to build credibility, the operating target is the overnight interbank lending rate, and the ultimate goal is price stability. An alternative view is presented, arguing that an effective central bank cannot be independent as conventionally defined, where effectiveness is indicated by the ability to hit an overnight nominal interest rate target. Discretionary policy and conventional views of central bank ability to achieve traditional goals such as robust growth, low inflation, or high employment are rejected. Thus, the paper returns to Keynes's call for low interest rates and euthanasia of the rentier

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

Subsection 8. The Central Bank(s)

Demertzisa Maria , Hallett Andrew Hughes

Central Bank transparency in theory and practice

in *Journal of Macroeconomics*, Volume 29, Issue 4 , 760-789

We study the effects of Central Bank transparency on inflation and the output gap. Our intention is to illustrate, with the help of a small analytical model, how an imperfectly transparent Central Bank affects the two main macroeconomic variables, inflation and the output gap. The model tells us that transparency affects the variability of inflation and output but not their average levels. Then we examine the extent to which this conjecture is justified by the index of transparency constructed by Eijffinger and Geraats. Given the limitations of such indices, we only examine the correlations between the index of transparency and the macro variables in question. This analysis shows that the average magnitudes are not affected by transparency but their variability is. In the case of inflation, its variability benefits from the reduction of transparency and about 50% is explained by the variability in the transparency index. The effect on output volatility on the other hand is less clear, and in any case transparency seems to increase it rather than decrease it.



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

Subsection 8. The Central Bank(s)

Willy Spanjers

Central banks and ambiguity

in **International Review of Economics and Finance**, Volume 17, Issue 1 , 85-102

The purpose of this paper is to discuss the effects of ambiguity (or 'non-calculable risk') on the public's expectations about inflation and its impact on central bank policy. The effects of ambiguity are addressed in a textbook setting with a short run aggregate supply curve.

Ambiguity about monetary policy can be characterised as a loss of central bank credibility. When the public is pessimistically inclined, its consequences are excessive inflation expectations and a national income below its natural rate. This result is obtained both in the context of 'discretion' and of 'inflation targeting', although the impact of ambiguity is less pronounced in the latter case. If the public is optimistic with respect to the monetary policy of the central bank, loss of credibility has no impact.

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

Subsection 8. The Central Bank(s)

McGregor Rob Roy

Federal Reserve transparency: The more things change, the more they stay the same?

in **Public Choice**, Volume 133, Numbers 3-4 , 1573-7101

The calculus of electoral politics and the central bank's bureaucratic objectives can explain the recent trend toward greater Federal Reserve transparency and can shed light on the likelihood that this trend will continue. If incumbent politicians see no electoral advantage in pressuring the Fed to become still more transparent, and if the Fed sees no benefit to greater transparency, then further changes in current practice are unlikely. Private sector agents will continue to face a significant degree of uncertainty about the Fed's policy objectives and about the information that policymakers consider in the monetary policy decision process.

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Subsection 8. The Central Bank(s)

Biais Bruno

La Banque centrale européenne est-elle trop indépendante?

in **Esprit**, n. 342, février 2008 , 180-183

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)

Beetsma Roel M. W. J., Vermeylen Koen

The effect of monetary unification on public debt and its real return

in **Public Choice**, Volume 133, Numbers 3-4 , 393-415



We explore the implications of monetary unification for real interest rates and (relative) public debt levels. The adoption of a common monetary policy renders the risk-return characteristics of the participating countries' public debt more similar. The implied reduction in the scope for risk diversification raises the average expected real return on the debt. Also, the share of the union-wide debt issued by relatively myopic governments or of countries that initially have a relatively dependent central bank increases after unification. This may put the political sustainability of the union under pressure. A transfer scheme that penalizes debt increases beyond the union average is able to undo the interest rate effect of unification, but magnifies the spread in relative debt levels.

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

Subsection 9. Local government(s)

Kloot Louise, Martin John

Public Sector Change, Organisational Culture and Financial Information: A Study of Local Government in Australian Journal of Public Administration, Volume 66, Number 4 , 485-497

Local government has undergone substantial change in Victoria, but the reforms have not necessarily resulted in improved financial management practices. This article examines the organisational culture of a sample of local governments, the critical events which have impacted on them, and their use of accounting, budgetary and financial (ABF) information. We find that despite the change process, organisational culture is not focused on competitive practices, although compulsory competitive tendering remains the most influential event. Consistent with the aims of reform, the quality and use of ABF information has improved over the last decade. This article will be of interest to those in government wishing to implement change programs aimed at increasing financial resource use efficiency.

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

Subsection 9. Local government(s)

Darmohraj Adrián

Capacidades institucionales para la gestión municipal del crecimiento económico in Reforma y democracia (Venezuela), N. 39

From the beginning of the 1980s, the relationship between State and market started to suffer transformations in the world. The increasing liberalization of market was accompanied by a reduction of governmental structure through administrative reforms, decentralization processes and privatization of public services. The centralized bureaucracies with a State as a principal protagonist have become unacceptable, giving place to more horizontal and participative models. This new context promoted the strengthening of private and third sector actors, disposed to participate in design and implementation of public policies in different areas. In consequence, those local governments that wanted to adapt to change had to assume new challenges and adopt modifications in their economic growth and development strategies. In this sense, this article is an exploratory study about how the public-private relationship can constitute an alternative in generating local economic growth. The analysis centers on the formal and informal rules of the game; managerial capacities of local governments; and the network among public, private and the third sector actors in achieving investment opportunities and local economic growth. Public-private relationships are studied through a comparative analysis in four cities in the suburbs of the Buenos Aires Province, Argentina. More than 30 interviews were carried out to municipal officials, private managers and third sector representatives. Institutional material was analyzed and data of different municipalities were compared. Different resources and relationship patterns available to each of the cities allowed to reflect on the possibility of increasing existing strengths and correcting weaknesses. The main conclusion is



that any city has possibility of increasing its "attractiveness" for investments and channeling private interests in tune with public ones. The starting point for future research will be based on the assumption that an increase of institutional capacities will allow higher levels of private investment projects and higher possibilities of local economic growth.

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

Subsection 9. Local government(s)

Sorensen Tony, Marshall Neil, Dollery Brian

Changing Governance of Australian Regional Development: Systems and Effectiveness in Space and Polity, Volume 11, Number 3 / December , 297-315

Regional economic and social development is an important public issue in most countries, yet among the least successful. In Australia, some 40 years of trial and error regional strategy appear to have had limited success in securing long-range economic and social development leading to more diversified economies, population growth and converging regional wellbeing. The paper explores the nature of Australia's regional development problem and its causes as a prelude to summarising governments' changing capacity to influence and control events. Given this background, it sketches an emerging governance system, particularly in the State of New South Wales, designed to ameliorate regional adversity. Finally, it assesses the system's current and prospective functionality and impediments to system improvement.

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

Subsection 9. Local government(s)

Camarda Lorenzo

Considerazioni sul federalismo nell'ambito della reale collaborazione tra enti in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 15 , 1463-1464

No abstract available

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

Subsection 9. Local government(s)

Sellers Jefferey M., Lidstrom Anders

Decentralization, Local Government, and the Welfare State in Governance, Vol. 20, n. 4, October , 609-632

Despite growing interest in decentralized governance, the local government systems that comprise the most common element of decentralization around the world have received little systematic attention. This article, drawing on the first systematic index of decentralization to local government in 21 countries, demonstrates a close relation between Social Democratic welfare states and an intergovernmental infrastructure that in important respects ranks as the most decentralized among advanced industrial countries. This empowerment of local government in these countries was less an outgrowth of Social Democratic welfare state development than a preexisting condition that helped make this type of welfare state possible.



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

Subsection 9. Local government(s)

Maginn Paul J.

Deliberative Democracy or Discursively Biased? Perth's Dialogue with the City Initiative

in Space and Polity, Volume 11, Number 3 / December , 331-352

The State Government in Western Australia has portrayed itself as a champion of revitalising local democracy and civic engagement. This can be seen in the plethora of community consultation/participation policy documents that have emerged from the Premier's Citizens and Civics Unit over the past five years. Dialogue with the City, a major participatory planning process that formed part of the development of a new strategic plan - Network City - for metropolitan Perth, has been heralded as an exemplar of deliberative democracy. This paper draws on deliberative democratic theory, performative policy analysis and institutional discourse analysis to interrogate the efficacy of this claim by examining the discursive practices leading up to and including the Community Forum, a major consultative and participatory event of the Dialogue Initiative. It is argued that, whilst the Dialogue Initiative was supported by rhetorical deliberative utterances from political leaders and planning experts and exhibited, superficially at least, a number of attributes associated with deliberative democracy, the overall process fell short of this ideal. The primary reasons for this were that the process was scripted and stage-managed and lacked sufficient space and time for citizens to engage in genuine inclusionary argumentation and social learning. Hence the Dialogue Initiative may be viewed as an exercise more reflective of a mix of consultative and participatory planning conducted widely.

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

Subsection 9. Local government(s)

Rodríguez Herrero Gorca y Ajangiz Rafael

Descentralización municipal y participación ciudadana: evaluación de una

in Revista española de ciencia política, n. 17 , 181-197

Los gobiernos locales están impulsando procesos de regeneración democrática sobre la base de acercar la administración a la ciudadanía y promover su participación activa en las políticas públicas. En este contexto resulta de gran interés el análisis de la descentralización y participación ciudadana que durante los últimos quince años se han intentado en Bilbao a través de los Consejos de Distrito. El resultado es un marco que ofrece interesantes rendimientos pero que depende excesivamente de la voluntad política de los responsables políticos en el territorio.

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

Subsection 9. Local government(s)

Carrión Fernando M.

El desafío político de gobernar la ciudad

in Nueva Sociedad, n. 212 , 36-52

The creation of different mechanisms for popular participation was one of the notable innovations introduced by Left and Center-Left parties which were responsible for city government in Latin America during the eighties and nineties. The



participatory budget introduced by the Workers' Party in Porto Alegre won world fame and was widely copied in the region. However, once they won power at a national level, these same parties abandoned the participatory mechanisms, together with the attempt to create a more solid democracy. This article examines the Workers' Party in Brazil, the Broad Front in Uruguay and Chavism in Venezuela, in order to explain why these participatory mechanisms have been replaced by more corporatist structures or, as in the Venezuelan case, by more orthodox Leftist visions.

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

Subsection 9. Local government(s)

Volpi Mauro

Enti territoriali, forma di governo e sistemi elettorali: estensione e limiti dell'autonomia

in *Diritto pubblico comparato ed europeo*, n. 3 , 1182-1200

No abstract available

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

Subsection 9. Local government(s)

Isabella Scaramuzzi

Governare la città di mezzo: abolire le province o i comuni?

in *Archivi di Studi Urbani e Regionali*, Fascicolo 89

No abstract available

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

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van Rensburg Linda Jansen , Naudé Wim

Human rights and development: the case of local government transformation in South Africa

in *Public Administration and Development*, Volume 27 Issue 5 , 393 - 412

Local governments throughout the world are assuming a more important role in economic development of their communities as an increasing number of governments begin to decentralise powers and functions. As these lower levels of government seek sustainable local economic development (LED) strategies the human rights approach towards development becomes pertinent as globalisation accelerates. This article proposes an emphasis on socio-economic rights as the basis for sustainable LED in developing countries. The article is based on the experience of South African local government in the period after 1994, leading up to the first democratic local government elections on 5 December 2000. Proceeding from the view that the promotion of human rights is necessary for the promotion of economic development, the article critically assesses the role of local government in the promotion of LED through a rights-based approach. It is argued that the identification in the South African Constitution of local government with basic service provision (recently emphasised by a Constitutional court judgement) will place socio-economic rights at the centre of LED strategies in South Africa. It is argued that this is indeed the most appropriate cornerstone of LED in South Africa. However, the transformation process that leads the country towards its progressive Constitution needs to be maintained and this article identifies five broad areas for transformation that may still be needed to entrench an adequate human rights culture within the sphere of local governance.



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Turnbull Geoffrey K.

Independent Cities and Counties in Virginia: Substitute Jurisdictions?

in **Urban Studies**, Volume 45, No. 1 , 53-66

Cities and counties are overlapping jurisdictions in most US states. Virginia cities, however, are independent of counties, with separate tax bases and residents. This paper examines whether the Virginia system creates a horizontal relationship resembling that among cities in other states. It uses revealed preference axioms to compare spending patterns against competitive median voter benchmarks. The results show that cities and counties in metropolitan areas function like horizontal rivals in the Virginia system, in contrast with the vertical relationship imposed by the overlapping jurisdiction structure in other states.

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Considine Mark, Lewis Jenny M.

Innovation and Innovators Inside Government: From Institutions to Networks

in **Governance**, Vol. 20, n. 4, October , 581-607

Innovation and innovators inhabit an institutional space, which is partially defined by formal positions and partially by informal networks. This article investigates the role of politicians and bureaucrats in fostering innovation inside government and provides an empirical explanation of who the innovators are, whether this is mostly an attribute of position or role, or mostly an effect of certain forms of networking. The study uses original data collected from 11 municipal governments in Australia in order to define and describe the normative underpinnings of innovation inside government and to show the importance of advice and strategic information networks among politicians and senior bureaucrats (n = 947). Social network analysis is combined with conventional statistical analysis in order to demonstrate the comparative importance of networks in explaining who innovates.

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Aragón Reyes Manuel

L'organizzazione istituzionale delle Comunità autonome

in **Diritto pubblico comparato ed europeo**, n. 3 , 1156-1171

No abstract available

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

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Janer Torrens Joan David

La acción exterior de la Comunidad Autónoma de las Islas Baleares tras la entrada en vigor del nuevo Estatuto de Autonomía

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

No abstract available

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

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Fernández Sola Natividad

La acción exterior de la Comunidad Autónoma en el nuevo Estatuto de Autonomía de Aragón

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

No abstract available

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

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Gauthier Antoine

La place des organisations de villes dans l'espace public international

in *Etudes Internationales*, 3, Septembre 2007

No abstract available

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

Subsection 9.Local government(s)

Expósito Enriqueta

La regulación de los derechos en los nuevos Estatutos de Autonomía

in *Revista d'Estudis Autonomics i Federals*, n. 5 , 147-202

One of the most significant new features that is included in the new statutes of autonomy are the so-called territorial declarations or charters of citizens' rights. The aim of this study is to analyse this from two different but complementary perspectives. From a more general point of view, it is a synthesis of the arguments that have been used by Spanish nationalist constitutionalist doctrine in favour of or against the new contents of the statutes, in an attempt to highlight how neither of them are the key to a decision on whether or not the declarations of rights in the statutes are inappropriate or unconstitutional.

From a more specific point of view, there is a more detailed examination of the contents of these charters ¿ the regulatory framework in which the new texts of the statutes is included, which rights are proclaimed and what are the guarantees surrounding the proclamation in the recent statutes. In its conclusions, the study clearly shows that first, the charters are in full agreement with the nature and function of the statutes in the Spanish autonomous regional state. Second, that these charters are regulations which as far as the citizen is concerned, complement constitutional rights and bring them up to date them with new content.



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Aja Eliseo

La riforma dello Statuto catalano del 2006

in *Diritto pubblico comparato ed europeo*, n. 3 , 1133-1156

No abstract available

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Ghorra-Gobin Cynthia

Le gouvernement des « espaces métropolisés ». Refonder la relation entre l'État et le territoire national

in *Esprit*, n. 342, février 2008 , 165-176

Les effets contradictoires des inégalités économiques se traduisent à l'échelle locale par des mobilisations politiques visant à redéfinir les périmètres des villes. Quelles demandes sociales ces mobilisations expriment-elles ? À partir de l'exemple de Los Angeles, l'auteur examine comment penser le lien entre territoire et représentation politique, à l'échelon de la métropole comme à l'échelon national.

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Mongin Olivier

Le local, l'État et la politique urbaine

in *Esprit*, n. 342, février 2008 , 55-60

No abstract available

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

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Col Jeanne-Marie

Managing Disasters: The Role of Local Government

in *Public Administration Review*, December 2007 - Vol. 67 Issue s1 , 114-124

In major disasters, local communities are often on their own for several hours or days. Local governments can play a key role in taking the initiative to protect their citizens. This essay compares the experience of New Orleans before, during, and after the catastrophe of Hurricane Katrina with the performance of Qinglong County, China, during the Tangshan earthquake of 1976. Qinglong County exemplifies local government taking initiative in risk assessment, decision making, operations, information sharing, and communications.



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Morrison Tiffany H.

Multiscalar Governance and Regional Environmental Management in Australia

in Space and Polity, Volume 11, Number 3 / December , 227-241

Abstract

At a moment when regionalisation and regionalism are being widely promoted across a range of policy sectors, this paper argues that much regional activity, including regional environmental management, is often the product of interactions, resources and opportunities at other scales. The paper shows how local and extra-regional interactions, resources and opportunities influence environmental management at the regional level in Australia by the development of a case analysis of Far North Queensland. It finds that much of the current thinking about regionalisation and regionalism ignores these multiscalar dimensions. This can impede and undermine efforts to manage the environment effectively at the regional level. The paper identifies some opportunities to improve regional environmental management activities in Australia and draws out the broader implications for other policy sectors and other countries embracing the movement towards regionalism/regionalisation. The relationship between governance by network at the regional level and the power and control of central government is highlighted. The paper also calls for further research into how governments and other actors successfully manage multiscalar relations of governance in order to promote (or impede) specific public policy initiatives.

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Presno Linera Miguel Angel

Nuevos Estatutos de Autonomía con viejos sistemas electorales

in Revista d'Estudis Autonomics i Federals, n. 5 , 101-146

The purpose of this paper is to analyse the effect of the recent reforms of the Autonomous Statutes on the electoral system of the Autonomous Communities, based on the material rules (gender equality, electoral debates, etc.) and procedural rules (a qualified majority to approve the electoral bill) which they included. The new Autonomous Statutes display a twofold mistrust. First, there is mistrust of the Central Parliament and its General Electoral Bill, due to its heavy regulation of regional elections. Second, there is mistrust of the Parliament of the Autonomous Community, which is restricted in two ways: a) by including the subjects that should be in an electoral bill in the Autonomous Statute; b) by means of the *¿consensus trap¿*, which requires a high level of agreement among Parliamentary groups in order to pass the electoral bill, which in all likelihood will prevent the changes from being made, as the political and institutional future of the groups involved is at stake.

If we add two further factors (the application of 116 articles the General Electoral Bill to the autonomous elections and the Autonomous Statute re- gulation on electoral matters), and we discount one factor (the lack of innovation in the autonomous regional system), it is clear that the Electoral Bills of the Autonomous Communities will be redundant, too detailed and will cover too little. In conclusion, we have new Autonomous Statutes but old electoral systems.



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Jacobs Keith

Territorial Modes of Governance and the Discourses of Community Reaction in the State of Tasmania in Space and Polity, Volume 11, Number 3 / December , 263-277

Reflecting on neo-liberal and Deleuzian theory, this paper examines how new modes of governance are shaping Australian regions and what kind of resistance is emerging in response to them, in particular to government encouragement of business and commercial appropriation. The first part of the paper discusses recent literature on regional policy-making in the context of neo-liberalism. It is argued that Deleuzian metaphors such as 'reterritorialisation', 'deterritorialisation', 'machinic assemblages', 'folding' and 'lines of flight' provide a rich conceptual vocabulary that can be used to enhance an understanding of contemporary regional policy-making. To demonstrate the efficacy of this claim, the paper draws upon the example of policy-making in the Australian State of Tasmania and the conflicts these policies have generated. Amongst the paper's conclusions is that the competitive practices now being pursued within the auspices of regional policy-making generate a set of new interactions that have significance both across Australia and beyond.

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Subsection 9. Local government(s)

Young John F.; Wilson Gary N.

The view from below: Local government and Putin's reforms in Europe-Asia Studies, Volume 59, Issue 7 November , 1071 - 1088

Local government reforms in contemporary Russia are placed in the broader contexts of political reform under Putin and the historical relationship between local administration and the state. Reforms of local government thus help illuminate the architecture of contemporary state building in Russia and the degree to which contemporary Russia perpetuates political traditions. This study reviews the antecedent action in local government prior to the Putin era. It then examines the Kozak Commission and the new law on local government, assessing the strengths and weaknesses of these reforms. Finally, this study examines the challenges of implementing the reforms and what these challenges tell us about devolution and centralisation under Putin.

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Barreiro Belén, Urquizu-San Ignacio

Under the Impact of Territorial Reform: The May 2007 Local and Regional Elections in Spain in South European Society & Politics, Volume 12, Number 4, December , 535-545

On 27 May 2007, the Spanish elected their city councils and regional parliaments. The right-wing Popular Party (PP) won the local elections by a very small margin of votes, although the Spanish Socialist Workers' Party (PSOE) obtained more local councillors. The results brought little change and only one regional incumbent was removed from office.



Analysis of the elections shows that the main electoral changes occurred in Catalonia, Madrid and Valencia. The authors offer possible explanations for the results and argue that these changes were not only due to developments in local and regional politics, but also involved national politics.

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Subsection 10. Processes of federalization and decentralization

Singh Mahendra Prasad

A Borderless Internal Federal Space? Reorganization of States in India

in India Review, Volume 6, Issue 4, October , 233-250

No abstract available

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Veltz Pierre

Au-delà du développement local

in Esprit, n. 342, février 2008 , 60-75

Si de nombreuses villes, petites ou moyennes, vivent plutôt bien, surtout dans l'ouest et le sud du pays, elles participent marginalement à l'économie productive internationalisée, et captent des revenus importants de transferts publics et privés. Face à la double réalité de la mondialisation économique et d'un ajustement territorial qui repose essentiellement sur la redistribution, il est temps de proposer une autre approche du développement local que celui qui a accompagné la première décentralisation.

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Laffin Martin

Coalition-Formation and Centre-Periphery Relations in a National Political Party

in Party Politics, Volume 13, Number 6, November , 651-668

The case of the British Liberal Democrats provides important evidence of the operations of national parties in devolved systems, the dynamics of sub-national coalition-formation and the impact of national parties on public policy in devolved systems. In their participation in coalition governments in Scotland and Wales, the Liberal Democrats have acted as a nationalized but not a centralized party, despite the devolved nature of their federal constitution. The Liberal Democrat elites at the national and sub-national levels have coordinated themselves informally through links between their three parliamentary parties rather than through the traditional mechanisms of party discipline. Thus, as a party, despite lacking the traditional discipline and party solidarity of a party like Labour, they have been able to ensure that their policies are implemented across the devolved, sub-national governments of Scotland and Wales.

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McMahon Edwina

Does the Peace Process in Northern Ireland Offer a Model for Resolving Historic Conflict?
in *American Foreign Policy Interests*, Vol. 29, Issue 5 , 353-357

On May 8, 2007, a power-sharing executive was constituted in Northern Ireland. Although the fledgling government does not signal that harmony is likely to prevail in the province, it indicates that politics will be practiced in the North by politicians who fought one another to a draw for more than a decade in which the end stages of the formal peace process played themselves out fitfully and relentlessly. This article identifies the strategy that Sinn Fein adopted to resolve the deadly conflict in the North and suggests that by following that game plan to its logical conclusion and by responding to the demands made by its chief foe, the Democratic Unionist party, Sinn Fein left that party with no credible argument with which to sustain its objection to joining a power-sharing government. It conjectures that only a soothsayer can predict with any degree of certitude whether the ultimate goals of the unionists or the nationalists will be realized. Finally, it concludes that the peace process in Northern Ireland provides a model for helping to resolve historic conflicts irrespective of their kind, cause, and duration.

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Perrin Bernard

Décentralisation: l'acte III sera urbain

in *Revue administrative (Ia)*, 359 - Septembre , 511-522

No abstract available

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

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Béland Daniel, Lecours André

Federalism, Nationalism and Social Policy Decentralization in Canada and Belgium

in *Regional and Federal Studies*, Volume 17, Issue 4 , 405 - 419

This article looks at the relationship between federalism, sub-state nationalism and social policy in Canada and Belgium up to the early 2000s. It argues that nationalism represents a powerful force for the decentralization of social policy since it seeks to make the national community congruent with the community of redistribution. Nationalist mobilization over social policy is occurring in both Québec and Flanders, although there are ideological and programmatic differences between the two nationalist movements. The article also shows how the consequences of these patterns of mobilization are conditioned by the institutional context. In Canada, the competitive nature of federal/provincial relations and the statist nature of social programmes (i.e. absence of 'social partners' other than the state involved in their management) explain why there has been decentralization of social policy towards Québec whereas consensual decision making and Bismarckian social insurance arrangements have created strong institutional obstacles to comprehensive social policy decentralization in Belgium

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Heinemann-Grüder Andreas

Is There a Lasting Meaning to Russia's Ethnofederalism?

in *Indian Journal of Federal Studies*, 15th Issue, 1/2007

No abstract available

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217 -244

La città autonoma di Buenos Aires: un nuovo soggetto federale? Contributo al dibattito in corso sul nuovo Codice delle Autonomie locali

in *Istituzioni del federalismo*, n. 2 , Billè Roberta

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Cultiaux Yolaine

Le nouveau statut d'autonomie de la Catalogne : acte II de l'État des Autonomies

in *Critique Internationale*, N°37 - Octobre / Décembre

Le 18 juin 2006, l'électorat catalan a ratifié par référendum le nouveau statut d'autonomie qui régit désormais les relations entre la Communauté autonome (CA) de Catalogne et le reste de l'Espagne. Ce nouveau statut a une importance particulière car il a ouvert une nouvelle ère, l'acte II de l'État des Autonomies. En effet, cette réforme n'a pas pour seule portée les relations Catalogne/reste de l'Espagne, elle influe également sur les relations de chaque CA avec le reste du pays et spécialement sur les autres réformes statutaires en cours, comme celle de l'Andalousie. La présente réflexion vise à déterminer ce que le nouveau statut d'autonomie catalan révèle de cette forme innovante d'organisation territoriale qu'est l'État dit autonome et en quoi il influence particulièrement son évolution. La stratégie qui consiste à instrumentaliser une ressource symbolique (« l'identité catalane ») à des fins juridiques (accroissement de l'autogouvernement) et politiques (conquête et consolidation du leadership local) est de fait très performante ; suffisamment pour être reprise par d'autres CA et être au cœur de la formule politique de l'Espagne contemporaine.

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On June 18, 2006, the Catalan electorate ratified by referendum the new autonomy statute that now governs relations between the autonomous community of Catalonia and the rest of Spain. This new statute is of particular importance in that it announces a new era, Act Two of the State of Autonomies. Indeed, the scope of this reform not only covers Catalunya's relations with the rest of Spain, it also influences the relations each autonomous community has with the rest of the country and particularly the other statutory reforms underway, such as that for Andalusia. This analysis sets out to determine what Catalonia's autonomous status reveals about this innovative form of territorial organization exemplified by a so-called "autonomic state" and in what way it particularly influences its evolution. The strategy that involves instrumentalizing a symbolic resource ("Catalan identity") to legal (more self-government) as well as political



ends (conquest and consolidation of local leadership) is actually highly successful; enough so to be picked up by other autonomous communities and be a core feature of Spain's contemporary political formula.

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Violini L.

Le proposte di attuazione dell'art. 116, III comma

in *Regioni (Le)*, n. 2 , 199 - 208

No abstract available

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Lepre Debora

Lo sviluppo del processo federale russo

in *Comunità Internazionale (La)*, n. 4, vol. LXII, quarto trimestre

No abstract available

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Epstein Renaud

L'éphémère retour des villes. L'autonomie locale à l'épreuve des recompositions de l'État

in *Esprit*, n. 342, février 2008 , 136-150

Dans un précédent article, Renaud Epstein parlait de la volonté de l'État de « gouverner à distance » en prenant l'exemple de l'ANRU (Agence nationale de la rénovation urbaine). Après avoir favorisé le gouvernement des villes et leur autonomie durant la première phase de la décentralisation, l'État revient en force : plutôt que d'énoncer des règles et des principes, son action consiste à évaluer les villes qu'il met en concurrence. Organiser la concurrence ? Cela définit une stratégie néolibérale, une des modalités de l'action sarkoziste.

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Varwick Johannes, Windwehr Jana

Norwegen und Schweiz als Modellfälle für differenzierte Integration?

in *Aus Politik und Zeitgeschichte*, Band 43, 2007

Quelle:

<http://www.bpb.de/publikationen/IQ39VT.html>

Inhalt



Einleitung

Eine Quasi-Mitgliedschaft ohne Beitritt?

Perspektiven

Einleitung

Die Europäische Union (EU) ist seit fast zwei Jahrzehnten damit beschäftigt, die Konsequenzen des dramatischen weltpolitischen Wandels konzeptionell, institutionell und in einzelnen Politikfeldern zu verarbeiten. Die Rahmenbedingungen der Integration haben sich dabei in wichtigen Parametern verändert, die EU ist gezwungen, sich diesen anzupassen. Seit der Einheitlichen Europäischen Akte (1987) sind die europäischen Gründungsverträge bereits drei Mal (Maastricht 1991, Amsterdam 1999, Nizza 2001) reformiert und verändert worden. Jedes Mal war bereits beim Abschluss der Reform fraglich, ob der jeweilige Reformschritt ausreichen würde, um den Herausforderungen des "neuen Europa" zu begegnen.

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Der Verfassungsvertrag versuchte 2004 eine vierte, grundlegende Veränderung und wagte - vergeblich - den großen Wurf. Inzwischen ist die Denkpause vorüber, die sich die EU nach den negativen Referenden in Frankreich und den Niederlanden vom Frühjahr 2005 verordnet hatte. Nach dem Gipfeltreffen der 27 Staats- und Regierungschefs der EU im Juni 2007 ist offiziell, was eigentlich seit Langem klar ist: der Verfassungsvertrag, der von 18 Staaten ratifiziert worden war, verschwindet in den Archiven und bleibt allenfalls von akademischem Interesse. Die EU-Staaten haben sich aber immerhin nach langen Auseinandersetzungen darauf verständigt, bis Ende des Jahres 2007 einen "Reformvertrag" auszuarbeiten, der die EU auf eine neue Grundlage stellen soll.[1] Wichtige Elemente aus dem Verfassungsvertrag wie etwa die Einführung der doppelten Mehrheit, die Ausweitung von Mehrheitsentscheidungen im Rat und die Aufwertung des Europäischen Parlaments, die Schaffung eines hauptamtlichen Präsidenten des Rates, die Verkleinerung der EU-Kommission und die stärkere Einbeziehung der nationalen Parlamente werden in dem neuen Vertrag, der zur Europawahl 2009 in Kraft getreten sein soll, enthalten sein.

Die gegenwärtige Krise der Europäischen Union lässt sich aber mit dem Mittel eines neuen Vertrages bei Beibehaltung des grundsätzlichen Integrationsmodus nicht mehr beheben. Unter den Mitgliedsstaaten differiert nicht mehr nur die Bereitschaft, die Integration weiter voranzutreiben, sondern auch jene, an bereits etablierten bzw. beschlossenen Bereichen mitzuwirken. Beispiele finden sich reichlich: von den dänischen und britischen opt-outs der 1990er Jahre über die gescheiterten Referenden in Frankreich und den Niederlanden bis zu Polens Verhalten auf dem jüngsten EU-Gipfel oder dem französischen Flirt mit einer Schwächung der Europäischen Zentralbank.

Hinzu kommt, dass die Frage der geographischen Finalität der EU noch nicht beantwortet ist. Zwar hat Frankreich im März 2005 einen neuen Artikel in seine Verfassung aufgenommen, nach der im Fall neuer Beitritte eine Volksabstimmung obligatorisch ist, und in Brüssel ist eine intensive Debatte über die Absorptionsfähigkeit der EU entbrannt:[2] Die Beitrittsdynamik ist jedoch ungebrochen. Neben den beiden Staaten, mit denen derzeit konkret über einen Beitritt verhandelt wird (Kroatien und die Türkei), stehen Mazedonien - das seit Dezember 2005 den offiziellen Status eines Beitrittskandidaten hat -, Albanien, Bosnien-Herzegowina, Montenegro und Serbien auf der Liste der Beitrittskandidaten. Auch Staaten wie Georgien, Moldawien oder die Ukraine (aber auch Island, die Schweiz und Norwegen) könnten eines Tages EU-Mitglieder werden. Gleiches gilt für das Kosovo, das früher oder später unabhängig und womöglich eine Art EU-Protectorat werden wird. Es zeichnet sich also eine EU mit weit über 30 Mitgliedsstaaten ab.

Diese Problemlage wirft die Frage auf, welche Modelle jenseits der klassischen Vollmitgliedschaft denkbar sind, denn die "one-size-fits-all"-Philosophie in Verbindung mit einer "take-it-or-leave-it"-Einstellung mit Blick auf Beitrittskandidaten bzw. Neumitglieder ist kein nachhaltiges Politikkonzept für die künftige EU.[3] Es wird mithin stärker über eine zeitliche, sektorale, funktionale oder geographische Differenzierung der Integration nachgedacht. Damit verabschieden sich denkbare und praktikable Ordnungsmodelle von der Vorstellung einer einheitlichen und gleichzeitigen Integration aller beteiligten Nationalstaaten. Daraus resultiert jedoch ein abermaliger Zuwachs an Komplexität der Entscheidungsprozesse, was zu verstärkten Akzeptanzproblemen in den nationalen Öffentlichkeiten führen dürfte. Die Frage ist aber nicht, ob es differenzierte Integration geben wird, sondern wie diese aussehen wird und aussehen soll.[4] Dabei stellen Formen der differenzierten Integration nicht nur die voraussichtlich einzige realistische Option für einen Weg aus der Integrationskrise dar, sondern sie sind bereits Realität, da auf der einen Seite Mitgliedsstaaten in Teilbereichen abseits stehen (Schengen, GASP, EURO) und auf der anderen Seite Nicht-Mitgliedsstaaten in einer breiten Palette von Politikbereichen an der Integration teilnehmen. Im Falle einer Ausweitung und Institutionalisierung dieses Verfahrens würden sich Mitgliedstaaten, die zahlreiche opt-outs für sich in Anspruch nehmen, denjenigen



Nichtmitgliedern, die über eine Reihe von opt-ins am Integrationsprozess teilnehmen, annähern und die Grenzen von Mitgliedschaft und Nichtmitgliedschaft bzw. Assoziation und ähnlichen Formen zunehmend verwischt.

Mit Norwegen und der Schweiz praktizieren zwei Länder - die "übriggebliebenen" westeuropäischen Nicht-EU-Staaten - de facto differenzierte Integration, ohne dass dies in der wissenschaftlichen oder politischen Debatte umfassend reflektiert wird: "Since they [Norway and Switzerland] are out of sight they are also out of mind." [5] Angesichts des oben skizzierten Bedarfs nach alternativen Integrationsmodellen ist dieser Sachverhalt ebenso bedauerlich wie unverständlich. Im Folgenden sollen daher die jeweiligen Anbindungsformen Norwegens und der Schweiz an die EU skizziert, einer kritischen Bewertung unterzogen und die Frage aufgeworfen werden, inwiefern sie Modellcharakter für andere interessierte und Kandidatenländer haben könnten, denen seitens der EU realistischerweise keine Perspektive auf eine klassische Vollmitgliedschaft eingeräumt werden wird.

Eine Quasi-Mitgliedschaft ohne Beitritt?

Der negative Ausgang der Referenden zum Europäischen Wirtschaftsraum (EWR) 1992 in der Schweiz bzw. zum EU-Beitritt 1994 in Norwegen setzte den von den jeweiligen Regierungen anvisierten Integrationspfaden ein vorläufiges Ende. In der Folgezeit bemühten sich beide Länder im Spannungsfeld zwischen direktdemokratischer Ablehnung, parlamentarischer Zustimmung und starken wirtschaftlichen Anreizen um möglichst umfangreiche und institutionalisierte, aber auch selektive Formen der Zusammenarbeit, wobei die Form dieser "Mitgliedschaft ohne Mitgliedschaft" im heutigen, vorläufigen Ergebnis durchaus unterschiedlich ausfiel.

Norwegen ist über das EWR-Abkommen von 1994 in den ersten Pfeiler der EU integriert, hat sich im zweiten Pfeiler über die seit Gründung der Organisation bestehende Mitgliedschaft in der NATO hinaus zunächst durch eine Assoziierung an die Westeuropäische Union (WEU), dann durch Abkommen zur Beteiligung an der Gemeinsamen Außen- und Sicherheitspolitik (GASP) und der Europäischen Sicherheits- und Verteidigungspolitik (ESVP) und ein Abkommen mit der Europäischen Verteidigungsagentur angenähert und partizipiert auch im dritten Pfeiler durch die Teilnahme am Schengener Abkommen. Damit lässt sich der norwegische Status als "EWR plus" oder als "halbes Mitglied" [6] klassifizieren, wobei der Schwerpunkt eindeutig auf dem wirtschaftlichen Bereich liegt, in dem, mit wenigen Ausnahmen vor allem im Bereich der Landwirtschaft, die Konsequenzen der EWR-Mitgliedschaft denen einer Vollmitgliedschaft stark ähneln. Ist die Beteiligung an einer sich dynamisch entwickelnden Außen- und Sicherheitspolitik vor allem Veränderungen im Umfeld in Folge des weltpolitischen Umbruchs 1990 geschuldet, so wurden die Bemühungen um eine Teilnahme am Schengener Abkommen durch die Nordische Passunion geradezu erzwungen: bei Inkrafttreten des Abkommens wäre ansonsten die schwedisch-norwegische Grenze zur EU-Außengrenze geworden, so dass eine 50 Jahre alte Errungenschaft der innernordischen Kooperation auf dem Spiel stand; [7] hier lässt sich folglich eine interessante geographische Variante von spill-over-Effekten konstatieren.

Die Integrationspolitik der Schweiz konzentriert sich einerseits auf die autonome Anpassung des schweizerischen Rechts an EU-Regeln und Standards und andererseits auf den Abschluss bilateraler sektorieller Verträge, die insgesamt ein breites Themenspektrum abdecken und in zwei bilateralen Paketen (in Kraft seit 2000 bzw. ab 2008) gebündelt wurden. Der schweizerische Ansatz lässt sich daher als punktuell-pragmatische Integration klassifizieren. [8] Die ersten Abkommen, unterzeichnet am 21. Juni 1999, umfassten im Einzelnen die folgenden Bereiche: Personenfreizügigkeit, Lufttransport, Landverkehr, Landwirtschaft, technische Handelshemmnisse, öffentliches Beschaffungswesen sowie Forschung. Standen in den Bilateralen Verbesserungen des wechselseitigen Marktzugangs, die Regelung des



Alpen transitverkehrs und die Einführung der Personenfreizügigkeit im Mittelpunkt, tritt in den Bilateralen II der politisch sensible Bereich der Zusammenarbeit im Innen- und Justizbereich durch die Assoziierung an das Schengener Abkommen und Abkommen zur justiziellen und polizeilichen Zusammenarbeit in bestimmten Bereichen dazu, während der Bereich der Außen- und Sicherheitspolitik bisher unter Verweis auf die schweizerische Neutralität weitgehend ein Nicht-Thema geblieben ist. Das zweite Paket, unterzeichnet am 26. Oktober 2004, enthält im Einzelnen Abkommen zu justizieller und polizeilicher Zusammenarbeit, Asyl und Migration, Zinsbesteuerung, Betrugsbekämpfung, verarbeiteten Landwirtschaftsprodukten, Umwelt, Statistik, Medienzusammenarbeit und Ruhegehältern.[9]

Versteht man die Fälle Norwegen und Schweiz folglich als "the key test case concerning indirect participation in European integration", [10] ergibt sich zwingend die Frage, welche Erfahrungen mit diesen seit nunmehr gut zehn Jahren praktizierten Integrationsmodi vorliegen. Ohne Zweifel lässt sich auf der Habenseite verbuchen, dass es gelungen ist, "maßgeschneiderte" Lösungen zu finden, die Rücksicht auf die spezifischen wirtschaftlichen (eine hoch subventionierte Landwirtschaft in beiden Ländern und eine ebensolche Fischerei in Norwegen), politischen (direkte Demokratie, Föderalismus und Neutralität in der Schweiz, der ausgeprägte Wohlfahrtsstaat in Norwegen) und identitätsrelevanten (späte Unabhängigkeit Norwegens, Selbstwahrnehmung als positiver Sonderfall im Sinne eines "Mustersozialstaats" bzw. einer "Musterdemokratie" in beiden Staaten) Rahmenbedingungen nehmen. Damit werden zugleich das Bedürfnis nach Aufrechterhaltung der nationalen Souveränität zumindest auf den ersten Blick befriedigt und das zentrale Anliegen eines gesicherten Marktzugangs realisiert; die in den Referenden zum Ausdruck gekommenen Präferenzen der Bevölkerung werden also zum einen ernst genommen und zum anderen mit - vor allem wirtschaftlich - notwendigen Anpassungsmaßnahmen verbunden. Zwar mangelt es, wie im Folgenden noch zu zeigen ist, an echten Mitbestimmungsmöglichkeiten, gewisse Einflussmöglichkeiten sind durch die Teilnahme an Beratungen im Vorfeld des eigentlichen Beschlusses aber gegeben. Weiterhin lassen beide Integrationswege, anders als eine Vollmitgliedschaft, Übergangsregelungen und permanente Ausnahmen in kritischen Fällen zu.

Auf den zweiten Blick allerdings - das spiegeln auch die nationalen EU-Debatten zunehmend wider - weisen beide Formen gravierende Defizite auf, von denen das problematischste die asymmetrische Struktur der Zusammenarbeit ist: sie beinhalten "semi-colonial features". [11] Dass im EWR eine quasi-automatische Übertragung des EU-Regelwerks in den vom Abkommen abgedeckten Bereichen erfolgt - die Möglichkeit eines Vetos ist nur theoretisch gegeben, da es zur Suspension von Teilen des Abkommens durch die EU führen würde -, kann weder aus demokratischer Perspektive noch mit Blick auf die tatsächliche nationale Souveränität befriedigen. Aus diesem Blickwinkel weckt die "integration by stealth", [12] die für die eigene Bevölkerung weitgehend unsichtbar und schleichend verläuft, erheblichen Zweifel an der Legitimität des Prozesses. Diese Problematik wird dadurch noch verschärft, dass der passiven Übernahme großer Teile des EU-Regelwerkes keine substanziellen Mitentscheidungsrechte und Einflussmöglichkeiten gegenüberstehen, was Norwegen in den Augen von Beitrittsbefürwortern zu einer "Faxdemokratie" [13] macht, die ihre Gesetze passiv "per Fax" aus Brüssel erhält, und die EWR-Lösung als "worse than membership" [14] erscheinen lässt. Hinter der "weichen" Symbolik und Rhetorik der norwegischen Integrationspolitik wird unter diesem Blickwinkel eine durchaus "harte" Realität sichtbar. Das wesentliche Manko der weniger institutionalisierten und eher punktuellen schweizer Lösung ist, zusätzlich zum Mitentscheidungsdefizit wie im norwegischen Fall, dass die bilateralen Abkommen nicht evolutionär angelegt sind, so dass Änderungen im EU-Vertragswerk neue bilaterale Verhandlungen erforderlich machen [15] und dass in den Bereichen, die formal von den Abkommen nicht abgedeckt sind, dennoch ein beträchtlicher Anpassungsdruck besteht, da man andernfalls den Anschluss an die europäische Wettbewerbsdynamik zu verlieren droht. Für die Schweiz wesentliche Bereiche sind auch nach den Bilateralen II nicht abgedeckt, so mangelt es insbesondere an einem Abkommen im für die schweizer Wirtschaft überaus wichtigen Dienstleistungsbereich. Damit hat sich die Schweiz aus Sicht der Kritiker freiwillig in die Marginalisierung, Scheinsouveränität und den passiven Nachvollzug begeben. [16] In beiden Fällen drängt sich die Frage auf, ob nicht einer integrations skeptischen Bevölkerung letztendlich "neuer Wein in



alten Schläuchen" verkauft wird und die Integration gewissermaßen durch die Hintertür weiter fortgeschritten ist, als offizielle Stellungnahmen und der formale Integrationsstatus vermuten lassen.

Trotz aller Kritik am Mitbestimmungsdefizit können die Lösungen EWR Plus und Bilaterale Sektorabkommen für sich beanspruchen, ein breites Spektrum an Kooperationsbeziehungen abzudecken und wichtige Interessen der Nichtmitgliedsstaaten zu befriedigen, wenn ein EU-Beitritt zumindest auf mittlere Sicht keine realistische Option darstellt; insofern stellen sie das Optimum des zumindest derzeit Möglichen dar. Inwiefern also taugen Norwegen und die Schweiz als Modellfälle einer (partiellen) Integration ohne Vollmitgliedschaft, und könnten sie der EU einen Weg aus dem Dilemma zwischen Erweiterung und Vertiefung - oder zumindest Bestandserhalt - weisen?

Perspektiven

Die Europäische Union wird sich weiterhin fundamental ändern bzw. ändern müssen, und ein einheitliches Integrationsmodell für alle 30 oder mehr Mitgliedsstaaten wird immer schwieriger zu finden sein. Mit dem Modell der differenzierten Integration steht ein Integrationsszenario auf der politischen Agenda, das die EU nachhaltig verändern wird. Bereits in der so genannten "Flexibilitätsklausel" des Nizza-Vertrags[17] wurde festgelegt, denjenigen Mitgliedsstaaten, die mit der Integration in bestimmten Politikfeldern weiter voranschreiten wollen als andere, dies unter Inanspruchnahme der gemeinschaftlichen Organe, Verfahren und Mechanismen zu gestatten. Im derzeit beratenen Reformvertrag wird dieses Prinzip bekräftigt.[18]

Angesichts der dargestellten Entwicklungen und Problemlagen kann kaum noch ein Zweifel daran bestehen, dass differenzierte Integration sowohl unter den Mitgliedsstaaten in bestehenden und neu hinzukommenden Integrationsbereichen als auch über die Außengrenzen der Union hinaus das Gebot der Stunde ist. Die deutlich abnehmende Unterstützung in der Mehrheit der Mitgliedsstaaten für einen klassischen Vollbeitritt der Türkei zur EU zeigt ebenso wie die enormen Schwierigkeiten im Verhandlungsprozess der EU mit derselben sehr deutlich den Bedarf für innovative Lösungen jenseits der Extreme Beitritt oder Nichtbeitritt. Nachfrage nach solchen Formen besteht auch für die Staaten der so genannten Europäischen Nachbarschaftspolitik (ENP), denen voraussichtlich auch auf lange Sicht keine Beitrittsperspektive eingeräumt werden soll oder kann. Neben der offenkundigen Aktualität und Relevanz der Frage, wie eine in absehbarer Zukunft anstehende Anbindung der Türkei gestaltet werden soll, stellen sich ähnliche Fragen etwa hinsichtlich der Ukraine, Israels oder auch derjenigen Mittelmeeranrainer, die bereits Teilnehmer des so genannten Barcelona-Prozesses sind.

Ohne an dieser Stelle die "Passgenauigkeit" der norwegischen und/oder schweizerischen Lösung für diese Staaten im Einzelfall überprüfen zu können, kann die These vertreten werden, dass die Erfahrungen dieser beiden Länder einerseits einen wertvollen Denkanstoß für die Weiterentwicklung und verstärkte Nutzung flexibler Integrationsmuster leisten und andererseits Einsichten in die Defizite und Grenzen dieses Integrationsmodus bieten können. Die Betrachtung der Integrationslösungen Norwegens und der Schweiz hat Vorteile und Defizite offenbart, die sich auf die Formel "Marktzugang gegen Mitbestimmung" bringen lassen. Vor allem deswegen sind diese Wege zumindest aus Sicht hoch entwickelter, westlicher Staaten, denen die Option Beitritt jederzeit zur Verfügung steht, möglicherweise als (auch langfristige) Zwischenlösung attraktiver denn als anzustrebender Endzustand - nicht zuletzt wird diese Annahme durch den Wechsel von Finnland, Schweden und Österreich aus dem EFTA/EWR-Kreis in den der EU-Mitgliedsstaaten belegt.

Zudem ist die Frage der Übertragbarkeit an eine Reihe von Voraussetzungen geknüpft, deren Betrachtung substantielle



Unterschiede zwischen den EFTA- und beispielsweise den ENP-Staaten offenbart. Bereits die Motivation, eine engere Anbindung an die EU zu suchen, differiert beträchtlich, und nicht für alle Interessenten liegt sie allein oder auch nur in erster Linie im wirtschaftlichen Bereich. Stehen aber beispielsweise Sicherheitserwägungen im Vordergrund, dann ist fraglich, ob eine EWR Plus-Lösung befriedigende Kooperationsmechanismen bereitstellen kann. Weiterhin bringen die genannten Staaten und Staatengruppen eine extrem unterschiedliche wirtschaftliche Leistungsfähigkeit mit; eine weitgehend vollständige Marktöffnung könnte für nicht wettbewerbsfähige Sektoren in den einzelnen Staaten gravierende Konsequenzen haben, wenngleich in anderen Bereichen aufgrund niedriger Produktionskosten durchaus Wettbewerbsvorteile gegeben sein dürften.

Trotz dieser Einschränkungen gilt es aber, Ansätze differenzierter Integration nutzbar zu machen und zu einem kohärenten Gesamtkonzept einer künftigen Integrationsstrategie zusammenzufügen. Die politische und politikwissenschaftliche Debatte steht hier noch am Anfang, und Lösungsansätze sind allenfalls in Umrissen erkennbar. So regen Andreas Wohlgemut und Clara Brandi die Einrichtung verschiedener kleinerer und unterschiedlich besetzter "sub-clubs" innerhalb der EU an, die - geknüpft an deren politischen Willen und Leistungsfähigkeit - auch Nichtmitgliedsstaaten einbeziehen könnten.[19] Barbara Lippert spricht von einer "gesamteuropäischen Aufgabeföderation".[20] Andreas Maurer und Max Haerder benennen drei Optionen für eine weitere Integrations- und Erweiterungsstrategie:[21] Erstens eine erweiterte assoziierte Mitgliedschaft, bestehend aus dem Europäischen Wirtschaftsraum, außen- und sicherheitspolitischer Kooperation sowie einem konsultativen Gremium für wirtschaftliche und soziale Fragen. Diese Option weist mit Ausnahme des Bereichs "Schengen" große Ähnlichkeiten mit dem "Modell Norwegen" auf; Erkenntnisse über Einflussmöglichkeiten und Defizite ließen sich folglich - mit aller gebotenen Vorsicht - übertragen. Zweitens eine graduelle Integration, bei der eine konditionelle Bindung jedes weiteren Integrationsschrittes an vorher zu leistende Reformen erfolgt. Für diesen Vorschlag können die wirtschaftlich zu den leistungsfähigsten und politisch zu den Staaten mit der längsten demokratischen Tradition zählenden Länder Norwegen und Schweiz keine Einsichten bieten; er erscheint aber im Hinblick auf eine Demokratisierung durch Konditionalität durchaus viel versprechend und wahrscheinlich. Drittens ein Modell modularer Integration, basierend auf einer Mitgliedschaft im EWR, zu der weitere Teilmitgliedschaften mit permanenten opt-ins treten. Wiederum zeigen sich deutliche Parallelen zum norwegischen, aber mit Ausnahme der EWR-Grundlage auch zum schweizerischen Modell. Demgegenüber hebt Janis Emmanouilidis die Vorzüge eines funktional-pragmatischen Vorgehens von Fall zu Fall ohne vorherige Festlegung des anzustrebenden Ergebnisses hervor.[22] Hinsichtlich einer Flexibilisierung durch Erweiterung schlägt er vor, neue und potenzielle Mitgliedsstaaten für eine gewisse Übergangszeit oder auf Dauer einerseits nicht für die Teilnahme an bestimmten Politikfeldern zuzulassen und ihnen andererseits Ausnahmen für die Umsetzung von Teilen des *acquis* zu gewähren.[23] Durch eine derart begrenzte Mitgliedschaft könnte gleichzeitig den Bedenken integrations skeptischer Kandidaten Rechnung getragen und Vorbehalten in den alten Mitgliedsstaaten gegenüber einer erneuten Erweiterung begegnet werden.[24]

Die Relevanz des Themas differenzierte Integration insgesamt und der beiden hier betrachteten Fälle im Besonderen ist damit offensichtlich: Neue und stärker formalisierte Formen der Anbindung von Nicht-Mitgliedsstaaten bzw. die Debatte über eine Art "Teilmitgliedschaft" oder Beitritte jenseits der klassischen Vollmitgliedschaft sind für die Zukunft des Integrationsprozesses eine Notwendigkeit. Spätestens wenn die Debatte um einen Beitritt der Türkei in eine Phase kommt, in der Entscheidungen im Sinne eines klaren "Ja" oder "Nein" gefällt werden müssen, sollte die Politik Pläne aus der Schublade holen können, die für den Fall eine schwere Krise abwenden, wenn absehbar ist, dass es für einen klassischen Vollbeitritt keine Mehrheit gibt. Denn es wird immer deutlicher, "dass mit den Beitritten zur EU nach gewohntem Muster nur die Frage der formalen, nicht aber der realen Mitgliedschaft beantwortet wird".[25] Norwegen und die Schweiz können - sowohl jeder Fall für sich als auch in der Zusammenschau - wertvolle Denkanstöße für die "Brückenbildung" zur EU auf verschiedenen Politikfeldern und mit unterschiedlicher Tiefe/Intensität bieten, wenngleich



einer Übertragung ihres Integrationsmusters aufgrund der grundlegend unterschiedlichen wirtschaftlichen und politischen Rahmenbedingungen enge Grenzen gesetzt sind.

Fußnoten

- 1 Vgl. Rat der Europäischen Union: Schlussfolgerungen des Vorsitzes, 23. Juni 2007, Dok. 11177/07, Anlage 1.
- 2 Vgl. Kai-Olaf Lang/Daniela Schwarzer, Argumente für eine neue Erweiterungsstrategie - die Diskussion über die Aufnahmefähigkeit der EU, in: *integration*, 30 (2007) 2, S. 117 - 128.
- 3 Vgl. Michael Wohlgemut/Clara Brandi, Europa à la carte. A club-theoretical vindication, in: Johannes Varwick/Kai-Olaf Lang (Eds.), *European Neighbourhood Policy. Challenges towards the EU-policy towards the new neighbours*, Opladen 2007, S. 159 - 180, hier S. 159.
- 4 Vgl. Janis A. Emmanouilidis, *Institutional consequences of differentiated integration (= CAP Discussion Paper)*, München 2007, S. 1.
- 5 Ulf Sverdrup/Stephan Kux, *Balancing effectiveness and legitimacy in European integration. The Norwegian and the Swiss case (= ARENA working paper 97/31)*, Oslo 1997, S. 4.
- 6 Dag Harald Claes, Norwegen, in: Werner Weidenfeld, *Die Staatenwelt Europas*, Bonn 2006, S. 257 - 268, hier S. 257.
- 7 Vgl. Clive Archer, *Norway outside the European Union. Norway and European integration from 1994 to 2004*, London 2005, S. 155.
- 8 Vgl. Thomas Cottier/Rachel Liechti, *Die Beziehungen der Schweiz zur Europäischen Union. Eine kurze Geschichte differenzieller und schrittweiser Integration*, Basel 2007, S. 18.
- 9 Vgl. Rat der Europäischen Union, *EU commitments vis-à-vis third countries (= Ratsdokument 8146/06)*, Brüssel 2006.
- 10 Kjell A. Eliassen/Nick Sitter, Ever closer cooperation? The limits of the ‚Norwegian method‘ of European integration, in: *Scandinavian Political Studies*, 26 (2003) 2, S. 125 - 144, hier S. 126.
- 11 Alfred Tovias, Exploring the pros' and cons' of Swiss and Norwegian models of relations with the European Union. What can Israel learn from the experiences of these two countries?, in: *Cooperation and Conflict*, 41 (2006) 2, S. 203 - 222, hier S. 203.
- 12 U. Sverdrup/S. Kux (Anm. 5), S. 33.
- 13 K. Eliassen/N. Sitter (Anm. 10), S. 138.
- 14 Lars Svåsand, The re-emergence of the EU issue in Norwegian politics, in: *Scandinavian Studies*, 74 (2002) 3, S. 329 - 349, hier S. 333.
- 15 Vgl. A. Tovias (Anm. 11), S. 216.
- 16 Vgl. Jürg Martin Gabriel/Sandra Hedinger, Außen- und Sicherheitspolitik, in: Ulrich Klöti u.a. (Hrsg.), *Handbuch der Schweizer Politik*, Zürich 2002/3, S. 693 - 723, hier S. 707.
- 17 Insbesondere die Artikel 43 - 45 des EU-Vertrags und Artikel 11 des EG-Vertrags.
- 18 So werden die Regelungen des Verfassungsvertrags zur verstärkten Zusammenarbeit (Art. I-44) beibehalten (vgl. Anm. 1) und zugleich das Teilnahmekorum von einem Drittel auf neun Mitgliedsstaaten umgestellt.
- 19 Vgl. M. Wohlgemut/C. Brandi (Anm. 3), S. 164ff.
- 20 Barbara Lippert, Beefing up the ENP: Toward a Modernisation and Stability Partnership, in: J. Varwick/K.-O. Lang (Anm. 3), S. 181 - 196.
- 21 Andreas Maurer/Max Haerder, Alternatives to full membership of the EU, in: J. Varwick/K.-O. Lang (Anm. 3), S. 207



- 213. Vgl. dazu Andreas Maurer, Alternativen denken. Die Mitgliedschaftspolitik der Europäischen Union vor dem Hintergrund der Beziehungen zur Türkei, Berlin 2007 (SWP Aktuell 36).
- 22 Vgl. J. A. Emmanouilidis (Anm. 4), S. 4 ff.
- 23 "Acquis communautaire" bezeichnet den primär- und sekundärrechtlichen gemeinschaftlichen Besitzstand der EU.
- 24 Vgl. J. A. Emmanouilidis (Anm. 4), S. 13f.
- 25 A. Maurer (Anm. 21), S. 1.

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

Subsection 10. Processes of federalization and decentralization

Loughlin John

Reconfiguring the State: Trends in Territorial Governance in European States

in **Regional and Federal Studies**, Volume 17, Issue 4 , 385 - 403

Multi-level governance appeared in the 1990s as a concept which sought to capture the changing relationships between different territorial levels of government in the EU. The concept was important as it drew to attention to important changes in territorial governance that were occurring at this time. This article steps back to analyse wider changes in the nature and form of the Welfare State, and the consequences of this for territorial governance. It argues that there are distinct trends in contemporary territorial governance: greater political as opposed to simple administrative decentralization; more asymmetry and diversity; a shift from a 'principal-agent' to a 'choice' model of central-local relations; great scope for experimentation; more non-hierarchical relations; new patterns of fiscal relations.

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

Subsection 10. Processes of federalization and decentralization

Savino M.

Regioni e Unione europea: il mancato "aggiramento" dello Stato

in **Regioni (Le)**, n. 3-4 , 433-472

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

Feltenius David

Relations Between Central and Local Government in Sweden During the 1990s: Mixed Patterns of Centralization and Decentralization

in **Regional and Federal Studies**, Volume 17, Issue 4 , 457 - 474

In this article, mixed patterns of centralization and decentralization in Sweden from the 1990s and onwards are investigated. Centralization measures are examined through the case of central government's steering of local government's provision of welfare, while decentralization measures are examined through the case of the experiment with setting up regions. In addition, the current discussion on future developments of central-local government relations



in Sweden is explored. It is argued, in this article, that centralization measures in Sweden during the period investigated can be explained mainly by the importance played by the principle of equality in welfare provision and that decentralization can be explained by the discussions on the 'Europe of the Regions'. This explanation is in accordance with the literature in the field that stresses the importance of both Europeanization and specific values within a country's political culture to understand current developments in central-local government relations in Western Europe.

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

Subsection 10. Processes of federalization and decentralization

Tondi della Mura Vincenzo

Sussidiarietà ed Enti locali: le ragioni di un percorso innovativo

in *Federalismi*, Anno V - N. 20

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

Subsection 10. Processes of federalization and decentralization

Mart'lanov Viktor

The Decline of Public Politics in Russia: From Public Politics to Political Administration: The Depoliticization of the Regions

in *Russian politics and law*, Volume 45, Number 5 / September-October , 67 - 82

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

Subsection 10. Processes of federalization and decentralization

Brancati Dawn

The Origins and Strengths of Regional Parties

in *British Journal of Political Science*, issue 1, vol. 38, january , 135-159

ABSTRACT: Traditional explanations of the origins of regional parties as the products of regionally-based social cleavages cannot fully account for the variation in regional party strength both within and across countries. This unexplained variance can be explained, however, by looking at institutions, and in particular, political decentralization. This argument is tested with a statistical analysis of thirty-seven democracies around the world from 1945 to 2002. The analysis shows that political decentralization increases the strength of regional parties in national legislatures, independent of the strength of regional cleavages, as well as of various features of a country's political system, such as fiscal decentralization, presidentialism, electoral proportionality, cross-regional voting laws and the sequencing of executive and legislative elections.



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

Subsection 10. Processes of federalization and decentralization

De Coorebyter Vincent

Un fédéralisme belge en perpétuel chantier

in *Monde Diplomatique (Le)*, Novembre

Premier ministre pressenti, le chrétien-démocrate Yves Leterme a repris, en octobre, ses négociations en vue de la formation du gouvernement belge. Depuis les dernières élections législatives, le 10 juin 2007, il n'avait pas réussi à former une coalition regroupant néerlandophones et francophones. Le principal désaccord porte sur une nouvelle réforme de l'Etat fédéral, sur fond de revendications autonomistes, voire indépendantistes, flamandes.

http://www.monde-diplomatique.fr/2007/11/DE_COOREBYTER/15321

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

Subsection 10. Processes of federalization and decentralization

Cragoe Matthew

'We Like Local Patriotism': The Conservative Party and the Discourse of Decentralisation, 1947–51

in *English Historical Review (The)*, Volume 122, Number 498, September , 965-985

This article offers a new reading of Conservative approaches to territorial government in the UK in the early years of the Cold War.

As is well known, the Conservatives enhanced the place of both Scotland and Wales in Government on their return to office in 1951. The former gained a new Minister of State (Alec Douglas-Home) to support the existing Secretary of State; the latter a Minister for Welsh Affairs (Sir David Maxwell Fyfe), and Cabinet representation for the first time.

Hitherto, these concessions have been explained primarily with reference to the internal politics of the two countries concerned, and particularly the pressures of local nationalism. In this article, the policies are examined from a central perspective, and the rhetorical context of the Scottish and Welsh policies compared with that surrounding the Conservatives' proposals to reform local government in England.

Together, it is argued, they reveal the importance of decentralisation to Conservative attempts to combat Labour between 1947 and 1951. The Conservatives championed a State in which the reach of the State carefully delimited and local patriotism celebrated as a cornerstone of a distinctively 'British way of life'. Labour, by contrast, was presented as wishing to subsume these historical differences within a uniform Socialist State controlled from London – or Moscow. In the atmosphere of growing alarm that characterised the early years of the Cold War, the Conservatives used a discourse of decentralisation to represent the cultural and economic absolutism of a Socialism' as both unhistorical and un-British.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Buhrer Jean-Claude

L'ONU contre le droits de l'Homme?



in *Politique internationale*, n°117 - AUTOMNE

Some naïve observers might have felt a little hope when on March 15, 2006 the United Nations Commission on Human Rights—a body that throughout its entire existence had flouted both the spirit and the letter of the human rights it was presumed to be defending—was replaced by the UN Human Rights Council. The new entity was expected to better express the very noble mission originally assigned to the Commission. Unfortunately, the same causes have produced the same effects, and the Council has done little to advance the cause for which it was created. Like the previous Commission, it is tightly controlled by authoritarian regimes that outnumber the democratic member nations. And since the Organization of the Islamic Conference adroitly maneuvered to ensure that as many seats as possible were occupied by Muslim states, the only nation on earth regularly condemned by the Council is... Israel, while the others can sleep in peace. It remains obvious that the United Nations still has no authority when it comes to human rights.

http://www.politiqueinternationale.com/revue/article.php?id_revue=117&id=661&content=synopsis

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Moulin Carolina, Nyers Peter

'We Live in a Country of UNHCR'—Refugee Protests and Global Political Society

in *International Political Sociology*, Vol. 1, Issue 4, November 2007, 356–372

Between September and December 2005 over 3,000 Sudanese refugees held a sit-in demonstration at the Mustapha Mahmoud Square in Cairo, Egypt, which is located directly across from the offices of the United Nations High Commissioner for Refugees (UNHCR). We analyze the events of the refugee sit-in as an act of global political society, one that saw people outside the realm of the political making demands for recognition and a say in the solutions being developed to relieve their plight. We argue that the sit-in at Cairo was fundamentally a disagreement between the refugees and the UNHCR over the politics of protection, care, and mobility. The article analyzes the strategies through which the refugees named their "population of care" in ways that countered the UNHCR's governmental strategies to classify the Sudanese refugee population in Cairo. We propose the concept of "global political society" as a way of thinking about global political life from the perspective of those who are usually denied the status of political beings. Global political society is a highly ambiguous site where power relations are enacted, taken and retaken by various actors, but in ways that do not foreclose opportunities for refugees to actively reformulate the governmentalities of care and protection.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wadlow René

Arctic Oil and the Law of the Seize

in *Federalist Debate (The)*, Year XX, n. 3, November, 26-29

There is a touch of the 19th century scramble to divide Africa among European colonial powers in Russia's decision to drop a capsule containing a Russian flag on the Arctic sea floor not far from the North Pole on August 2nd. In preparation for the 1885 Berlin Conference which was to draw the boundaries of the African colonies, there was a mad rush to place national flags on all the commercial outposts so that France, England, Germany, Spain, Belgium and



Portugal could claim prior possession of the area.

The Russian flag provoked an immediate three-day Arctic trip of the Canadian Prime Minister, Stephen Harper, followed by strong statements from Norway which has Arctic claims, and an expedition from Denmark, whose Greenland possessions allow it to claim that the disputed Lomonosov Ridge, a 1,240-mile underwater mountain range, is attached to Greenland. The Danish Minister of Science and Technology, Helge Sander, said "No matter how many flags you plant or how many prime ministers you send, that doesn't become a valid parameter in the process". However, to make sure that the Danish flag is seen, Denmark has plans for two more expeditions to justify its claims. Not to be left behind, the US Coast Guard is sending a ship this year, the cutter Healy, to map the sea floor on the northern Chukchi Cap, an underwater plateau that extends from Alaska some 1,500 miles northward.

The Russian expedition was led by Arthur Chilingarov, an Arctic explorer who is also a vice-president of the Russian Parliament, the Douma, so that the dropping of the flag is a symbol that will be brought quickly to the attention of Russian lawmakers. The expeditions reflect the growing rivalry between Russia, the USA, Canada, Norway and Denmark for the Arctic's underwater riches, an estimated 10 billion dollars of riches, in particular, oil and gas. Iceland has also presented claims but is a less active participant in the scramble.

The irony of the scramble is that the race is intensifying because global warming is shrinking the polar ice, making oil exploitation economically possible. More oil use will intensify global warming. There are also possibilities of valuable minerals on the Arctic seabed as well as untapped fishing stocks.

Fortunately, there are UN structures which should prevent a free-for-all battle based only on political influence. The Third Law of the Sea Conference created a UN body - the Commission on the Limits of the Continental Shelf¹ - whose mandate is to decide the claims concerning the continental shelf. The Commission is made up of independent experts drawn from states which have ratified the 1982 Law of the Sea Convention. Thus, there are no US members on the Commission as the USA has not ratified the Convention, due to narrow nationalistic fears in the US Senate. There are efforts currently underway to revive Senate action on the Law of the Sea Convention, but even if the USA ratifies, there will not be a vacant seat on the Continental Shelf Commission for some time. As with all UN bodies made up of independent experts, some members are more independent than others, and some are more expert than others. The Continental Shelf Commission is to base its decisions on geological evidence, but politics is never far away.

The rather complicated Continental Shelf issues arise from the results of the Third UN Law of the Sea Conference which began in Caracas in 1974 and whose Convention came into force in 1982. There had been two earlier UN Conferences on the Law of the Sea in 1958 and 1960 but with rather narrow legal agendas. By the time of the Third Conference, many colonial countries had become independent and wanted a role in what was presented at the time as the most important legal gathering since the 1945 San Francisco Conference launched the UN. Moreover, many "geographically disadvantaged" nations such as those who were landlocked or with short coasts were determined not to be left out. Geography often won over Cold War ideology as Swiss and Nepalese diplomats led the landlocked caucus.

The momentum for the Third Law of the Sea Conference had begun with a historic speech in the UN General Assembly in 1967 by Ambassador Arvid Pardo of Malta who developed the idea of the common heritage of mankind for the sea-bed and the ocean floor beyond the limits of national jurisdiction. Pardo also had a strong ecological concern stressing that "nations must do together what they cannot do singly. Since none of them can conserve the ocean environment and prevent pollution individually, they must do it together".



US international law scholars, in particular Louis Sohn, professor of international law at Harvard, had played an important role in setting the intellectual foundations for the conference. The US Draft Ocean Treaty presented in 1970 was very international and generous in a common heritage of mankind direction. Later, the Treasury Department and the Office of Management and Budget gutted the US Draft, leaving however the innovative sections on the settlement of disputes to which Sohn had largely contributed.

The Law of the Sea Conference which ran from 1974 to 1980 - "the longest running show on Broadway" as some called it - was held at a time when many diplomats felt that there would be a world-wide struggle for resources. There was the 1973 Arab oil boycott and the resultant steep rise in petroleum prices. Howard Hughes had just launched a new ocean mining vessel, the Hughes Glomar Explorer, which many saw as a sign that only the most technologically advanced - either private or State-owned companies - would have access to hard minerals on the sea floor, in particular manganese nodules which contain copper, nickel and cobalt as well as manganese. The fear of a resource battle led governments to place as much of the seabed as possible under national control - leading to what some called "the law of the seize". Under the Convention, every State has the right to exploit the ocean floor and the seabed up to 200 nautical miles off its coast, provided that the area does not overlap with the seabed of other States. In addition, States can establish the right to further seabed if they can prove with geological evidence that their continental shelves extend more than 200 miles beyond their coasts. Underwater mountains as in the Arctic can be considered as part of their continental shelf if they are linked or were linked to the above-sea continental shelf.

A State must present its evidence to the UN Commission on the Continental Shelf, but only after ratifying the Convention on the Law of the Sea. All States involved in the Arctic Ocean continental shelf have ratified the Convention except the USA. Thus, the Commission on the Limits of the Continental Shelf takes on added importance.

The only alternative to the application of the Law of the Sea Convention would be a new treaty among only those States concerned with the Arctic Ocean sea bed. The precedent for such a treaty is the Treaty on the Antarctic in which 12 countries ratified a treaty to create a legal framework to govern the southernmost continent. Some, such as Scott Borgerson, who teaches maritime studies at the US Coast Guard Academy and is a fellow at the Council on Foreign Relations, are looking to the Antarctic Treaty of 1959 as a model to prevent an Arctic race for oil by avoiding the provisions of the Law of the Sea Convention which the USA has not signed.

Since the Antarctic Treaty is bedside reading for only a few, it is useful to look at its provisions and to see if it can be a useful precedent². The Antarctic Treaty was drafted largely as a way to avoid a clash of sovereignty among seven states, some of whose claims to territory in Antarctica overlap, in particular Chile, Argentina and the United Kingdom. The claims were highlighted in 1958 which the United Nations proclaimed as International Geophysical Year, and there were at least twelve national expeditions that year in the Antarctic.

It is believed that the Antarctic continent once existed in close juxtaposition with Australia, South Africa, South America, and India in an original super-continent, Gondwanaland. Since the latter areas are all well endowed with minerals, it is assumed that the Antarctic must be likewise. While extraction would be difficult and expensive, the price of oil and minerals could make extraction financially worthwhile.

The success of the 1958 International Geophysical Year encouraged hopes of making the spirit of scientific co-operation more permanent, leading to the 1959 Antarctic Treaty among twelve states - those with sovereignty claims and five additional states which had participated in the expeditions of the Geophysical Year.



The Treaty has four notable components. First, it established the world's first nuclear-free zone, preventing the placing of nuclear weapons and nuclear waste. The Treaty did not rule out the civilian use of nuclear energy, and so the USA installed a nuclear power plant at its McMurdo Base. It failed to live up to its expectations and was decommissioned in 1978. Since it was decommissioned, it then became radioactive waste, and the material had to be shipped back to the USA at almost the same cost as originally building it.

Second, the Antarctic Treaty has frozen land claims, such as those of the UK, Chile and Argentina which overlap. The USA and the Soviet Union by contrast did not make any claims but did not recognise the claims of others. The Treaty froze the issue. No new claims were to be made but the current claimants were not forced to give up what they already claimed. Meanwhile, for those states that did not recognise any of the claims, the Treaty permitted them to continue their policy of non-recognition.

Third, the Treaty guaranteed international co-operation in scientific investigation. There is an exchange of information regarding scientific programs, as well as co-operation among scientific personnel.

Finally, there is a strong international mechanism to supervise the implementation of the Treaty. This international mechanism also contains an obligation among the nations concerned to settle their disputes peacefully by negotiation and inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice. The Treaty has worked well. While political disputes come and go, the challenges of science remain. In the mid-1970s during the negotiation on the Law of the Sea Convention, Sri Lanka proposed that the Convention should apply to the Antarctic. This idea was beaten back by the 12 states party to the Antarctic Treaty; the UK, USA and USSR having a good number of allies or clients. Thus it was agreed that the Antarctic should not be dealt with by the Law of the Sea negotiations nor by its Convention. A few states, in particular Malaysia had raised the issue in the mid 1980s in the UN General Assembly, but were never able to build up momentum to really question the Treaty - a deal among a small number of powerful states. The Antarctic Treaty of 1959 is a product of a bygone era. It was created at a time when many states were still colonies of European powers and so were largely ignored in international politics. Thus a handful of developed states could determine the outcome of a large area without recourse to advice from Asia or Africa. Today, such a treaty among only a few states is less possible even if the outcome of the Antarctic Treaty has been largely positive.

Concerning the North Pole, the Arctic states - Canada, Denmark, Finland, Iceland, Norway, Sweden, Russia, and the USA - participate in an intergovernmental body, the Arctic Council concerned largely with environmental questions. Could the Arctic Council serve as a focus for drafting a wider treaty among these states to deal with sovereignty claims, shipping lanes, the development of oil and mineral resources, and the welfare of nearly one million indigenous peoples living within the Arctic Circle? This is one of the questions facing the international community. The quality of the answers given will have to concern more than international lawyers.

1 For a description of the work of the UN Commission on the Limits of the Continental Shelf, its members and some of its past efforts, see its official website www.UN.org/Depts/los/clcs_new/cles_home.htm

2 For those who would like to study it at length, see Emilio Sahurie, *The International Law of Antarctica*, Dordrecht, NL, Martinus Nijhoff Publishers, 1991, 612 pp.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Pedersen Susan

Back to the League of Nations

in *American Historical Review*, Vol. 112, n. 4, October , 1091 - 1117

<http://www.historycooperative.org/journals/ahr/112.4/pedersen.html>

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Heggelund Gørild, Bruzelius Backer Ellen

China and UN environmental policy: institutional growth, learning and implementation

in *International Environmental Agreements: Politics, Law and Economics*, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 415-438

The focus of this article is on whether, and to what extent, the major UN bodies for environmental issues—the United Nations Environmental Programme (UNEP), the Commission for Sustainable Development (CSD), and the Global Environmental Facility (GEF)—have had any impact upon how China addresses and approaches its environmental issues. The UN bodies seem to have had some degree of day-to-day influence in a range of fields. UNEP has provided assistance in terms of policy formulation, technical assistance, training of personnel, public awareness and networking. The CSD seems to have made fewer practical and concrete contributions to China's environmental policies; it serves as an arena for learning and discussion of environmental issues, rather than as a body for policy implementation. The GEF, on the other hand, has been an important source for the implementation of environmental policies in China. As to China's contribution to environmental issues on the global arena, China does not seem to give priority to the international level of environmental policies. It is an active participant and stakeholder in international bodies such as UNEP and the CSD, but it is currently not providing any leadership. This is in clear contrast to domestic policy, where environmental issues are becoming increasingly important, attracting the attention of the media, policy-makers and the public. The article concludes that should this trend consolidate, establishing the management of the environment and natural resources as major issues in Chinese politics, it is reasonable to expect that China will in the future aim to play a leading role in environmental politics at the international level.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Curran David, Woodhouse Tom

Cosmopolitan peacekeeping and peacebuilding in Sierra Leone: what can Africa contribute?

in *International Affairs* , issue 6, vol. 83, November , 1055–1070

The article is organized into two main parts. First, it presents the termination of the conflict in Sierra Leone as a case-study to examine the degree to which cosmopolitan values connecting peacekeeping and peacebuilding are (or are not) evident. The case-study looks at the United Nations Mission in Sierra Leone (UNAMSIL) as a model of successful peacekeeping in the sense that everyday security was provided for the people of Sierra Leone through the deployment of a robust peacekeeping mission. This assessment needs to be qualified in relation to serious deficits still to be addressed in post-conflict peacebuilding, yet the success of this mission does provide encouragement for those



who see the construction of a cosmopolitan security architecture for Africa as both desirable and achievable. Second, it explores the degree to which an appropriate model of cosmopolitan peacekeeping might emerge at regional and continental levels in Africa through the development of the African Standby Force (ASF). What the case-study presented here and the survey of the African Union (AU)/ASF in the second part of the article have in common is that taken together, they provide some evidence to suggest that, however fragile, the AU is beginning to define an agenda that represents a continent wide and, in that sense at least, a cosmopolitan response to African security issues.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Birdsall Andrea

Creating a More 'Just' Order. The Ad Hoc International War Crimes Tribunal for the Former Yugoslavia in Cooperation and Conflict, n. 4, vol. 42, december , 397-418

ABSTRACT: This article analyses the creation of the International Criminal Tribunal for the Former Yugoslavia (ICTY) in light of its potential for creating and institutionalizing justice norms in international society. The theoretical and analytical framework is based on the English School of International Relations and its central conflict between order and justice. The framework integrates a constructivist approach and the 'norm life-cycle' to explain the dynamic process of norm emergence and institutionalization in international society. I argue that establishing the ICTY, despite a number of problems resulting from the way it was set up, constituted an important precedent for multilateral action towards institutionalizing respect for the rule of law and principles of individual justice. This suggests that these norms are being taken increasingly seriously and are being given priority over other fundamental principles of order, such as sovereignty and non-intervention. The ICTY's establishment constitutes a significant development in international politics and law and is evidence of the international society's move towards increased norm internationalization. The ICTY also contributed to the establishment of the International Criminal Court and the further institutionalization of human rights norms in creating a more just order.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

De Waal Alex

Darfur and the failure of the responsibility to protect in International Affairs , issue 6, vol. 83, November , 1039–1054

When official representatives of more than 170 countries adopted the principle of the 'responsibility to protect' (R2P) at the September 2005 World Summit, Darfur was quickly identified as the test case for this new doctrine. The general verdict is that the international community has failed the test due to lack of political will. This article argues that the failure is real but that it is more fundamentally located within the doctrine of R2P itself. Fulfilling the aspiration of R2P demands an international protection capability that does not exist now and cannot be realistically expected. The critical weakness in R2P is that the 'responsibility to react' has been framed as coercive protection, which attempts to be a middle way between classic peacekeeping and outright military intervention that can be undertaken without the consent



of the host government. Thus far, theoretical and practical attempts to create this intermediate space for coercive protection have failed to resolve basic strategic and operational issues. In addition, the very act of raising the prospect of external military intervention for human protection purposes changes and distorts the political process and can in fact make a resolution more difficult. Following an introductory section that provides background to the war in Darfur and international engagement, this article examines the debates over the R2P that swirled around the Darfur crisis and operational concepts developed for the African Union Mission in Sudan (AMIS) and its hybrid successor, the UN–African Union Mission in Darfur (UNAMID), especially during the Abuja peace negotiations. Three operational concepts are examined: ceasefire, disarmament and civilian protection. Unfortunately, the international policy priority of bringing UN troops to Darfur had an adverse impact on the Darfur peace talks without grappling with the central question of what international forces would do to resolve the crisis. Advocacy for the R2P set an unrealistic ideal which became the enemy of achievable goals.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ivanova Maria

Designing the United Nations Environment Programme: a story of compromise and confrontation

in International Environmental Agreements: Politics, Law and Economics, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 337-361

The role of the United Nations in global environmental governance was determined in 1972 when a new international body for the global environment was created as a programme within the United Nations rather than as an autonomous specialized agency. A set of political dynamics between developed and developing countries led to the decisions on the functions, form, financing, and location of the new intergovernmental organization—the United Nations Environment Programme. This article traces the historical roots of these choices and exposes the motivations behind them.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Bair Jennifer

From the Politics of Development to the Challenges of Globalization

in Globalizations , Volume 4, Issue 4, December 2007 , 486 - 499

Abstract

During the 1970s, the United Nations was the central front in the G-77's struggle to realize a 'New International Economic Order' (NIEO). A key plank in the NIEO platform was the regulation of multinational corporations; this objective was pursued via a draft Code of Conduct on Transnational Enterprises, formulated by a UN Commission created largely for that purpose. Although the Code was abandoned in 1992 after 14 years of negotiations, multinationals were back on the UN agenda later that same decade. As then Secretary-General Kofi Annan observed when announcing this new initiative between the United Nations and corporate partners, the Global Compact recognizes that a fundamental shift has occurred in recent years in the attitude of the UN towards the private sector. This paper explores the rehabilitation of the multinational corporation implied in the journey from Code to Compact as a way to understand the transformation of development discourse that occurred during the last quarter of the twentieth century.



Focusing on the history of contestation that lies beneath the current orthodoxy, I emphasize that the Code of Conduct, and the broader NIEO agenda of which it was part, represented an effort by the G-77 countries to define development as a struggle for recognition of the 'sovereign equality' of Southern and Northern states, and as a demand for redistribution via structural reform of the existing order and the creation of a more equitable international regime.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Plesch Dan

How the United Nations Beat Hitler and Prepared the Peace

in *Global Society*, Volume 22, Issue 1, January , 137-158

The United Nations was born in 1942, defeated the Axis Powers led by Germany, Italy and Japan and created today's UN system. This reality has been lost in modern scholarship. We are taught that the Allied countries, mainly America and Britain, with the Soviet Union won the war and that the United Nations was created in 1945. In this way, the achievement of victory can be set in opposition to the United Nations and to multilateralism in general. But it should not be possible to separate victory in the war from the modern United Nations and its priorities, for these were the priorities set by the United Nations at war. America, Britain and the Soviet Union led a large coalition of states organised as the United Nations and this term was used routinely in military orders, in the instruments of surrender signed by the enemy and in political and social life. Bretton Woods and San Francisco were United Nations conferences, and interim United Nations organisations preceded the Charter. Understanding the wartime United Nations reframes our understanding of the second half of the last century and of our own. From UNESCO to the World Bank the primary purpose of the international system is conflict prevention and its wartime architects bequeathed us this system as a realist necessity vital in times of trial, not as a liberal accessory to be discarded when the going gets rough.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Eide Asbjørn, Letschert Rianne

Institutional Developments in the United Nations and at the Regional Level

in *International Journal on Minority and Groups Rights*, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 299-332

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Stewart Ngozi F.

International Protection of Human Rights: The United Nations System

in *International Journal of Human Rights (The)*, Volume 12, Issue 1 , 89-105

Amid the threat of nuclear war and seemingly endless regional conflicts, peacekeeping has become an overriding concern of the UN. In the process, its activities have emerged as the most visible role associated with the world organisation. The UN is however, much more than a peacekeeper and forum for conflict resolution. Often without



attracting attention, the UN and its family of agencies are engaged in a vast array of work that touches every aspect of people's lives and the world. The focus of this paper is on the UN system of protection of human rights. The achievements of the UN notwithstanding, there remain certain loopholes which must be filled especially with respect to its enforcement mechanisms. An attempt has been made in this paper to identify those loopholes and proffer recommendations, which, in the light of certain 'die-hard' human rights violations, are imperative

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Andresen Steinar

Key actors in UN environmental governance: influence, reform and leadership

in International Environmental Agreements: Politics, Law and Economics, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 457-468

In the introductory article it was concluded that the effectiveness of the UN environmental institutions studied was quite low. Key actors, especially the US and the EU, play a considerable role in explaining the course of development in these institutions. However, this does not mean that these processes are mainly state-driven as a number of other factors matter. The potential for reform and increased effectiveness is limited as the main actors, the US the EU and G-77/China have very different interests and perceptions as to the future directions of these institutions.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fulci Francesco Paolo

La riforma del Consiglio di Sicurezza dell'ONU. I rischi per l'Italia

in Affari Esteri, Anno XXXIX, n. 156 , 807-815

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Rosendal G. Kristin

Norway in UN environmental policies: ambitions and influence

in International Environmental Agreements: Politics, Law and Economics, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 439-455

This is a study of Norway's ambitions for influencing UN environmental policies and then on the scope for impact. On the whole, it is clear that Norway has not been particularly successful in its general efforts at strengthening UNEP. These proposals have failed, due mainly to opposition from key states. Norway is after all a minor player in global governance issues, even in those pertaining to the environment. Norway has been more successful in efforts that indirectly strengthen UNEP, by supporting UNEP in initiating new MEAs. We found three main factors that help to explain why Norway has a relatively high level of influence at the international environmental arena compared to its size. First, there is a relatively straightforward domestic decision-making process with little conflict. Second, Norwegian officials and NGOs possess considerable expertise in these issues, adding to the intellectual leadership role of Norway in pushing for



new principles and international legislation through UNEP. Third, Norway is sometimes able to join forces in environmental alliances with other like-minded countries. This would seem to carry the widest scope for increasing impact.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Brattain Michelle

Race, Racism, and Antiracism: UNESCO and the Politics of Presenting Science to the Postwar Public
in *American Historical Review*, Vol. 112, n. 5, December , 1386 - 1413

<http://www.journals.uchicago.edu/doi/full/10.1086/ahr.112.5.1386>

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Pentassuglia Gaetano

Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples? An Introduction

in *International Journal on Minority and Groups Rights*, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 127-139

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Del Ponte Carla, Lasserre Isabelle, Hartmann Florence

Splendeurs et miseres de la justice internationale

in *Politique internationale*, n°117 - AUTOMNE

Carla Del Ponte has been the prosecutor for the International Criminal Tribunal for the former Yugoslavia (ICTY) since September 1999, and will leave her post at the end of the year. In this joint interview with Florence Hartmann, her spokeswoman for six years, and Isabelle Lasserre, she looks back over an experience that has been both fascinating and frustrating. The creation of the ICTY was certainly a decisive step forward. But, she stresses with some bitterness, international justice often proved to be powerless due to a lack of political will. Despite everything, she intends to continue her fight until the end of her mandate, and convince leaders to give this Tribunal without any coercive powers the support it needs to ensure the arrest of the last four accused persons still on the run. The most notorious of them, Radovan Karadzic and Ratko Mladic, have been sought since 1995 for the genocide at Srebrenica and for several crimes against humanity committed during the war in Bosnia-Herzegovina

http://www.politiqueinternationale.com/revue/article.php?id_revue=117&id=663&content=synopsis

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system



Soederberg Susanne

Taming Corporations or Buttressing Market-Led Development? A Critical Assessment of the Global Compact in Globalizations , Volume 4, Issue 4, December 2007 , 500 - 513

Abstract

Voluntary-based corporate social responsibility (CSR) strategies have become a fashionable response of the business community and international organizations to the growing discontent over flagrant abuses of corporate power against humanity and the environment. A case in point is the Global Compact (Compact or GC), which was forged by the United Nations in 2000. The GC represents the world's largest initiative and involves a wide range of diverse actors, from mammoth-sized transnational corporations (TNCs) to not-for-profit nongovernmental organizations. This essay looks critically at the GC by identifying the social relations of power and struggles inherent within the initiative, as well as its links to the wider neoliberal-led development agenda. In contrast to the image portrayed by its creators that it is a neutral, inclusive, and progressive exercise in global governance, I argue that the GC is in essence a neoliberal strategy that is a highly exclusionary, corporate-led attempt to legitimate and thus reproduce the growing social power of TNCs across the world, but particularly in the global South. It does so in a twofold manner: first, by institutionalizing and thereby depoliticizing anti-corporate struggles that seek social protection from market forces, and second, by discrediting the drive to tame corporate behaviour through legally binding codes. In doing so, the Compact normalizes and thereby recreates the dominant neoliberal-led development paradigm based on the central premise that, given the 'correct' policy framework, the market will be able to provide adequate levels of social protection as it generates economic growth.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Errico S.

The Draft UN Declaration on the Rights of Indigenous Peoples: An Overview
in *Human Rights Law Review*, Vol. 7 n. 4

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Taiwo, L O

The Imperatives of Reforming the United Nations Security Council in the Post Cold War Era
in *Indian Journal of International Law*, Volume 47, issue 2 , 237-256

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wilson Gary

The Legal, Military and Political Consequences of the 'Coalition of the Willing' Approach to UN Military Enforcement Action
in *Journal of Conflict and Security Law*, Volume 12, Number 2, Spring , 295-330



The UN Charter envisaged a centralised system of collective security in which the UN Security Council would have readily available forces of its own for the purpose of taking military enforcement action under its own authority and control. These forces were never created and the Security Council has had to rely heavily upon authorising willing coalitions of states to take action on its behalf. Although such an approach to military enforcement action is legally permissible, it gives rise to a series of consequences of a legal, military and political nature that call into question the extent to which it provides the Council with an effective means of exercising its primary responsibility for the maintenance of international peace and security. This article considers these consequences of the 'coalition of the willing' approach to military enforcement action, and seeks to show that its utility will vary from one situation to another. Although difficulties can arise from operations being subjected to insufficient levels of ultimate legal oversight by the Security Council, or through military operational problems, the limitations of the 'coalition of the willing' as an effective tool of the Council are likely to lie primarily in the political sphere.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Breen Claire

The Necessity of a Role for the ECOSOC in the Maintenance of International Peace and Security
in *Journal of Conflict and Security Law*, Volume 12, Number 2, Spring , 261-294

The maintenance of international peace and security and the promotion and protection of human rights are two of the objectives of the United Nations enshrined in the Charter. These objectives have existed largely side by side and the contributing role of human rights violations to conflict creation as well as the significance of their protection to securing conflict resolution has been somewhat overlooked. In this article, particular focus is placed upon the Economic and Social Council (ECOSOC) given that it is the UN body from which much of that organisation's human rights standards have emanated. However, human rights are also forming an ever-increasing aspect of Security Council deliberations on the maintenance of international peace and security. Recent humanitarian interventions demonstrate that the Security Council has a mandate to act in the face of massive human rights violations, and such interventions have been justified on the basis that such violations constitute a threat to international peace and security.

This article provides an overview of the relationship between the Security Council and the ECOSOC. This article highlights and analyses the growing input of the ECOSOC into the Security Council deliberations with regard to the latter's mandate of peace and security. It concludes with the assertion that there is need for continued, if not greater, dialogue between the Security Council and the ECOSOC. In particular, it argues that Article 65 of the Charter ought to constitute the primary mechanism of communication between the ECOSOC and the Security Council. Such revitalisation is necessary in order to reflect the increased interrelationship between human rights and peace and security.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Baldwin Clive

The Office of the High Commissioner for Human Rights and Minority Rights



in **International Journal on Minority and Groups Rights**, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 357-377

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Henrard Kristin

The Protection of Minorities Through the Equality Provisions in the UN Human Rights Treaties: The UN Treaty Bodies

in **International Journal on Minority and Groups Rights**, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 141-180

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

McLaughlin Colin

The Sui Generis Trial Proceedings of the International Criminal Court

in **Law and Practice of International Courts and Tribunals (The)**, n. 2, vol. 6 , 343-354

It may be difficult to place trial proceedings of international criminal tribunals on the spectrum of classical trial paradigms even though common law and Romano-Germanic law differences are most obvious in that phase of a trial. It is important to understand the history, and compare the procedural underpinnings, of the different aspects of the International Criminal Court (ICC) trial proceedings. This article will highlight the sui generis nature of the ICC trial proceedings. In doing so, it will show how the two main legal systems of the world have been combined to create pertinent articles in the Rome Statute. This review makes clear that the drafters of the Rome Statute devised a procedure that will best assist the ICC in accomplishing its tasks as an international judicial body. The judges of the trial chamber, whether from a Romano-Germanic or common law background, will conduct proceedings and administer justice based on the combinations of the world's most influential legal systems.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Errico S.

The UN Declaration on the Rights of Indigenous Peoples is Adopted: An Overview

in **Human Rights Law Review**, Vol. 7 n. 4

No abstract available



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fritsch Stefan

The UN Global Compact and the Global Governance of Corporate Social Responsibility: Complex Multilateralism for a More Human Globalisation?

in Global Society, Volume 22, Issue 1, January , 1-26

In recent years, questions of corporate social responsibility (CSR) have developed into a global policy issue. Multinational corporations, as high-profile representatives of economic transnationalisation and globalisation, have come under ever closer scrutiny in regard to their actual development impact, especially in Third World countries. The UN Global Compact as an example for evolving "complex multilateralism on a global level" aims at solving two problems at once, namely the implementation of minimum standards of "good corporate conduct" and socio-economic development, especially of poor countries. In a paradigmatic policy shift, the United Nations has fostered close partnerships with global business to promote CSR and socio-economic development, thereby opening the UN system to private business interests. This shift has been criticised by many civil society actors. Despite its remarkable achievements, the Global Compact reveals many problems of contemporary global governance related to its understanding of globalisation, the implementation and control of its core norms and rules as well as in regard to issues of transparency and democratic legitimacy. Finally, the Global Compact serves to illustrate how international institutions try to adapt to the growing complexity of development and economic governance issues and the larger influence of non-state actors in the global political economy.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Mullally Siobhán

The UN, Minority Rights and Gender Equality: Setting Limits to Collective Claims

in International Journal on Minority and Groups Rights, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 263-283

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hadden Tom

The United Nations Working Group on Minorities

in International Journal on Minority and Groups Rights, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 285-297

No abstract available

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Abass Ademola

The United Nations, the African Union and the Darfur Crisis: of apology and utopia
in *Netherlands International Law Review*, Volume 54, Issue 3 , 415-440

The United Nations and African Union agreed, late 2006, on conducting a hybrid operation in Darfur, in a remarkable turnaround from the UN's quest to deploy an autonomous force, which, it was anticipated, would take over the African Mission in Sudan (AMIS). This agreement was formalised by Resolution 1769 adopted on 31 July 2007, establishing the United Nations African Union Mission in Darfur (UNAMID). In addition to discussing the various implications of the proposed hybrid operation on the law of peacekeeping and collective security law, this article examines the individual response of the AU and UN to the crisis. It investigates the factors that dictated the AMIS's tepid mandate, and argues that the UN's quest for the Sudan's consent, as a precondition for deploying UNAMID was unnecessary, and that the United Nations Mission in Sudan (UNMIS)'s original mandate provides a solid legal basis for enforcing the will of the international community in Darfur.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

May Christopher

The World Intellectual Property Organisation and the Development Agenda
in *Global Society*, Volume 22, Issue 1, January , 97-113

In this article the current political debates at the World Intellectual Property Organisation (WIPO) relating to the proposed "development agenda" are set out and contextualised. Central to the proposal for the WIPO Development Agenda is the need to make the link to the United Nations (of which the WIPO is a Specialised Agency) actually mean something. Thus, at the centre of the WIPO Development Agenda is an engagement with the hitherto accepted mission of the organisation to "promote" intellectual property rights (IPRs). The article discusses the main components of the WIPO Development Agenda and the discussion to date regarding their adoption and modification by the WIPO.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Andresen Steinar

The effectiveness of UN environmental institutions

in *International Environmental Agreements: Politics, Law and Economics*, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 317-336

This is a study of the effectiveness of key UN institutions focussing on environment and sustainable development: the global conferences on development and the environment, the CSD and UNEP, primarily its co-ordinating functions. According to the indicators used to measure effectiveness here, it is concluded that the overall effectiveness of these institutions is quite low. This particularly applies to the CSD. UNEP has been quite effective in creating new institutions but has been less effective in co-ordinating them. As to the global conferences, their significance has been reduced over time.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ghafur Hamid Abdul

The legality of anticipatory self-defence in the 21st century world order: a re-appraisal
in *Netherlands International Law Review*, Volume 54, Issue 3 , 441-490

While the overwhelming majority of states do not practice anticipatory self-defence, believing that it would create a dangerous precedent, it is ironic that many scholars in the area support the idea of it. After September 11, the legality of anticipatory self-defence is attracting increasing support. What makes the matter worst is the pronouncement of a preventive style of self-defence in the National Security Strategy of the US, which goes far beyond the traditional concept of 'anticipatory' self-defence. The old doctrinal debate has resurfaced with stronger vigour. The present article is an attempt to re-appraise the debate and test the legality of anticipatory self-defence. The article objectively interprets Article 51 of the Charter in light of canons of treaty interpretation and explores customary international law of the time. It re-examines the Caroline formula and affirms that it had not been established as customary international law before September 11, owing to the lack of widespread and consistent state practice and *opinio juris*. The article concludes that although state practice after September 11 tends to condone the use of force against imminent terrorists attacks, Article 51 of the UN Charter is still a good law that can cope with the normal inter-state use of force. Despite the flaws of the United Nations, the Charter-based system of world order can very well serve the international community even in the context of the 21st century world order.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Brits J. P.

Tiptoeing along the Apartheid Tightrope: The United States, South Africa, and the United Nations in 1952
in *International History Review (The)*, vol. XXVII, n. 4

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Chasek Pamela S.

U.S. policy in the UN environmental arena: powerful laggard or constructive leader?

in *International Environmental Agreements: Politics, Law and Economics*, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 363-387

As the world's one remaining superpower, the United States stands forth as a hegemon in international politics. Within the traditional realist perspective, this means that the U.S. is decisive for the ambition and scope of international cooperation. However, research has shown that there is limited empirical support for this assumption when it comes to environmental cooperation. After a brief look at the U.S. general attitude and perception of the UN, this paper will then



review general trends in U.S. foreign environmental policy within the United Nations context, including several key domestic factors that have influenced the U.S. in this area. I will then look more specifically at three UN institutions that are responsible for different aspects of environmental governance: United Nations global conferences (Stockholm in 1972, Rio de Janeiro in 1992 and Johannesburg in 2002), the United Nations Environment Programme (UNEP) and the Commission on Sustainable Development (CSD). The main focus will be how U.S. policies and influence in these arenas, and their relationship to UN reform, have evolved over time. Finally, the paper will attempt to analyze the American policies and answer the question posed in the title: is the U.S. a powerful laggard or a constructive leader?

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hilpold Peter

UN Standard-Setting in the Field of Minority Rights

in International Journal on Minority and Groups Rights, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 181-205

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Stedman Stephen John

UN transformation in an era of soft balancing

in International Affairs , issue 5, vol. 82, September , 933-944

Between 2003 and 2006 UN Secretary General Kofi Annan pursued the most ambitious overhaul of the United Nations since its inception. This transformation effort aimed to make the UN more effective in addressing non-traditional threats and to persuade the United States to re-engage with the world body. Launched during a time that was unpropitious for achieving far-reaching change, the effort nonetheless produced some surprising agreements. Several factors prevented greater achievement: the episodic attention of the Bush administration and the personal agenda of John Bolton, the US permanent representative to the UN; the failure of the UN Secretariat to pursue a capital based strategy that engaged heads of state and foreign ministers; and the decision by many member states that they would rather have an ineffective United Nations than an effective one that furthered the interests of the Bush administration. Whether future efforts to transform collective security will fall victim to the same fate depends in part on the actions and words of a new American president in 2009.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fomerand Jacques

UN-U.S. Relations from the Standpoint of the Organization: What Can the UN Do with an "Indispensable Nation" and "Reluctant Sheriff"?

in American Foreign Policy Interests, Vol. 29, Issue 4 , 267-279

This article analyzes the short-term status and the long-term nature of UN-U.S. relations and concludes that focusing on



long-term policy directions generates a different and remarkable pattern of continuity with previous administrations that extends back to the creation of the United Nations and runs counter to the comforting notion that we are in a mere fleeting moment of irresponsible insanity.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

NCAFP Roundtable

**UN-U.S. Relations, 2007: The Role of the United States in the UN
in American Foreign Policy Interests**, Vol. 29, Issue 5 , 359-376

On May 7, 2007, the NCAFP hosted a one-day roundtable featuring two consecutive closed-door roundtables with academic, practitioner, and media specialists. It was followed by an early evening panel at which members discussed candidly how the United Nations reacts to and copes with U.S. power. Off-the-record sessions allowed for a free and frank exchange of ideas. The roundtable considered UN perspectives on the U.S. role in the organization with only tangential references to the broader question of the role of the UN in the U.S. strategic equation. The deliberations reflected a diversity of views: some points of widespread and substantive consensus and other areas in which significant discord remains. Respecting the reservations expressed by the latter, the report concludes with the NCAFP's recommendations for enhancing the U.S. presence in the UN in the spirit of the former.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Sutterlin James S.

**United Nations Relations with the United States: A Nettlesome Continuum Between Multifaceted Partners
in American Foreign Policy Interests**, Vol. 29, Issue 4 , 257-265

By focusing on the two issues that have threatened the stability of the U.S.-UN relationship most recently, this article elucidates the seeming complexity of its subtitle and identifies an approach that both parties can continue to take to work together to avert a crisis when apparently fundamental disagreements arise between them. The author concludes his article by recommending that the United Nations and the United States form a partnership to further their pursuit of promoting democracy throughout the world and makes specific recommendations that the UN can follow to inform the American public of its little known but active commitment to democracy.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Schwartzberg Joseph

**Universal Regional Representation as a Basis for Security Council Reform
in Federalist Debate (The)**, Year XX, n. 3, November , 17-21

No abstract available

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Hellmann Gunther, Roos Ulrich

Von Windhunden und Hasen

in *Internationale Politik*, n. 10, 62. Jahrgang, Oktober

ABSTRACT: Eine Reform des UN-Sicherheitsrats ist seit Jahren überfällig. Dies wird heute selbst von den Bremsern nicht mehr geleugnet. Die konkrete Umsetzung dieses hehren Zieles erweist sich jedoch als äußerst schwierig. Auch die deutsche UN-Politik trug zuletzt mehr zum Problem als zu seiner Lösung bei. Ein klarer Kurswechsel tut not.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Alt Vater Elmar, Mahnkopf Birgit

'Global Europe'. Der liberale Imperialismus der EU

in *Blätter für deutsche & internationale Politik*, Dezember, 2007, 1471-1486

Von Seattle über Cancún bis Heiligendamm – die erfolgreichen Proteste der globalisierungskritischen Bewegung wurden zu Recht gefeiert. Doch das war gestern. Heute markieren das wiederholte Scheitern der WTO-Verhandlungen und der Machtverlust von IWF und Weltbank zugleich den Beginn einer neuen Ära in den globalen Handelsbeziehungen zwischen den tonangebenden Ländern der Triade und den Ländern des Südens.¹ Die zunehmend aggressive Handelspolitik der Europäischen Union ...

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Plehwe Dieter

A Global Knowledge Bank? The World Bank and Bottom-Up Efforts to Reinforce Neoliberal Development Perspectives in the Post-Washington Consensus Era

in *Globalizations*, Volume 4, Issue 4, December 2007, 514 - 528

Abstract

In the late 1990s, in reaction to growing protests against its insistence on the universal applicability of market-oriented development programs (the 'Washington Consensus'), the World Bank reinvented itself as a 'global knowledge bank'. The Bank has gone to considerable effort to improve and decentralize its knowledge management, aiming to increase sensitivity and responsiveness. Critical scholars argue that the Bank continues to be run by small bureaucratic-technocratic circles, which work to retain and increase top-down control over the process of development. Assessments of the new knowledge strategy in general are mixed. Some scholars praise a 'post-Washington Consensus' enhancing development opportunities due to better knowledge management and increasing pluralism. Others maintain that the new strategy is likely to enhance the overload and ineffectiveness of the World Bank, which already suffers from too many conflicting goals. A third line of argument holds that the new strategy is likely to be effective, but as a way to ensure the reinforcement of disciplinary neoliberalism rather than as a way to improve the prospects for development as such. In the light of such contradictory claims, this paper links an analysis of the World



Bank to a closer examination of the de-centralized civil society networks which have been promoted by the World Bank and others. Considerable neoliberal efforts come to light, which are crucial to understand better the way in which the 'global knowledge bank' is central to reinforcing and augmenting neoliberal hegemony.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Winters L. Alan

Coherence and the WTO

in *Oxford Review of Economic Policy*, Volume 23, Number 3, 461-480

Coherence between the WTO and the Bretton Woods Institutions (a formal WTO objective) has achieved some minor goals but has been expensive in terms of direct costs and inefficiencies in policy-making and policy debate. The so-called Integrated Framework has achieved relatively little and aid for trade has yet to be fully established. There is little role for the WTO in development and aid policy other than its traditional job of facilitating trade growth, and so its role in aid-for-trade is unclear. Coherence, especially when interpreted as allowing developing countries to avoid trade liberalization in the name of development, has confused and weakened the Doha Round of WTO negotiations.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Woolcock Stephen, Barfield Claude, MacLaren Donald, Koopmann Georg

Competing Regionalism – Patterns, Economic Impact and Implications for the Multilateral Trading System

in *Intereconomics*, Volume 42, Number 5 / September, 2007

The stagnation of the Doha Round trade talks has given a fresh impetus to regionalism worldwide which manifests itself in a race for markets between regional trading blocs. This Forum is concerned with the patterns of regionalism to be found in different parts of the world, with their interplay and the implications for the multilateral trading system.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Tomz Michael, Goldstein Judith L., Rivers Douglas

Do We Really Know That the WTO Increases Trade? Comment

in *American Economic Review*, Vol. 97, No. 5, December 2007

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Rose Andrew K.

Do We Really Know That the WTO Increases Trade? Reply

in *American Economic Review*, Vol. 97, No. 5, December 2007



No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Bernard Hoekman, David Vines

Multilateral trade cooperation: what next?

in **Oxford Review of Economic Policy**, Volume 23, Number 3 , 311-334

This paper first briefly describes the role of the WTO and its history. It then lays out a simple bargaining model of international negotiations, which can be used for understanding the Doha Round of talks. Using this, we distil what we regard as the major potential explanations for the difficulties in these talks. We then discuss a number of the systemic questions that confront WTO members. We suggest that the WTO should concentrate on market access, rather than on promoting a development agenda or on further expanding its coverage to deal with regulatory issues or with other domestic policies.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Roland Vaubel, Axel Dreher, Uğur Soylu

Staff growth in international organizations: A principal-agent problem? An empirical analysis

in **Public Choice**, Volume 133, Numbers 3-4 , 1573-7101

The analysis covers 27 international organizations in the years 1950–2001. From the first to the last year, staff increased at a compound average rate of 3.2% per annum, while the number of member states rose by only 2.5%. The pooled analysis of 817 observations (including task proxies and organization dummies) reveals that (i) the elasticity of staff to membership is much larger than unity (1.36), (ii) United Nations organizations have significantly more staff, (iii) international organizations in the United States and Switzerland have significantly less staff, (iv) heterogeneity in terms of per capita income limits the size of an international organization and that (v) its staff is larger if its membership comprises many industrial or (former) communist countries. In a reduced sample, the financing share of the largest contributor in combination with the party or programmatic orientation of its government has a significantly negative effect on staff because the size of the largest financing share determines the incentive to monitor. U.S. exit from an international organization reduces its staff significantly. Most of these results depend on the condition that the non-stationary component of staff size is not taken account of by time dummies or trends.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Alvarez-Jiménez Alberto

The Enhancing of the WTO Judiciary's Control over Disputes and Suggestions for the Exceptional Expansion of Such Control to Favour Developing and Least Developed Countries

in **Law and Practice of International Courts and Tribunals (The)**, n. 2, vol. 6 , 269-301

The WTO judiciary has enhanced its control over WTO disputes in order to better adjudicate trade controversies. The



strengthening of this control is evidenced by the increasing fact-finding powers that the WTO judiciary enjoys today and in the freedom to develop legal argumentation apart from that exposed by parties. While these are the centerpieces of this project, there are also isolated attempts that, although they do not express a deliberate intention to expand such control over the complaining parties' right to set the terms of reference, have had the effect of attenuating this right by allowing the WTO judiciary to adjudicate disputes slightly beyond the terms of reference when to do so has been necessary in order to provide a proper resolution to the conflict. The article draws on these early attempts to suggest that the WTO judiciary could assume more control over disputes in which developing and least developed countries are complainants against developed ones in order to rule on claims not included in the terms of reference originally established.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Andrew D. Mitchell

The Legal Basis for Using Principles in WTO Disputes

in *Journal of International Economic Law*, Volume 10, Number 4, 795-835

This article argues that the use of principles in WTO dispute resolution is both necessary and desirable. However, Panels and the Appellate Body (WTO Tribunals) have often ignored principles or not clearly identified the legal basis for their use. This article establishes a framework for the use of principles (in particular principles of WTO law, principles of customary international law, and general principles of law) in WTO dispute settlement. Broadly, WTO Tribunals can use principles drawn from these categories to interpret WTO provisions, based on Article 3.2 of the DSU, and Articles 31 and 32 of the VCLT. This follows most directly from a teleological approach to interpretation, but principles also feature under subjective and textual approaches to interpretation. WTO Tribunals may also use certain principles in a non-interpretative manner. Indeed, this may be necessary, particularly to address procedural issues. Precisely how a principle may be used depends on its type, content and status.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

van Houten Pieter

The World Bank's (post-)conflict agenda: the challenge of integrating development and security

in *Cambridge Review of International Affairs*, Vol. 20, n. 4, December, 639-657

Linkages between security and development, and the need for national and international organizations to integrate these areas and concerns in policy, are widely recognized. It is, however, less clear how to practically accomplish this. Different policies will address different security and development concepts and aspects, and choices on focus and priority need to be made. This can generate tensions and resistance within organizations, resulting in limited integration. A case study of the World Bank's attempt to be more 'conflict-sensitive' demonstrates this dynamic. This attempt has had various positive aspects, but the integration of conflict concerns in its programmes and policies remains uneven and somewhat limited. While there is certainly room for improved integration, this should not be pursued beyond the point where the Bank's comparative advantage is undermined and resources from its core mission of combating human poverty diverted.



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Bernard Hoekman, Aaditya Mattoo, André Sapir

The political economy of services trade liberalization: a case for international regulatory cooperation?
in *Oxford Review of Economic Policy*, Volume 23, Number 3 , 367-391

Little progress has been made since the creation of the WTO on expanding and deepening the coverage of services liberalization commitments. This paper identifies and discusses five hypotheses that may explain the absence of dynamism: (i) technological changes allowing ever more services to be traded cross-border unaffected by policy; (ii) strong incentives to pursue liberalization on an autonomous basis (unilaterally); (iii) perceptions that bilateral or regional cooperation are a good substitute for the WTO; (iv) standard political-economy factors, such as adjustment costs and resistance by incumbents to erosion of rents; and (v) concerns that the WTO will affect the ability of regulators to enforce national norms. We argue that all of these explanations play a role, and that some of these factors significantly impede the scope for reciprocal exchanges of 'concessions'—the engine of WTO negotiations.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Patrick Stewart

"Failed" States and Global Security: Empirical Questions and Policy Dilemmas
in *International Studies Review*, issue 4, vol. 9, winter , 644-662

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Büger Christian, Villumsen Trine

Beyond the gap: relevance, fields of practice and the securitizing consequences of (democratic peace) research
in *Journal of International Relations and Development*, Volume 10, Number 4, December , 417-448

International Relations (IR) has cultivated the idea of a gap between the theory and the practice/praxis of IR. This division into two different spheres of knowledge is related to the predominant objectivist conception of science in IR, where the scientist is said to be observing reality from a distance without affecting it. Poststructuralists have denied that this distinction is meaningful and have even argued that it is dangerous to be oblivious to the structuring effects science may have on the social world. This article sets out to avoid further cultivation of the so-called gap between theory and practice, and instead addresses the question of how the theories of IR relate empirically to the practices of world politics. We suggest a theoretical and empirical alternative based on practice theoretical thought. We argue that researchers' theories and policymakers practice 'hang together' and require analytical attention. In order to give empirical flesh to the theoretical discussions and to demonstrate the difference a practice theory approach makes, we discuss the example of the democratic peace thesis. We lay out how US peace researchers, the Clinton government and NATO participated in weaving a 'web of democratic peace practice' and stabilizing the thesis as a 'fact'. We argue that 'ivory tower scientists', US foreign policymakers, and NATO politicians and bureaucrats hang together in this web and use each other as a



resource. As a consequence, the academically certified version of the democratic peace led to a securitization of democracy. We conclude that one way to cope with the complexity of science–politics interactions is to foster reflexive empirical work on researchers' own practices.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Karabeshkin Leonid A., Spechler Dina R.

**EU and NATO Enlargement: Russia's Expectations, Responses and Options for the Future
in European Security**, Volume 16, Numbers 3-4, September , 307-328

For Russian policymakers no events in the post-Cold War period have had more momentous consequences or received greater public commentary, both before and after they occurred, than the almost simultaneous enlargement of NATO and the EU that took place in 2004. The most sensitive aspect of this 'dual enlargement' for the Russian Federation was the extension of these two organisations into the Baltic States, which had been part of the Soviet Union itself. Despite some uneasiness, Moscow anticipated that the extension of the EU into the former Soviet sphere, even into the former Soviet Union itself, would constitute a generally positive development, while NATO penetration of that sphere would be extremely harmful. Accordingly, Russia voiced little opposition to the EU's plans and made only limited efforts to insure that its major interests would be protected, while it actively sought to forestall the NATO project, especially with regard to the Baltics. As it turned out, however, most of Russia's expectations regarding the impact of these processes were mistaken, and Russia's interests were poorly served by its prior and subsequent responses.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Asmus Ronald D.

Europe's Eastern Promise

in Foreign Affairs, January/February 2008 Vol 87, Number 1

After the Cold War, NATO and the EU opened their doors to central and eastern Europe, making the continent safer and freer than ever before. Today, NATO and the EU must articulate a new rationale for enlarging still further, once again extending democracy and prosperity to the East, this time in the face of a more powerful and defiant Russia.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Keller Patrick

Germany and Neoconservatism: A Tragedy of Errors?

in American Foreign Policy Interests, Vol. 29, Issue 4 , 243-256

This article analyzes how neoconservatism is perceived in Germany and elsewhere in Old Europe, contrasts the misperceptions of the tenets of neoconservatism with its actual political and ideological substance, formulates a basic definition of contemporary neoconservative thought on foreign policy, and concludes that Germans and Americans have



drawn fundamentally different lessons from history and therefore face the challenges of the twenty-first century with completely different mind-sets. Finally, the author offers some degree of hope for achieving a revitalized and sustainable transatlantic relationship by providing an outline of possible ways to achieve that objective.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Rynning Sten

Peripheral or Powerful? The European Union's Strategy to Combat the Proliferation of Nuclear Weapons in European Security, Volume 16, Numbers 3-4, September , 267-288

The European Union has since 2003 developed both a security and a Weapons of Mass Destruction strategy, and it has become the primary interlocutor of Iran in the dispute related to Iran's nuclear development. These are signs of significant policy progress. However, the fact that four years of nuclear diplomacy have brought few results invites a critical appraisal of EU strategy. This essay undertakes this appraisal, arguing that the EU is notably ambivalent regarding its underlying conception of international order. The EU wishes to be pluralist (in the tradition of sovereign equality), but is also anti-pluralist (in the liberal-democratic tradition). The essay lays out how the EU has coped with pressures for reform - arising notably from the United States - within the current international nuclear non-proliferation regime, and how this has made the EU problem apparent. The essay finally suggests that to salvage its policy of effective multilateralism the EU must acknowledge its anti-pluralist bias and promote a common transatlantic approach to nuclear non-proliferation.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Tusicisny Andrej

Security Communities and Their Values: Taking Masses Seriously in International Political Science Review , n. 4, vol. 28, september , 425-449

ABSTRACT: This article analyzes political and social values held by people in security communities (regions in which large-scale use of violence is very unlikely). Inhabitants of four security communities (in Europe, North America, South America, and South-East Asia) are generally more tolerant to out-groups than the rest of the world's population. In addition, comprehensive security communities (that is zones where not only interstate war, but also civil war, has become unthinkable) are characterized by higher interpersonal trust. The hypothesized effect of democracy, economic liberalism, and social participation was not confirmed. Going back to Deutsch's conceptualization of the security community, the article challenges assumptions frequent in the constructivist literature.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Rühle Michael

The Evolution of NATO: Expanding the Transatlantic Tool Kit in American Foreign Policy Interests, Vol. 29, Issue 4 , 237-242

The transatlantic security relationship, including its institutional epitome, NATO, is going through a major period of



adjustment. Terrorism and the proliferation of failed states affect allies in different ways and may lead to different responses. Moreover, the need to engage in dangerous and potentially open-ended operations exposes differences in military performance and risk taking. Despite these structural limitations, however, and even in the absence of a transatlantic consensus on some major security issues, the gradual broadening of NATO's political scope and military tool kit suggests that the alliance is well placed to support an increasingly complex transatlantic security agenda.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Drath Viola Herms

The New Atlanticism: Broadening Horizons

in American Foreign Policy Interests, Vol. 29, Issue 6 , 401-406

This article focuses on recent developments in Europe and identifies two issues - the war in Iraq and Turkey's pending membership in the European Union - as the most divisive in the Atlantic relationship. Not only does the article illuminate major differences between the United States and the leading European powers, but it identifies several differences among the 27 sovereign member states of the European Union. The rise of new leaders in Germany, France, and Britain; the creation of a transatlantic organization called the Transatlantic Economic Council, which may lead to free trade between the European Union and the United States; and the growing perception on the part of both the Europeans and the Americans that the only way to achieve self-preservation in the face of a militant enemy that is challenging their right to exist and maintain their Western culture is the emergence of a new spirit of Atlanticism and the withering away of differences.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Prins Brandon, Daxecker Ursula

Committed To Peace: Liberal Institutions and the Termination of Rivalry

in British Journal of Political Science, issue 1, vol. 38, january , 17-43

ABSTRACT: Rivalry is characterized by mutual mistrust, anger and fear, and becomes increasingly intractable as confrontations between rivals militarize. The empirical record confirms that rivalries account for the vast number of militarized interstate disputes and wars in the international system. Although considerable attention has been spent on the initiation, duration or termination of rivalries, to date no comprehensive theoretical framework for their persistence or failure exists. Following Fearon, a rationalist explanation of rivalry termination is developed. It is argued here that the adoption of liberal institutions helps alleviate the commitment problems arising in rivalry. Free-market reform, democratic institutions and membership in international organizations all build trust and increase defection costs among rival states, and therefore help to shorten the duration of rivalry. Using a Cox proportional hazard model and Thompson's data on rivalries, it is shown that change towards democracy, as well as the joint effect of democracy and economic development increase the likelihood of rivalry termination. Also, joint membership in international organizations with mechanisms for dispute settlement reduces the duration of rivalry. A robustness check using Diehl and Goertz's list of rivalries produces similar results.

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

Maffettone Sebastiano

Diritti umani e giustizia globale

in *Filosofia e Questioni Pubbliche*, Volume XII (2007), n. 2 , 43-56

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Campins Eritja Mar

El mecanismo de cumplimiento del Protocolo de Kioto: un nuevo paso en aras al control de cumplimiento de los acuerdos internacionales ambientales

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Eckersley Robyn

From cosmopolitan nationalism to cosmopolitan democracy

in *Review of International Studies (The)*, Vol. 33, Issue 4, October , 675-692

This article offers both a critique and reconstruction of cosmopolitan democracy. It argues that cosmopolitan democracy promotes an excessively individualist account of political life and a functionalist approach to political community that are likely to undermine the kinds of national communities and citizens that are most likely to mobilise against global injustices. It argues that the alleviation of global injustices depends on the rescuing and reframing, rather than weakening, of national identities so that they take on a more cosmopolitan character. Cosmopolitan democracy is dependent upon cosmopolitan nationalism, based on a commitment to common liberty and justice at home and abroad.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lesage, Dries

Globalisation, Multipolarity and the L20 as an Alternative to the G8

in *Global Society*, Volume 21, Issue 3, July , 343 - 361

Abstract

The simultaneity of globalisation and the rise of powers such as China, India, Brazil and South Africa are raising fundamental questions about the aptness of the contemporary global governance architecture. A few years ago, former Canadian Prime Minister Paul Martin proposed a "Leaders' 20" or "L20" as an apex body for global governance. After



having put the L20 proposal in theoretical and historical perspective, the paper investigates structural trends in favour of the L20 proposal as well as obstacles to it. Taking into account the challenges the world's powerful states are facing, an enlargement of the G8 looks inevitable. But thus far the obstacles appear to be even stronger. The paper concludes by elaborating on the idea that neither conducting elements nor obstacles are deterministically given.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Chesterman Simon

Globalization Rules: Accountability, Power, and the Prospects for Global Administrative Law
in *Global Governance*, n. 1, vol. 14, january-march

ABSTRACT: From urban protesters against the World Trade Organization to African nations barred from importing generic HIV drugs, globalization is seen as either brute capitalism or a new and more efficient form of colonialism. But a body of rules is emerging that may both constrain and improve the decisions of the new global bureaucrats. From the United Nations to the Basel Committee of national bank regulators, accountability is on the march.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

McLaughlin Mitchell Sara, Hensel Paul R.

International Institutions and Compliance with Agreements
in *American Journal of Political Science*, Vol. 51, Issue 4 , 721-737

The ultimate litmus test of compliance theories occurs in situations where states' interests are directly opposed, such as competing interstate claims over territory, maritime areas, and cross-border rivers. This article considers the extent to which the involvement of international institutions in the settlement of contentious issues between states bolsters compliance with agreements that are struck. Institutions may influence the prospects for compliance actively and passively. Active institutional involvement in the conflict management process increases the chances for compliance with agreements, particularly for binding institutional activities, relative to the active involvement of noninstitutional third parties. More passively, joint membership in peace-promoting institutions enhances the likelihood that states will comply with peaceful agreements to resolve contentious issues. Empirical analyses demonstrate the relevance of international institutions for resolving contentious interstate issues both actively and passively, although the results suggest that institutions are more effective conflict managers when they choose binding settlement techniques.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dimitrov Rodoslav, Sprinz Redlev, DiGiusto Gerald, Kelle Alexander

International Nonregimes: A Research Agenda
in *International Studies Review*, issue 2, vol. 9, summer , 230-258



ABSTRACT: Why are multilateral institutions absent from some areas of international relations? Governments have not concluded regulatory policy agreements on tactical nuclear weapons and small arms control, deforestation, information privacy, and other transnational issues. The absence of regimes in such policy arenas is an empirical phenomenon with considerable theoretical and policy implications. Yet, existing scholarship on global governance largely ignores the instances in which such institutions do not emerge. This essay develops a research agenda to extend and strengthen regime theory through analysis of nonregimes. We articulate the concept, draw a typology of nonregimes, discuss the contributions that nonregime studies can make to IR theory, outline methodological approaches to pursue the proposed agenda, and highlight a priori theoretical considerations to guide such research. Six illustrative cases in the realms of arms control, environmental management, and international political economy are described and used to make preliminary observations of factors that impede regime formation.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lesage Dries

Is the World Imaginable without the G8?

in *Internationale Politik und Gesellschaft*, Heft 4, 2007

ABSTRACT: A »powerful states club« such as the G8 can perform a unique set of global governance functions: crisis management, steering of global governance, monitoring of the coherence between policy domains, and coordination of domestic policies. Critics should ask whether effective global governance is really feasible without an institutionalized, but still informal consultative and decision-making body.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bassu Giovanni

Law Overruled: Strengthening the Rule of Law in Postconflict States

in *Global Governance*, n. 1, vol. 14, january-march

ABSTRACT: There is a growing gap between what is meant by the rule of law in political discourse, its implementation by practitioners, and the development of the concept in academic analysis. Politically, it is often used interchangeably with democracy and good governance, which form part of a reform "package." Practitioners tend to reduce it to judicial reform programs, which have not had a high rate of success in strengthening the rule of law when measured against a broader "academic" notion of the concept. This article attempts to introduce some clarity to the plurality of meanings of the rule of law, look at ways in which it has recently been applied in international cooperation, and map out a new approach to promote it in postconflict states.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Comba Andrea

L'esercizio della sovranità monetaria: unilateralismo, multilateralismo e unificazione sopranazionale

in *Comunità Internazionale (La)*, n. 3, vol. LXII, terzo trimestre



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jabri Vivienne

Solidarity and spheres of culture: the cosmopolitan and the postcolonial
in Review of International Studies (The), Vol. 33, Issue 4, October , 715-728

Cosmopolitan thought and practice bring into sharp focus the question of solidarity, its articulations, and implications in relation to how the political is understood in the sphere of the international. Where liberal cosmopolitanism aims its remit at a transcendent sphere of humanity, seeking to place humanity as the constitutive feature of a redesigned political community, a cosmopolitanism that is distinctly political in its orientation takes the postcolonial critique seriously, unravels the complicities of liberal cosmopolitan articulations of solidarity in global structures of domination, and locates its self-definition in an imminent critique of modernity. The political cosmopolitanism defined in the article presents a conception of solidarity without community, a conception that at once both recognises modernity's legacy in the perpetuation of inequality and enables a conception of the universal that is not complicit in such relations.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Navari Cornelia

States and state systems: democratic, Westphalian or both?
in Review of International Studies (The), Vol. 33, Issue 4, October , 577-595

Two rival accounts have come to dominate discussion of the origins and character of the contemporary international system. One, closely associated with the English School and the traditional account, places its origins with the appearance, and acceptance, of the centralised authority of the modern state. We might call this 'the Westphalia version'. In this account, the modern state system is often represented in terms of what it is not. It is not a feudal regnum with a multiplicity of functionally distinct authorities. It is not a theocratic imperium where one power aimed at 'the control and protection of Christendom'. It is a society of sovereigns, of de jure equals, each of whom accorded the others' right to exist, and whose common ideological quantum is low. The rival is located within democratic transition theory. It postulates the modern state system as an extension of the liberal democratic state. The liberal state is not sovereign in the Westphalian sense: liberal authority is diffuse. Moreover, the liberal state produces its own, distinctive, international impulses that distance it in significant ways from the Westphalian pattern. Both see the state system as 'produced' by the state, as an immanent effect of stateness, but the account of the state's trajectory differs radically.

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

Vernon Richard

States of Risk: Should Cosmopolitans Favor Their Compatriots?

in *Ethics and International Affairs*, n. 4, vol. 21, winter , 451-469

ABSTRACT: Recent cosmopolitan thinking attempts to find a place for local (including national) attachment, but all of the proposals offered have been exposed to telling critique. There are objections to the claim that local obligations are only instances of cosmopolitan duty, and to the claim that we can give a moral justification to national societies as networks of mutual benefit. This article argues that it is not mutual benefit but mutual risk that grounds compatriot preference. While exposure to coercion as such does not track national boundaries, exposure to the risks of state abuse, political choice, and social conformity provide us with a reason to take our compatriots' interests seriously. The same argument, however, displays the limits of this reasoning, and also grounds a demanding obligation to aid other societies.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Harrison Kathryn, -McIntosh Sundstrom Lisa

The Comparative Politics of Climate Change

in *Global Environmental Politics*, Volume 7, Number 4, November , 1-18

The authors use a comparative politics framework, examining electoral interests, policy-maker's own normative commitments, and domestic political institutions as factors influencing Annex 1 countries' decisions on Kyoto Protocol ratification and adoption of national policies to mitigate climate change. Economic costs and electoral interests matter a great deal, even when policy-makers are morally motivated to take action on climate change. Leaders' normative commitments may carry the day under centralized institutional conditions, but these commitments can be reversed when leaders change. Electoral systems, federalism, and executive-legislative institutional configurations all influence ratification decisions and subsequent policy adoption. Although institutional configurations may facilitate or hinder government action, high levels of voter concern can trump institutional obstacles. Governments' decisions to ratify, and the reduction targets they face upon ratification, do not necessarily determine their approach to carbon emissions abatement policies: for example, ratifying countries that accept demanding targets may fail to take significant action.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cockerham Geoffrey B.

The Delegation of Dispute Settlement Authority to Conventional International Governmental Organizations

in *International Politics* , Volume 44, Number 6, November , 732-752

The issue of dispute settlement is problematic in the international system because it may conflict with sovereignty. States may find, however, that in order to facilitate cooperation, they should delegate some authority to resolve disputes to a third party. This article seeks to provide a measure for dispute settlement authority and some explanation for the delegation aspect of international cooperation by examining why states agree to grant dispute settlement authority to a particular kind of institutional arrangement, conventional international governmental organizations (IGOs). The analysis reveals that states tend to enter into IGO agreements with a higher degree of dispute settlement authority when members have a greater incentive to defect due either to the large number of other parties to the agreement, or due to



greater cooperative demands as provided by the agreement.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vogler John, Stephan Hannes R.

The European Union in global environmental governance: Leadership in the making?

in International Environmental Agreements: Politics, Law and Economics, Volume 7, Number 4, "The Role of the UN in Global Environmental Governance: Potential for Increased Effectiveness?", December , 389-413

For well over a decade, the European Union (EU) has proclaimed its leadership role in global environmental governance (GEG). In this article, we examine both the nature of its leadership and the underlying conditions for 'actorness' upon which leadership must depend. The EU's record in the global conferences as well as its influence on the reform of the Commission on Sustainable Development (CSD) and the United Nations Environment Programme (UNEP) are also investigated. We argue that the EU has frequently sought to shape international environmental negotiations and promote sustainable development as an organising principle of global governance. Despite its inadequate status at the UN and internal problems, it has had a significant effect on the global agenda. However, due to persistent diplomatic opposition from other coalitions, its real, directly visible influence has been more modest. For genuine directional leadership, which goes beyond the defence of self-interest, the Union will have to make internal policy coherence a greater priority. Moreover, apart from relying solely on its weighty presence in the international system or its potential capabilities, the EU needs to achieve a high level of credibility in order to enhance its powers of persuasion.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Fletcher G. P.

The Law of War and Its Pathologies

in Columbia human rights law review, Vol. 28 n. 3 , 517-546

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bennie Lynn, Bernhagen Patrick, Mitchell Neil J.

The Logic of Transnational Action: The Good Corporation and the Global Compact

in Political Studies, Volume 55, Issue 4, December , 733-753

This article examines corporate participation in the UN Global Compact programme. Using data on the world's 2,000 largest companies, we address the question of why companies voluntarily assume the programme's responsibilities and promote the rights of 'global citizenship'. Our analytic approach is to view transnational corporate political behaviour as a result of firm-level decisions shaped by country-level variation in political audience effects. Drawing on earlier research on more conventional forms of corporate political activity, we expect factors influential in the standard model of firm political activity to determine participation in the Global Compact. In addition, we argue that this highly visible, less instrumental dimension of a firm's political behaviour is driven by efforts to build a good environmental and human rights



reputation with its audience of external actors. The importance of environmental and human rights concerns depends on the substance of the firm's business activities, the availability of investment and 'exit' options, and the home audience's bias towards the UN and human and environmental rights. We find support for political factors as well as firm and industry-level characteristics influencing the decision to participate in the Global Compact.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hale Thomas

Transparency, Accountability, and Global Governance

in *Global Governance*, n. 1, vol. 14, january-march

ABSTRACT: Observers often cite transparency as a response to the accountability concerns of global actors, but how disclosure and openness actually affect the behavior of international organizations, transnational corporations, and nation-states remains theoretically and empirically underspecified. This article identifies three forces—market pressure, external discourse, and internal norms—that can have a regulatory effect on global actors who make their actions transparent. It also highlights the limitations of such accountability tools and stresses the need for an accounting actor, typically civil society, to bring them to bear. The article then considers the implications of transparency-based accountability for larger questions of global governance, especially its potential to create the kind of nonterritorial, problem-based polities that scholars have called for to address problems that transcend national boundaries.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jouannet E.

Universalism and Imperialism: The True-False Paradox of International Law?

in *European Journal of International Law*, Vol. 18 n. 3 , 379 - 407

This article examines one of the central recurrent questions in international law: the relation between the universalism of certain of its principles and the possibility that they are imperialist in nature. The author illustrates how, in this regard, international law has, from its very origins, been the bearer of a paradox; a paradox that is, moreover, constitutive of the discipline, and from which international law cannot escape without itself ceasing to exist as such.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Keohane Robert

Unter Umständen legitim

in *Internationale Politik* , n. 7-8, 62. Jahrgang, Juli-August

ABSTRACT: Kann Governance, die Ausübung von Herrschaft durch Regierungen oder Institutionen, legitim sein, auch wenn sie nur in begrenztem Maße auf staatlichen Strukturen beruht? Die Antwort: Das kann sie – sofern eine Reihe von



allgemeinen Standards für Legitimität erfüllt sind.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Díaz de Terán Velasco M.C.

¿Es posible el universalismo en una sociedad multicultural?

in *Persona y derecho*, n. 56 , 191 - 204

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Weber Heloise

A Political Analysis of the Formal Comparative Method: Historicizing the Globalization and Development Debate in Globalizations , Volume 4, Issue 4, December 2007 , 559 - 572

Abstract

A large number of international institutions and policy makers advocate for the potential of globalization to deliver on the promises of development, and have reorganized development and poverty reduction strategies in a comprehensive way. This is reflected, for example, in the Poverty Reduction Strategy Paper and Millennium Development Goals (MDG) initiatives. These strategies are globally constituted, although they are to be implemented within national domains as national development strategies. From this perspective, globalization and development are conceptualized in ahistorical terms, while methodologically the approach remains corroborated by the formal comparative method. I argue that a critical re-evaluation of the formal comparative method is necessary not merely to rectify a methodological problem, but also to expose the politics of methodological choices. The formal comparative method is inextricably underpinned by temporal and spatial delineations that reproduce a particularly problematic analytical framework with significant political implications, not least because it obscures the globally constituted social dimensions of struggles for recognition and redistribution.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mau Steffen, Mewes Jan, Zimmermann Jan

Cosmopolitan attitudes through transnational social practices?

in *Global Governance*, n. 1, vol. 14, january-march

ABSTRACT: Within the scope of the debate surrounding globalization, ever increasing attention is being directed to the growth of border-crossing social relations and the emergence of transnational social spaces on the micro-level. In particular, the question of how these border-crossing interrelations influence the attitudes and values of the people involved causes some controversy. Some assume that the increasing trans-nationalization of social relations will foster the development of cosmopolitan attitudes, while others warn that renationalization may also be a result. On the



empirical level, the relationship between transnationalization and cosmopolitanism has so far only been addressed with regard to certain groups or specific circumstances. However, we assume that on the general level there is a positive relation between the two syndromes and address this question empirically on the level of the entire German population. On the basis of a representative survey of German citizens carried out in 2006, we find that people with border-crossing experiences and transnational social relations are more likely to adopt cosmopolitan attitudes with respect to foreigners and global governance. The analysis shows that this general interrelation remains stable even when controlling for relevant socio-economic variables.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Van Hooft Stan

Cosmopolitanism as Virtue

in **Journal of Global Ethics**, Volume 3, Issue 3, December 2007 , 303 - 315

Abstract

This paper explores cosmopolitanism, not as a position within political philosophy or international relations, but as a virtuous stance taken by individuals who see their responsibilities as extending globally. Taking as its cue some recent writing by Kwame Anthony Appiah, it argues for a number of virtues that are inherent in, and required by, such a stance. It is critical of what it sees as a limited scope in Appiah's conception and enriches it with Nigel Dower's concept of 'global citizenship'. It then seeks to overcome a distinction that Appiah draws between a 'thin' moral conception of justice and a 'thick' ethical conception of our obligations to those with whom we have identity-forming relationships. It argues that a richer conception of the virtue of justice, as suggested by Raimond Gaita, can fully articulate the ideals of cosmopolitanism.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Pagano Ugo

Cultural globalisation, institutional diversity and the unequal accumulation of intellectual capital

in **Cambridge Journal of Economics**, Volume 31, Number 5, September 2007

National economies used to be characterised by cultural standardisation and social protection. Globalisation pushes cultural standardisation beyond the boundaries of national states and induces a global dilution of the standards of social protection. At the same time, if national economies specialise according to their comparative institutional advantage, global economic integration may help promote institutional diversity and variety in welfare policies. However, the institution of a global system of intellectual property rights may seriously limit the 'biodiversity' of capitalism and imply a global revenge of a new international form of Taylorism. The overall result may be a very unequal accumulation of intellectual capital. Paradoxically, the modern global economy may end up sharing some aspects of the agrarian societies that have been displaced by modern nation states.

Section B) Global governance and international organizations

Subsection 5. The Globalization process



Favre Henri

Democracy's fundamentalists

in *World Affairs*, Vol. 11, n. 3, Autumn

Democratic Fundamentalism or "Democratism" is a political theory, mostly developed in the USA by neo-conservative ideologues that claims global relevance since it holds that all human beings want personal freedom that can best be provided by western style liberal democracy. Henri Favre reminds us that the doctrine is used to justify American interventionism and hegemonism but ignores important social and cultural realities and makes short shrift of historic and geographic diversity. Hence, its applications in a neo-colonial context often have disastrous consequences.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Straubhaar Thomas

Die zweite Welle rollt

in *Internationale Politik*, n. 6, 62. Jahrgang, Juni

ABSTRACT: Die positiven Folgen der Globalisierung sind nicht wegzudiskutieren. Noch nie hatten so viele Menschen so gute Lebensbedingungen wie heute. Nach dem Wachstum geht es jetzt an das Aufbrechen von verkrusteten nationalen Strukturen. Auch dies birgt Chancen, die jedoch – vor allem von den Deutschen – erkannt und genutzt werden müssen.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Caubet Christian

Dimensions ultralibérales de la conquête de l'eau: intérêts géopolitiques et carences juridiques internationales

in *Ecologie et politique*, n. 34 - Mondialisation et conflits de ressources naturelles, 43-56

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Morton Adam David

Disputing the geopolitics of the states system and global capitalism

in *Cambridge Review of International Affairs*, Vol. 20, n. 4, December, 599-617

Alex Callinicos's intervention in the debate on the geopolitics of the states system and capitalist modernity provides a crucial wake-up call to International Relations theory and practice. Yet, within the contending positions he outlines disputing the political economy of geopolitical conflict, inter-state rivalry and capitalist imperialism, the insights of Antonio Gramsci are notably absent. This article contributes to the debate by elaborating how the theory of passive revolution reveals the political rule of capital, thereby internally relating the states system to capitalist modernity within a focus on uneven development. This concern is evident in Gramsci's analysis of the labour process of Anglo-Saxon capitalism and



the geopolitics of the states system contained within his survey of 'Americanism and Fordism'. Theorization on the passive revolution of capital might then provide a fruitful basis from which an empirical research agenda on social development could be advanced with reference to post-colonial state formation processes.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Callinicos Alex

Does capitalism need the state system?

in *Cambridge Review of International Affairs*, Vol. 20, n. 4, December, 533 - 549

Contemporary Marxist students of international relations, like their mainstream counterparts, disagree over whether geopolitics has a future. Many believe that it has none, either because globalized capitalism has overcome the nation-state or because the 'informal empire' of the United States has overridden inter-state conflict. This article supports those who argue that significant economic and political conflicts persist among the main capitalist states. It does so by exploring the question of whether, in Marxist theory, the capitalist economic system and the international system of states are necessarily or contingently related. Marx's method in *Capital* offers, it is argued, a way of non-reductively incorporating the state system within the capitalist mode of production. This argument provides the basis for a partial reconciliation of Marxism and realism. More importantly, it offers a theoretical framework in which to explore the scope for inter-state conflict in the 21st century.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

LuoYan

Engaging the Private Sector: EU–China Trade Disputes Under the Shadow of WTO Law?

in *European law journal*, November 2007 - Vol. 13 Issue 6, 800-818

This article intends to reflect a new tendency of China's new trade policy to utilise more effectively the World Trade Organisation (WTO) rules with the support of emerging public–private networks, at bilateral, regional and multilateral levels. Based on legal pluralism and network theory, this article argues that although still far from an active user of the dispute-settlement mechanism, China is gradually building up its legal capacity for challenging foreign trade barriers, by actively engaging the private sector and mobilising resources of domestic industries. It particularly focuses on how this new trend has been reflected on three recent high-profile disputes: textile, footwear and car parts, and concludes that the pattern of China's trade policy indicates that both China and its trading partners have realised that their trade relations are developing under the shadow of WTO law.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Chibber Barti

Globalisation and International relations: changing paradigms

in *World Affairs*, Vol. 11, n. 3, Autumn



Bharti Chhibber notes that globalisation is a process taking place simultaneously in the political, economic, cultural and technological spheres and involving both state and non-state actors as partners or competitors driven by the ICT (Information and Communication Technologies). However, it is transnational capitalism which shapes and directs the present stage of globalisation, characterised by deepening inequalities and rising inter-ethnic/national/religious confrontations. The engine of the globalising process is the "Lockean" Englishspeaking liberal West against which the leading contender is now China, in succession to Napoleonic France, Imperial and Nazi Germany and the USSR.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Guazzone Laura, Pioppi Daniela

Globalisation and the Restructuring of State Power in the Arab World

in International Spectator (The), Vol. XLII, n. 4, October-December

The dynamics of change in the Arab world today are part of a much larger global process - the neo-liberal phase of globalisation - that started in the 1980s and engendered a process of state power restructuring, both for peripheral "weak" states and core industrialised countries. Beyond national differences, the restructuring of the Arab states has implied the consolidation of neo-authoritarian political regimes characterised by fragmentation of the power structure and by an increase in informal modes of government (neo-patrimonialism, corruption), accompanied by the parallel political and economic marginalisation of large sectors of society. These less centralised and more elitist regimes are likely to be more dependent and vulnerable than their predecessors to external pressures and foreign influence.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Vengoa H. F

Globalización y desarrollo: ¿Cómo opera la correlación?

in Analisis politico , n. 60 , 91 - 116

This text presents a reflection on the impact of globalization over development studies. How has globalization influenced development and why has the academic preponderance conferred to globalization distorted development appraisal? Can development be thought again within a globalization context or we should rather speak of globalized and globalizing countries instead of developed and developing countries? How can development proposals be articulated in such a complex scenario as the one we are facing in the outset of the XXI century?

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Peters B. Guy

Globalización, gobernanza y Estado: algunas proposiciones acerca del proceso de gobernar

in Reforma y democracia (Venezuela), N. 39



The prevailing assumption of much of the globalization literature has been that the increasing power of external actors and forces has reduced the capacity of governments to govern. This paper will attempt to nuance that discussion and to examine ways in which States can govern, and indeed need to govern, in the face of external pressures. The differentiations will depend upon the nature of the States, the nature of policy areas, and the strategies that are involved in governance.

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Glenn John

Globalization's Alternatives: Competing or Complementary Perspectives?

in Government and Opposition, Vol. 43, n. 1, Winter, 79-110

Recent writings on globalization have tended to argue that such economic interconnectedness is, in one way or another, geographically delimited. Three competing views appear in the literature, regionalization, triadization and the involutionist perspective. This article challenges the portrayal of these perspectives as competing conceptions and instead argues that each perspective furnishes us with a partial view of a larger process. In so doing, this paper revisits the involutionist perspective, arguing that, in relation to the developing countries' relative share of world trade and investment shares, the use of the term 'globalization' should be questioned. Rather, in relation to trade, involution is a more apt description. However, in terms of FDI, stasis better describes the contemporary international economy. The article then examines the trade and investment patterns within the triad, corroborating earlier findings that each leg of the triad is increasingly trading more with their neighbours than with each other, but that inter-triad FDI is indeed increasing. Three main factors are presented in order to explain the contemporary patterns of trade and investment associated with involution, regionalization and triadization: product differentiation, vertical specialization and the continuing concentration on primary product production in much of the developing world.

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Subsection 5. The Globalization process

Kakowicz Arie

Globalization, Poverty, and the North–South Divide

in International Studies Review, issue 4, vol. 9, winter, 565-580

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Håvard Hegre Ibrahim Elbadawi

Globalization, economic shocks, and internal armed conflict

in Defence and Peace Economics, Volume 19 Issue 1 2008

Critics of trade liberalization argue that globalization increases countries' vulnerability to economic shocks and hence



may exacerbate domestic social conflict. Such social conflict may also be transformed into armed conflict. Others argue that globalization promotes economic growth and reduces poverty, which leads to a reduction in the risk of internal conflict. Several studies find trade to reduce the risk of interstate conflict. This article investigates the impact of trade and trade shocks on the risk of intrastate conflict. A set of operationalizations of economic shock is developed and used to analyze the risk of conflicts that involve at least 25 battle deaths per year. The analysis finds no robust evidence for a direct relationship between trade openness, trade shocks, and the risk of armed conflict. There is somewhat more basis for concluding that globalization affects the risk indirectly through its effect on long- and short-term growth. In the long run, trade-induced growth reduces the risk of domestic conflict.

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Le Billon Philippe, Serfati Claude

Guerres pour les ressources: une face visible de la mondialisation

in **Ecologie et politique**, n. 34 - Mondialisation et conflits de ressources naturelles , 15-32

No abstract available

Section B) Global governance and international organizations

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Bordino Giampiero

How is the State Changing in the Globalization Process?

in **Federalist Debate (The)**, Year XX, n. 3, November , 10-13

<http://www.taurillon.org/How-is-the-State-Changing-in-the-Globalization-Process>

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Marvin Goodfriend

How the World Achieved Consensus on Monetary Policy

in **Journal of Economic Perspectives**, Vol. 21, No. 4, Fall 2007

The worldwide progress in monetary policy is a great achievement and, especially considering the situation 30 years ago, a remarkable success story. I describe how the world achieved a working consensus on the core principles of monetary policy by the late 1990s. I survey the muddled state of affairs in the 1970s, and then ask: What happened in Federal Reserve policy to produce an understanding of the practical principles of monetary policy? How did formal institutional support for targeting low inflation abroad follow from an international acceptance of these ideas? And how did a consensus theoretical model develop in academia? I explain how the modern theoretical consensus—known alternatively as the New Neoclassical Synthesis or the New Keynesian model of monetary policy—reinforces key advances: the priority for price stability; the targeting of core rather than headline inflation; the importance of credibility for low inflation; and preemptive interest rate policy supported by transparent objectives and procedures. Of course, a working consensus does not constitute complete agreement. Accordingly, the conclusion identifies important monetary policy issues that remain to be explored.



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Zeng Ka, Eastin Josh

International Economic Integration and Environmental Protection: The Case of China
in *International Studies Quarterly*, issue 4, vol. 51, december , 971-995

ABSTRACT: This paper tests propositions advanced in previous theoretical literature about the impact of international economic integration via trade and investment on environmental protection with a case study of China. We hypothesize that instead of leading to additional environmental degradation, increased openness to trade and foreign investment results in an overall improvement in environmental quality by acting as a transmission belt for superior regulatory standards and environmental technology from China's key export markets. Additionally, pressure for enhanced environmental regulation and product standards from principal developed-world importers of Chinese goods may induce Chinese firms to self-regulate rather than attempting to reduce the cost of their exports by lowering environmental standards. Statistical analysis of the variation in environmental performance across China's regions from 1996 to 2004 lends support to this hypothesis, indicating that rather than leading regions to engage in a "race to the bottom" with the lowering of environmental standards, increased trade and investment encourages more stringent policy enforcement and compliance.

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MecNevin Anne

Irregular migrants, neoliberal geographies and spatial frontiers of 'the political'
in *Review of International Studies (The)*, Vol. 33, Issue 4, October , 655-674

In this article I argue that the demands of irregular migrants to belong to political communities constitute key contemporary sites of 'the political'. I also argue that geographies associated with neoliberal globalisation (transnational production circuits, special economic zones and global cities) are implicated in irregular migration flows and in new conceptions of political belonging. In relation to these claims, I reflect upon recent mobilisations in the US context, in which hundreds of thousands of irregular migrants and their supporters asserted the right to belong. I suggest that similar claims to belong are likely to proliferate and that neoliberal geographies may provide some clues as to where and how these contemporary frontiers of the political might proceed. I conclude by suggesting that a multidimensional approach to political belonging provides a sound conceptual starting point for the analytical and normative challenges raised by both the claims of non-status migrants and the sovereign practices of contemporary states.

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Feiock Richard C., Moon M. Jae, Park Hyung Jun

Is the World "Flat" or "Spiky"? Rethinking the Governance Implications of Globalization for Economic Development

in *Public Administration Review*, January February 2008 - Vol. 68 Issue 1 , 24-35



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Allard Neumann Raul

Las empresas multinacionales en la globalización. Relaciones con los Estados

in *Estudios internacionales* : revista del Instituto de Estudios Internacionales de la Universidad de Chile, Vol. 40 / 2007 / Nr. 158

No abstract available

Section B) Global governance and international organizations

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McDougall Gay J.

Minorities, Poverty and the Millennium Development Goals: Assessing Global Issues

in *International Journal on Minority and Groups Rights*, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 333-355

No abstract available

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Le Billon Philippe, Serfati Claude

Mondialisation et conflits de ressources naturelles

in *Ecologie et politique*, n. 34 - Mondialisation et conflits de ressources naturelles , 11-14

No abstract available

Section B) Global governance and international organizations

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Pirages Dennis C.

Nature, Disease, and Globalization: An Evolutionary Perspective

in *International Studies Review*, issue 4, vol. 9, winter , 616-628

No abstract available

Section B) Global governance and international organizations

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Iglesias Fernando A.

On Global Politics and Petropolitics



in **Federalist Debate (The)**, Year XX, n. 3, November , 22-25

A quick glance at the greatest fortunes of the planet, headed by software corporations' CEOs, financial speculators, mass-media owners and Hollywood producers, makes it clear that the creation of wealth is shifting from a hardware-related phase, in which value was generated by the production of objects through manual work, to a software-related phase, in which intellectual work gets the core of economy and society. We already live in a post-industrial context dedicated to the creation and handling of information, knowledge, cultural diversity, communication, innovation and emotions. From Henry Ford to Bill Gates, the change in what Marx denominated "means of production" has been incredibly fast: less than a century has elapsed between the last Ford T and the first PC. A split second in History.

As early as 1980, Alvin Toffler declared that the conflict between Capitalism and Communism was a transitory dispute within an industrial civilization, and predicted that it would be overcome by the truly political fight of the future: a megaconflict of planetary scale between the defenders of the second (industrial) wave and those of the third (post-industrial) one. Even though Toffler was right, industry was not the agent that led the defence of the status quo; it was - more exactly - the most obsolete branch of industry, which is in charge of energy supply and totally depends on its Majesty Petroleum. It is not by chance that the NY Times' journalist Thomas L. Friedman has recently originated an interesting polemic by enunciating what he called "the First Law of Petropolitics¹". In short, Friedman stated that "the price of oil and the pace of freedom always move in opposite directions in oil-rich petrolist states". Beyond the general accuracy of Friedman's statement, the use of the "Petropolitics" category marks the emergence of a deep and dangerous asynchrony between the information society - however we call it - and its incredibly antiquated source of energy: fossil oil.

Petropolitics and information society: two antagonistic paradigms

A quarter of a century after the publication of Toffler's "Third wave", the greatest and most urgent threats to the post-industrial global world (depletion of non-renewable resources, global warming, energy dependence, global terrorism, war for resources) come from a decrepit and polluting nationalistic-industrialist order, which intrinsically tends to militarism and confrontation. But let's take a look at the origins of Petropolitics.

The oil industry remains poles apart from the information and knowledge society. An oil barrel is worth nothing if someone takes it from us. On the contrary, computer programs can be copied without losing their original capacity and get more valuable for each individual who uses them. The intangible products of the economy of information are shareable. No matter how avaricious and monopolist their leaders are, the information economy needs cooperation and education to produce goods, and general well-being to sell them. The wealth it creates increases with general wealth and education, whatever the national and social origins of their owners, consumers and producers. The human intelligence on which it is based is a non-polluting and inexhaustible resource. As it is independent of territory, the loss of the economic centrality of land it has caused has abolished the classical model of conflict of the industrial era: the warlike dispute for territories and raw materials.

There has been no war between developed countries since intellectual workers - white collars - numerically surpassed manual workers - blue collars - in the Sixties. Since then, the economically and politically advanced units have been peacefully extended, due to the needs generated by new technologies, on the one hand, and thanks to the opportunities they created, on the other. Reliable statistics indicate that - on the contrary - welfare states do not exist or are disappearing in nations that are organized according to the nationalistic industrialist model. They also emphasize that post-industrial countries that have the highest average of foreign interchange have also the lowest levels of inequality. This is not accidental: an economy based on human intelligence implies high education standards and a well-developed social capacity to work in associated ways; two factors that are indispensable for the political process that is at the base



of the redistribution of wealth.

Exactly the opposite happens within the economies based on raw materials such as oil. Like in every social matrix that depends on non-shareable and exhaustible resources, in mineral-extraction-based countries the economic and political processes assume a zero-sum type: the appropriation of a resource by an agent excludes all the others, which abolishes cooperation and leads to disputes.

The extraction of raw materials is also, for obvious reasons, strongly bound to the territory; therefore it tends to generate conflicts for geopolitical predominance. All these elements (non shareability / zero-sum processes / dependence on the territory) have led to the emergence of several Petropolitical nuclei. They grew from agreements between economic agents of extractive corporations and political agents that command the military apparatus. Since the intervention of people in the generation of wealth is minimal and depends on low labour-quality in extractive activities, general well-being and the population's capacity to work cooperatively becomes irrelevant. Consequently, the richness falls in the hands of a few; in the case of oil, corporate owners and public authorities who manage the access to and the control of resources. This is the kingdom where Petropolitics arises and has its dominions.

The world of Petropolitics

Wherever Petropolitics dominates, exasperation and conflict replace dialogue and consensus. The society splits between "us" and "them". The territory and the dispute for its control acquire a metaphysical value. No matter what use is made of the extracted wealth, foreigners are presented as a gang, eager to steal "our" resources. Beyond the speeches on nationalism and solidarity, wealth accumulates in the hands of the richest and more powerful. Democracy staggers, if it ever exists, or it never arises, when it does not. In spite of the nationalistic rhetoric that is used to conceal the real interests at stake, the national unity is put under pressure, which opens the way to a new destructive scheme: the intra-national (civil) war for resources, and the ethnic masked ball threatens to move nowadays from African diamonds to Bolivian gas. Political and religious fundamentalisms predominate in the Petropolitics universe. The world is divided between "friends", who are co-opted for the reproduction of the existing power, and "enemies", who are bound to symbolic destitution or physical destruction. Third-world-friendly theories on "unequal interchanges", which attributed underdevelopment to the low prices of raw materials, have shown their irrelevance, because even after decades of vertical ascent of oil prices, that originated an incommensurable flow of wealth towards the OPEC countries, the life conditions of their citizens experienced no significant change. The ambiguous properties of natural resources as factors of progress did not only make the theory of "unequal interchanges" obsolete, but are at the origin of the "curse of natural resources" thesis, an idea that is well confirmed by the fact that countries where per-capita resources are very low (such as Japan) have been able to develop rich and egalitarian societies, whereas in other countries with very high per-capita average of natural resources (such as Argentina) poverty and inequalities continue to increase. The fact that Latin America is the continent with the greatest amount of natural resources per inhabitant and also the one of bigger inequalities, and that Africa follows in both headings, is a confirmation of the thesis.

Africa, the continent where the weight of natural resources in the GDP is the highest in the world, has become the preferred territory of tribal barbarism. Secular tyrannies and ethnic cleansing are encouraged by corporations that are after diamonds in Sierra Leone and oil in Sudan. While the world was watching Iraq, millions of African died and hundreds of thousands became refugees in the most extensive humanitarian drama of the 21st century. The tribalism and militarization of African societies generated a renewed Middle Age where spears and arrows have been replaced by Kalashnikovs and machine guns. It does not seem accidental that the Middle East, where oil is the basic economic resource, has become the center of world-wide political instability, insecurity and global terrorism.

Recent studies - such as Friedman's - show a strong correlation between the rise of oil prices after the invasion of Iraq and the worsening of democratic rights and freedom standards.

However, although Friedman locates the phenomenon in "oil-rich petrolist states", the trend is visible not only in Latin



American, African and Middle-East societies, but also in the United States of America, which is far from being "petrolist" but where the oil industry is very powerful and is very close to political power.

Petropolitical leadership

How many billion dollars have the big oil companies spent in financing campaigns that presented nuclear energy as a too dangerous option? How much money for presenting bio-fuels and hydrogen as if they were good only for science-fiction books? How many dollars in delaying investigations on alternative sources of energy? How much in obstructing the development of democratic global institutions that could - say - establish a world-wide tax on fossil fuels and provide monetary resources to the investigation, development and application of renewable and non-polluting sources?

Conspiracy or not, the certain thing is that we live in a world that has become completely different from the early-20th-century industrial era, but in which fossil fuels continue to be the basic source of energy. Significantly, the only sector in which the technological revolution has not fulfilled its promises, the energy sector, has generated a Petropolitical nucleus of pre-industrial nationalistic nature that has spread like cancer during the last decade.

Let us look at the map of the world: the first oil exporter is Saudi Arabia, a country dominated by an absolute monarchy, in the region where Osama Bin Laden was born; the second is Russia, a country presided over by the former KGB boss Vladimir Putin; the fourth is Iran, led by the belligerent Mahmoud Ahmadinejad; the fifth is Venezuela, whose leader is the authoritarian Colonel Chávez; at the sixth place are the feudal Arab Emirates; the seventh is dynastic Kuwait; the eighth is the devastated Nigeria; the tenth is the Algeria of the criminal Muslim Brothers; the eleventh is Iraq, that was a private property of Saddam Hussein and the twelfth is Libya that is still Muammar Gaddafi's property.

This list matches the greatest warlike conflicts of the last decades and the most authoritarian regimes, which allow us to understand the true dimensions that Petropolitics assumes. Yet, it is not all. Symptomatically, the national character of companies (which is an anachronistic relic of national-industrialist times) is a generalized feature of the oil sector. Exxon, Chevron, BP and Repsol (from the First-world), as well as PDVSA and Petrobras (from the Third-world) are basically national corporations. Bi-national (English-Dutch) Shell is the insurmountable maximum of cosmopolitanism that big oil corporations have reached for the time being. In addition, the national list of oil producers shows the United States in the third position and the United Kingdom in the thirteenth. No need to say that these nations - whose oil companies dominate the global market - have led the disastrous invasion of Iraq, thus acceding to the control of the second largest oil reserve in the world and generating a rise of the price of oil that has made the fortune of the Petropolitical sector. Is this a mere chance or is it the fulfilled demonstration of a cause-effect relationship that affects advanced countries too?

A new global political polarity

Petropolitics has invaded national policies by placing reactionary leaders linked to corporative powers and nationalistic-industrialist conceptions at the head of national structures.

This is exactly the role that the Bush dynasty has played in the United States. Also the misfortune of Tony Blair, the man who was the most promising progressive leader of the advanced world, originated in the disasters generated by the Petropolitics kingdom.

When political analysts observe that the USA has been split into two divergent social universes: hyper-connected, cosmopolitan and progressive coasts² mostly dedicated to symbolic production, where Democrats always win, and a disconnected, nationalistic and reactionary countryside, mostly dedicated to agrarian and manufacturing jobs, which always vote for Bush and the Republicans, this is nothing but the confirmation of Toffler's prediction. It simply means that the 21st century has entered America in the form of a fight for hegemony between the Second and the Third wave, that somehow reminds of the fight between the industrial North and the rural South during the 19th century.

A US-only phenomenon? Not at all. Latin America's political scenario is also getting polarized by tensions between - on



the one hand - Colonel Chávez (Venezuela) and his allies Morales (Bolivia) and Correa (Ecuador) (the three are presidents of the only South American nations where oil and gas are the predominant economic resources), and - on the other hand - the other governors of the subcontinent. Argentina, the other country where nationalism and authoritarianism have recently spread (although to a lesser extent), has - for the first time in its history - a president coming from a region (Patagonia) that concentrates 84% of the national oil production.

Nonetheless, Petropolitics is not just a Southplus North-American dilemma. The tension between nationalistic industrialism and the post-industrial world has become visible worldwide as a global polarity. Now, Petropolitical sheikhs who pretend to govern the world are facing a coalition of forces (its most powerful elements being the European Union, Japan and Canada) that are basically favourable to global agreements on environmental and financial regulations, that support the reinforcement of supranational institutions (such as the European Union, the International Criminal Court and the UN), and strongly oppose Petropolitical unilateralism and militarism.

Oil has replaced carbon as the main source of energy and the central *raison-d'être* of authoritarianism and war. In this sense, it should be reminded that the French-German dispute for coal was at the base of two world wars and that its settlement through the creation of the Coal and Steel Community was the advent of an uninterrupted period of peace and prosperity for Europe. If the future has to have a chance in the face of the forces of the past and if the third wave has to prevail over the second and first ones, world federalism and global democracy have to see to the pacific defeat of the Petropolitical nucleus of power. May the world follow Europe and use the lessons on political unity given by the 20th century to abolish Petropolitics.

1 See "The First Law of Petropolitics" by Thomas L. Friedman, in *Foreign Policy*, May-June 2006

2 Which includes Chicago, Boston and the Northern Lakes region

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Mini Fabio

Owning the Weather. The Global Environmental War Has Already Begun

in Heartland – Eurasian Review of Geopolitics, Number 2, "The Energy Game" , 17-30

The century's paradigm is the conflict between those who do not wish to give up their own wellbeing and those aspiring to it. The Pentagon's plans. From Carthage to Iraq, via Vietnam, nature is destroyed so as to annihilate the enemy. And oneself.

Full text available at http://www.eheartland.com/_lib/_docs/2007_02_the_energy_game.pdf

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Kavalski Emilian

Partnership or Rivalry between the EU, China and India in Central Asia: The Normative Power of Regional Actors with Global Aspirations

in European law journal, November 2007 - Vol. 13 Issue 6 , 839–856.



This analysis undertakes a preliminary conceptual assessment of the international agency of the EU, India and China in Central Asia. The contention is that the strategies advanced by Brussels, New Delhi and Beijing in the region reflect not only their desire to introduce a framework of predictability allowing them to make feasible calculations about future intentions, but also the increasing complexity of international life. The claim is that the external agency of the EU, India and China attests to the normative power of their foreign policies. However, the values and norms of the international agency of Brussels, New Delhi and Beijing reflect their distinct experiences and suggest their clashing interests. The article concludes with a brief appraisal of the prospective trends in the interactions between the EU, India and China in Central Asia and contends that it is the patterns of rivalry rather than cooperation that are likely to structure their global agency.

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Kiely Ray

Poverty reduction through liberalisation? Neoliberalism and the myth of global convergence

in *Review of International Studies (The)*, Vol. 33, Issue 3, July , 415-434

This article critically examines the question of whether poverty has been reduced in recent years, and if so, whether this is a result of neoliberal and/or globalisation friendly policies. The first section problematises at least some claims made for poverty reduction and the second section questions any causal link between 'pro-globalisation' policies and poverty reduction. The third and final section considers in detail the nature of the contemporary global economy, and in examining the evidence concerning capital flows shows how, contrary to the claims made by neoliberals and some globalisation theorists, capital is not dispersing throughout the world. Moreover, even when the 'correct policies' are adopted, this is unlikely to happen. I then conclude by suggesting why 'actually existing globalisation' does not alleviate, and may indeed intensify, global inequalities.

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Subsection 5. The Globalization process

Sutton John

Quality, trade and the moving window: the globalization process

in *Economic Journal*, November 2007 - Vol. 117 Issue 524 , p. 469

The globalisation process is analysed in a model where firms differ in productivity and quality. A lower bound to quality emerges, below which firms cannot sell, however low their (local) wage rate. The range of quality levels between the maximum and this lower bound shifts upwards when trade is liberalised (the *_moving window_*). The initial phase of globalisation, associated with trade liberalisation, in an initially segmented (but not autarkic) world, may reduce welfare in countries with intermediate levels of capability, but these countries may be the most important gainers as capabilities are transferred in subsequent phases.

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Halperin Sandra

Re-Envisioning Global Development: Conceptual and Methodological Issues

in *Globalizations* , Volume 4, Issue 4, December 2007 , 543 - 558

Most approaches to understanding contemporary development assume that industrial capitalism was achieved through a process of nationally organised economic growth, and that in recent years its organisation has become increasingly trans-local or global. However, this paper argues that capitalist development has, everywhere and from the start, involved not whole nations or societies but only sectors or geographical areas within states and territories. In fact, 'dualism' and other features associated with contemporary Third World 'dependent' development have been, until very recently, as characteristic of development in the countries of the so-called 'core' as it has of those of the 'periphery'. These features should be understood as products of historically 'normal' capitalist development, a strategic dimension and outcome of the trans-local exchange by which elites have always sought to maintain themselves as an elite and contain the rise of new classes locally. The aim of this paper, therefore, is to shift analytically the axis of view from the 'vertical' (states, regions) to the 'horizontal' (classes, networks) and, in this way, bring into view the synchronic and interdependent development of dynamic focal points of growth throughout the world shaped, both within and outside Europe, by trans-local interaction and connection, as well as by local struggles and relations.

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Grasa Rafael

Sociedad civil y Estado en la globalización

in *Metapolítica : revista trim. de teoría y ciencias de la política*, Num. 56, noviembre - diciembre 2007

La aparición, declive y resurgimiento de los movimientos sociales, un fenómeno que los analistas y teóricos siempre han considerado cíclico per se (Melucci, 1987; Norris, 2002; Tarrow, 1995), ha sido especialmente constatable en la década de los noventa y los primeros años del presente milenio a nivel mundial, latinoamericano y europeo. Puede hablarse de una plétora de movimientos sociales, de la incipiente aparición de lo que algunos han llamado "sociedad civil global", de la proliferación de redes transnacionales axiológicamente motivadas, también de una ocurrencia regional y subregional sin precedentes de los movimientos sociales y de las organizaciones de la sociedad civil. Ello, además, con éxitos notorios, al menos en el corto plazo: los movimientos sociales han hecho caer gobiernos o ganar elecciones (Ecuador, Bolivia), han impedido la aprobación de acuerdos (Seattle, con el aplazamiento del inicio de la Ronda del Milenio de la Organización Mundial de Comercio), han provocado la firma de tratados de limitación y control de armamentos (Tratado de Ottawa, de eliminación o prohibición de las minas contrapersona), o han convocado las movilizaciones simultáneas y generalizadas en contra de la guerra más grandes de la historia (manifestaciones del 15 de febrero de 2003 en contra de la intervención en ciernes de Estados Unidos en Irak), por citar sólo cuatro casos. Por si fuera poco, desde Seattle, las reuniones mundiales (G-8, Banco Mundial, Fondo Monetario Internacional, Organización Mundial del Comercio, Consejo Europeo, etcétera) tienen siempre su contraparte. Ello ha motivado un alud de programas de investigación de largo aliento, como los del INRISD [1] o el Instituto Europeo [2] de Florencia, de simposios y encuentros, de números de revista (como Nueva Sociedad y de DerivAprodi), y naturalmente de artículos, libros y debate académico, incluyendo un Anuario periódico sobre...



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Duer Andreas, Zimmermann Hubert

The EU in International Trade Negotiations

in **Journal of Common Market Studies**, Vol. 45, Issue 4, November 2007

This special issue presents new research on the EU's role in international trade negotiations. In the introduction, we sketch out the relevance of this topic, introduce some of the core institutional features of trade policy-making in the EU, review the existing literature dealing with the EU in international trade negotiations, and briefly present the contributions included in this issue.

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Connell Raewyn

The Northern Theory of Globalization

in **Sociological Theory**, Volume 25, Issue 4, December 2007 , 368-385

Recent sociological theories of globalization represent a second encounter between sociology and global issues. Their underlying concept of "global society" was constructed from an idea of abstract linkage, given content by existing theories about metropolitan society emphasizing modernity, postmodernity, or system dynamics. Antinomies within the globalization theory, such as the global/local opposition and chaotic argument about power, arise from the metropole-centered logic itself, not from conflicts of evidence. The rhetoric and performativity of globalization theory construct a relation with metropolitan audiences, and sociological theories constitute themselves in multiple ways as Northern theory. If we want a genuinely global analysis of globalization we must reconstruct sociological theory as a markedly more inclusive dialogue.

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Subsection 5. The Globalization process

Reuveny Rafael X., Thompson William R.

The North–South Divide and International Studies: A Symposium

in **International Studies Review**, issue 4, vol. 9, winter , 556-564

No abstract available

Section B) Global governance and international organizations

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Da Costa Dia, Mcmichael Philip

The Poverty of the Global Order

in **Globalizations** , Volume 4, Issue 4, December 2007 , 588 - 602



Abstract

This paper argues that the legitimacy of the global order depends not on economic progress alone, but on the progressive naturalization of its epistemological foundations, through 'new solutions' to old problems by states and development agencies. New solutions become methods of social control through which the dominant visions of what count as viable futures are reproduced. We critique efforts to humanize development (e.g., by the World Bank, Amartya Sen) as evidence of development's epistemological crisis. Deploying Karl Polanyi's distinction between formal and substantive economy, we consider examples of substantive economy, which realize equality through strategic sovereignty and representational power, in collective and individual terms. These represent practical and epistemological 'spaces of hope' for critique of the crisis of the market epistemology that infects development studies and international relations.

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Martell Luke

The Third Wave in Globalization Theory

in *International Studies Review*, issue 2, vol. 9, summer , 173-196

ABSTRACT: This essay examines a proposition made in the literature that there are three waves in globalization theory—the globalist, skeptical, and postskeptical or transformational waves—and argues that this division requires a new look. The essay is a critique of the third of these waves and its relationship with the second wave. Contributors to the third wave not only defend the idea of globalization from criticism by the skeptics but also try to construct a more complex and qualified theory of globalization than provided by first-wave accounts. The argument made here is that third-wave authors come to conclusions that try to defend globalization yet include qualifications that in practice reaffirm skeptical claims. This feature of the literature has been overlooked in debates and the aim of this essay is to revisit the literature and identify as well as discuss this problem. Such a presentation has political implications. Third wavers propose globalist cosmopolitan democracy when the substance of their arguments does more in practice to bolster the skeptical view of politics based on inequality and conflict, nation-states and regional blocs, and alliances of common interest or ideology rather than cosmopolitan global structures.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Skrbis Zlatko, Woodward Ian

The ambivalence of ordinary cosmopolitanism: Investigating the limits of cosmopolitan openness

in *Sociological Review*, Vol. 55, Issue 4, November 2007 , 730–747

Despite diverse understandings of cosmopolitanism, most authors agree that cosmopolitans espouse a broadly defined disposition of 'openness' toward others, people, things and experiences whose origin is non-local. It is argued that such an attitude is expressed by an emotional and ethical commitment towards universalism, selflessness, worldliness and communitarianism, and that such values should be identifiable in the practices, attitudes and identifications of individuals. By using data generated through qualitative focus group research, this paper extends the development of Lamont and Aksartova's (2002) category of 'ordinary cosmopolitanism'. The participants in this study saw themselves as beneficiaries of an increasingly interconnected world, and they generally expressed cosmopolitan sentiments by referring to easily accepted opportunities associated with globalisation (eg. travel, cuisine, music) rather than the more



difficult aspects of openness such as showing hospitality to strangers, or accepting human interest ahead of perceived national interests. Their positive views were counterbalanced, however, by sentiments of 'dilution of national culture' and 'culture loss'. We argue that cosmopolitanism is a set of structurally grounded, discursive resources available to social actors which is variably deployed to deal with issues like cultural diversity, the global, and otherness. Ironically these discourses, which are the basis of the everyday accounts we describe, mirror academic debates on globalisation, suggesting the immersion of theorists in these discursive webs of meaning that structure responses to things global.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Teschke Benno, Lacher Hannes

The changing 'logics' of capitalist competition

in *Cambridge Review of International Affairs* , Vol. 20, n. 4, December , 565-580

This article criticizes contemporary attempts within the Marxist tradition to understand the current juncture of international relations in terms of either a return to classical Marxist theories of inter-imperial rivalry or ultra-imperialism. It argues instead to put the debate on a new theoretical footing that is able to capture the rich diversity of international relations and permutations of territorial orders within the entire history of capitalism since its inception in 17th-century England. It argues specifically that the system of multiple states and capitalism, rather than being causally co-emergent and co-constitutive, have historically different origins. Since the latter emerged within the former, their interrelation is not structurally determined by any 'logic of capital' per se or by a 'logic of anarchy' (or by their intersection). Rather, profound variations in capitalist international orders result from the contested construction of diverse projects of territorialization by historically situated capitalist classes and states. They are neither subject to an evolutionary long-term logic of globalization and global state-formation, nor to a recurring logic of inter-imperial rivalry, but far exceed the limits of these narrow options.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Coletta Damon

Unipolarity, Globalization, and the War on Terror: Why Security Studies Should Refocus on Comparative Defense

in *International Studies Review* , issue 3, vol. 9, fall , 385-406

Changes in the international environment such as the shift toward unipolarity, the rise of globalization, and the expansion of terrorist networks have redefined the sorts of problems confronted by policymakers and military practitioners in the arena of national security. With most of its fundamental concepts and frameworks rooted in the study of international relations (IR), the field of security studies has failed to keep up. Highly educated soldiers and diplomats sent to help rebuild failed or fragmented states are still poorly equipped to identify major obstacles or formulate solutions for accomplishing their missions. The safety of states and societies today depends less exclusively on blocking the military, economic, and ideological initiatives of a foreign power and more on supporting the integrity of members that can participate in an international system regulated by generally agreed-upon rules and conventions. The need to help various types of states under a variety of cultural and economic conditions build legitimate, durable political institutions



and functioning societies should push security studies toward a broader examination of comparative politics. Beyond the balance of power and modalities of interstate competition, the new security studies should embrace fundamentals found outside of IR to make more robust intellectual contributions to the examination of comparative defense.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Silvestrini Gianni

Winners and Losers in the Climate Changing Game

in Heartland – Eurasian Review of Geopolitics, Number 2, "The Energy Game" , 43-48

There is scientific consensus on the heating of the planet. However, the cost and consequences of it are not equally straightforward. Climate scenarios. The business of emissions and clean technologies. The post-Kyoto maneuvers. Full text available at http://www.eheartland.com/_lib/_docs/2007_02_the_energy_game.pdf

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Ohyama Michihiro

Partial Free Trade Agreements and Economic Welfare: Reconsidering GATT Article 24

in Review of Development Economics, Volume 11, Number 4 , 621-628

This paper generalizes the Kemp-Wan theorem on the customs union to cover partial and incomplete free trade agreements emerging all over the world and elucidates the conditions which ensure that they are potentially conducive to the economic welfare of member countries without harming the rest of the world. In the light of this generalization, it also reconsiders two well-known conditions stipulated in Article 24 of the GATT required for the formation of FTAs.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Fiammenghi Davide

Polarity, Regional Politics and Freedom of Small States

in Teoria Politica, Vol. 23, Fascicolo 3

This paper undertakes to provide an analysis of the patterns of interaction between secondary states and major powers. By providing historical examples, this paper argues that systemic polarity and geography are important factors to explain the behaviour of small states. For instance, in the bipolar system the structure of great powers' competition for relative gains exerts a mitigating influence on the freedom of small states. Conversely, in the multipolar system the struggle for relative gains normally causes the formation of preponderant coalitions against a small power. Moreover, in both cases geography can, in turn, accentuate or attenuate the influence of systemic polarity. Furthermore, this paper contends that in bipolarity the threat of alignment is more rewarding than alignment itself whereas the contrary occurs in multipolarity.

Section C) Regional integration processes



Subsection 1. Theory of regional integration processes

Garnaut Ross , Vines David

Regional free-trade areas: sorting out the tangled spaghetti

in *Oxford Review of Economic Policy*, Volume 23, Number 3 , 508-527

As a result of the difficulties in negotiating the liberalization of trade globally, countries seek liberalization among smaller groups. We describe open regionalism as one such attempt to do this, and show why after a decade of success it ran into the ground as a strategy. The formation of discriminatory regional free-trade areas (FTAs) is sometimes seen as another response to this problem. This paper point outs what is wrong with this response—that it distorts trade patterns and thereby sets up an unpleasant prisoner's dilemma—and suggests some ways forward. We propose the formation of open trading arrangements (OTAs) and the establishment of a Trade Transparency Commission in each country that is participating in an OTA. We also suggest global regulation of trade diversions caused by all FTAs, whether OTAs or not. Ultimately, the return to health of the global trading system will require expanded understanding of the basic insight of economics, that liberalization enhances the welfare of citizens of the liberalizing country.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Kelly Robert

Security Theory in the "New Regionalism"

in *International Studies Review*, issue 2, vol. 9, summer , 197-229

ABSTRACT: The relevance of regional security theories has grown in the wake of the Cold War. The global system has more participants—is less Eurocentric with Third World states having greater autonomy and involvement—and clearly unipolar, shifting the locus of conflict down from the global level. A new wave of regionalist scholarship has arisen in response. This review identifies this literature's central themes and suggested new variables. Its foundational and most contested challenge to international relations (IR) theory revolves around the autonomy of a regional level of analysis between the state and the globe. Accepting such autonomy, the literature broadly settles on three variables specific to regional structures. First, regional subsystems are porous. Intervention from above can overlay local dynamics. Second, proximity qualifies the security dilemma dramatically. Most states only threaten their neighbors, thus creating meaningful and distinct regional dynamics. Third, weak state-dominant regional complexes generate a shared internal security dilemma that trumps the external one. Regional organizations serve to repress shared centrifugal threats through pooled rather than ceded sovereignty.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Henry Laurence

The ASEAN Way and Community Integration: Two Different Models of Regionalism

in *European law journal*, November 2007 - Vol. 13 Issue 6 , 857–879

The aim of this article is to compare the EU and the Association of South-East Asian Nations (ASEAN) as models of regional integration, while using the well-funded dichotomies of structural and functional analysis of international organisations. At their origin, the two organisations were very different by nature—the EU has always been a role model, or sometimes counter model, for the ASEAN. Today, their objectives and aims are more and more alike, although their



structural and legal means remain very different. Finally, both organisations have to find their own way and justification in order to be accepted by their people and to be an active actor of a more globalised world.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Samia Costa Tavares

The Common External Tariff In A Customs Union: Voting, Logrolling, And National Government Interests in Economics and Politics, Vol. 19 Issue 3 , 345–368

Missing from the analysis of customs unions has been a consideration of collective decision-making by countries regarding the union's common trade policy. In the case of the common European external tariff, how governments voted was not public information. This paper uses a unique dataset to derive member states' tariff preferences, which are then used to establish the decision rule before 1987, when individual governments had veto power. Results indicate a principle of unanimity, as well as the presence of logrolling. The political equilibrium for the common external tariff is also illustrated to have shifted as a result of union enlargements.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Momani Bessma

A Middle East Free Trade Area: Economic Interdependence and Peace Considered in World Economy, Volume 30, Number 11 , 1682-1700

The Bush administration hopes that through a Middle East Free Trade Area (MEFTA), peace and stability can be achieved through intra-regional economic cooperation. The current impediments to intra-regional economic cooperation, however, will make a MEFTA a hub-and-spoke trade relationship between the United States and the Middle East. Neoliberal arguments for the interrelation of peace and economic interdependence in the context of the Middle East are then considered.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Kagwanja Peter

Calming the Waters: The East African Community and Conflict over the Nile Resources in Journal of Eastern African Studies , Volume 1, Issue 3, November , 321-337

Control of the waters of the Nile Basin has long been contested among the ten African riparian states that sit within the wider catchment area. In colonial times, use of the Nile was regulated by treaties promulgated and supported under British rule. These agreements favoured Egyptian and, to a lesser extent, Sudanese primacy in controlling the great river. This situation began to be challenged in the 1960s with the end of colonial rule in the region, and these challenges have now again been renewed in recent years with the revival of the East African Community. The members of the EAC, Kenya, Uganda and Tanzania, have a common interest in facilitating the economic development of the Lake Victoria Basin, and by extension this gives them an incentive to tackle the long-standing issues over the regulatory devices governing use of the Nile waters. This article reviews the background to the conflict over the Nile waters and describes



the activities of the revived EAC to demonstrate the ways in which this regional organization has, since 1999, elaborated new policies and structures to strengthen and sustain the Nile Basin Initiative and the Nile Basin River Commission.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Kamar Bassem, Naceur Samy Ben

GCC Monetary Union and the Degree of Macroeconomic Policy Coordination

in IMF Policy Discussion Papers, October 2007

Coordinating macroeconomic policies is a pre-requisite to a successful launch of the common currency in the GCC countries. Relying on the Behavioral Equilibrium Exchange Rate approach as a theoretical framework, we apply the Pooled Mean Group methodology to determine the similarity of the impact of a selected set of macroeconomic indicators on the real exchange rate in each country. Our empirical evidence points to a clear coordination of monetary policy, fiscal policy, government consumption, and openness across the member countries. While RER misalignments also show a substantial convergence building over time, differences in the misalignments of the two polar cases remain rather substantial, calling for further coordination and policy harmonization

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Sy Amadou N. R.

Local Currency Debt Markets in the West African Economic and Monetary Union

in IMF Policy Discussion Papers, November 2007, Working Paper No. 07/256

The paper reviews trends and developments in the rapidly growing local currency debt markets in the WAEMU. The main findings are that common institutions, such as a regional central bank and securities exchange have led to high cross-border transactions within the union. However, excess liquidity in the regional banking system has led to limited credit differentiation among issuers and a reliance on supply and demand conditions as a key determinant of yields. The paper also discusses a number of policy issues, including debt management, that are likely to emerge as the markets for government securities continue to develop.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Perrot Danielle

La Cour de Justice de la Caraïbe, une nouvelle Cour de justice communautaire

in Revue Trimestrielle de droit européen, n. 3, 445-472

No abstract available

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

David J. Hornsby, Alastair J.S. Summerlee, and Kenneth B. Woodside



NAFTA's Shadow Hangs Over Kyoto's Implementation
in *Canadian Public Policy* , Volume 33 Number 3 , 285-298

The Canadian government indicated recently that it will not meet its Kyoto targets but will develop a "made in Canada" solution to deal with the reduction of climate-changing greenhouse gas emissions. Canada is still legally obligated to achieve its Kyoto reduction requirements and has indicated that it will participate in the second round of Kyoto Protocol talks. However, as a co-signatory of the North American Free Trade Agreement (NAFTA), Canada may be impeded from introducing and maintaining greenhouse gas-reducing initiatives as there are elements of NAFTA which may be used to challenge or block efforts that are considered discriminatory to trade. In particular, Chapter 11 may be used as a vessel by private investors to challenge climate change measures that conflict with other NAFTA chapters. Unless these conflicts are addressed, the Canadian government will fail in its initiatives.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Sàrah Eva Martínez Pellègrini,

Sistemi produttivi locali ed integrazione economica nella "Frontera Norte" del Messico: il caso della Baja California

in *Archivi di Studi Urbani e Regionali*, Fascicolo 89

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Spalding Rose J.

Civil Society Engagement in Trade Negotiations: CAFTA Opposition Movements in El Salvador

in *Latin American Politics & Society*, Vol. 49, Nr. 4

This article analyzes civil society participation in the free trade debate by focusing on networks that opposed the Central American Free Trade Agreement (CAFTA) in El Salvador. Drawing on documents, direct observation, and semistructured interviews with civil society leaders, two kinds of opposition coalitions are identified. "Critic negotiators," emphasizing active engagement and policy research, used the limited participation space opened by authorities to push for reform. "Transgressive resisters," repudiating the formal consultation process, deployed confrontational tactics and posed more fundamental challenges. This work uses social movement theory to explore coalition resource mobilization, the role of movement entrepreneurs, strategic decisionmaking, mechanisms linking local and transnational activists, and the dynamics of intramovement competition.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Jones Lee

ASEAN intervention in Cambodia: from Cold War to conditionality

in *Pacific Review (The)* , Volume 20, Number 4, December , 523-550



Abstract

Despite their other theoretical differences, virtually all scholars of the Association of Southeast Asian Nations (ASEAN) agree that the organization's members share an almost religious commitment to the norm of non-intervention. This article disrupts this consensus, arguing that ASEAN repeatedly intervened in Cambodia's internal political conflicts from 1979 to 1999, often with powerful and destructive effects. ASEAN's role in maintaining Khmer Rouge occupancy of Cambodia's UN seat, constructing a new coalition government in exile, manipulating Khmer refugee camps and informing the content of the Cambodian peace process will be explored, before turning to the 'creeping conditionality' for ASEAN membership imposed after the 1997 'coup' in Phnom Penh. The article argues for an analysis recognizing the political nature of intervention, and seeks to explain both the creation of non-intervention norms and specific violations of them as attempts by ASEAN elites to maintain their own illiberal, capitalist regimes against domestic and international political threats.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Misra Ashutosh

An audit of the India-Pakistan peace process

in Australian Journal of International Affairs, Vol. 61, n. 4 / December , 506-528

The India-Pakistan peace process, technically known as the Composite Dialogue Process (CDP) has sailed through numerous highs and lows in bilateral relations since 1997. It has remained susceptible to unforeseen incidents which have derailed the process several times in the past. However, since 2003 April it has progressed steadily, barring suspension for a while, with support from the highest level. This paper dwells upon the history of the peace process since its inception in 1997 and examines the progress made in the eight baskets of issues namely Jammu and Kashmir (J&K); Siachen; Wullar Barrage/Tulbul Navigation Project; Sir Creek; Terrorism and Drug Trafficking; Economic and Commercial Cooperation; Peace and Security; and, Promotion of Friendly Exchanges in various fields. The analysis of the peace process in this paper hinges on two key questions. First, has any change in the mindset of both sides come about over the years due to the peace process? And second, what are the prospects of resolving the pending issues in the future talks?

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Camroux David

Asia whose Asia? A 'return to the future' of a Sino-Indic Asian Community

in Pacific Review (The) , Volume 20, Number 4, December , 551-575

This article is an attempt to provide a corrective to a marked Sinocentrism in contemporary debates on regional integration in Asia. In order to do so, firstly, as a heuristic device, a crucial distinction is made between 'regionalization', as involving multifaceted integrative socio-economic processes, and 'regionalism', defined as a form of identity construction akin to nationalism. Secondly, a degree of historical depth is proposed to better explain recent developments. Finally, throughout the article, an interdisciplinary approach is taken involving employing realist, historical/sociological institutionalist and constructivist perspectives in the area of international relations. The first two East Asian summits are contextualized in relation to various conceptualizations of an Asian Community over the last century or so. Particular attention is given to the 1955 Asian-African Conference in Bandung as a watershed in this



evolution. Varying conceptions of East Asia as part of a larger, transpacific regional entity (APEC) and in, and of, itself (East Asian Economic Group/ASEAN +3) are examined. In situating the first two East Asian summits five developments of significance are examined. These are: a continuing Japanese role in setting the regional agenda; the ambivalence of China's positioning vis-à-vis neighbouring countries; the re-entry of Central Asia in the Asian regional equation; India's 'return to Asia'; and efforts to maintain ASEAN's centrality in regional construction. These factors, it is argued, are militating towards a return to the Sino-Indic Asia of Bandung. It is thus suggested that notions of an Asian Community involving only Northeast and Southeast Asia are now rejoined by a concept of a Greater Asia. While the historical roots of this conception partly explain its salience, it nevertheless competes with other complementary - and antagonistic - definitions of an Asian Community of more recent lineage.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Beeson Mark, Yoshimatsu Hidetaka

Asia's odd men out: Australia, Japan, and the politics of regionalism

in International Relations of the Asia-Pacific, Volume 7, Number 2, May , 227-250

Australia and Japan have frequently had difficult relationships with their neighbours. This paper suggests that when seen in their specific historical contexts, the fact that Australia and Japan have become 'Asia's odd men out' is unsurprising. The central argument of this paper is that the consolidation and institutionalisation of regions is in large part a political exercise that reflects, and is informed by, discrete national conversations. Until and unless such national discourses align with wider transnational developments, regional processes are unlikely to prosper. An examination of Japan's and Australia's respective attempts to engage with and define their region reveals just how problematic this process can be.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Rose Gregory L.

Australia's treaty activity in the Asia-Pacific: a sub-regional trends analysis

in International Relations of the Asia-Pacific, Volume 8, Number 1, January , 130-124

This paper investigates Australian treaty making with neighboring countries in the Asia-Pacific. Patterns of Australian treaty making with South East Asian countries are markedly different to those with South West Pacific countries and the difference is continuing to deepen. Treaties with the former are primarily bilateral and commercially oriented, whereas those with the latter are plurilateral and oriented to natural resources management and development. There is a major gap in Australian subregional treaty activity for natural resources management in South East Asian countries. A coalescence of issues in the law enforcement and security categories is occurring and the new direction in Australian regional treaty making for both subregions is to strengthen capacity to enforce the rule of law in national legal systems. Commercial treaty making remains and is likely to continue to be the strongest area of treaty activity.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area



Plummer Michael G.

**Best Practices in Regional Trading Agreements: An Application to Asia
in World Economy**, Volume 30, Number 12 , 1771-1796

Regionalism in Asia, particularly in the form of free-trade areas (FTAs), is a recent trend that is becoming increasingly important. This has been disturbing to many, given the significance of trade and investment in Asian economic growth and development and the region's key role in global commerce. In light of this trend, the goal of this paper is to develop a blueprint, or a set of 10 'best practices', that can be used as a guide to FTAs in order to ensure that they approximate first-best outcomes to the greatest extent possible. Next, the paper applies this framework to the existing FTAs between Asian countries and their regional and extra-regional partners. The results suggest that the more advanced regional accords generally receive high grades, with the notable exception of rules of origin, which tend to be even more problematic in the context of accords in which an OECD country is a party.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Reilly B.

**Democratization and Electoral Reform in the Asia-Pacific Region
in Comparative Political Studies** , Vol. 40 n. 11 , 1350-1371

During the past two decades, numerous Asia-Pacific states have made transitions to democracy founded on basic political liberties and freely contested elections. A little-noticed consequence of this process has been strikingly congruent reforms to key political institutions such as electoral systems, political parties, and parliaments. Across the region, these reforms have been motivated by common aims of promoting government stability, reducing political fragmentation, and limiting the potential for new entrants to the party system. As a result, similar strategies of institutional design are evident in the increasing prevalence of "mixed-member majoritarian" electoral systems, new political party laws favoring the development of aggregative party systems, and constraints on the enfranchisement of regional or ethnic minorities. Comparing the outcomes of these reforms with those of other world regions, there appears to be an increasing convergence on an identifiable "Asian model" of electoral democracy.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Keng Yong Ong

Der Langsamste bestimmt das Tempo

in Internationale Politik , n. 11, 62. Jahrgang, November

ABSTRACT: In diesem Jahr feiert die ASEAN ihren 40. Geburtstag. Dennoch ist die Idee der Gemeinschaftsbildung für Ostasien noch neu, wie ASEAN-Generalsekretär Ong Keng Yong in diesem Beitrag schildert. Aber ihre Bedeutung nimmt zu. In kleinen Schritten bewegen sich die Staaten der Region aufeinander zu. Die ASEAN sieht sich in der Rolle des Mittlers.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Collins Alan

Forming a security community: lessons from ASEAN

in International Relations of the Asia-Pacific, Volume 7, Number 2, May , 203-225

At its Ninth Summit in October 2003 the Association of South East Asian Nations (ASEAN) announced its intention to create an ASEAN Community based upon three pillars: ASEAN Economic Community, ASEAN Security Community and an ASEAN Socio-Cultural Community. A year later ASEAN established the Vientiane Action Programme to realise this goal. The official discourse of community building is complemented by a vibrant academic debate over whether ASEAN's norms indicate that it is a nascent security community ready to transform itself into a fully-fledged security community. In this article I argue that ASEAN has never been a nascent security community but has instead been a security regime and therefore its norm compliance does not provide evidence of community building. If ASEAN is to form a security community then new socialising norms will need to emerge, which will need to include the active involvement of regional civil society organisations in order to bring plurality to ASEAN decision making. Only then will the people of ASEAN be able to take ownership of the community building process.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Dent Christopher M.

Full circle? Ideas and ordeals of creating a Free Trade Area of the Asia-Pacific

in Pacific Review (The) , Volume 20, Number 4, December , 447-474

In 2004 and 2006, proposals were made at APEC summits to establish a Free Trade Area of the Asia-Pacific (FTAAP). This was an essentially a reworking of an idea first raised in the mid-1960s to create a Pacific Free Trade Area, or PAFTA. Although the PAFTA initiative never advanced, it helped lay the first organizational foundations for regional economic community building in the Asia-Pacific. The recent FTAAP proposal thus brings us full circle to the antecedent origins of APEC itself. If realized, an FTAAP would also create a free trade zone that would encircle the Pacific Rim economy and thereby subsume the region's now large number of bilateral and sub-regional free trade agreements (FTAs) into one unified agreement. Yet there are many inherent problems with establishing an FTAAP. These broadly relate to deconstructing the preferentialism of existing bilateral and sub-regional FTAs, achieving a consensus on the technical policy content and ideational principles on which an FTAAP would be based, and addressing various geopolitical issues such as reconciling the formation of a pan-regional Asia-Pacific FTA with an already fragile multilateral trading system. Growing interest in a 'rival' East Asia Free Trade Area project presents another geopolitical challenge. In considering these and other questions, it is concluded that many obstacles will remain in the path to realizing an FTAAP, and that this may not actually be a desirable objective to pursue for some time yet.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Giacconi Marco



La Shangai Cooperation Organization

in *Affari Esteri*, Anno XXXIX, n. 156 , 865-868

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Rajan Ramkishan S.

Monetary and financial cooperation in Asia: taking stock of recent ongoing

in *International Relations of the Asia-Pacific*, Volume 8, Number 1, January , 31-45

Ever since the currency crisis of 1997–98, there has been a great deal of interest in enhancing regional economic cooperation in Asia. It is important to keep in mind that economic regionalism is of multidimensional nature. The focus of this paper is on policy initiatives underway in Asia to enhance monetary and financial regionalism and the analytical bases for these initiatives, rather than on examining the de facto level of financial and monetary links that already exists (which may or may not have been facilitated via regional policy mechanisms). There are many gradations of monetary and financial regionalism, ranging from the weak form involving regional policy dialog and surveillance, on the one hand, to exchange rate and monetary coordination, on the other. To maintain focus, this paper concentrates more narrowly on 'medium forms' of monetary and financial regionalism, broadly defined as the development of regional liquidity arrangements and regional financial markets.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Alonzi Roberta

Myanmar: dall'isolamento all'integrazione autosomministrata. Le peculiarità dell'ex Birmania nel contesto politico ed economico dell'Asia Sud-orientale

in *Rivista di Studi Politici Internazionali*, Volume 74, n. 2, aprile-giugno , 261-285

Myanmar is one of the poorest countries in South-East Asia classified by United Nations in 1987 as least-developed country like Albania or North Korea. Slow development of economy is the first key word for defining this nation, military governed since 1988, that the international community dislikes because of human rights systematic violations against ethnic minorities and political oppositors, the growing list of violations including also extra-judicial killings, torture, forced labour, denial of freedom of assembly, association, expression and movement, use of child soldiers. Unlike other asiatic States, modernizing their economy in spite of authoritarianism and thanks to middle class' imprenditorial imprinting, this issue has never represented a goal for Burman policy makers. Many reasons explain the weakness of Myanmar's economy: untenableness of growth high prices, instability of macro-economic framework, no link between economic growth and internal security, claim to legitimate State and government. The 1990's new policy also failed to create a well-balanced capitalistic system as a result of political and economic reforms, and in any case the growth is still too slow to allow the economy to begin to catch up with its rapidly industrializing Asean neighbours. Isolation is the other Burma's special peculiarity. The Tatmadaw (armed forces) is Myanmar's premier institution and it has no serious institutional competitors. Since 1988 it has ruled the country and Myanmar's present regime remains committed to pursuing an independent and active foreign policy, proclaimed for the first time in 1981: the military government claims



that Myanmar is everybody's friend but nobody's ally, and that it still takes a just and independent stand on international issues based on their relative merits and in line with national interests. It's impossible, however, to distinguish Burma's international integration, namely its relationship with United Nations and European Union, from the need to recognize and honour the results of the 1990 election, when the democratic party guided by Aung San Suu Kyi became the first party, focused on the restoration of democracy and the cessation of human rights violations. Consequently, confronting a comprehensive setting of economic and diplomatic sanctions by the United States and Europe, as well as the suspension of development assistance by Japan, junta's foreign policy chose to build stronger political economic relations with its three immediate neighbours: China, India and Thailand. Myanmar is also part of Asean, but its participation in regional and sub-regional multilateral institutions has yielded limited benefits, because some members regard Myanmar as threatening Southeast Asia collective standing. Actually Myanmar is a strategic outlet to the Bay of Bengal and its natural resources attract its neighbours in economic cooperation. Myanmar's isolation and poverty are therefore two aspects relating to the same matter, the Asian-style democracy, by which freedom is not perceived as guaranteed by legal power, whereas insecurity turns into only one legitimation to military power.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Gudmundsson Már

Near-Term Exchange Rate Flexibility in East Asia: Precursor to Regional Monetary Union?

in *Pacific Economic Review*, February 2008 - Vol. 13 Issue

Trade integration has advanced far in East Asia whereas financial integration has been lagging. Important policy initiatives have, however, been taken. This process will eventually require further relaxation of cross-border capital controls, which in turn will make exchange rate stabilisation schemes more difficult to operate. These developments seem to run counter to the perceived need to promote intra-regional exchange rate stability in order to maintain trade integration. However, it would be risky to impose regional exchange rate stabilisation schemes over an indefinite period. Monetary union could still be a worthy objective, but near-term exchange rate stabilisation should not be part of the road map.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Kuroda Haruhiko

Neue Muster der Integration

in *Internationale Politik*, n. 11, 62. Jahrgang, November

ABSTRACT: Weniger Handelsbarrieren, weniger politischer Wille, größere Entfernung zwischen den Staaten: Asien hat für eine Einigung ganz andere Voraussetzungen als Europa. Es braucht einen Integrationsprozess, der sich am Markt orientiert, der mehrspurig abläuft und der die verschiedenen Entwicklungsstufen der Staaten berücksichtigt.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area



Jackson Nicole

Sicherheitskooperation in Zentralasien. Der Kampf gegen Drogenhandel und Terrorismus

in *Osteuropa*, Heft 8-9, 57. Jahrgang, August-September, 357-368

ABSTRACT: Drogenhandel und Terrorismus sind zentrale Bedrohungen für Zentralasien. Um sie zu bekämpfen, suchen die Regierungen die Zusammenarbeit in der Schanghaier Organisation für Zusammenarbeit und der Organisation des Vertrags über kollektive Sicherheit. Doch eine effektive Kooperation, die über symbolische Militärmanöver hinausgeht, scheitert daran, dass die Machthaber einander misstrauen, die Bedrohungslage unterschiedlich wahrnehmen und bilateralen Beziehungen den Vorzug geben. Die Staaten sind Teil des Problems: Eine repressive Innenpolitik der Regime schürt islamischen Extremismus und Korruption. Die Unterwanderung durch organisiertes Verbrechen lähmt die staatlichen Behörden.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Kawai Masahiro

Toward a Regional Exchange Rate Regime in East Asia

in *Pacific Economic Review*, February 2008 - Vol. 13 Issue

Deepening market-driven economic integration in East Asia makes intraregional exchange rate across the region increasingly desirable and necessary. The paper suggests that East Asia's emerging economies begin to choose a currency basket as a monetary policy anchor to enable all East Asian currencies to collectively appreciate vis-à-vis the US dollar, while maintaining intraregional rate stability, in the event of surges of capital inflows or a rapid unwinding of global payments imbalances. Following this initial step, East Asia may agree on more rigid intraregional exchange rate stabilization schemes through, for example, an Asian Snake or an Asian Exchange Rate Mechanism.

Section C) Regional integration processes

Subsection 6. The European unification process

apeta Tamara

'The National Courts' Mandate in the European Constitution

in *European public Law*, Volume 13 (2007) Issue 4, 703-708

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Tsakatika Myrto

A Parliamentary Dimension for EU Soft Governance

in *Journal of European Integration*, Volume 29, Number 5 / December, 549-564

Why has the weakness of the parliamentary dimension in the extensive array of soft governance practices that have exploded in the European Union (EU) since the turn of the century gone largely unnoticed? Is that weakness a problem for input legitimacy and, if so, to what extent can it be overcome by compensating with other, non-parliamentary



channels of legitimacy? An argument from accountability will be put forward, according to which strengthening the parliamentary dimension is inescapable if democratic legitimacy is to be respected, though civil society and stakeholder involvement are also increasingly necessary as well in a complementary role. The article will explore some suggestions about how this can be achieved.

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Subsection 6. The European unification process

European Economy News

A single market for the 21st century

in **European Economy News**, October 2007 – Issue 8

DG ECFIN economists are contributing to the ongoing forward-looking review of the EU single market that the European Commission is preparing. Barriers to a truly single, internal market in the Union still exist, which means that many benefits have yet to be realised and the potential of the single market to contribute to a more dynamic, innovative and competitive EU is not being fully exploited. On the economic aspects of the single market review, DG ECFIN analysts suggest it is time to move towards a more economics-based and results-oriented approach using the targeted monitoring of selected markets and sectors. This could allow better policies and, in turn, bring real improvements to the operations of the single market.

Section C) Regional integration processes

Subsection 6. The European unification process

Patton Marcie J.

AKP Reform Fatigue in Turkey: What has happened to the EU Process?

in **Mediterranean Politics**, Volume 12, Number 3, November , 339-358

Whereas the AKP government campaigned in favour of Turkish membership in the European Union and upon taking office passed an impressive battery of EU-demanded democratic reform measures, after the government was formally given a date to open accession talks it evidenced a surprising retreat from this political agenda. This article examines three key factors that account for the flagging fervour of the AKP government: modalities of EU behaviour toward Turkey, election politics, and Kemalist institutional resistance to AKP reform efforts. Notwithstanding these checks, the AKP is unlikely to deviate far from its commitment to an EU pro-reform agenda, although it will continue to face critical transformational challenges.

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Puetter Uwe, Wiener Antje

Accommodating Normative Divergence in European Foreign Policy Co-ordination: The Example of the Iraq Crisis

in **Journal of Common Market Studies**, Vol. 45, Issue 5, December 2007

In situations of international crises normative divergence regarding policy responses is a recurrent phenomenon. It is a problem which remains to be addressed despite assumptions about internationally established communities such as the



liberal community of Western states. The case of the European Union's failure to co-ordinate a common policy response in connection with the war on Iraq demonstrates that conflict between Member States about appropriate common policy responses is enhanced by external crises. Common commitment to shared community norms is hence considered as an insufficient basis for policy consensus or, for that matter, sustainable compromise. The article discusses how and why these divergences emerge and suggests institutionalizing collective processes of norm contestation at the European level.

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Manzella Gian Paolo

Alle origini della Banca europea per gli investimenti: tra Mezzogiorno ed Europa

in *Rivista giuridica del mezzogiorno*, numero : 2, giugno , 279-306

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Marucci Alessandro

Amintore Fanfani e la costruzione europea: dall'Ueo ai trattati di Roma (1954-1957)

in *Ventunesimo Secolo. Rivista di Studi sulle Transizioni*, Anno VI, n. 14, "A 50 anni dai Trattati di Roma", ottobre

No abstract available

Section C) Regional integration processes

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Schillaci Angelo

Art. 54 della Costituzione francese e processi di integrazione sopranazionale

in *Diritto pubblico comparato ed europeo*, n. 3 , 1059-1080

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Section C) Regional integration processes

Subsection 6. The European unification process

Iliopoulou, A

Assurer le respect et la promotion des droits fondamentaux : un nouveau defi pour l'Union europeenne

in *Les Cahiers de droit europeen*, Vol. 43 n. 3-4 , 421-478

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Section C) Regional integration processes

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Mnjal Pierre-Yves

Au fondement du droit de L'Union européenne. Recherches doctrinales sur le concept de "commun"
in *Revue du droit public et de la science politique en France et à l'étranger*, n. 5 , 1191-1328

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Section C) Regional integration processes

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Segers Matthieu, Esch Femke van

Behind the Veil of Budgetary Discipline: The Political Logic of the Budgetary Rules in EMU and the SGP
in *Journal of Common Market Studies*, Vol. 45, Issue 5, December 2007

The outcome of the 2003 compliance crisis showed once and for all that the nature of the stability and growth pact (SGP) is highly political. While the existing literature often presents the content of EMU and SGP as an unqualified triumph for the German financial elite, the available primary sources point in quite another direction.

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Dur Andreas

Bringing Economic Interests Back into the Study of EU Trade Policy-Making
in *British Journal of Politics & International Relations* , Vol. 10, Issue 1, February , 27-45

Studies of EU trade policy-making often suggest that delegation of trade authority from the national to the European level strengthened the autonomy of public actors in formulating trade policies. Little empirical research, however, has been undertaken to corroborate this contention. To improve on this situation, I carry out two case studies of the EU's participation in the multilateral trade negotiations known as the Kennedy Round (1964–67) and the Doha Development Agenda (2001 onwards). The analysis reveals that in both cases the EU's negotiating position was largely in line with the demands voiced by economic interests. Although this finding is no proof of economic interests actually determining EU trade policies, it casts some doubt on the autonomy thesis. I also discuss some factors that indicate that interest group influence may be the most plausible explanation for the finding.

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Fraile Ortiz, M.

Citizenship in Europe - Consequences of Citizenship
in *Revue européenne de droit public*, Vol. 19 No. 1 , 125 - 138

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Guerra Martins, A.M.

Citizenship in the European Union - Conditions of Citizenship

in *Revue européenne de droit public*, Vol. 19 No. 1 , 83 - 98

No abstract available

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Quaglia Lucia; De Francesco Fabrizio; Radaelli Claudio M.

Committee Governance and Socialization in the European Union

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

This article reviews theoretically grounded empirical studies on committees in the European Union by focusing on research published from the late 1990s onwards. The aim is to report on the state of the art and to shed light on emerging puzzles, research gaps and promising venues for further research. We examine research questions, theoretical approaches, design, and the main empirical findings. The conclusions provide our critical remarks and suggestions for further research

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Guzmán Zapater Mónica

Competencia de la Unión Europea para concluir tratados internacionales en materia de Derecho Internacional Privado (a propósito del Dictamen del TJCE 1/ 2003, de 7 febrero 2006)

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

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Cienfuegos Mateo M.

Comunidades Autónomas, tribunales de la Unión Europea y responsabilidad por el incumplimiento autonómico del Derecho Comunitario: reflexiones a partir de la práctica reciente

in *Revista d'Estudis Autònomic i Federals*, n. 5 , 39 - 100

The consequences of Spain's membership of the European Union are not well reflected in the Constitution. The Autonomous Communities are not mentioned in article 93 of the Constitution, which refers explicitly to European affairs.

The aim of this article is to examine, in current practice, two of the European issues arising from Spanish membership



that are of concern to the Autonomous Communities, insofar as their political autonomy is significantly affected. The first is the locus standi of the Autonomous Communities in terms of the jurisdictional institutions of the European Union, since they cannot defend their powers judicially when affected by an EU regulation as easily as the central powers of the State can. This is because they have no legitimate status as parties in the European appeal process, which in turn makes it very difficult for them to take issue with measures which are not aimed at them. The other issue is the responsibility of the Autonomous Communities for non-compliance with EU law at internal level, because it is they who have to deal with the consequences arising from such non-compliance.

The final section considers how these two areas have been regulated in the reforms to the statutes of the Autonomous Communities which are either in force or in the process of being enacted. Particular reference is made to the Catalan case, in order to determine how far the provisions of the statutes correspond to the legal regime and practice followed in these two areas.

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Chiti E.

Consequences of Citizenship in Europe - Are New Layers of Complexity Emerging?

in *Revue européenne de droit public*, Vol. 19 No. 1, 99 - 124

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Barbera Augusto

Corte costituzionale e giudici di fronte ai "vincoli comunitari": una ridefinizione dei confini?

in *Quaderni Costituzionali*, numero : 2, giugno, 335-338

No abstract available

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Torrent Macau R.

Cómo se engendró en los años 1980 la crisis del proceso de integración europea que ha estallado en los años 2000?

in *Cuadernos europeos de Deusto*, n. 37, 145 - 176

No abstract available

Section C) Regional integration processes

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Verola Nicola

Dalla Costituzione europea al Trattato di riforma. Rilancio o restaurazione?

in *ItalianiEuropei*, n. 4 , 137-150

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Frisch Annika

Das Potenzial deliberativer Demokratietheorie für die Konzeptionalisierung von Demokratie in der Europäischen Union

in *Zeitschrift für Politikwissenschaft* , 17. Jahrgang (2007), Heft 3 , 711-733

The Potential of Deliberative Democracy Theory for the Conception of Democracy in the European Union

The EU suffers from a democratic deficit of its politics. But such conclusions are sustained by archetypes of legitimacy derived from the nation state – like a strong parliament, control via elections or a common identity. Due to the fact that they are not suited for research of democracy beyond the nation state, deliberative democracy is introduced as an alternative for the research on EU policy from a theoretical viewpoint. It situates legitimacy of decisions where rational discourse is upheld and not where ethnic and cultural linkages serve as a decisive factor. This paper tries to assess the potential and limitations of deliberative democracy, which includes criteria for empirical research on deliberation. Finally, these criteria will be applied to a case study of an EU Internet forum.

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Sezer Esra

Das türkische Militär und der EU-Beitritt der Türkei

in *Aus Politik und Zeitgeschichte*, Band 43, 2007

Quelle:

<http://www.bpb.de/publikationen/NE6V8C.html>

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Einleitung

Mit den sinkenden Zustimmungswerten für einen Beitritt der Türkei in die Europäische Union und den lediglich zwei statt drei eröffneten Verhandlungskapiteln im Juni dieses Jahres gerieten die Beitrittsverhandlungen ins Stocken.[1] Die Wahlergebnisse vom 22. Juni waren ein glatter Erfolg für die islamisch orientierte Partei für Gerechtigkeit und Aufschwung ("Adalet ve Kalkınma Partisi", AKP) Recep Tayyip Erdogans und damit die Beitrittsbestrebungen seiner Partei in die Europäische Union. Mit dem Sieg der AKP sind die internationalen Erwartungen, dass die nötigen Reformen für den EU-Beitritt der Türkei konsequent weitergeführt werden, noch gestiegen.

Zur Person

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Mit fast 47 Prozent der Stimmen stellt die AKP die alleinige Regierung, was diese Erwartungshaltung zusätzlich steigert - ein Novum in der Geschichte der Türkei, das bisher nur der Demokratischen Partei von Adnan Menderes (1899 - gestürzt beim Putsch von 1961) im Jahre 1954 gelungen war. Damals wie heute provoziert der Sieg den Ärger des kemalistischen Establishments im Staatsapparat, das sich am 27. April durch einen Warnbrief an die Regierung zurückmeldete.

Wer den Sieg der AKP nun als einen neuen Auftakt für die nötigen Reformen ohne politischen Widerstand begreift, unterschätzt die verwurzelte Stellung des kemalistischen Establishments im Staatsapparat, das seine Kraft aus der bürokratischen Elite, den Geheimdiensten, vor allem aber aus dem Militär zieht. Es gilt als ein Gegengewicht zum gewählten Parlament, und seine Rolle in der politischen Kultur ist noch immer als sehr bedeutend einzuschätzen.



Die Akzeptanz

Der Einfluss des türkischen Militärs auf die Politik hat seine Wurzeln im Osmanischen Reich (1299 bis 1922). Während damals die Armee die Kraft war, welche die ersten Reformen durchsetzte, genoss sie nach dem Zerfall des Reiches und der Errichtung der Türkischen Republik unter der Führung von Mustafa Kemal Atatürk (1881 bis 1938 "Vater der Türken") das Ansehen als Republikgründerin. Die Überzeugung der Offiziere, sie seien die eigentlichen Hüter der Republik, die entscheidenden Verantwortungsträger und die Erbwächter des Kemalismus, wird bis heute in den Militärakademien gelehrt und durch ihre Mitglieder vertreten.

Dabei behielt der Staat mit den von Atatürk durchgesetzten Reformen (1923 bis 1934) seine Rolle als Urheber der Modernisierung "von oben", was zur politischen Tradition der Osmanen gehört.[2] Die Modernisierungsschübe rührten also nicht von sozioökonomischen Entwicklungen her, sondern wurden vielmehr von der militärischen Elite befördert. Das türkische Militär, die einzige Kraft, welche die fehlende Bourgeoisie ersetzen konnte, entwickelte sich zunehmend zu einer Art eigener sozialer "Klasse", die ein ambivalentes Verhältnis zur Frage der politischen Intervention entwickelte.

Neben ihrer ruhmreichen Rolle in der Vergangenheit halten die türkischen Streitkräfte ihre privilegierte Stellung im Bewusstsein der Bevölkerung weiterhin aufrecht. Die allgemeine Wehrpflicht gilt als der integrierende Aspekt zwischen der Armee und der türkischen Gesellschaft. Dabei wird nach weit verbreiteter Meinung bei der Einberufung der wehrpflichtigen jungen Männer, unabhängig vom sozialen und ökonomischen Status, für alle dasselbe Verfahren angewendet. Für die Bevölkerung ist die Tatsache, dass das Militär eine der wenigen Institutionen ist, in welcher Korruption und Bestechung kaum eine Rolle spielen und keiner sich "freikaufen" kann, von immenser Bedeutung. Infolgedessen wird die Armee als "Herd der Nation" ("Yurdun Ocagi") begriffen, der alle sozialen Unterschiede auflöst und durch den der türkische Nationalismus verwirklicht werden kann.

Zu dieser Solidarität gehört auch, dass in unterentwickelten Regionen jungen Männern das Lesen und Schreiben beigebracht, berufliche Ausbildungsmöglichkeiten und technische Schulungen angeboten werden. Somit lernen die Männer in den Provinzen die "modernen Errungenschaften" nicht erst über die zivilen Einrichtungen, sondern über die Armee kennen, was zu ihrem positiven Image in der Bevölkerung beiträgt. Auch die "nationale Sicherheit", bei der nicht nach innerer und äußerer Abwehr unterschieden wird, fällt in den Zuständigkeitsbereich der türkischen Armeeführung. Denn die "nationale Sicherheit" ist nach Artikel 118 der Türkischen Verfassung und nach dem Artikel 2945 des Sekretariats des Nationalen Sicherheitsrates dem Nationalen Sicherheitsrat ("Milli Güvenlik Kurulu") zugeordnet. Dementsprechend sind auch die Sicherheitsregelungen in den Provinzen, die überwiegend durch die Gendarmerie ("Jandarma") verwirklicht werden, die dem Generalstab untersteht und die der zivilen Kontrolle weitestgehend entzogen ist.[3]

Die Akzeptanz der türkischen Streitkräfte im öffentlichen Bewusstsein in der Türkei ist historisch und soziologisch-kulturell fest verankert, weshalb sie einen unantastbaren Ruf genießen und aus der sie ihre "Legitimation" nähren. Dieses Ansehen bestätigt sich auch in den jährlichen Umfragewerten verschiedener Forschungsinstitute, bei denen die Armee als die vertrauenswürdigste Institution gilt - vor allen anderen Institutionen, Parteien und der gewählten Regierung.[4] Die Konsequenz ist, dass die türkischen Streitkräfte sich als den eigentlichen "Staat" in der Türkei sehen. In ihrem Verständnis habe dabei die Politik im Dienste "ihres" Staates zu stehen und nicht umgekehrt.[5] Denn Politiker verträten nicht die Staatsinteressen, seien bestechlich und nur auf Zeit berufen, während die türkischen Streitkräfte auf eine ruhmreiche Vergangenheit zurückblicken könnten und ihre Position im System auch für die Zukunft gesichert sei. Diese Erfahrung lehrten ihnen vor allem die militärischen Interventionen der Vergangenheit, welche sie als "Retter des



Systems" immer wieder bestätigte und aus der sie gestärkt hervorgingen.

Die Entwicklungen

Für das Eingreifen der Militärführung in die Politik des Landes gibt es genügend Beispiele. Neben den Interventionen in den Jahren 1960, 1971, 1980 sowie dem "weichen Putsch" vom April 1997 hat der Generalstabschef jüngst am 27. April zur Präsidentschaftswahl Abdullah Güls seine "Bedenken" geäußert, was in der Presse als der "fünfte Coup" bezeichnet wurde. Bisher wurde von nicht wenigen Analysten die Einschätzung vertreten, dass jeder Eingriff der türkischen Streitkräfte ein behutsamer "funktionaler Putsch" im letzten Augenblick gewesen sei, ohne unnötige Gewalt und zum Wohle der Gemeinschaft und der Demokratie im Lande.[6] Ob diese Einschätzung für die Ereignisse dieses Jahres ebenfalls zutrifft, ist zu bezweifeln. Fest steht aber, dass die Besonderheit der türkischen Streitkräfte darin liegt, dass sie das demokratische System im Sinne des Kemalismus akzeptieren und zu keinem Zeitpunkt die Errichtung eines Militärregimes angestrebt haben. Denn für die türkische Militärführung ist der effektive Einfluss und die Kontrolle der Politik wichtiger als die anhaltende Übernahme der Regierungsfunktionen.[7]

Die mit dem "fünften Coup" laut gewordenen Putsch-Szenarien in den nationalen und internationalen Medien blieben zur Enttäuschung einiger "Hardcore-Kemalisten" aus.[8] Und obwohl der Sieg der AKP als Referendum gegen die "Interventionsgelüste" der türkischen Militärs verstanden wurde, ist es wichtig zu verstehen, dass sich auch die türkischen Streitkräfte entwickelt haben.[9] Mit dem Putsch vom 12. September 1980 ist die Ära der militärischen bzw. der offenen Intervention zu Ende gegangen. Dies zeigten auch die politischen Ereignisse vom 28. Februar 1997, die als "weicher Putsch" in die Geschichte eingingen und bei dem der islamisch orientierte Ministerpräsident Necmettin Erbakan "aufgefordert" wurde, als Ministerpräsident zurückzutreten.

Die türkischen Streitkräfte sind nunmehr in der Lage, mit bloßen Veröffentlichungen Regierungen unter Druck zu setzen oder sie gar zu stürzen. Ihre Rolle im System ist so stabil, dass sie es kaum nötig haben, militärisch einzugreifen. Denn die moderne Kommunikationstechnik hat es mit sich gebracht, dass engere Verbindungen zu bestimmten Einrichtungen und Kreisen sofort gewährleistet und Gruppen mobilisiert werden können. Die Großdemonstrationen in Ankara, Istanbul und Izmir gegen die Präsidentschaftswahl Abdullah Güls im April und Juni dieses Jahres sind die besten Beispiele hierfür gewesen.[10] Die Generäle werden deshalb auch zu Recht als Chefs eines großen Orchesters beschrieben, die zu gegebenem Anlass nur noch die Aufgabe des "Dirigierens" übernehmen. Im internationalen Kontext ist nach dem 11. September 2001 und angesichts der sich verändernden politischen Machtstrukturen auch eine veränderte Haltung des Westens gegenüber den türkischen Streitkräften zu verzeichnen. Die katastrophale Lage im Irak, der Konflikt um die potenzielle Nuklearmacht im benachbarten Iran und die Verbreitung des politischen Islam im internationalen Kontext lassen die Westeuropäer ihre Kritik an der Rolle des türkischen Militärs noch einmal überdenken. Auch die Reaktionen auf die Äußerungen des Generalstabchefs Yasar Büyükanits gegen die Präsidentschaft Abdullah Güls vom 27. April gehen in diese Richtung. Denn abgesehen von der Reaktion der Europäischen Kommission blieb große Kritik aus dem Ausland überraschenderweise aus.[11]

Die "islamische Unterwanderung"

Durch die Akzeptanz in der politischen Kultur der Türkei bilden die türkischen Streitkräfte für die türkische Regierung



eine große Hemmschwelle bei den EU-Beitrittsverhandlungen. Dabei hat es die AKP besonders schwer, da die säkularen Militärs von Amtsbeginn gegen die Regierungsmitglieder waren, die als Gefolgsleute des im Februar 1997 gestürzten radikal-islamischen Politikers Necmettin Erbakan der Wohlfahrtspartei ("Refah Partisi") gelten. Diese ablehnende Haltung gegen den Ministerpräsidenten Recep Tayyip Erdogan und seinen damaligen Außenminister Abdullah Gül - beide sprachen sich 1994 in einem Interview für die Zeitung Milliyet für einen islamischen Staat ("Scharia") aus - machen die Verhandlung von Tabuthemen wie z.B. Meinungsfreiheit und Minderheitenrechte, die für einen EU-Beitritt nötig sind, besonders schwer. Der plötzliche Wandel der einstigen "Kämpfer" für die islamische Ordnung zu überzeugten Demokraten und Europäern schürt noch heute tiefe Bedenken in der laizistisch-kemalistisch orientierten Gesellschaft und der Militärführung.

Dabei geht es um weit mehr als nur um die Reformen für die Europäische Union. Während die einen in den bisherigen Reformbestrebungen den Beweis dafür sehen, dass sich die Mitglieder der AKP geändert haben und keine "geheime Agenda führen", befürchten die Skeptiker, dass der EU-Beitritt genutzt wird, um die säkularen Militärs zurückzudrängen und den Weg für die Islamisierung des Landes zu ebnen.

Die Bedenken der türkischen Streitkräfte sind hier von doppelter Natur; sie sehen mit einem EU-Beitritt nicht "nur" ihre eigene Machtposition, sondern durch die AKP auch die von ihnen bisher aufrechterhaltenen existenziellen Werte wie den Kemalismus und den Laizismus bedroht. Der negative Einfluss der türkischen Armee auf den EU-Beitrittsprozess der Türkei wird sich damit verstärken, da jetzt auch mit einer möglichen islamischen Unterwanderung gerechnet wird, gegen die die Armee seit der Republikgründung 1923 unter Atatürk als "Konterrevolution" angeht.

Die Wiederwahl der religiös-konservativen AKP stellt für sie ein "Wiedererwachen" der von ihnen verdrängten Parteien wie die Demokratische Partei (1946 bis 1960) von Adnan Menderes oder die Wohlfahrtspartei (1983 bis 1998) von Necmettin Erbakan dar, die politische "Krisen" verursachten und nach der militärischen Intervention verboten wurden. Die Ironie der Geschichte liegt dabei darin, dass die türkischen Militärs das Erstarken der islamischen Bewegungen in der Türkei selbst verursacht haben.[12] Mit dem Putsch vom 12. September 1980 und der "Türkisch-Islamischen Synthese" wurde der Islam zu einem politischen Faktor aufgewertet und legalisiert, um das islamische Zusammengehörigkeitsgefühl wiederzubeleben.[13]

Die gezielte Bekämpfung der linken Bewegungen von damals hat zur Folge, dass sich keine erwähnenswerte linke Opposition bilden konnte, die heute gegen die Regierung antreten und das von der Militärführung ausgefüllte politische "Vakuum" übernehmen könnte. Der erneute Antritt Abdullah Güls und seine Wahl zum Präsidenten - trotz der Demonstrationen gegen ihn und des Versprechens von Tayyip Erdogan, bei der erneuten Nominierung kompromissbereit zu sein - verstärken die Polarisierung in der Bevölkerung und das Gefühl eines Déjà-vu-Erlebnisses der politischen Krisen aus der Vergangenheit. In Diplomatentreisen wird die nicht genutzte Chance, einen moderaten Präsidenten zu nominieren, mit Kopfschütteln betrachtet. In ihren Augen ist dies eine verpasste Gelegenheit, die Bedenken der Militärführung zu zerstreuen, das Land vor politischen Krisen zu bewahren und ihm letztlich den Weg in die Europäische Union zu ebnen.

Dagegen könnte die Präsidentschaft Abdullah Güls als eine Chance für die Versöhnung der kemalistischen Ablehnungshaltung gegenüber der islamischen Religion verstanden werden, was die Tabus in der Gesellschaft aufbrechen könnte. Dabei wird die politische Haltung der Regierung, vor allem die des neu gewählten Präsidenten, ausschlaggebend sein. Ein politischer Fehlgriff käme einem Schuss nach hinten gleich, womit alte Tabus bestätigt würden.



EU - die Vollendung des Projekts von Atatürk

Die "islamische Unterwanderung" - auch wenn sie ein Vorwand der Militärführung ist - wird nach neuesten Umfragen von ca. 30 Prozent der Bevölkerung ernst genommen. Diese Wahrnehmung könnte den negativen Einfluss der Armee auf einen möglichen EU-Beitritt der Türkei verstärken.[14] Die führenden Militärs warnen schon seit langem davor, dass die von der Europäischen Union geforderten Reformen die nationale Einheit gefährden und damit die Stabilität des Landes aufs Spiel setzen würden. Aus ihrer Sicht ist der EU-Beitritt der Türkei zwar für die Eindämmung des politischen Islam und des kurdischen Separatismus wünschenswert, jedoch stoßen die Forderungen der Europäischen Union bezüglich der Eindämmung des Einflusses der Armee, der Zypernfrage und des Kurdenproblems beim Militär auf Ablehnung.[15] Trotz der oppositionellen Haltung des Militärs gegenüber den Reformbestrebungen der AKP für einen EU-Beitritt ist die Ausrichtung der Türkei nach Westen doch ein Bestandteil der von ihnen vertretenen kemalistischen Staatsideologie.

Das Ziel der Kemalisten war schon zu Lebzeiten Atatürks, die türkische Gesellschaft an die moderne und westliche Zivilisation ("muasir medeniyet") heranzuführen. Dies versuchte er mit seinen Reformen ab 1924 zu realisieren. Dass die Regierungsmitglieder der AKP, die in der Weltsicht der Kemalisten eben nicht die westlichen Werte vertreten, mutiger als sie die Reformen für einen EU-Beitritt der Türkei angehen, stellt für die Militärs eine herbe politische Niederlage dar. Das wahre Problem liegt dabei für sie in der Zurückweisung der Vorstellung, dass ihr Verständnis vom Kemalismus und der laizistischen Republik nicht mehr mit der gesellschaftlich-sozialen Realität im Einklang stünde und einer Anpassung bedürfe.

Die Auffassung, der Kemalismus sei nicht reformierbar - entgegen dem eigenen Prinzip des Reformismus -, hat zur Folge, dass der Kemalismus zu einem Dogma erstarrt und folglich an gesellschaftlicher Akzeptanz verliert. Trotz all der Bedenken möchte die Militärführung nicht für ein Scheitern des EU-Beitritts verantwortlich sein, weshalb sie bis auf einige wenige Themen (Zypern und das Kurdenproblem) einem Beitritt nicht im Wege stehen wird. Letztlich sollte nicht vergessen werden, dass zu einem Teil auch die Anhänger des Kemalismus, zu denen auch die türkischen Streitkräfte gehören, trotz ihren Warnungen ebenfalls das Ziel eines EU-Beitritts der Türkei verfolgen. Allerdings nach ihren eigenen Vorstellungen und zu "ehrenhafteren" Bedingungen.[16]

Das "Sèvres-Syndrom" als Hindernis

Eine offene Diskussion über Themen wie Kemalismus, Laizismus und Minderheiten, die nicht nur für EU-Reformen, sondern auch für die politische Entwicklung der Türkei dringend notwendig ist, ist noch immer mit sehr vielen Emotionen verbunden. Zu diesen tragen vor allem die historischen Erfahrungen des Untergangs des Osmanischen Reiches bei, das unter der Kontrolle der europäischen Mächte stand und durch den Diktatfrieden von Sèvres (1920) unter ihnen aufgeteilt werden sollte. Die Angst vor einer Teilung des Landes, die durch den Vertrag von Sèvres real erschien, sitzt seitdem tief im Unterbewusstsein vieler Türken. Das seither als "Sèvres-Syndrom" bekannte Phänomen nährt bis heute ein übersteigertes Nationalitätsverständnis und die Vorstellung von der Notwendigkeit eines starken Staates. Dieser starke Staat fordert, entgegen dem liberal-demokratischen Grundsatz, dass die Interessen des Staates denen des Individuums übergeordnet werden. Der Vorrang des einzelnen Bürgers vor dem Staat und der Gemeinschaft erfährt seine Grenzen an der herrschenden Doktrin von der Einheit des türkischen Staates.[17] Unter diesen Voraussetzungen



sind Diskussionen über Individualrechte, Minderheiten oder das Staatsprinzip des Kemalismus nicht einfach. Dies zeigten auch die aktuellen Diskussionen um den linksliberalen Verfassungsrechtler und Abgeordneten der AKP Zafer Üskül. Sein Vorstoß, das Bekenntnis zur kemalistischen Ideologie aus der neuen Verfassung zu streichen und eine ideologiefreie, auf den Gründungswerten der türkischen Republik fußende Verfassung zu entwerfen, erregte eine umfassende öffentliche Diskussion. Prompt wurde ihm seine Loyalität zum Staat - auch gerade wegen seiner Mitgliedschaft in der AKP - abgesprochen.

Diese Tabuisierung von Themen wie dem Kemalismus, den Minderheiten sowie der durch den Mythos von der "Unteilbarkeit des Staates" genährte Bedrohungswahn stellt heute ein Hindernis für die emotionale Integration der Türkei in die Europäische Union dar.[18]

Änderung der Gesetzeslage ist keine Lösung

Die Notwendigkeit eines starken Staates in der Türkei wird vor allem durch das Militär propagiert. Mit regelmäßigen Äußerungen zu "inneren" und "äußeren" Feinden wird das Bild einer ständige Bedrohung suggeriert. So wurde rechtzeitig zur Wahl Abdullah Güls eine weitere unmissverständliche Mitteilung des Generalstabschefs zum Tag des Sieges am 30. August via Internet publiziert. Wenige Stunden vor seiner Wahl wurde vor politischen Angriffen auf den säkularen Staat gewarnt. Es wurde noch einmal die Entschlossenheit der Generäle betont, die Demokratie und die Trennung von Staat und Religion zu verteidigen. Dabei stützt sich die Militärführung auf die formale Grundlage des bekannten Artikel 34 des Inneren Dienstgesetzes aus dem Jahre 1935. Gemäß Art. 34 "ist es die Aufgabe der Streitkräfte, das türkische Vaterland zu beschützen und zu verteidigen". Dieser wird dahingehend interpretiert, dass die Armee die Aufgabe hat, die Republik nicht nur gegen äußere, sondern auch gegen "innere" Feinde zu verteidigen.

Für die Zurückdrängung des Militärs aus dem politischen Bereich wären zwar Gesetzesänderungen ein erster Schritt, als viel schwieriger wird sich aber die Durchsetzung auf der normativen Ebene erweisen. Der Einfluss der Armee basiert zwar formal gesehen auf dem Artikel 34, normativ gesehen und viel stärker fußt er aber auf seinem historisch gewachsenen Selbstverständnis, das durch das öffentliche Bewusstsein geteilt wird.

Deshalb müssen für einen EU-Beitritt nicht nur Reformen eingeführt und Gesetze korrigiert, sondern tiefsitzende Werte der türkischen Gesellschaft verändert werden. Diese reichen vom Bildungssystem - einschließlich der militärischen Kadettenschulen - bis zum Unterbinden der öffentlichen Äußerungen durch die Militärführung. Dazu müssten sowohl die Medien und Politiker als auch die politische Öffentlichkeit ihre Verhaltensweisen grundlegend ändern.

Nur wenn sie aufhören, den politischen Äußerungen, Briefings oder Pressemitteilungen öffentliches Gewicht beizumessen, werden die Militärs diese auch unterlassen.[19] Um dies zu verwirklichen, bedarf es eben nicht nur politisch-administrativer Änderungen. Es ist deshalb so schwierig, weil es die historisch gewachsenen Grundfesten der Republik berührt.[20]

Für die im Rahmen der Fortschrittsberichte erwähnten Probleme des Landes, zu denen auch der politische Einfluss des Militärs gehört, ist die Rolle der EU als Reformkatalysator weiterhin von zentraler Bedeutung. Dabei kommt den Nichtregierungsorganisationen eine besondere Bedeutung zu, da diese seit längerem ihren Beitrag zum Wertewandel der Gesellschaft leisten.



Sie bilden die Kräfte, die das politische Bewusstsein der Bürger anregen, um bei gegebener politischer Situation in Opposition gehen und den Staat vor seinen "inneren Feinden" schützen zu können. Ihre Stärkung und Etablierung könnte in Zukunft den nötigen Wertewandel in der türkischen Gesellschaft vorantreiben und dadurch anderen Einrichtungen wie dem Militär auf politischer Ebene die "Legitimation" entziehen.

Fußnoten

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Section C) Regional integration processes

Subsection 6. The European unification process

Fragola Massimo

**Deficit democratico e procedura di revisione dei trattati nel processo di integrazione europea
in Diritto comunitario e degli scambi internazionali**, n. 3 , 629-642

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Poto Margherita

**Democracy and Europe: New Times, Old Dilemmas
in European public Law**, Volume 13 (2007) Issue 4 , 633-670

Democratic instances in European legal systems are still part of a developing phenomenon, even whilst the process towards a European Constitution is decelerating. The paper will analyse possible solutions to the lack of democracy and participation in European context, in order to understand if philosophical and economical approaches could give an effective contribution to the legal system. In particular, it will be asked whether the principles of subsidiarity and proportionality, as applied by the Constitutional Courts of different Member States pave the new way towards democracy.

Section C) Regional integration processes

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WTE and MC

**Democracy and the Union: Dressing up Cinderella
in European Constitutional Law Review**, Volume 3 - Issue 03 , 353-356

'The functioning of the Union shall be founded on representative democracy.' This the new Union Treaty echoes from the Constitutional Treaty. 'Citizens are directly represented at Union level in the European Parliament.' It means that the Union pretends to be a democracy and challenges the thesis, held by some, that democracy cannot be applied to an international organization. The mere ambition does not, however, answer the Union's shortcomings in terms of democracy.



Section C) Regional integration processes

Subsection 6. The European unification process

Borrás Susana, Conzelmann Thomas

Democracy, Legitimacy and Soft Modes of Governance in the EU: The Empirical Turn

in *Journal of European Integration*, Volume 29, Number 5 / December , 531-548

During the past few years, the European Union (EU) has made increasing use of the so-called soft modes of governance (SMG), modes based on voluntary and non-sanctioning forms of public action, where state and non-state actors interact in extensive networks to solve complex social problems. This article deals with the issue of the democratic credentials of soft modes of governance at the EU level. Starting by recognizing that they entail an authoritative allocation of values that have a wide societal reach, the article argues that a careful examination of the democratic legitimacy of these soft modes of governance needs to take into account their diverse nature. By pointing out different theoretical concepts of democracy, the article elaborates an analytical framework based on a series of yardsticks for the assessment of the democratic legitimacy of SMGs in the EU, thus providing a much-needed conceptual clarification for a research agenda that is ultimately an empirical one.

Section C) Regional integration processes

Subsection 6. The European unification process

Henning C. Randall

Democratic accountability and the exchange-rate policy of the euro area

in *Review of International Political Economy*, Volume 14 Issue 5 2007

This article examines the consequences of the political 'incompleteness' of the monetary union for the democratic accountability of its external monetary policy, comparing the euro area to the United States. In most countries, exchange-rate policymaking is substantially delegated to the finance ministry and central bank; oversight by other domestic actors is relatively weak. While this is true of the United States, the role of the Congress provides the possibility for 'democratic override' when policy diverges substantially from the preferences of a broad set of private sector interests. Europe's monetary union, by contrast, lacks such a mechanism; no institution can provide an effective check on the policies pursued by the core actors, the ECB and Eurogroup. A comparison of the postures of the United States and euro area toward Chinese exchange rate policy suggests that these institutional differences affect policy outcomes.

Section C) Regional integration processes

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Cassen Bernard

Des traités jumeaux

in *Monde Diplomatique (Le)*, Décembre

A la suite des référendums français et néerlandais de 2005, le traité sur le fonctionnement de l'Union européenne (TFUE) abandonne le vocabulaire constitutionnel qui caractérisait le traité constitutionnel européen (TCE), et qui avait pour but de « graver dans le marbre » les principes libéraux. En outre, symboliquement, la « concurrence libre et non faussée » disparaît des objectifs de l'Union. Toutefois, au-delà de ces modifications et de quelques autres, le TFUE a pour but de faire entériner la quasi-totalité du contenu du TCE.



<http://www.monde-diplomatique.fr/2007/12/CASSEN/15441>

Section C) Regional integration processes

Subsection 6. The European unification process

Klein Nadia

Deutschland und Frankreich: Motor einer Europäischen Sicherheits- und Verteidigungspolitik?

in *European Foreign Affairs Review*, Volume 13, Issue 1 , 146-147

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Warkotsch Alexander

Die Nachbarschaftspolitik der EU im postsowjetischen Raum

in *Aus Politik und Zeitgeschichte*, Band 43, 2007

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Inhalt

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Einleitung

Mit dem Beitritt Bulgariens und Rumäniens zur Europäischen Union (EU) im Januar 2007 hat sich deren östliche Außengrenze endgültig an ausschließlich ex-sowjetische Republiken herangeschoben. Eine äußerst energiereiche Region, jedoch mit einem mehr als zweifelhaften demokratischen Leumundszeugnis, schwacher Staatlichkeit sowie einer Vielzahl transnationaler Sicherheitsrisiken. Vor diesem Hintergrund überrascht das wachsende Interesse der EU an der Region nicht.



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Unter Federführung der deutsche Ratspräsidentschaft im ersten Halbjahr 2007 hat die EU drei "Ostinitiativen" ins Auge gefasst: eine Europäische Nachbarschaftspolitik Plus (ENP Plus), die Neuverhandlung des im November 2007 auslaufenden Partnerschafts- und Kooperationsabkommens mit Russland sowie die Ausarbeitung einer EU-Zentralasienstrategie. Da sich das Auswärtige Amt verbal mit dem Titel einer "Neuen Ostpolitik" explizit auf die bedeutungsschwere Vorlage der sozialliberalen Koalition bezog, waren die Erwartungen in der Öffentlichkeit, insbesondere aber in der Region, entsprechend hoch.[1]

ENP Plus

Die Europäische Nachbarschaftspolitik (ENP) wurde 2003 eingeführt mit dem Ziel der Schaffung eines einheitlichen und umfassenden Rahmens für die Beziehungen der EU zu ihrer unmittelbaren Peripherie - von Belarus über den Kaukasus und Vorderasien bis nach Nordafrika. Damit sollen politische und wirtschaftliche Gräben an den Rändern der Union abgeflacht und der europäische Raum der Stabilität und des Wohlstandes über die EU-Grenzen hinaus ausgedehnt werden. Die ENP versteht sich dabei als Angebot zur Teilnahme an der europäischen Integration, ist aber ausdrücklich kein Beitrittsinstrument. EU-Anrainerstaaten ohne aktuelle Beitrittsperspektive sollen mit Hilfe der ENP an die EU gebunden und als Partner für wirtschaftliche, politische und sicherheitspolitische Kooperationsprojekte gewonnen werden. Damit folgt die Nachbarschaftspolitik den Vorgaben der Europäischen Sicherheitsstrategie, die der Union die Aufgabe zuweist, auf die Entstehung eines Rings verantwortungsvoll regierter Staaten östlich der Europäischen Union und an deren Mittelmeergrenzen hinzuarbeiten.[2] Ein zentrales Element der ENP ist der Grundsatz der Differenzierung. Individuelle Aktionspläne zwischen der EU und den betroffenen Ländern berücksichtigen die jeweiligen Bedürfnisse und Kapazitäten der Zielstaaten, aber natürlich auch die Interessen der EU. Durch das konditionierte Angebot von wirtschaftlichen und politischen Vorteilen und genau festgelegten Bedingungen, unter denen diese Anreize in Anspruch genommen werden können, nimmt die EU auf die politische und wirtschaftliche Entwicklung in den Zielstaaten Einfluss.

Die Europäische Kommission definiert in ihrem ENP-Strategiepapier folgende Handlungsprioritäten: Erstens Handel, vor allem eine Marktöffnung auf Grundlage der Bestimmungen der Welthandelsorganisation sowie die Übernahme geltender EU-Normen; zweitens wirtschaftliche und soziale Entwicklung, insbesondere eine Teilnahme am EU-Binnenmarkt sowie eine bessere infrastrukturelle Vernetzung mit der EU; drittens verstärkte Zusammenarbeit im Bereich Justiz und Inneres, vor allem bei den Themen Migration, Grenzverwaltung und bei der Bekämpfung der organisierten Kriminalität; sowie viertens ein politischer Dialog zu aktuell wichtigen Fragen.[3] Zwar findet sich der



überwiegende Teil dieser Schwerpunktthemen bereits in den mit der Region Ende der 1990er Jahre abgeschlossenen Partnerschafts- und Kooperationsabkommen. Aufgrund ihrer länderspezifischen Ausrichtung, umfangreicherer Finanzmittel sowie einem Mehr an Konditionalität bietet sich der EU mit der ENP aber ein deutlich effizienterer politischer Instrumentenkasten verglichen mit dem Status quo ante.

Warum nun der Vorstoß einer ENP Plus? Vor allem verbirgt sich dahinter die Unzufriedenheit mit einer Politik, die gelegentlich lustlos und ohne strategische Tiefe betrieben und in den östlichen Adressatenländern als unbefriedigend empfunden wurde, vor allem da sich diese Staaten auf eine Stufe mit den nordafrikanischen und nahöstlichen EU-Partnerländern gesetzt sahen, bisweilen sogar darunter. Während die ENP-Zielländer in Nordafrika und der Levante in der fehlenden Beitrittsperspektive keine unmittelbare Zurückweisung durch die EU sehen, ist dies in Osteuropa sehr wohl der Fall. Insbesondere die Ukraine und Moldawien begreifen ihren Status als ENP-Land als Etappe auf dem Weg zu einer späteren EU-Mitgliedschaft. Der Eindruck der Zurückweisung wird durch die Ungleichverteilung der Finanzmittel der Nachbarschaftspolitik noch verstärkt. Derzeit fließen 65 Prozent der Gelder Richtung Süden, dagegen nur 35 Prozent an die osteuropäischen Nachbarstaaten.[4]

Dass die Korrektur dieser Mängel nun ausgerechnet während der deutschen Ratspräsidentschaft angegangen wurde, ist nicht zuletzt Deutschlands Geschichte und Geographie geschuldet. Beides resultiert in einem traditionell ausgeprägten Interesse an Osteuropa. Unter dem Motto "Annäherung durch Verflechtung" hat Berlin im Vorfeld seiner Ratspräsidentschaft eine Modernisierungspartnerschaft mit der Ukraine, Moldawien, Georgien, Armenien und Aserbaidschan sowie Weißrussland - sobald dort die entsprechenden Voraussetzungen erfüllt sind - vorgeschlagen. Dahinter verbarg sich vor allem der Versuch, durch eine substanziellere Annäherung an die Partnerländer endgültig den Ausbruch aus der binären Logik und der falsch verstandenen Alternative EU-Mitgliedschaft oder Nichtmitgliedschaft zu vollziehen. Berlins Überlegungen umfassten die folgenden Punkte: Erstens, die verbesserte Übertragung eines Teil des Acquis Communautaire auf die ENP-Staaten und damit die Ausdehnung des EU-Rechtsraums. Instrumente wären hier Sektorenabkommen nach dem Vorbild der Beziehungen zwischen der EU und der Schweiz. Zweitens, eine Ausweitung der institutionellen Kooperation, vor allem durch die Einführung eines Beobachterstatus in jenen Politikfeldern, auf denen die ENP-Länder den EU-Rechtsstand bereits übernommen haben. Auch eine Beteiligung an der Gemeinsamen Außen- und Sicherheitspolitik der EU wurde angestrebt, etwa in Form der Verabschiedung gemeinsamer Erklärungen und Aktionen. Drittens sollte die Modernisierungspartnerschaft mit Osteuropa auch einen regionalen Ansatz schaffen, der für die Mittelmeer-Anrainer mit dem Barcelona-Prozess bereits existiert.

Die EU-Kommission präsentierte im Dezember 2006, also unmittelbar vor Beginn der deutschen Ratspräsidentschaft, ihrerseits einen Entwurf zur Reform der Nachbarschaftspolitik.[5] Darin greift sie zahlreiche Vorschläge Berlins zu einer verbesserten sektoralen Zusammenarbeit auf, ist jedoch zurückhaltend, was neue institutionelle Arrangements angeht. Die Kommission bleibt damit ihrem "all but institutions"-Ansatz in der Nachbarschaftspolitik treu. Ebenso verwehrt sich die Kommission einer grundsätzlichen Neuausrichtung der ENP Richtung Osten. So sieht der Finanzierungsplan der Nachbarschaftspolitik für den Zeitraum 2007 bis 2013 nur einen geringfügig höheren Anteil der osteuropäischen Staaten am ENP-Budget in Höhe von 38 Prozent vor.[6] Auch achtete die Kommission in ihrem Strategiepapier darauf, den sektoralen Verflechtungsgrad mit Osteuropa nicht zu Lasten der Mittelmeer-Anrainer zu intensivieren. Angesichts der Widerstände innerhalb der EU-Kommission forcierte die deutsche Ratspräsidentschaft ihren Entwurf nicht weiter und begrüßte in ihrer letzten Sitzung am 21. Juni 2007 das Strategiepapier der Kommission. Die Ergebnisse der Beratungen zur ENP blieben damit in den osteuropäischen EU-Mitgliedstaaten wie auch in der Region selbst hinter den Erwartungen zurück.[7] Eine wichtige Ausnahme stellen die bilateralen Beziehungen zur Ukraine dar. Obwohl nach wie vor ohne Beitrittsperspektive, verhandelt die EU derzeit ein erweitertes Kooperationsabkommen, das "die Schaffung einer tiefgehenden Freihandelszone und den verstärkten Zugang zum Binnenmarkt"[8] vorsieht. Ebenso kündigte die



EU eine deutliche Erhöhung ihrer Geldmittel für die Ukraine an, die fortan über das neu geschaffene und im Vergleich zum technischen und finanziellen Hilfsprogramm TACIS sehr viel flexiblere Europäische Nachbarschafts- und Partnerschaftsinstrument (ENPI) zum Einsatz gebracht werden.[9] Die EU unterzeichnete zudem im Juni 2006 ein Abkommen zur vereinfachten Visaerteilung.[10] Auf regionaler Ebene ist zudem das Ende Juni 2007 vom Rat verabschiedete Kommissionspapier Initiative Schwarzmeersynergie erwähnenswert.[11] Das Dokument soll die vorwiegend bilateralen Beziehungen der mit dem Beitritt Rumäniens und Bulgariens zum Schwarzmeerränder gewordenen EU zu den Staaten des Schwarzmeerraums durch eine regionale Komponente nach dem Vorbild der Nördlichen Dimension der EU ergänzen. Im Zentrum der Zusammenarbeit stehen erwartungsgemäß Fragen der Energiesicherheit, ist der Schwarzmeerraum doch wichtige Transitregion für Öl und Gas aus dem kaspischen Raum.

Russland

Ein weiterer Schwerpunkt der Ostpolitik während der deutschen Ratspräsidentschaft war Russland. Die aktuelle rechtliche Grundlage in den EU-Russland-Beziehungen bildet ein im Dezember 1997 auf zehn Jahre angelegtes Partnerschafts- und Kooperationsabkommen. In den vergangenen Jahren jedoch wurden die beiderseitigen Beziehungen durch eine ganze Reihe zusätzlicher bi- und unilateraler Strategien, Positionspapiere und Vereinbarungen ergänzt. Im Mai 2003 kamen beide Seiten überein, auf vier Feldern gemeinsame Gesamteuropäische Räume zu schaffen: Erstens Wirtschaft; zweitens Freiheit, Sicherheit und Justiz; drittens äußere Sicherheit sowie viertens Wissenschaft, Bildung und Kultur. Das Vier-Räume Dokument wurde schließlich auf dem Moskauer Gipfel vom Mai 2005 in Form der vier "Wegekarten" (road maps) unterzeichnet und ist als kurz- und mittelfristiges Instrument zur Umsetzung des Partnerschaftsabkommens konzipiert, trat de facto jedoch an dessen Stelle.[12]

Daneben werden die EU-Russland-Beziehungen durch regionale Kooperationsformate wie etwa die Ostseekooperation oder die Nördliche Dimension der EU geprägt. Als Antwort auf das auslaufende Partnerschaftsabkommen mit Russland Ende November 2007 stehen eine Reihe von Optionen zur Verfügung. Wird es nicht gekündigt, verlängert es sich automatisch um ein Jahr. Es kann aber auch durch ein ergänztes Dokument oder einen völlig neuen Vertrag ersetzt werden. Auf dem Moskauer Gipfel im Mai 2006 verständigten sich die EU und Russland auf die Aushandlung eines völlig neuen Rahmenabkommens, das die Qualität einer strategischen Partnerschaft zum Ausdruck bringen soll.[13]

Die Vorbereitung dieses Grundlagenvertrags, die der deutschen Ratspräsidentschaft oblag, wurde jedoch durch eine Reihe grundlegender Differenzen erschwert, die wiederum die Hintergrundfolie für die jüngsten politischen Auseinandersetzungen in den Beziehungen zwischen der EU und Russland bilden. Erstens hat sich im postsowjetischen Raum seit Anfang dieses Jahrzehnts eine Integrationskonkurrenz zwischen Russland und der EU herauskristalliert. Russland plant mit dem so genannten "Einheitlichen Wirtschaftsraum" eine eigene Ost-EU aufzubauen. Diesem sollen Russland, Kasachstan, Belarus und die Ukraine angehören. Gleichzeitig aber wächst mit der ENP auch der ordnungspolitische Einfluss der EU in der Region. Zweitens erlebt Russland als Folge seines neuen Selbstverständnisses als Energiesupermacht eine Renaissance des Konzepts der Souveränität. In der Logik weiter Teile des Moskauer politischen Establishments kann Russland allein durch eine Abschirmung gegen störende Einflüsse von außen nach innen stabil und international konkurrenzfähig gemacht werden.[14] Dies steht in diametralem Widerspruch zur Strategie der EU. Diese vertraut ganz im Sinne ihrer funktionalistischen Tradition auf die normative Kraft und die sozialisierende Wirkung der kleinen Verflechtungs- und Harmonisierungsschritte, die nationalstaatliche Grenzen durchdringen und auf diese Weise Russland stärker an die EU binden sollen. Die russische Elite sieht darin jedoch eher den Versuch, Russlands Potenzial europäischer Kontrolle zu unterwerfen. Integration bedeutet für Moskau



aktives und gleichberechtigtes Mitwirken in globalen Clubs wie den Vereinten Nationen, den G8 oder der Welthandelsorganisation, jedoch nicht das Abtreten nationaler Souveränität an internationale Institutionen. Drittens treten in den EU-Russland-Beziehungen deutliche Wertedifferenzen zu Tage. Die Schwächung demokratischer Institutionen, der Einsatz von Energieressourcen als politische Waffe, die Unterdrückung freier Medien oder die bürokratische Kontrolle von Nichtregierungsorganisationen verdichten sich zu einem Gesamteindruck, der mit westlichen Werten kaum mehr in Einklang zu bringen ist. Im Kern geht es um die Frage, ob die Partnerschaft zwischen der EU und Russland allein auf gemeinsamen Interessen aufbaut oder ob diese auch eine Wertegemeinschaft konstituiert. Im ersten Fall würde eine pragmatische, nicht bindende Zweckgemeinschaft angestrebt, wie sie Moskau etwa mit China und Indien eingegangen ist. Im zweiten Fall handelt es sich hingegen um eine Partnerschaft, die aufgrund ihrer Fundierung in gemeinsamen Werten und Prinzipien in sich gefestigt und dauerhaft ist.[15]

Die Beziehungen der EU zu Russland deshalb als strukturell spannungsgeladen zu bezeichnen, gilt in Regierungskreisen als wenig opportun, weil dies allzu starke Assoziationen an den Kalten Krieg heraufbeschwört, an den Präsident Putin mit seiner harschen Rede auf der letzten Münchner Sicherheitskonferenz erinnerte.[16] Wie ist nun aber mit dem schwierigen Partner Russland umzugehen? Anders als noch unter Bundeskanzler Gerhard Schröder ist das Prinzip "Russia First" nicht mehr die Handlungsmaxime des Kanzleramtes, das unter Angela Merkel deutlich atlantischer gepolt ist und mit einer größeren Sensibilität für die Anliegen der mittel- und osteuropäischen Staaten agiert. Im Auswärtigen Amt hingegen stellt sich die europäisch-russische Interessenlage komplementär dazu dar. Außenminister Steinmeier, während der Amtszeit der rot-grünen Regierung Chef des Bundeskanzleramtes, verfolgt zu einem gewissen Grad noch die politischen Zielvorgaben seines ehemaligen Dienstherren. Dieser meinte Ende letzten Jahres sogar, "dass nur eine strategische Bindung zwischen dem Europa der Union und Russland uns befähigt, ökonomisch, politisch, kulturell standzuhalten gegenüber konkurrierenden Mächten wie Amerika und gegenüber aufstrebenden Mächten wie Indien und China." [17] Derartige Forderungen beziehen sich vor allem auf die Bereiche Sicherheit und Energie. Sie schließen zudem die Bereitschaft ein, über die menschenrechtlichen und demokratischen Unzulänglichkeiten Russlands hinwegzusehen. Innerhalb der EU wurde solch eine Sicht der Dinge in den vergangenen Jahren vor allem von Frankreich, Spanien und Italien unterstützt, während die osteuropäischen Neumitglieder, Dänemark, Holland und Großbritannien einen durch die Wahrung demokratischer Werte geprägten Ansatz bevorzugten. Solche Differenzen konnten in der Vergangenheit erfolgreich moderiert werden, wenn auch nicht immer in aller Stille.

In den Monaten vor dem EU-Russland-Gipfel Mitte Mai 2007 im russischen Samara verschlechterte sich die Stimmung noch einmal deutlich. Als Reaktion auf ein russisches Embargo gegen polnische Fleischexporte blockiert Warschau seit November 2006 jegliche Änderungen in den Vertragsbeziehungen der EU zu Russland. Aber auch andere Konflikte wie etwa um die Umsetzung eines sowjetischen Kriegerdenkmals in der estnischen Hauptstadt Tallinn oder um die Ermordung von Aleksander Litwinjenko, einem Vertrauten des Putin-Kritikers Boris Beresowskij, in London ließen das Misstrauen auf beiden Seiten wachsen. Vor diesem Hintergrund war der größte Erfolg des Gipfeltreffens, dass es überhaupt stattfand. Medien berichteten von einem offenen Streit zwischen dem russischen Präsidenten und Bundeskanzlerin Merkel, heftigen Turbulenzen und einen Schlagabtausch, der sich bis in die abschließende Pressekonferenz hineinzog.[18] Die Teilnehmer des Gipfels konnten sich nicht einmal auf die Formulierung einer gemeinsamen Abschlusserklärung einigen.

Es steht außer Frage: Russland ist für die EU gegenwärtig ein schwieriger, da von nullsummenspielartigen Denkschemata und Argwohn geprägter Verhandlungspartner. Für die sich derzeit wohl auf dem tiefsten Stand seit der Kosovo-Krise 1999 befindenden bilateralen Beziehungen allein den Kreml verantwortlich zu machen, wird der Sachlage jedoch nicht gerecht. Man betrachte beispielsweise die Wahrnehmung der jüngsten Energiekonflikte Russlands mit seinen Nachbarn: Der Vorwurf der EU, Moskau setze seine Energie als politische Waffe ein,[19] mag beim westlich



gestimmten Georgien noch zutreffen. Im Falle Belarus ist dieser jedoch von einer gewissen Doppelzüngigkeit gekennzeichnet. Hat sich in der Vergangenheit immer wieder Kritik an den massiven Energiesubventionen zugunsten des Lukaschenko-Regimes entzündet, die als Überlebenshilfe für die letzte Diktatur Europas interpretiert wurden, so trifft den Kreml nach deren Abschaffung dennoch der Unmut des Westens. Denn nun werden die höheren Energiepreise für Minsk als perfider Versuch Russlands interpretiert, Belarus in die Union mit Russland zu zwingen. Dass Russland mit der Anhebung der Preise jedoch lediglich umsetzt, was die EU in ihren WTO-Beitrittsverhandlungen mit Moskau im Mai 2004 als Durchbruch feierte - die schrittweise Anhebung russischer Energiepreise auf das Weltmarktniveau -, geht in der Diskussion unter.[20]

Zentralasien

Die Verabschiedung einer EU-Zentralasienstrategie ist wohl der größte ostpolitische Erfolg der deutschen Ratspräsidentschaft. Die EU agierte in Zentralasien bislang im Schatten Russlands, der Vereinigten Staaten oder Chinas. Hierfür können sowohl endogene als auch exogene Faktoren verantwortlich gemacht werden. Zum einen mangelte es Zentralasien an einer EU-internen Lobby, ähnlich den nördlichen Mittelmeeranrainern für den Barcelona-Prozess oder den skandinavischen Ländern für die Nördliche Dimension der EU, die eine Verdichtung des Beziehungsgeflechts und damit einen verstärkten Mittelfluss in die Region befürwortet. Entsprechend war die EU-Zentralasienpolitik in den vergangenen Jahren im Vergleich zu anderen Regionen unterfinanziert. Zum anderen ringt die EU mit einem generellen Attraktivitätsdefizit. Ihr ziviler Ansatz ist den zentralasiatischen Eliten fremd, die Konzepten zur Befriedung, Aussöhnung und politischer Kooperation weitgehend unbeholfen gegenüberstehen. Auch ist die Union nicht willens und aufgrund ihres defizitären sicherheits- und verteidigungspolitischen Instrumentariums auch nicht in der Lage, Militärhilfe zu offerieren. Gerade diese Art von Hilfe ist es aber, welche die EU nach Meinung der zentralasiatischen Regierungen zur Abwehr islamistischer Terrorstrukturen aus dem benachbarten Afghanistan leisten sollte. Der europäische Weg, den Islam zu zivilisieren, wird in der Region dagegen eher belächelt. Die EU ist deshalb in Fragen der "high-politics" ein weitgehend ignoriertes Gesprächspartner. Auf zentralasiatischer Seite wird das Engagement der EU vor allem durch die mangelnde Kooperationsbereitschaft der Republiken untereinander behindert. Die Förderung regionaler Kooperation nimmt aber einen hohen Stellenwert in der EU-Zentralasienpolitik ein. Durch ein möglichst enges Geflecht von wirtschaftlichen und politischen Interdependenzen sollen Vertrauen generiert und zwischenstaatliche Konflikte eingedämmt bzw. verhindert werden. In der Region dominieren jedoch von gegenseitiger Konkurrenz geprägte Denkkategorien, die jede tiefergehende Form der zwischenstaatlichen Zusammenarbeit obstruieren.

Da die neu beschlossene Zentralasienstrategie am funktionalistischen Ansatz der EU festhält, also auf die normative Kraft und die sozialisierende Wirkung der kleinen Verflechtungs- und Harmonisierungsschritte und dabei auf eine liberale Wertebasis aufzubauen sucht, wird sich kurz- und mittelfristig an der EU-Skepsis der zentralasiatischen Regime wenig ändern. Jedoch enthält die Strategie einige Elemente, die sich positiv auf die interregionale Zusammenarbeit auswirken dürften. So beabsichtigt die EU beispielsweise, ihre Finanzmittel für die Region um knapp 50 Prozent auf rund 750 Millionen Euro für den Zeitraum 2007 bis 2013 aufzustocken - dies entspricht immerhin der Hälfte der Sach- und Finanzhilfen der Vereinigten Staaten.[21] Auch werden die rudimentären Dialogstrukturen der Partnerschaftsabkommen gestärkt, insbesondere in den Bereichen Energie und Menschenrechte. Ebenso führt die EU einen regelmäßigen Dialog auf der Außenministerebene ein. In Verbindung mit dem bereits 2005 geschaffenen EU-Sonderbeauftragten für Zentralasien hat die EU nun ein deutlich größeres Sozialisationspotenzial, das bei den beteiligten Akteuren den Blick für kooperative Ansätze und damit einhergehende potenzielle Synergien schärfen sollte.



Schließlich sieht die Strategie eine Rechtsstaatlichkeitsinitiative vor. Gerade eine solche Initiative hat das Potenzial, einen wichtigen Beitrag zur Demokratisierung der Region zu leisten. In weiten Teilen der Bevölkerung herrscht eine größtenteils auf Unkenntnis beruhende Skepsis gegenüber demokratischen Verfassungstraditionen. Nahezu jeder Bürger der Region ist zumindest mit kleineren Schikanen der öffentlichen Verwaltung oder der Strafverfolgungsbehörden konfrontiert und gezwungen, für behördliche Leistungen Bestechungsgelder zu entrichten. Eine Rechtsstaatlichkeitsinitiative, deren Stoßrichtung gezielt auf die Eindämmung solcher Governance-Defizite gerichtet ist, lässt den Durchschnittsbürger die Vorzüge rechtsstaatlicher Strukturen erkennen.

Resümierend kann festgestellt werden, dass die hohen Erwartungen, die mit der Initiative für eine neue Ostpolitik der deutschen EU-Ratspräsidentschaft geweckt wurden, unerfüllt geblieben sind. Es gelang nicht, die Nachbarschaftspolitik stärker nach Osteuropa auszurichten und die Verhandlungsblockade mit Russland zu überwinden. Kleinere Erfolge wie die Verabschiedung einer EU-Zentralasienstrategie können diese Defizite nicht wettmachen. Dreh- und Angelpunkt für eine erfolgreiche EU-Ostpolitik sind die Beziehungen zu Russland. Hinter der häufig aufscheinenden Leerformel der Strategischen Partnerschaft verbirgt sich das Wissen um eine Vielzahl gemeinsamer Interessen. Deren gemeinschaftliche Wahrnehmung ist jedoch aufgrund zunehmender Wertedifferenzen und nationalstaatlicher Egoismen einzelner EU-Mitgliedstaaten in weite Ferne gerückt. Vorrangiges Ziel der EU-Russlandpolitik muss es deshalb sein, die eigene interne Spaltung zu überwinden und das gegenseitige Vertrauen in den bilateralen Beziehungen wiederherzustellen. Dies schließt insbesondere einen offenen Dialog über die Harmonisierung europäischer und russischer Kooperations- und Integrationsinitiativen im postsowjetischen Raum ein.

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Section C) Regional integration processes

Subsection 6. The European unification process

Maurer Andreas

Die Verhandlungen zum Reformvertrag unter deutschem Vorsitz in Aus Politik und Zeitgeschichte, Band 43, 2007

Quelle:

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Einleitung

Im ersten Halbjahr 2007 übernahm Deutschland den EU-Ratsvorsitz in einer schwierigen Phase der europäischen Integrationsgeschichte. Nach den gescheiterten Referenden über den europäischen Vertrag über eine Verfassung für Europa (VVE), nach der langen und ergebnislosen Phase der (Selbst-) Reflexion der europäischen Eliten über die zukünftige Gestaltung der EU sowie der Kritik am "Elitenprojekt Europa" musste der deutsche Vorsitz davon ausgehen, dass die Vorbehalte gegen die mit dem Verfassungsvertrag geplanten Integrations Schritte, gegen die europäischen Organe und gegen ihre Politiken erheblich zugenommen haben. Gleichzeitig aber waren aus der Sicht vieler Mitgliedstaaten die Erwartungen an die deutsche Präsidentschaft hoch. Insbesondere durch die Wiederbelebung der Verhandlungen über den VVE sollte die Handlungsfähigkeit der EU unter Beweis gestellt werden.

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EU-Präsidentschaften haben kein Zepter in der Hand. Sie füllen ein symbolisches Machtdispositiv im System des Ministerrates der EU auf Zeit und in den engen Grenzen aus, die ihnen die Verträge der EG und EU gestatten. Sie erfüllen somit vertraglich vorgesehene Pflichten und Funktionen (Organisation und Koordination; Vermittlung; Impulsgebung und Steuerung sowie Repräsentation),^[1] die sich aus den laufenden Arbeiten aller EU-Organe sowie spezifischen Sprecher- und Vertretungsaufgaben im außen- und sicherheitspolitischen Bereich ableiten. Jede Präsidentschaft ist zudem mit einem umfassenden "Pflichtprogramm" konfrontiert, das die Fortführung im Entscheidungsprozess befindlicher Gesetzgebungsvorhaben sowie das Bearbeiten von "Terminarbeiten" umfasst. Das galt auch für die deutsche Ratspräsidentschaft in der ersten Jahreshälfte 2007. Außeninduzierte, politische Prozesse und Arbeitszyklen internationaler Organisationen und Regime wie die G8-Präsidentschaft Deutschlands waren bei der Durchführung der gerade einmal sechs Monate währenden EU-Ratspräsidentschaft ebenfalls zu berücksichtigen. Am Beispiel der Verhandlungen über die Revision des Verfassungsvertrages soll im Folgenden gezeigt werden, unter



welchen Bedingungen die Funktionen der Präsidentschaft genutzt wurden und welche Schlüsse hieraus für künftige Ratspräsidentschaften gezogen werden können.

Verfassungsvertrag und deutsche Ratspräsidentschaft

Für die Vorgespräche und anschließenden Verhandlungen zur Revision des im Oktober 2004 unterzeichneten, aber im Mai und Juni 2005 in zwei Referenden abgelehnten VVE waren in erster Linie Impulsgeber-, Koordinations- und Vermittlungsfunktionen des Vorsitzes gefragt.

Analytisch war das Dossier der Kategorie relativ stark "vorbehandelter" Themen zuzurechnen, bei denen die Organisationsfähigkeit des Vorsitzes zur Ersterkundung nationaler Positionen weniger stark gefragt ist. Es handelte sich gleichwohl um einen Schwerpunkt, bei dem nur die Eckdaten nationaler Positionen zu Beginn der Vorbereitungen der Ratspräsidentschaft weitestgehend bekannt waren. Der Vorsitz verfügte in den allermeisten Fällen nicht über einen sicheren Einblick in die Untiefen nationaler Rückfallpositionen. Gefragt war damit die Vermittlungsfunktion auf unsicherem Terrain. Die Präsidentschaft konnte sich hierbei nicht auf die Existenz weiterer Vermittler verlassen. Lediglich in zugespitzten und daher auch erst spät eingegrenzten Einzelfragen wie dem Streit mit Polen über die Frage der Stimmengewichtung im Ministerrat war die Präsidentschaft in der Lage, einen Kreis aus Frankreich, Großbritannien, Spanien und Luxemburg mit dem Premierminister Litauens als "Verbindung" zwischen den Lagern zu etablieren, der die Gespräche mit dem polnischen Staatspräsidenten aufnahm und in Rücksprache mit der deutschen Delegation verhandelte. Das Dossier "VVE" gehörte zu den politisch sensibelsten Themen der Ratspräsidentschaft. Wesentlich erleichtert wurde das Vorhaben der Präsidentschaft durch fünf Faktoren:

Erstens die Vorarbeiten der österreichischen Ratspräsidentschaft, die im ersten Halbjahr 2006 die Debatte um den VVE energisch vorangetrieben hatte und in den Schlussfolgerungen des Europäischen Rates vom Juni 2006 ein klares Mandat an den deutschen Vorsitz formulierte.[2]

Zweitens die Vorarbeiten der finnischen Ratspräsidentschaft, die im zweiten Halbjahr 2006 die Grenzen der pragmatischen Fortentwicklung des europäischen Primärrechts auf der Grundlage der bestehenden Verträge auslotete. Zwar testete Finnland diese Reformalternative "nur" für den Bereich der strafrechtlichen und polizeilichen Zusammenarbeit. Gleichwohl machte aber das Scheitern dieser Variante allen Beteiligten klar, dass der Ausweg aus der Reformkrise nicht darin bestehen konnte, mit kleineren, funktional eng begrenzten Schritten voranzuschreiten.

Drittens die Madrider Zusammenkunft und Erklärung der "Freunde des Verfassungsvertrages" für ein "besseres Europa" vom 26. Januar 2007. Auf Initiative der Regierungen Spaniens und Luxemburgs kamen hier die immerhin 21 Staaten zusammen, die den VVE bereits ratifiziert hatten bzw. dem VVE grundsätzlich positiv gegenüberstanden (Irland, Dänemark, Schweden und Portugal) und mit der Teilnahme an der Konferenz ihre Bereitschaft zur Ratifikation dieses Textes bekundeten.[3] Die Konferenz barg zwar das Risiko der Antagonisierung vermeintlicher "Befürworter" und "Gegner" des VVE. Aber genau diese beschworene Gefahr - seitens Frankreichs, der Niederlande und Großbritanniens - erleichterte es der Präsidentschaft, ihre Autorität als Vermittlerin zwischen den Fronten zu festigen. Zugleich veränderte sich mit dieser Zusammenkunft die Diskursmacht der Akteure: Denn waren bis dahin vor allem die "Neinsager" und Kritiker des VVE in einem virtuellen Wettbewerb darum hervorgetreten, wer den markigsten Begriff für den Abgesang auf das unliebsame Vertragswerk formuliert, stellte nun eine übergroße Mehrheit der Regierungen klar, dass sie - mit der deutschen Bundesregierung - an der Substanz dieses Vertrages festhalte und nur auf dieser



Grundlage bereit sei, in Verhandlungen über das weitere Vorgehen zu treten. Mit dieser Ansage mussten die kritischen Staaten nun auch mit konkreten Vorschlägen zur Frage aufwarten, wie sie eine Alternative zum VVE konsensfähig machen wollten.

Viertens stellten die neue niederländische Regierung in ihrem Koalitionsvertrag und der französische Präsident Sarkozy (bereits als Kandidat) frühzeitig klar, an welchen Stellen des VVE sie Nachbesserungsbedarf erkennen und wie sie sich einen formal zwar anderen, sachlich aber stark am VVE orientierten, "konsolidierten" bzw. Reformvertrag vorstellten. Hiermit wurde nicht nur für die Präsidentschaft, sondern vor allem auch für Großbritannien, Tschechien und Polen deutlich, dass der "Rückbau" am VVE selbst aus Sicht der beiden "Nein-Staaten" an Grenzen stößt und diese Regierungen an den im Konvent und der anschließenden Regierungskonferenz vereinbarten Reformen weitestgehend festhalten wollen.

Fünftens erreichte die Bundesregierung im Rahmen der "Berliner Erklärung" eine wichtige Vorbedingung für den Erfolg des Gesamtvorhabens: Erklärtes Ziel der Regierung war es, die Stimmung in Europa für einen möglichen Verfassungskompromiss positiv zu beeinflussen. Auch wenn in der Erklärung der VVE selbst nicht erwähnt wurde, konnte die Bundeskanzlerin doch durchsetzen, dass sich alle Staats- und Regierungschefs sowie die Präsidenten der EU-Kommission und des Europäischen Parlaments darauf verständigten, "die Europäische Union bis zu den Wahlen zum Europäischen Parlament 2009 auf eine erneuerte gemeinsame Grundlage zu stellen." Durch diesen Schlusssatz war die Präsidentschaft berufen, den weiteren Reformprozess zum VVE zeitlich zu begrenzen. Hieraus leitete die Präsidentschaft zwei operative Maßgaben ab: Erstens musste das angestrebte Mandat zum Juni 2007 konkret genug ausfallen, um die Regierungskonferenz innerhalb von maximal sechs Monaten abschließen zu können. Daher war - zweitens - auch nur ein enger, vertrauter und von den Staats- und Regierungschef direkt beauftragter Kreis an der Ausarbeitung dieses Mandats zu beteiligen.

Die Verhandlungen und die Präsidentschaftsstrategie

Die Rolle des vermittelnden, zur Neutralität aufgerufenen Vorsitzes geriet von Anfang an mit der Rolle des Impulsgebers und nationalen Interessenvertreters in ein Spannungsverhältnis. Innenpolitisch stand die Bundesregierung allerdings im Vergleich zu ähnlichen Situationen (Vertragsverhandlungen von Maastricht, Amsterdam und Nizza) weniger stark unter Druck. Einzig die Entscheidung des Bundesverfassungsgerichts, die Verfassungsbeschwerde des CSU-Bundestagsabgeordneten Peter Gauweiler gegen das Zustimmungsgesetz zum VVE bis auf Weiteres nicht zu verhandeln, engte den Handlungsspielraum des Vorsitzes ein. Denn durch die Karlsruher Entscheidung zur Nichtentscheidung konnte sich die Bundesrepublik fortan nicht mehr zu den Staaten zählen, die ohne jede Einschränkung hinter dem VVE stehen. Dies stärkte mittelbar Länder wie Großbritannien, Polen und die Tschechische Republik, die sich seit den gescheiterten Referenden bequem zurücklehnten. Das wahrscheinliche Szenario war damit, dass unter deutschem Vorsitz der Weg für Verhandlungen über einen Änderungsvertrag zu den bestehenden EG- und EU-Verträgen vorgezeichnet werden musste, dessen Gehalt in den Hauptstädten Europas allerdings sehr unterschiedlich definiert wurde. Die Bundesregierung enthielt sich jedoch jeder Stellungnahme zum Karlsruher Querschuss.[4] Insofern konnte sie zwar in der Sache beschädigt, aber argumentativ mit einem relativ weiten, für den weiteren Verlauf belastbaren Ideen katalog in die Verhandlungen gehen.

Angesichts des ins Stocken geratenen Ratifizierungsprozesses des Verfassungsvertrags beauftragte der Europäische Rat am 15./16. Juni 2006 die deutsche Präsidentschaft, in der ersten Jahreshälfte 2007 mit den EU-Mitgliedstaaten



ausführliche Konsultationen zu führen und anschließend dem Europäischen Rat einen Bericht vorzulegen. Der Bericht sollte mögliche künftige Entwicklungen aufzeigen und als Grundlage für Beschlüsse dienen, wie der Reformprozess der EU fortgesetzt werden soll. Hieraus leitete sich für den deutschen Vorsitz eine besondere Impulsgeber- und Vermittlungsfunktion ab - die des "Wegbereiters" und "Erwartungsmanagers".

Die intern bereits Ende 2005 abgestimmte und vor Beginn der Präsidentschaft allen europäischen Partnern mehrfach verdeutlichte "rote Linie" der Bundesregierung bestand darin, eine Vertragsrevision zu vereinbaren, deren Ergebnis sehr eng am bereits in 18 Staaten ratifizierten VVE orientiert werden sollte. Andernfalls hätte die Präsidentschaft die Unterstützung des Kreises der "Freunde des VVE" aufs Spiel gesetzt. Auch wenn der Vorsitz zur Neutralität verpflichtet war, ergriffen deutsche Regierungsvertreter von Anfang an Partei für diese Linie: Hierzu gehörte, dass die Bundesrepublik offen zum Verfassungsvertrag stand und diesen in "seiner politischen Substanz erhalten" wollte.[5] Im Hinblick auf die EU-Mitgliedstaaten wurde sodann eine nie explizierte, aber für den weiteren Gang der Verhandlungen wichtige Rangordnung herausgearbeitet: An erster Stelle galt es, "die Einschätzung [der] französischen und niederländischen Partner zur Kenntnis zu nehmen, wonach der vorliegende Vertrag nicht noch einmal in dieser Form vorgelegt werden[6] kann." [7] An zweiter Stelle waren diejenigen Staaten zu berücksichtigen, die den VVE bis Anfang 2007 noch nicht zur Ratifikation vorgelegt hatten, und dies auch während der deutschen Ratspräsidentschaft nicht beabsichtigten. Erst an dritter Stelle kamen diejenigen zum Zuge, die den Vertrag ratifiziert hatten und sich hinter die Ausgangsposition der Bundesregierung stellten.[8] Diese Hierarchie kam klar zum Ausdruck, indem die Bundesregierung die Losung ausgab, dass sich zwar "alle bewegen [müssen], aber im Lichte dieser Konstellation vielleicht einige mehr als andere".[9]

Die Rolle als Erwartungsmanager hatte somit eine für die Bewertung der Präsidentschaft wichtige Folgewirkung: Aufgrund der eigenen Haltung zum Verfassungsprozess zog sich die Bundesregierung in Verhandlungsarenen zurück, die nicht öffentlich und nur unter Beteiligung eines sehr kleinen Kreises tagten. Der Ratsvorsitz griff auf für Regierungskonferenzen eingeübte Verfahren zurück, um Informationen über den Verhandlungsspielraum der einzelnen Regierungen zu erlangen und diese im Aufstieg zum Gipfel des Europäischen Rates im Juni 2007 im Hinblick auf ihre Kerngehalte und hinter den Positionen liegende Interessen einzugrenzen, einander anzunähern und schließlich konsensfähig aufzubereiten. Im Unterschied zu vorangegangenen Regierungskonferenzen, die in aller Regel von politischen Beamten und Staatssekretären der Außenministerien vorbereitet wurden, schlug Bundeskanzlerin Merkel in einem Schreiben am 2. Januar 2007 an die Staats- und Regierungschefs jedoch eine direkte, streng vertrauliche Konsultation zwischen den Regierungszentralen vor. Die Liste der daraufhin benannten, jeweils maximal zwei "Focal Points" machte deutlich, dass die unter normalen Umständen einbezogene Arbeitsebene der Außenministerien und ihrer Akteure in den Ständigen Vertretungen bei der EU weitgehend außen vor blieb. Die Verhandlungen über den Reformvertrag sollten in erster Linie "zwischen den Hauptstädten" unter gleichberechtigter Mitwirkung der Präsidenten des Europäischen Parlaments und der Kommission geführt werden. Auf Seiten der anderen Verhandlungspartner wurde der erweiterte "Bannkreis" der in die Beratungen der Focal Points einbezogenen Akteure ebenfalls eng gesteckt.

Die Termine für die bilateralen Treffen mit den Focal Points wurden für den Zeitraum zwischen Ende April und Anfang Mai 2007 vereinbart. Die Basis hierfür bildeten zwölf Fragen der deutschen Focal Points (vgl. PDF-Version). Die Chefunterhändler der Präsidentschaft legten im April 2007 einen Fragebogen für die folgenden Sitzungen vor, der sich an den bis dahin ermittelten Änderungswünschen am VVE orientierte.

Die Fragen wurden unter den Focal Points im Vorstadium zum Europäischen Rat mit dem maximalen Ziel der Erstellung eines Mandats für eine Regierungskonferenz, die vor Ende 2007 ihren Abschluss finden sollte, bilateral und auf einer gemeinsamen Sitzung beraten. Parallel hierzu führten die Bundeskanzlerin selbst sowie - in enger Absprache mit ihr -



der französische Staatspräsident sowie die Staatsoberhäupter Spaniens, Luxemburgs und Italiens intensive und direkte Einzelgespräche mit ihren Amtskollegen aus Großbritannien, Tschechien und Polen, um auf allerhöchster Ebene vermeintliche Maximal-, d.h. öffentlichkeitswirksam inszenierte, "echte" Minimalpositionen bzw. "red lines" und die dazwischen liegenden Rückfallpositionen der Vertragsreform auszuloten.

Am 6. Juni 2007 legten die Focal Points einen Bericht der Präsidentschaft über den Stand des Reformprozesses vor, der einige wichtige Vorabklärungen im Hinblick auf das Mandat fixierte: So konnte der Verzicht auf den Verfassungsbegriff und die Neustrukturierung der Verträge nach dem klassischen Muster vergangener Regierungskonferenzen als Ausgangspunkt festgehalten werden. Darüber hinaus wurde die Liste der zwölf Ausgangsfragen vom April 2007 auf drei offene Punkte reduziert und - als Ergebnis der Focal Point-Beratungen - um vier neue Punkte ergänzt, so dass für den Europäischen Rat ein relativ klares Bild über den wahrscheinlichen, zeitintensiven Ablauf der Beratungen entstand: Die Frage der Symbole und des Vorrangs des EU-Rechts vor nationalem Recht (Frage 4); terminologische Änderungen im Vertragstext, die sich hieraus ergeben (Frage 5); die rechtliche Qualität der Grundrechtecharta (Frage 6); die Besonderheiten der GASP und ESVP im Verhältnis zum gesamten Politikbereich der europäischen Außenpolitik (neuer, von Großbritannien eingebrachter Punkt); die Umsetzung und Kontrolle der Kompetenzverteilung zwischen der EU und den Mitgliedstaaten (von Tschechien eingebracht); und die Rolle der nationalen Parlamente in der EU (von den Niederlanden eingebracht). Hinzu kam die von Polen in die Diskussion gebrachte Frage der Änderung des Entscheidungsmodus im Ministerrat, die zwar nicht in dem Bericht der Präsidentschaft erwähnt wurde, aber doch allen Beteiligten präsent war und den Sitzungsverlauf des Europäischen Rates in erheblichem Maße bestimmen sollte.

Auf der Grundlage dieses Berichts arbeiteten die deutschen Focal Points einen Entwurf für das Mandat der Regierungskonferenz aus. In den Feinabstimmungen mit den Fachkollegen behielt der Vorsitz zu jeder Zeit die Autorität über den in englischer Sprache abgefassten "Urtext". Abgesehen von einigen wenigen Punkten (Organbezeichnungen, Ausformulierungen zu Protokollen und Erklärungen) konnte so in Zusammenarbeit mit dem Juristischen Dienst des Ratssekretariats ein Text redigiert und dem Europäischen Rat vorgelegt werden, dessen Substanz sehr viel weiter ging, als dies bei Einberufungsmandaten für Regierungskonferenzen üblicherweise der Fall ist. Es handelte sich um ein "geschlossenes" Mandat, das politische Kontur, funktionale Reichweite und inhaltlich-rechtliche Tiefe des Rückbaus des Verfassungsvertrages und seines Umbaus in einen Reformvertrag auf der Grundlage der bestehenden EG- und EU-Verträge abschließend definierte.[10]

Sollbruchstellen der Präsidentschaft

Die deutsche Präsidentschaft hat mit der Einigung auf das Mandat zur Einberufung der Regierungskonferenz ein Ergebnis erzielt, das alle Staaten auf ein politisches Ziel, nämlich die rasche Ausarbeitung eines runderneuerten Vertragswerkes eint. Als Ergebnis des Europäischen Rates vom Juni 2007 manifestieren sich im Mandat zur Einberufung der Regierungskonferenz nun aber erneut politikbereichsspezifische Ausnahmeregelungen für einige Staaten (Großbritannien im Bereich der polizeilichen und strafrechtlichen Zusammenarbeit[11] sowie - im Verbund mit Polen[12] - im Hinblick auf Geltungsbereich und Durchsetzungsmodus der Grundrechtecharta[13]) und -teilweise als Reaktion hierauf - neue Regeln zum Eintritt in Formen der verstärkten Zusammenarbeit unter dem Dach der EU.[14] Sowohl diese neuen Ausnahmen als auch die damit einhergehenden Kooperationsformen einer Gruppe von Staaten werfen die Frage nach dem künftigen, inneren Zusammenhalt der Union auf. Welche Lehren können aus dem praktizierten Verfahren und dem hierbei ermittelten Funktionsprofil der deutschen Ratspräsidentschaft beim Blick auf das Dossier des



VVE für künftige Vorsitze gezogen werden?

Erstens ist selbst ein großer, vorsitzführender Staat in Krisensituationen, deren Lösung in die Form ratifikationsbedürftiger Verträge gegossen wird, bei der Wahrnehmung seiner Impuls-, Vermittlungs- und Erwartungsmanagementfunktionen abhängig von einem "Freundeskreis", der bei allen EU-Staaten und EU-Organen ein hohes Maß an Vertrauen genießt.

Zweitens ist eine alle Seiten befriedigende Vermittlungsfunktion in institutionellen Krisen nur zum Preis extremer Transparenz (z.B. in der Konvents-methode) oder starker Intransparenz möglich. Wählt man die erste Variante - der Reformvertrag erlaubt dieses Verfahren künftig explizit -, ist eine erfolgreiche Vermittlung verschiedener Interessenlagen leichter, wenn diese Funktion gemeinsam mit neutralen Akteuren gestaltet wird, die keinen mitgliedstaatlichen Weisungen unterliegen, sondern glaubhaft im gemeinsamen Interesse aller Beteiligten agieren können. Ob der im Reformvertrag geschaffene Präsident des Europäischen Rates hierzu in der Lage sein wird, hängt davon ab, wie er die unterhalb der Europäischen Ratsebene auch künftig agierenden Teampräsidentschaften der Staaten (deren durch die Außenminister bestückte Ratsformation "Allgemeine Angelegenheiten" ja bestehen bleibt) einbindet, vor allem aber als Partner und "Freunde der Präsidentschaft" akzeptiert. Greifen die Mitgliedstaaten dagegen auf die jetzt praktizierte Variante der Geheimverhandlungen zurück, ist das Risiko groß, dass nicht nur einzelne Akteure, sondern auch die Präsidentschaft die "Bodenhaftung" verliert und an den Interessen und Bedürfnissen der Bürgergesellschaften vorbei handelt. Der Preis hierfür wird dann spätestens bei Wahlen zu zahlen sein. Der große Verlierer ist in beiden Varianten die Europäische Kommission. Sie wird nur noch dann eine entscheidende Kovermittlungsrolle übernehmen können, wenn es um die Reform der Funktionen und Politiken der Integration geht. Denn unter diesen Umständen sind die Staaten auf politisch-programmatische Leitlinien, Expertisen und Initiativen auf der Grundlage eines europäischen Gemeininteresses angewiesen, das sie aufgrund ihrer divergierenden Interessenlagen nicht glaubhaft definieren können.

Fußnoten

- 1 Vgl. zu den Funktionen der Ratspräsidentschaft: Daniela Kietz, Methoden zur Analyse von Ratspräsidentschaften, SWP-Diskussionspapier, Nr. 5/2007; Andreas Maurer, Die Zukunft der Präsidentschaft im Ratssystem der Europäischen Union, in: Österreichische Zeitschrift für Politikwissenschaft, 35 (2007) 2, S. 139 - 156.
- 2 Vgl. Punkt 47 - 48 der Schlussfolgerungen des Vorsitzes zum Europäischen Rat vom 15./16. 6. 2006, Dok. Nr. 10633/1/06, 17. 7. 2006.
- 3 Vgl. Die EU-Verfassungs-Freunde sammeln sich. Treffen der Befürworter des Entwurfs in Madrid, in: Neue Zürcher Zeitung vom 27. 1. 2007; sowie die Erklärung: Ministertreffen der Freunde des Verfassungsvertrags: Für ein besseres Europa, Madrid, 26. 1. 2007.
- 4 Vgl. Andreas Maurer/Daniela Schwarzer, Querschuss aus Karlsruhe, in: Financial Times Deutschland vom 3. 11. 2006, S. 30.
- 5 Rede von Bundesaußenminister Steinmeier in der Haushaltsdebatte des Deutschen Bundestags, 6. 9. 2006.
- 6 Vgl. Peter Ludlow, Angela Merkel's Mandate. The June European Council and Treaty Reform, Juli 2007, in: Eurocomment Briefing Note, 5 (2007) 3-4.
- 7 Ausblick auf die deutsche Präsidentschaft: Stand der Vorbereitung in der Bundesregierung, Rede von Staatssekretär Silberberg für die Veranstaltungsreihe "EU-Countdown: In 100 Tagen zur EU-Präsidentschaft", 4. 10. 2006.



8 Vgl. ebd.

9 Ebd.

10 Vgl. Rat der EU, Schlussfolgerungen des Vorsitzes - Brüssel, 21./22. 6. 2007, Dok. Nr. 11177/07, 23. 6. 2007: Entwurf des Mandats für die Regierungskonferenz 2007.

11 Vgl. Punkt 19-L des Mandats für die Regierungskonferenz 2007.

12 Vgl. Fußnote 18 des Mandats für die Regierungskonferenz 2007.

13 Vgl. Fußnote 19 des Mandats für die Regierungskonferenz 2007.

14 Vgl. Mandat für die Regierungskonferenz 2007: Änderungen des EG-Vertrags, Anlage 2, Punkt A-2 c) und d).

Section C) Regional integration processes

Subsection 6. The European unification process

Nida-Rümelin Julian

Die normative Dimension der europäischen Integration

in *Politische Studien*, Heft 416, 58. Jahrgang, November-Dezember, 36-46

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Asheim Bjørn

Differentiated knowledge bases and varieties of regional innovation systems

in *Innovation: The European Journal of Social Science Research*, Volume 20, Number 3 / September, 223-241

This article introduces a theoretical and analytical framework for discussing regional development and regional advantage with reference to a regional innovation system strategy. It uses the differentiated knowledge base approach to transcend the traditional codified-tacit dichotomy of knowledge, and for providing a trans-sectoral understanding of economic activities. Different regional innovation systems are presented and described. The discussion of various types of regional innovation systems is contextualized using a variety of capitalist perspectives. The article concludes by discussing the question if regional innovation systems can exist.

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Grote Inga

Donald Rumsfeld's Old and New Europe. The United States' Strategy to destabilize the European Union

in *Rivista di Studi Politici Internazionali*, Volume 74, n. 3, luglio-settembre, 347-356

Secretary of Defense Donald Rumsfeld's remarks, that divided Europe into old and new, have caused criticism from many sides. However, his comments were not the first time that the United States tried to divide the European Union



and expose its weaknesses to gain a political advantage. The creation of the International Criminal Court (ICC) presented another opportunity for the US to demonstrate its resistance to multilateral agreements. The reasons for weakening the European Union include preventing a sufficiently united and self-confident Europe that would challenge US hegemony in the world. Secondly, the US sees in a strengthening EU a rival that needs to be contained. However, it is questionable if US strategies will be successful especially because the US and the EU are important trading partners. A joint EU military force could in the future assist the US and relieve some of the burdens of being the 'world policeman'. Ultimately, the EU poses a greater threat to itself than to the US, since it cannot yet speak with a united voice. European integration must be driven by European citizens rather than the political elite before the EU can challenge US hegemony in the world.

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NABLI M. Béligh

Du caractère fictif de l'autonomie financière de l'Union européenne
in *Revue française d'administration publique*, n. 123 , 353-372

Financial issues constitute a source of tension in the relationship between the European Union and its member states. While the affirmation of the Union's financial autonomy has a tendency to affect the sovereignty of the member states, the principle of autonomy itself seems no less like a fiction. The influence of member States on the finances of the Union, through their ability to take decisions and action, manifests itself in how the union is financed as well as in the administration of these finances. This financial and structural "imperfection" reveals the fictional character of the principle of financial autonomy and reflects the interstate origins of this entity which is still under construction.

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Denord François

Dès 1958, la « réforme » par l'Europe
in *Monde Diplomatique (Le)*, Novembre

Présidée par M. Jacques Attali, une commission chargée de la « libération de la croissance française » achève un rapport destiné à M. Nicolas Sarkozy. D'inspiration très libérale, les premières propositions rendues publiques imputent nombre de problèmes de pouvoir d'achat à un manque de concurrence. La commission invoque un précédent fameux : le rapport Armand-Rueff commandé par le général de Gaulle il y a près de cinquante ans. Son objectif était de libéraliser l'économie française pour « faire l'Europe ».

<http://www.monde-diplomatique.fr/2007/11/DENORD/15361>

Section C) Regional integration processes

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Mungiu Alina



EU Accession Is No "End of History"

in *Journal of Democracy*, Volume 18, Number 4, October, 8-16

In the textbooks on democratic transition, Central and Eastern Europe provides the model of success. Yet in Brussels concern over the politics of the new EU members has been mounting. The day after accession, when conditionality has faded, the influence of the EU vanished like a short-term anesthetic. Political parties needed to behave during accession in order to reach this highly popular objective, but once freed from these constraints, they returned to their usual ways. Now we see Central and Eastern Europe as it really is—a region that has come far but still has a way to go.

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Hennessy Alexandra

Economic Interests and the Construction of a European Single Pension Market

in *British Journal of Politics & International Relations*, Vol. 10, Issue 1, February, 105-128

This article asks why the EU member states were able to agree on an EU pension fund directive in 2003 whereas they had failed to do so in a previous attempt (1991). The main argument is that a single pension market was a desirable project before 2003, but bargaining inefficiencies prevented its realisation. This is because bargaining over integration in this sector requires credible signalling between Bismarckian and Beveridgean pension regimes. The co-ordination of divergent welfare and financial regimes depends on the ability of governments to send costly signals that only a limited range of outcomes are considered legitimate in their home state. In turn, the capacity to signal and the costs of bluffing hinge on international pressure for pension reform (Economic and Monetary Union) and the magnitude of changes governments have to make to their respective welfare finance arrangements.

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Sadeh Tal, Howarth David

Economic Interests and the European Union: A Catalyst for European Integration or a Hindrance?

in *British Journal of Politics & International Relations*, Vol. 10, Issue 1, February, 1-8

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Olesti Rayo Andreu

El Consejo Europeo de junio de 2007 y la revisión de los Tratados constitutivos

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

No abstract available



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de Cabo Martin C.

**El Tratado Constitucional Europeo y el constitucionalismo del Estado Social
in Teoria y realidad constitucional**, n. 19 , 199 - 214

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Subsection 6. The European unification process

Montero Maria, Sefton Martin, Zhang Ping

**Enlargement and the balance of power: an experimental study
in Social Choice and Welfare**, Volume 30, Number 1 , 69-87

Theoretical analysis suggests that enlargement of a voting body may affect the balance of power between the original members even if their number of votes and the decision rule remain constant. Some of the existing voters may actually gain, a phenomenon known as the paradox of new members. We test for this effect using laboratory experiments. Participants propose and vote on how to divide a budget according to weighted majority voting rules, and we measure the voting power of a player by his average payoff in the experiment. By comparing voting power across voting bodies of varying size, we find empirical support for the paradox of new members.

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Cohen Benjamin J.

**Enlargement and the international role of the euro
in Review of International Political Economy**, Volume 14 Issue 5 2007

How will enlargement of the European Union (EU) affect prospects for the euro as an international currency? Previously, I have argued that Europe's joint currency is fated to remain a distant second to America's greenback long into the foreseeable future because of three structural factors - relatively high transactions costs, due to inefficiencies in Europe's financial markets; a serious anti-growth bias built into the institutions of Economic and Monetary Union (EMU); and, most importantly, ambiguities at the heart of the monetary union's governance structure. In this essay I extend my earlier analysis, focusing in particular on the impact of enlargement on the governance structure of EMU. From the start, internationalization of the euro has been retarded by a lack of clarity about the delegation of monetary authority among governments and EU institutions. The addition of a diverse collection of new members, with significantly different interests and priorities, can only make the challenge of governance worse, exacerbating ambiguity at the expense of transparency and accountability. Enlargement will diminish, not expand, the euro's attractiveness as a rival to the greenback.

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Subsection 6. The European unification process

Katsioulis Christos, Maass Gero

Europa im Glück? Die Perspektiven der EU als Sicherheits- und Wohlfahrtsunion
in *Internationale Politik und Gesellschaft*, Heft 4, 2007

ABSTRACT: Das Bündnis der 27 Staaten ist in wichtigen Fragen der Wirtschafts- und Außenpolitik tief gespalten, es befindet sich in einem Teufelskreis aus ungunstigen Kompromissen und mangelnder Effizienz und bedarf dringend einer neuen zugkräftigen »Erzählung«. Ein wesentlicher Schritt dorthin wäre ein Zusammenschluss dazu fähiger Mitgliedstaaten zu einer Sicherheits- und Wohlfahrtsunion.

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Trittin Jürgen

Europa postnational denken

in *Internationale Politik*, n. 6, 62. Jahrgang, Juni

ABSTRACT: Muss Europa sich von den USA emanzipieren? Braucht es endlich „Selbstbestimmung“, um seine Rolle als „fünfter Pol“ in der multipolaren Welt zu spielen? Der grüne Politiker Jürgen Trittin meldet Bedenken an gegen Egon Bahrs Thesen: „Euronationalismus“ sei nicht das richtige Rezept für die Bewältigung der heutigen globalen Herausforderungen.

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Roeper Erich

Europas Soziale Schlagseite

in *Blätter für deutsche & internationale Politik*, Dezember, 2007, 1423-1426

Das Urteil des Europäischen Gerichtshofs (EuGH) vom 23. Oktober zum VWGesetz¹ war aus juristischer Sicht zu erwarten; zu deutlich verstößt das Gesetz gegen die Bestimmungen über den freien Kapitalverkehr in den Artikeln 56 ff. EG-Vertrag. Der Bund muss das Gesetz 1 EuGH, Rs C-112/05. von 1960 daher ändern, das ihm und Niedersachsen eine privilegierte Stellung im Unternehmen bescherte. Nun kann Porsche als Hauptaktionär mit bisher 31 Prozent der VW-Anteile, aber nur 20 ...

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Posener Alan



Europas sanfter Imperialismus

in *Internationale Politik*, n. 9, 62. Jahrgang, September

ABSTRACT: Die Vorstellung, dass ein Bewohner Istanbuls, Kiews, ja, Tel Avivs oder Casablanças eines Tages sagt: „civis europaeus sum“, erfüllt die einen mit Stolz, die anderen mit Verlustängsten. Doch stehen hier lediglich zwei Varianten imperialer europäischer Politik zur Debatte. Nicht Amerika, Europa ist das Imperium der Zukunft.

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Subsection 6. The European unification process

Mattelaer Alexander

Europe puissance tranquille? Rôle et identité sur la scène mondiale

in *European Foreign Affairs Review*, Volume 13, Issue 1, 141-142

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Karvonen Lauri

Europe's Spaces and Boundaries

in *Comparative European Politics*, n. 4, vol. 5, december, 441-460

No abstract available

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Borrás Susana, Koutalakis Charalampos, Wendler Frank

European Agencies and Input Legitimacy: EFSA, EMeA and EPO in the Post-Delegation Phase

in *Journal of European Integration*, Volume 29, Number 5 / December, 583-600

Most studies about the role of independent agencies in the European context focus on the driving forces that condition the incentives of political actors to delegate policy-making competencies, and that influence the agency design and the consequences of delegation for democratic control. However interesting, these studies often disregard the question of the legitimacy of the agencies in the post-delegation phase. This article aims at redressing this important blind spot in the current literature by highlighting the need for procedural input-legitimacy at the stage of agency operation. It argues that procedural credibility is a fundamental property that explains the need for an increased interaction between agencies and stakeholders at the post-delegation stage. The article examines three prominent cases of agencies in Europe - the European Food Safety Authority, the European Medicines Agency and the European Patent Office - in order to assess the extent to which the institutionalization of stakeholder networks facilitate credible knowledge that enhances their input and output legitimacy. The concluding remarks bring these results under the general perspective of democracy and new modes of governance in the EU.



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Painter Joe

European Citizenship and the Regions

in *European Urban and Regional Studies*, Volume 15, No. 1 , 5-19

This article reconsiders the relationship between European citizenship and the regions in the light of theoretical developments in citizenship studies and empirical research in four sub-nation-state territories in Europe (Scotland in the UK, Catalonia in Spain, the Veneto in Italy and Upper Silesia in Poland). The article begins with an outline of the development of the idea of European citizenship and a review of some contemporary theoretical debates about the spatialities of citizenship. It then considers how European citizenship might be theorized in geographical terms, before turning specifically to the relationship between European citizenship and regionality. Drawing on the case-study research, this relationship is examined through four themes: identity, political rights, social rights and civic engagement. The article concludes with a commentary on the implications of a regional perspective for the future development of European citizenship.

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Schönberger Christoph

European Citizenship as Federal Citizenship - Some Citizenship Lessons of Comparative Federalism

in *Revue européenne de droit public*, Vol. 19 No. 1 , 61 - 82

No abstract available

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Shawn Reichert M., Jungblut Bernadette M. E.

European Union External Trade Policy: Multilevel Principal-Agent Relationships

in *Policy Studies Journal*, Vol. 35, Issue 3, August , 395-418

This article examines the potential political influences on European Union (EU) external trade policymaking. Given the EU's volume of international trade and its extensive involvement in bilateral and multilateral trade arrangements, a better understanding of how the EU makes external trade policy is increasingly important. It is an extremely complex process—involving the EU public, the 25 member states' parliaments and governments, and the institutions of the EU, including the Council of Ministers, the European Parliament, and the European Commission. It is a system of multilevel governance with overlapping jurisdictions with numerous potential access points for societal interests to influence European external trade policy. In this article, we evaluate the probable political channels that societal interests could use to influence EU external trade policy. We employ the principal-agent (P-A) framework to examine five of the more important P-A relationships that are likely to influence EU external trade policymaking. We conclude that EU policymaking as it pertains to external trade is quite insulated from general public pressures. The primary institutions involved in external trade policymaking are the EU Council of Ministers and the Commission—both of which are largely



insulated from the public. Future empirical work should focus on this relationship between the Council of Ministers and the Commission.

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Etzold Tobias

European Union and the Making of a Wider Northern Europe
in *European Foreign Affairs Review*, Volume 13, Issue 1 , 139-141

No abstract available

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Moreno Luis

Europeanization, Territorial Subsidiarity and Welfare Reform
in *Regional and Federal Studies*, Volume 17, Issue 4 , 487 - 497

Europeanization can be regarded as a process that finds expression in the gradual redefinition of state sovereignty and the development of supranational common institutions (e.g. Agreement of Schengen, Court of Justice, Euro currency). In parallel, territorial subsidiarity seeks to provide for a greater sub-state say in areas of social policy making, often linked to cultural or identity considerations. This article deals with welfare development in the European social model in contemporary times. While a paradigm shift in macro-economic policies has allowed for monetary centralization and a growing matching of EU internal 'open' markets, the quest for the decentralization of welfare programmes has also aimed at meeting demands for policy innovation and a more effective management. Allegedly, welfare provision by sub-state diversity may affect collective solidarity and redistribution. The emergence of new social risks and the role played by the mesogovernments in welfare reform in Europe are also subject to analysis and discussion in this article.

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Theil Stefan

Europe's Philosophy of Failure
in *Foreign Policy*, Issue 164, January / February

Europe's Philosophy of Failure

By Stefan Theil Page 1 of 1



January/February 2008

In France and Germany, students are being forced to undergo a dangerous indoctrination. Taught that economic principles such as capitalism, free markets, and entrepreneurship are savage, unhealthy, and immoral, these children are raised on a diet of prejudice and bias. Rooting it out may determine whether Europe's economies prosper or continue to be left behind.

http://www.foreignpolicy.com/story/cms.php?story_id=4095

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Gross Eva

Europäisierung oder Renationalisierung: Nationalstaatliche Positionen in der Europäischen Sicherheits- und Verteidigungspolitik (ESVP)

in *European Foreign Affairs Review*, Volume 13, Issue 1, 144-145

No abstract available

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Goudappel Flora

From National Citizenship to European Union Citizenship - The Re-invention of Citizenship?

in *Revue européenne de droit public*, Vol. 19 No. 1, 21 - 44

No abstract available

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Tsakatika Myrto

Governance vs. politics: the European Union's constitutive 'democratic deficit'

in *Journal of European Public Policy*, Volume 14, Issue 6, September 2007

Governance practices fail key democratic tests coming from interest aggregation, deliberative and agonistic theories of democracy. It is argued that the European Union is best described as a complex web of governance practices and, therefore, that its 'democratic deficit' is constitutive. In contrast to what is often thought, it is not by strengthening 'good governance' practices but by treading parallel paths of constitutionalization and politicization that the European Union could eventually close the democratic gap.

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Les Etats-Unis et l'unification monétaire de l'Europe: bilan d'ensemble et perspectives de recherche, 1968-1998

Grygowski Dimitri

in *Journal of European Integration History*, n. 1, vol. 13, 111-132

ABSTRACT: Le présent article analyse l'évolution de la politique américaine vis-à-vis de l'intégration européenne à partir de l'exemple du projet d'Union monétaire européenne. Cette contribution souligne le rôle joué par les Etats-Unis à l'égard du développement d'une politique commune dans le domaine monétaire. La première partie s'intéresse aux facteurs qui permettent d'expliquer la faiblesse de la coopération monétaire européenne dans les années soixante, se focalisant notamment sur les facteurs extra-européens. L'analyse débouche sur un premier constat: l'allégeance de la RFA à la politique monétaire des Etats-Unis constituait l'un des ressorts des relations politiques et de défense germano-américaine. Les Etats-Unis firent preuve d'ambivalence dès les débuts de l'intégration monétaire européenne. Erigée en priorité de l'agenda européen après les actions d'émancipation américaine de l'ordre de Bretton Woods, l'UEM se distingue ensuite par une lente progression. L'étude montre que Washington a perçu les objectifs européens essentiellement à travers le prisme de leurs conséquences sur la réforme du système monétaire international. Ainsi, les négociations menant au système monétaire européen (SME) plongent l'administration américaine dans l'embarras, cette dernière prenant parfois le risque, via, le Département du Trésor de faire capoter le projet européen. Finalement, l'étude des réactions face à l'euro introduit à une autre variation de la politique américaine. Réagissant avec indifférence, l'Amérique s'efforce de s'adapter aux nouveaux équilibres du système monétaire international afin que ses milieux d'affaires puissent en tirer le plus grand bénéfice.

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From a supranational air authority to the founding of the European Civil Aviation Conference (ECAC)

Henrich-Franke Christian

in *Journal of European Integration History*, n. 1, vol. 13, 69-90

ABSTRACT: The paper deals with a rather unknown aspect of European integration, the attempts at integrating the civil aviation sector in the early 1950s. The aim is to explain why the ambitious proposals to create a supranational European air authority in 1951 was completely altered after four years of discussion. With the adoption of a resolution constituting the European Civil Aviation Conference (ECAC) an isolated organisation without any competence took up its work to discuss administrative and technical aspects of European civil aviation. This outcome was caused by a coincidence of a variety of factors ranging from negative interactions with the overall (political and economic) integration process in Europe to national politicians regarding airline companies as national symbols which called for protections.

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Walsh James Igoe

How and why Britain might join the single currency: The role of policy failure

in *Review of International Political Economy*, Volume 14 Issue 5 2007

Why has Britain declined to adopt the single currency? The conventional view holds that there are multiple political and economic barriers to British entry into monetary union-large fractions of public opinion, business leaders, and the



Conservative party oppose entry; Britain's economic cycle is not synchronized with that of the euro-zone; adoption of the single currency would harm foreign trade and investment; British political institutions make it difficult to muster support for such a move, and so on. I argue that policy failure is a more important influence on British economic policy. Major changes occur when extant policy fails and there exists an alternative policy idea that both explains this failure persuasively and prescribes a new and more effective way forward. A British government might advocate euro membership if the current framework for policy in Britain - central bank independence with a floating exchange rate - fails, and policies pursued by the European Central Bank address the source of this failure. This combination would also lead many politicians, business leaders, and voters to see the advantages of euro membership.

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Bonfreschi Lucia, Vodovar Christine

Il ritorno al potere di de Gaulle e i trattati di Roma

in **Ventunesimo Secolo. Rivista di Studi sulle Transizioni**, Anno VI, n. 14, "A 50 anni dai Trattati di Roma", ottobre

No abstract available

Section C) Regional integration processes

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Tramontana Antonino

Il ruolo della Germania nel processo di integrazione europea

in **Comunità Internazionale (La)**, n. 4, vol. LXII, quarto trimestre

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Section C) Regional integration processes

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Cagiati Andrea

Il significato e le prospettive del Consiglio europeo

in **Affari Esteri**, Anno XXXIX, n. 156, 837-842

No abstract available

Section C) Regional integration processes

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Komarek Jan

In the courts(s) we trust? On the need for hierarchy and differentiation in the preliminary ruling procedure

in **European Law Review**, n. 4, vol. 32, august, 467-491

ABSTRACT: The article advocates limiting the power of lower courts to make preliminary references. It shows that many arguments against such an approach are not sufficiently thought out and are used rather mechanically. The proposal



sees national judicial hierarchy as an important element of the Union judicial process, which can make the preliminary ruling procedure rational and effective while keeping its original purpose. At the same time it suggests some measures that strike the balance between judicial protection of individuals and effectiveness. The key idea behind the proposal is the need for more trust in national courts if they are to be truly considered as Union courts.

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Edwards Geoffrey, Meyer Christoph O.

Introduction: Charting a Contested Transformation

in *Journal of Common Market Studies*, Volume 46 Issue 1, January 2008

The governance of the European Union has been changed through its responses to international terrorism. The analysis of those changes is grounded in an examination of the different perceptions of the phenomenon in academic and political debate. This introductory article traces the most relevant changes across competences, policies and governing modes and highlights dynamics applicable to other areas of EU activity: cross-pillarization, the growth of horizontal governing networks, co-operation outside the treaty framework and the impact of third countries on EU policy-making. The article puts forward a three-pronged constructivist framework to understand better the main dynamics and factors underpinning the various forms of change, in particular why the emphasis has been on co-ordination and information-sharing rather than on supranational integration. Performance issues are then critically assessed, both in terms of whether the new measures, competences, instruments and resources are likely to be effective as well as with regard to the intended and unintended harmful effects for the civil and democratic rights of EU and third-country citizens.

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Trondal Jarle

Is the European Commission a 'Hothouse' for Supranationalism? Exploring Actor-Level Supranationalism

in *Journal of Common Market Studies*, Vol. 45, Issue 5, December 2007

The article explores actor-level supranationalism among seconded national experts (SNEs) in the European Commission. The transformative clout of the European Commission is assessed by the extent to which SNEs adopt a supranational role perception. The survey and interview data presented demonstrates that SNEs evoke multiple roles, notably departmental, epistemic and supranational roles. OLS regression analyses reveal that actor-level supranationalism among SNEs reflect (i) processes of re-socialization inside the Commission, (ii) the organizational composition of the Commission and (iii) organizational incompatibilities between the Commission and domestic government institutions.

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Lopez Aguilar J.F.

Justicia y construcción europea

in *Teoría y realidad constitucional*, n. 19 , 255 - 268



No abstract available

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Uyarra Elvira

Key dilemmas of regional innovation policies

in *Innovation: The European Journal of Social Science Research*, Volume 20, Number 3 / September , 243-261

This article is a critical discussion of theoretical and policy issues related to regional development and innovation policy. It draws on the 'new regionalist' perspective to examine regions from a strategic perspective and, in particular, the role of knowledge and learning, competitiveness and institutional capacity-building. The article's main argument is that these present day uses of these concepts are based on assumptions that are often overstated, and that in some cases claims have been made that are not sufficiently grounded in empirical evidence.

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Chenu Georges-Marie, Garapon Antoine, Hassner Pierre, Hubrecht Joël, Kullashi Muhamedin (Pour le Comité Kosovo)

Kosovo : un défi européen

in *Esprit*, n. 341, janvier 2008 , 162-166

Kosovo : un défi européen

COMITE KOSOVO

Journal

Pour le Comité Kosovo : Georges-Marie Chenu, Antoine Garapon, Pierre Hassner, Joël Hubrecht, Muhamedin Kullashi, Olivier Mongin

Les deux tours de négociations, qui ont duré vingt mois, entre les dirigeants politiques du Kosovo et ceux de la Serbie n'ont pas fait changer leurs positions initiales. La Serbie refuse d'aller au-delà d'une autonomie « essentielle » (elle la qualifiait précédemment de « substantielle ») placée dans le cadre de la souveraineté de la Serbie (avec la possibilité d'ouvrir de nouvelles négociations dans vingt ans). Les Albanais du Kosovo n'envisagent rien en deçà d'une indépendance « surveillée » ou « encadrée » qui s'inscrirait dans la perspective de l'intégration dans l'Union européenne. Celle-ci est donc désormais sommée de trancher, sauf à s'enfermer dans l'illusion de prolonger un statu quo qui n'est plus tenable, ou dans l'irresponsabilité, en laissant les États-Unis et la Russie décider à sa place du devenir d'une région située en son cœur. Le moment est historique et les décisions qui seront prises engageront non seulement l'avenir des Balkans mais aussi celui de l'Union européenne (même si la reconnaissance d'un nouvel État indépendant n'est pas du ressort de l'Union européenne en tant que tel mais de ses États membres).

En tant que membres d'un Comité qui s'était engagé par réaction aux violations des droits de l'homme commises dans les années 1990 sous le régime de Milosevic mais qui n'a jamais douté que la solution était d'ordre politique, nous sommes convaincus que l'indépendance du Kosovo doit être reconnue et encadrée (nous soutenions depuis longtemps l'idée d'une « indépendance conditionnelle » à laquelle la diplomatie internationale finit par se ranger). Elle nécessitera de la part de l'Union européenne un engagement important, nécessitant l'élaboration d'un nouveau processus d'intégration pour l'ensemble de la région¹. Autant dire qu'il faudra faire preuve d'une détermination tranchant avec les divisions et les attermolements désastreux du passé. Le traitement de la question du Kosovo constituera pour l'Europe un test, signalant son ambition et, en cas de succès, rehaussant sa crédibilité internationale.



Nous demandons donc à nos représentants, ainsi qu'aux responsables des autres pays de l'Union européenne :

1. De reconnaître l'indépendance du Kosovo

La Serbie, soutenue par la Russie, mais aussi par la Chine et l'Inde, dénonce une atteinte à sa souveraineté, au droit international, à la résolution 1244 et à son patrimoine historique. Contre ces arguments, les Albanais du Kosovo font valoir que, constamment soumis à une autorité étrangère, ottomane durant 525 ans et serbe pendant 87 années, ils ont subi l'autorité de Belgrade comme « un continuum de violences », sauf pendant « la décennie heureuse » de 1970 à 1980 durant laquelle le Kosovo a été une quasi-république et a donné à la RSFY un président fédéral albanais de mai 1986 à mai 1987. Son territoire était défini par la Constitution et jouissait de tous les organes et prérogatives dont étaient dotées les républiques (excepté celui, il est vrai, de sécession). Ce statut juridique constitutionnel, qui assurait un niveau très élevé d'autonomie, n'a pas empêché la Serbie d'exercer des cycles de terreurs et de supprimer l'autonomie du Kosovo, même si la Constitution de 1974 ne prévoyait pas une telle possibilité. Ce sont justement ces pratiques qui ont rendu irréalistes les prétentions souverainistes serbes. Le devoir prioritaire d'un État est de protéger ses nationaux : en discriminant les Albanais, en détruisant leurs lieux de culte, en les expulsant par une campagne de nettoyage ethnique féroce, Belgrade a perdu cette légitimité qu'elle revendique sur le Kosovo. La communauté albanaise, qui représente aujourd'hui plus de 90 % de la population du Kosovo, aspire unanimement à l'indépendance. Dans le communiqué de janvier 2005 (Londres), réaffirmé en 2007, les pays du Groupe de Contact (France, Grande-Bretagne, Allemagne, États-Unis et Russie) retenaient parmi les critères pertinents pour le futur statut du Kosovo « la volonté politique de la majorité de population ». Si la résolution 1244, sous laquelle le Kosovo est administré par l'ONU depuis 1999, ne réfute pas explicitement la souveraineté de la Serbie sur le Kosovo, elle la suspend et la soumet à révision. Tous ces éléments contredisent l'argumentaire des autorités serbes et font du Kosovo un cas particulier ne pouvant être confondu, sinon par erreur ou mensongèrement, avec d'autres revendications indépendantistes ou sécessionnistes dans le reste du monde et dans la région.

Mais aucun de ces éléments juridico-historiques n'est en soi décisif. Il y aura bien dans la reconnaissance de l'indépendance du Kosovo, un acte sans précédent, une décision de nature politique, à assumer en tant que tel, liée à ce qui s'est passé mais aussi, et surtout, à l'avenir de cette région. Les menaces existent de toute part, quelle que soit la solution adoptée. Ce qui est sûr, c'est que si le Kosovo est laissé dans les limbes ou retourne sous la tutelle de Belgrade, il replongera dans le chaos. La reconnaissance de l'indépendance comporte elle aussi des risques de retour à la violence. Mais ils seront plus faciles à contenir, notamment parce que le processus envisagé par le plan Ahtisaari, rejeté à ce jour par Belgrade, offre des assurances et une dynamique positive où la Serbie elle aussi a tout à gagner.

2. De revenir aux principes du plan Ahtisaari

L'« indépendance surveillée » préconisée par le plan Ahtisaari reste le projet le plus construit : elle détermine une constitution, des institutions, le statut de la minorité serbe et des autres minorités, les conditions pour les symboles nationaux communs, la période de transition, etc. Parmi les principaux éléments de la décentralisation, on retiendra : plusieurs dispositions relatives à la création d'associations de municipalités et à la coopération transfrontière avec les institutions de Serbie ; la création de six municipalités à majorité serbe du Kosovo qui sont soit entièrement nouvelles, soit considérablement élargies. Le représentant civil international, également représentant spécial de l'Union européenne, qui sera nommé par un Groupe de pilotage international, sera l'organe suprême de contrôle. Il sera investi de substantiels pouvoirs de rectification pour faciliter l'application du règlement. Il aura notamment compétence pour abroger des décisions ou des lois adoptées par les autorités du Kosovo et pour sanctionner et révoquer des agents publics.



L'Union européenne a officiellement soutenu le plan Ahtisaari devant l'ONU. L'ont défendu également le secrétaire général de l'ONU, les pays membres de l'OTAN et divers autres pays. En l'absence – prévisible – de résultats du second tour de négociations, le plan Ahtisaari redevient la référence incontournable, la seule véritable solution de compromis répondant aux aspirations de la majorité de la population tout en prévoyant les mécanismes de protections et les garanties pour la minorité serbe (et les autres minorités). La raison voudrait qu'il soit donc remis à l'ordre du jour et adopté par le Conseil de sécurité. Hélas, du fait de la menace de veto russe, il est peu probable que le plan Ahtisaari soit retenu officiellement, ouvrant sur une période d'incertitude. Selon nous, l'Union européenne devrait néanmoins se proclamer en faveur de la reconnaissance de l'indépendance du Kosovo dans le cadre délimité par ce plan.

3. De se préparer à affronter trois défis majeurs

Le premier défi tient à la crainte d'une crise ouverte au sein de l'Union européenne. Elle devrait pouvoir être évitée. Seule une petite minorité de pays de l'Union européenne semble encore à ce jour décidée à faire obstruction. Même si les réticences sont sans doute plus marquées que celles affichées aujourd'hui, il faudra tenir et s'engager avec détermination dans la durée. Revenir au plan Ahtisaari permettra de ne pas rouvrir les divisions et de s'en tenir à un compromis longuement négocié et largement accepté au sein des pays de l'Union européenne. L'Union européenne autant que le Kosovo a besoin d'une « feuille de route » claire.

Le deuxième défi réside dans la perspective, plus probable que la précédente, d'une crise internationale. Avec la Russie d'abord. Les relations avec le président Poutine se sont dégradées et Moscou cherche à alimenter et à tirer profit d'un foyer de crise pour pousser les États-Unis et l'Union européenne à la faute. Une crise avec la Serbie est également inévitable. Son ampleur et sa durée dépendront en partie du résultat des élections présidentielles en janvier-février prochain. Mais, si la réaction ne sera pas la même si le président Boris Tadic est reconduit ou si le leader ultra-nationaliste Tomislav Nikolic arrive au pouvoir, rien ne sert d'alimenter encore les illusions, les nôtres autant que celles de l'électorat serbe, sur un futur compromis négocié autre que celui dessiné par le plan Ahtisaari. Inutile donc de masquer ses intentions. Au contraire, en suspendant la politique européenne au résultat du scrutin, c'est une prime au vote le plus radical que l'on risque de donner.

Le troisième défi sera de surmonter une crise régionale dans le cas d'une proclamation de sécession par les municipalités à majorité serbe du nord du Kosovo. À un processus qui ne fera finalement que reconnaître une réalité déjà établie de facto sous le protectorat onusien (l'indépendance de la plus grande partie du Kosovo vis-à-vis de Belgrade) répondra l'imposition d'une autre réalité du terrain (la dépendance des zones nord vis-à-vis du régime serbe et leur refus de s'intégrer au processus mis en place par l'ONU). Cela placera les autres territoires à majorité serbe, enclavés à l'intérieur du Kosovo, dans une situation périlleuse. Une éventualité négative serait un départ en masse, spontané ou commandé de Belgrade, des Serbes du Kosovo. D'un côté, la KFor devra garder le contrôle de la situation à Mitrovica et être en mesure d'assurer la sécurité des personnes sans avoir à procéder à des évacuations. De l'autre, les pays de l'Union européenne devront batailler sur un plan plus politique en prenant le relais de l'ONU et en assurant la mise en œuvre du plan Ahtisaari, qui assure une protection maximale aux minorités et aux lieux de culte, et ce, en dépit des oppositions des responsables serbes qui en compliqueront la réalisation.

Toutes ces épreuves à venir sont peu réjouissantes. Mais aucune n'est insurmontable. Surtout, à côté de ces périls, de nouvelles opportunités, elles, indispensables et bien plus prometteuses, pourront enfin être ouvertes. En renouvelant le soutien aux principes du plan Ahtisaari, les États membres de l'Union européenne contribueraient à la prise de décision sur le statut, reportée depuis 1999. Par cette clarification, le Kosovo pourra se tourner vers son avenir (de même d'ailleurs que la Serbie) et affronter les graves problèmes économiques et sociaux qui le minent. L'accès aux institutions



financières internationales lui sera enfin ouvert. En reconnaissant l'indépendance du Kosovo et en aidant activement et scrupuleusement la Serbie et le Kosovo à se préparer à l'intégration dans l'Union européenne, les responsables de l'Union européenne donneront une crédibilité et un contenu fort à leur politique étrangère et créeront les conditions de la stabilité dans une région du continent durement éprouvée. Chacun est donc appelé à prendre sa part de responsabilité sauf à miser sur le chaos, l'isolement et la perpétuation des protectorats.

14 décembre 2007

1. Voir à ce sujet Jacques Rupnik (sous la dir. de), *les Banlieues de l'Europe. Les politiques de voisinage de l'Union européenne*, Paris, Presses de Sciences-Po, 2007.

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Vobruba Georg

Kritik der Europakritik. Die intellektuelle Perspektive auf die europäische Integration

in *Osteuropa*, Heft 7, 57. Jahrgang, Juli

ABSTRACT: Die europäische Integration bestimmt den Alltag der Europäer. Doch intellektuelle Kritik an ihr gibt es kaum, denn alle einfachen Perspektiven sind schon besetzt. Preisen Intellektuelle die EU für Frieden und Wohlstand, verschmelzen sie mit den europäischen Eliten. Üben sie Kritik an konkreten Formen und Folgen der EU-Politik, laufen sie Gefahr, zwischen dem Unbehagen der Menschen und dessen populistischer Ausbeutung zu verschwinden. Eine intellektuelle Kritik, die im Stile der Kritischen Theorie von der Gesellschaft enthoben ist, verfängt sich gerade deswegen in der Position anderer Akteure. Nur eine Soziologie der Kritik, die gesellschaftliche Ängste in formale Gestaltungsideen überträgt, kann Grundlage für eine eigene intellektuelle Perspektive sein.

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Fagiolo Silvio

L'Europa di Adenauer

in *Ventunesimo Secolo. Rivista di Studi sulle Transizioni*, Anno VI, n. 14, "A 50 anni dai Trattati di Roma", ottobre

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Section C) Regional integration processes

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Ferraris Luigi Vittorio

L'Europa si occupi di politica non di istituzioni

in *Affari Esteri*, Anno XXXIX, n. 156, 826-836



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Subsection 6. The European unification process

Napolitano Giorgio

L'Italia, la Francia e la Germania. Più coraggio per l'Europa

in *Affari Esteri*, Anno XXXIX, n. 156 , 719-722

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Section C) Regional integration processes

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Pepe Anna Maria

L'Unione Europea. Sovranità e statualità

in *Quaderni di Scienza Politica*, n. 2, anno XIV, agosto , 308-329

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Section C) Regional integration processes

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Panebianco Mario

L'Unione europea post costituzionale: verso il reform treaty

in *Diritto comunitario e degli scambi internazionali*, n. 3 , 601-620

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Section C) Regional integration processes

Subsection 6. The European unification process

Colaiani Nicola

L'influenza della 'Costituzione europea' sul diritto (statale) di libertà di religione

in *Studi sull'integrazione europea*, Anno II, n. 2 , 315-334

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Section C) Regional integration processes

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Seatzu Francesco

La Carta dei diritti fondamentali: un nuovo parametro di legittimità degli atti comunitari?

in *Studi sull'integrazione europea*, Anno II, n. 2 , 377-388



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Section C) Regional integration processes

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Lagos Erazo Jaime

La ampliación de la unión europea

in *Estudios internacionales* : revista del Instituto de Estudios Internacionales de la Universidad de Chile, Vol. 40 / 2007 / Nr. 158

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Section C) Regional integration processes

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Sánchez Legido Angel

La euro-orden, el principio de doble incriminacion y la garantía de los derechos fundamentales

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

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Section C) Regional integration processes

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Cavallaro Maria Elena

La nascita dell'Unione europea occidentale: una parentesi o un passo in avanti nel processo di costruzione europea?

in *Ventunesimo Secolo. Rivista di Studi sulle Transizioni*, Anno VI, n. 14, "A 50 anni dai Trattati di Roma", ottobre

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Section C) Regional integration processes

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Nanclares José Martín y Pérez de

La nueva Conferencia Intergubernamental: hacia un tratado simplificado muy complicado

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

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Calamia Pietro

La nuova fase della politica europea



in **Affari Esteri**, Anno XXXIX, n. 156 , 843-848

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Georgopoulos, Théodore

La residence europeenne - Reflexions autour de l'emergence d'un concept nouveau

in **Revue européenne de droit public**, Vol. 19 No. 1 , 383 - 396

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Armanno Marco

La sussidiarietà nel secondo pilastro UE

in **Quaderni Costituzionali**, numero : 2, giugno , 413-415

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Bieler Andreas

Labour and the Struggle over the Future European Model of Capitalism: British and Swedish Trade Unions and their Positions on EMU and European Co-operation

in **British Journal of Politics & International Relations** , Vol. 10, Issue 1, February , 84-104

Based on a critical International Political Economy (IPE) perspective including a strategic-relational approach to the state, this article analyses Swedish and British trade unions' position on Economic and Monetary Union (EMU) and European co-operation. Importantly, unions in both countries support EMU membership, but transnational British labour is much more in favour of co-operation at the regional level than Swedish transnational labour. While the latter still enjoys good access to policy-making within the Swedish form of state, the former is rather marginalised in Britain and looks to the European Union as an alternative arena for influence. It is further shown that on the one hand British unions continue to reject neo-liberalism. On the other, some transnational sector unions in Sweden have, however, started to accept core neo-liberal concepts.

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Bendjaballah Selma



Le Parlement européen : Etude selon les critères de la chambre des représentants américaine.
in *Politique européenne* , n. 22

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Section C) Regional integration processes

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Quermonne Jean-Louis

Le Traité réformateur européen dans le "temps long"

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, numero 512,
octobre-novembre , 549-552

The article intends to position the European Reforming Treaty in the line of previous texts passed since the Schuman Declaration of May 9, 1950 and in the prospect of a European Union extended to the limits of the continent. To that end, rather than conducting a comparative study, article by article, it attempts to provide three series of observations aimed at focusing on three strategic aspects of the "institutional moment" offered by the Intergovernmental Conference. These three aspects pertain to the provisions of the Constitutional Treaty signed on October 29, 2007 in Rome, by the Heads of State and government of the Member Countries that were relinquished, the red line principle marking the singularity of the European Union, both in relationship to international bodies and in relationship to Federal States, and the difficult problem of the ratification of the Reforming Treaty, in a set where it is likely that the existing political context in one or more Member Countries may complicate the ratification. From these three successive observations result a conclusion that should lead to strengthen the belief that the European Union results from an unprecedented historical process which cannot be defined against traditional public law and political science criteria and cannot, before long, be written in the marble of a constitution.

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Cannizzaro E.

Le relazioni esterne della Comunità: verso un nuovo paradigma unitario?

in *Diritto dell'Unione europea*, Anno: 2007 – Fascicolo: 2 , pag. 223

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Section C) Regional integration processes

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Ponzano Paolo

Le traité de Lisbonne: l'Europe sort de sa crise institutionnelle

in *Revue du droit de l'Union Européenne*, n. 3 , 569-584

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Sadeh Tal; Jones Erik; Verdun Amy

Legitimacy and efficiency: Revitalizing EMU ahead of enlargement

in *Review of International Political Economy*, Volume 14 Issue 5 2007

Eight years after the launch of its third stage, and on the brink of its expansion, the European Union's (EU) Economic and Monetary Union (EMU) has proven to be successful. However, EMU has also highlighted the diversity of its members economic performance, and their need to run larger public deficits than they initially committed to. This special issue attempts to find out what can be done to relieve the tensions in EMU. The source of EMU's difficulty seems to lie in its weak legitimacy, ambiguous governance, and asymmetric institutional design. The EU needs to improve its fiscal rules and streamline decision making in the European Central Bank without eroding legitimacy

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Grygowski Dimitri

Les Etats-Unis et l'unification monétaire de l'Europe: bilan d'ensemble et perspectives de recherche, 1968-1998

in *Journal of European Integration History*, n. 1, vol. 13, 111-132

ABSTRACT: Le présent article analyse l'évolution de la politique américaine vis-à-vis de l'intégration européenne à partir de l'exemple du projet d'Union monétaire européenne. Cette contribution souligne le rôle joué par les Etats-Unis à l'égard du développement d'une politique commune dans le domaine monétaire. La première partie s'intéresse aux facteurs qui permettent d'expliquer la faiblesse de la coopération monétaire européenne dans les années soixante, se focalisant notamment sur les facteurs extra-européens. L'analyse débouche sur un premier constat: l'allégeance de la RFA à la politique monétaire des Etats-Unis constituait l'un des ressorts des relations politiques et de défense germano-américaine. Les Etats-Unis firent preuve d'ambivalence dès les débuts de l'intégration monétaire européenne. Erigée en priorité de l'agenda européen après les actions d'émancipation américaine de l'ordre de Bretton Woods, l'UEM se distingue ensuite par une lente progression. L'étude montre que Washington a perçu les objectifs européens essentiellement à travers le prisme de leurs conséquences sur la réforme du système monétaire international. Ainsi, les négociations menant au système monétaire européen (SME) plongent l'administration américaine dans l'embarras, cette dernière prenant parfois le risque, via, le Département du Trésor de faire capoter le projet européen. Finalement, l'étude des réactions face à l'euro introduit à une autre variation de la politique américaine. Réagissant avec indifférence, l'Amérique s'efforce de s'adapter aux nouveaux équilibres du système monétaire international afin que ses milieux d'affaires puissent en tirer le plus grand bénéfice.

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Nieto Solis J.A.

Logros del proceso de integración europea

in *Cuadernos europeos de Deusto*, n. 37, 93-110

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Alvarez Rubio J.J.

Los costes de la no Europa: realizaciones concretas y retos presentes del proyecto europeo
in *Cuadernos europeos de Deusto*, n. 37 , 23 - 48

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Berdah J.F.

Los orígenes de la construcción europea. De la idea europea a la Europa unida
in *Cuadernos europeos de Deusto*, n. 37 , 49 - 71

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Cangelosi Rocco

L'Europa allargata e la difesa degli equilibri del Trattato costituzionale
in *Comunità Internazionale (La)*, n. 3, vol. LXII, terzo trimestre

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de Maillard Jacques, Smith Andy

L'Union européenne et la sécurité intérieure : Une institutionnalisation en quête de légitimité
in *Politique européenne* , n. 23

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Mégie Antoine

L'institutionnalisation d'un pouvoir judiciaire européen incertain en quête de légitimité : l'unité de coopération Eurojust
in *Politique européenne* , n. 23



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Franck Christian

L'émergence d'un acteur global : expansion géographique et renforcement institutionnel de l'action extérieure de l'Union européenne.

in *Politique européenne* , n. 22

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Meunier Sophie

Managing Globalization? The EU in International Trade Negotiations

in *Journal of Common Market Studies*, Vol. 45, Issue 4, November 2007

Through a study of the evolution of the concept of 'managed globalization' in trade, an idea conceptualized by EU Trade Commissioner Pascal Lamy in 1999 and replaced by the new policy of 'Global Europe' in 2006, this article analyses whether the Commission has had an autonomous impact on the EU position in international trade negotiations, especially in the Doha Round of the WTO. Such autonomy appears wider at first glance than it actually is, since it is hard to find evidence that the doctrinal shift occurred against Member State preferences. In the end, the true (but limited) autonomy of the Commission comes from its entrepreneurial ability to repackage Member State preferences into a consensual doctrine.

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Arregui Javier

Modelos de negociación en el proceso legislativo de la Unión Europea.

in *Revista española de ciencia política*, n. 17 , 83-111

Este artículo analiza el tipo de mecanismos que estructuran los procesos de negociación y de toma de decisiones de la Unión Europea (UE). Para ello presentamos tres modelos de negociación que representan mecanismos explicativos distintos. Estos modelos son confrontados con datos empíricos sobre los procesos de negociación y de toma de decisiones. La base de datos utilizada incluye el análisis de 28 propuestas legislativas de la Comisión relacionadas con el proceso de negociación y 66 propuestas legislativas relacionadas con el proceso de toma de decisiones. El análisis muestra que tanto el proceso de negociación como el proceso de toma de decisiones se estructuran principalmente en términos de compromisos e intercambios políticos entre actores.

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Schreurs Miranda A., -Tiberghien Yves

Multi-Level Reinforcement: Explaining European Union Leadership in Climate Change Mitigation in Global Environmental Politics, Volume 7, Number 4, November , 19-46

The European Union has played a leading role in pushing for the establishment, ratification, and meaningful implementation of the Kyoto Protocol to the United Nations Framework Convention on Climate Change, although it still has significant efforts to make to achieve its target of an 8 percent cut of greenhouse gas by 2008–2012 relative to the 1990 level. This article explores the political factors behind continued EU leadership in climate change. It argues that a few individual states (including Sweden, the Netherlands, Denmark, Germany, and the UK) played an essential role in establishing the EU's agenda in this domain. However, the decentralized governance structure of the EU has also encouraged a process of mutual reinforcement, whereby individual states, the European Commission, and the European Parliament are competing for leadership.

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Robert Thomson

National Actors in International Organizations: The Case of the European Commission in Comparative Political Studies , Vol. 41, n. 2 , 169-192

This article examines the conditions under which the policy positions of an international organization correspond to the positions of relevant national actors. The commission of the European Union (EU) is often portrayed as an autonomous supranational actor, insulated from national interests. Recent analyses question this view, arguing that the commission is an agent in a principal—agent relationship with member states. The author formulates hypotheses on the conditions under which commissioners' nationalities affect the relative level of agreement between the commission and different member states' positions. The hypotheses are tested with more than 2,000 observations relating to 70 controversial proposals for legislation introduced by the commission from 1996 to 2000. In line with one of the hypotheses, under qualified majority voting in the council, there is relatively high agreement between the commission's positions and the positions of the home member states of the commissioners primarily responsible for drafting the legislative proposals.

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Jensen Anne, Richardson Tim

New Region, New Story: Imagining Mobile Subjects in Transnational Space in Space and Polity, Volume 11, Number 2 / August , 137-150

This paper investigates the changing relations between citizens and Europe's internal borders by seeing these relations as objects of governmentality of mobilities. It focuses on the particular discursive space of one transnational 'corridor in the making', studying how, through practices of visioning and strategy-making, governmental actors make new transnational governmental territories by breathing life into the imagined mobile subjects of these future territories. These mobile subjects play a central part in the politics of emergent transnational governmentalities and in legitimising potential border-crossing infrastructures. In a case study of the COINCO project (Corridor of Innovation and Co-operation), linking Oslo, Gothenburg, Copenhagen, Malmö and Berlin, it is shown how deconstructing imagined



mobile subjects reveals the will to power over mobility and sheds light on how governmental practices are remaking European borders.

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Björkdahl Annika

Norm advocacy: a small state strategy to influence the EU

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

In June 2001 the European Council adopted the EU Programme for the Prevention of Violent Conflict. The story of how conflict prevention became an integral and legitimate part of EU policy and practice illustrates the influence of powerful ideas and successful norm advocacy of a small state managing to punch above its weight in the EU. The aim of this article is to analyse norm advocacy as a potent addition to traditional strategies of gaining influence in the Union. By tracing the process of Swedish promotion of conflict prevention the article explores norm advocacy strategies, such as framing, agenda-setting, diplomatic tactics and the power of the Presidency. The EU institutional setting also provides ample opportunities for a small state to exert normative power, and in areas where great powers are generally regarded as dominant, such as the CFSP and the ESDP.

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della Cananea, Giacinto

On Citizenship in the European Union

in *Revue européenne de droit public*, Vol. 19 No. 1 , 397 - 408

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Padoa-Schioppa Tommaso

On Economy and Politics

in *Federalist Debate (The)*, Year XX, n. 3, November , 6-9

This Forum was given the title "Economy and Open Society". The expression "open society" comes from Karl Popper and I assume that the organizers of the Forum intended to place the forum discussions in the wake of his thought. A fascinating aspect of Popper's intellectual work is his idea of error. One can say that most of his thinking is founded on the positive value of error, and on the mechanisms through which error can be corrected. His theory of scientific knowledge is based on 'falsifiability': that proposition is scientific that can be demonstrated to be false. His concept of politics is founded on the same idea: democracy is the regime in which people can get rid of a bad or unwanted government in a bloodless, peaceful manner; it is not the regime which assures the best government, it is the one which provides the means for changing a government judged not good. So, in economics too Popper's idea is that the market is the most efficient and civil mechanism for correcting errors, in this case errors of economic judgment. For the three



great categories of human activity and associated life - knowledge, power and, we could say, the faculty to possess or to produce - Popper proposes the same basic idea: the construction of associated life founded on the acceptance of the fact that errors can be made, and that it would be very dangerous to try to build a society on the opposite premise, that of infallibility. This is, in my opinion, the most fascinating element in Popper's thought.

The juxtaposition of economy and politics is quite old, and refers to the relations (I make again reference to the three human activities mentioned above) between the economic and the political activity. The category of the first is wealth, the pursuit of a particular interest, that kind of miracle, as Adam Smith explained, by which if everyone is free to pursue one's particular interest within a system of rules, a surplus of collective well-being is generated: passions, if well guided, turn into virtues. Politics is the sphere of power and general interests.

The key point is then the relation between general and particular interest. This is the very concrete theme that we must face when we operate in one or the other field: economy and politics. I would pose the question in these terms: What part shall general interest play for those who operate for a particular interest, that is, in the world of enterprise?

No doubt, an entrepreneur's ethics consist first of all in doing his job properly. I remember an interesting sentence in E. Olmi's film *The profession of arms*, where the condottiere Giovanni Delle Bande Nere says, immodestly: "If I had chosen to be a priest, I would have become Pope". Meaning: my ethics is to be a good condottiere, hence my duty is to kill, fight and defeat the enemy; if I had done another job, I would have attained excellence in that one too. The entrepreneur's ethics implies the pursuit of a particular interest.

Three answers can be given to the question, i.e. which part shall general interest play for those who operate for a particular interest?

The first is: no part. I do not agree with this answer. If general interest is a matter for specialists, i.e. for those who work in that special sector that is general interest, then society is ruined. Paul Claudel once said: "La tolerance? il y a des maisons pour �a3". Some argue that there are people who are entrusted with general interest, and the others should not care. I don't think so. On the contrary, I always said and wrote that everybody has the duty to care for general interest, and in particular those who are part of the leading class, i.e. those whose actions and whose judgements have a wider range of influence than the field they operate in. In his essay on the Italian customs, the poet Leopardi tackles this issue, and calls "narrow society" what I just called the leading class: entrepreneurs, managers, judges, journalists, professors, artists, people who have reached a position of responsibility in their field. I do not believe that, for Popper, the open society is a society where 'there are houses for tolerance'.

A second possible answer is: general interest shall prevail over the particular interest in the action of an individual. I view this position as dangerous. Some tragic events of the 20th century are indeed rooted in the idea that there is a general interest, in the name of which a tyrannical regime is justified. There ensues that society, instead of being open, is choked by the oppression of a general interest that, in the end, nobody knows which it is, who chooses it, and how it is chosen.

The economists would say that those two answers are the corner solutions: no room or a systematic pre-eminence. The most convincing answer in my opinion is: the right space. I am aware that this indication is difficult to put in practice, requires to examine things case by case, and poses problems of conscience; but ultimately this is our task as citizens, and I do not believe that difficulty should be considered a disgrace. General interest is not the interest of a few who are entrusted with it, confined - like tolerance - in a dedicated house called, with a certain disdain, the Palace; it is a part of the interest in each of us, as a person, as an entrepreneur, as well as intellectual, art critic, trade union leader, teacher



and so on.

The two worlds, politics and economy, are not strangers to one other, like two solar systems whose gravitational forces have non-interfering fields. If general interest is to have the right space, the right part, and if, on the other hand, in a free economy, the particular interest must be respected by those operating in the institutions for general interest, then these two worlds must speak to each other, and must do so by being aware of their tasks and respecting their interlocutor's. They have to speak to each other, as they used to say in the old days, as willing adults, among whom nothing illegal is committed: they talk and afterwards everybody takes their responsibility; it is right, or better yet a duty, that each explains to the other, with force and determination, his reasons for the interests he is pursuing in the first place, respecting the other sphere of interests that society requires to the same degree.

I could present a few cases where the problem of a correct relationship between politics and economy, between general and particular interest, recently presented itself in concrete terms in the exercise of my function. There are big joint-stock companies, some wholly private, others wholly public, others with a mixed property, which have one element in common: for the sector they operate in, or for their size, or for other reasons, their activity and their property arrangement may, under certain circumstances, be of special significance in the light of general interest. I believe that it is not only a right, but also a duty, for the government to make up its mind about the "ifs" and "whats" of such a general interest, and eventually take it upon itself to represent it in appropriate forms.

In my present function I found myself in the situation of both defending the reasons of the companies (i.e. of economy) from the intrusion of politics, and having to protect the reasons of politics (i.e. of general interest) from the intrusion of economy: two gravitational systems whose force fields have some points in common.

I would like to stress a key point, to which I have not heard any reference made in recent debates. In its fundamental aspects, the question of a correct relationship between politics and economy in the occurrences of big companies presents itself in very similar terms whatever the property arrangement of a company. Obviously, when the State is the controlling shareholder, the Government has instruments that it does not have when the control is in private hands. But in both cases the State must operate in the interest of the enterprise as such. In my opinion it would not act with fairness if it impoverished the company in the name of the public good, or if, on the contrary, it artificially kept a losing company alive, by providing it with resources taken away from the taxpayers. In any case, this practice is forbidden by the rules of the Treaty of Rome.

Finally, speaking of general interest, the problem gets even more complex if we ask ourselves what the meaning of that adjective is. Depending on the matter one is dealing with, and the public responsibility one is vested with, that adjective may in fact be referred to a City, a Region, the State, the European Union, the world (think of the WTO). Each of these domains is the place of interests that can rightly be called general. The general interest, then, is in turn a mix of different general interests; and often the same interest is 'general' if seen from below and 'particular' if seen from above. The elements of that mix are not ordered nor coordinated with each other, except in a clearly federal order that does not exist today on the Italian scale, nor on the European, nor, even less so, on the planetary level.

One could think that, while general interest is a mix hard to grasp, particular interest is easy to define, as it applies to a single, unitary, well-delimited subject, like an individual or a company. This too is perhaps an illusion, because an individual is part of a family, a company has many shareholders and stakeholders. Moreover, a particular subject operates in an imperfect world, where other subjects exist and interact with him. Democracy (in the case of politics) and the market (in the case of economy) do not organize human collective life so perfectly as to assure that their rules can



solve any doubt on "what to do", and prevent any mistake. On the contrary, according to Popper, they are regimes founded precisely on the premise that error is, as I said in the beginning, in the very nature of human action, and thus requires methods for correcting it, not for eradicating it.

I will take an example from my present experience. I do have strong European convictions and not-less-strong convictions on the matter of markets. I dedicated a large part of my active life to the attempt to contribute to the construction of a united Europe and to the creation of markets where they were not present. Today, the general interest I have chosen to serve is that of my own country, exactly like a mayor must pursue the interest of his own city.

Well, it is not a simple task to operate in line with both the European and the market principles, because at present Europe often forces me to reduce, not increase, the openness to the market of companies and practices operating in our country. In applying today the EU directive on takeover bids, the dilemma is whether to leave as it is the Italian law, which is more open to the market than the European - with the consequence of generating a significant asymmetry between a possible takeover bid against Italian companies and a takeover bid against competitor companies in other countries -, or to reduce the level of openness to the market of Italian law in order to abide to a European directive. An utter absurdity. Another example: the principle of keeping separate the distribution networks and their distributed good or service (electricity, gas, railroad traffic and so on) is applied in the EU in an incomplete fashion, that does not prevent a national quasi-monopolist from exploiting the possession of a network to its own advantage. Italy opened itself to Europe more than some neighboring countries did, and in doing so it has exposed Italian companies to the competition of other companies to which their country of origin guarantees advantages that they do not have. Another absurdity, and I could give more examples of the same kind.

In conclusion, why is simplicity a merit? Because the world is complicated, and our mind looks for order. We tend to order because the world appears to us as disordered. Disordered economy, disordered politics. If we pretend to bring order to the world, to make it simple, we make a mistake, the very same mistake denounced by the great figures of liberal thinking of the 20th century: Popper, Einaudi, Hayek, Robbins and others. The market is chaotic, it is always unbalanced and dominated by what the economists call rumors. The same thing can be said of political life. If we neglect this fact, if our analyses depict the world as naturally ordered, and only perturbed by some mistakes we may make, then we go from simplicity into a simplistic view.

1 The article is the second part of a lecture given in Milan (Italy) on May 11, 2007, in a Forum organized by Bocconi-Corriere della Sera

2 The author is presently the Minister of Economy and Finance of the Italian government

3 In French, lit. "Tolerance? There are houses for that"; but it is a play on words in French, because 'Maison de tolerance' means 'a legal brothel'

Section C) Regional integration processes

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Elgstroem Ole

Outsiders' Perceptions of the European Union in International Trade Negotiations

in **Journal of Common Market Studies**, Vol. 45, Issue 4, November 2007

The question approached in this article is whether the almost unanimous picture, drawn by both academic observers



and EU representatives, of the EU as a major power and leading actor in global trade negotiations, is also shared by 'outsiders'. I describe and analyse how representatives of non-EU Member States picture and evaluate the EU's role in the WTO and the strategies it uses to achieve its goals. Special attention is given to perceived constraints on EU leadership. In brief, my results demonstrate that the EU is indeed seen as a key actor in the WTO but that it is not necessarily seen as a leader. Its leadership potential is diminished by perceived incoherence across issue areas, by a lack of perceived legitimacy and, to a lesser extent, by an excessive focus on internal co-ordination.

Section C) Regional integration processes

Subsection 6. The European unification process

Delperee F.

Parlement et Administration de l'Union Européenne

in *Annuaire européen d'Administration publique*, 2006 , 431 - 443

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lacroix-Riz Annie

Penser et construire l'Europe, 1919-1992. Remarques sur la bibliographie de la question d'histoire contemporaine 2007-2009

in *Pensée (La)*, Fascicule 07/351, 2007 , 145-159

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Daddow Oliver

Playing Games with History: Tony Blair's European Policy in the Press

in *British Journal of Politics & International Relations* , Vol. 9, Issue 4, November , 582-598

This article examines how Tony Blair on the one hand and the Euro-sceptical press on the other have ransacked history to support their respective arguments about British European policy since 1997. It considers first of all why history plays a key role in British discussions about European affairs; it does so, firstly, because of the discipline's intimate connection with the making of national identities and, secondly, because Europe has long been historicised as the 'other' against which the British identify themselves. The second part of the article considers the rhetorical strategies Blair and the press have used to persuade the public using content analysis of Blair's foreign policy speeches and articles on Europe in the sceptical British press since 1997. I argue that Blair finds himself in a difficult position in part because of his own failure to make the case for Europe forcefully and consistently enough and in part because of the difficulties inherent in altering deeply entrenched Euro-sceptical opinions in Britain's leading press outlets.



Section C) Regional integration processes

Subsection 6. The European unification process

Perkmann Markus

Policy entrepreneurship and multilevel governance: a comparative study of European cross-border regions in Environment and Planning C: Government and Policy, Volume 25, Issue 6, December , 861-879

The author addresses the recent proliferation of cross-border regions, or 'Euroregions', in Europe. It is argued that EU multilevel governance patterns generate opportunities for entrepreneurial policy organisations to attract policy tasks and resources. This is conceptualised as policy entrepreneurship and applied to a comparative case-study analysis of three Euroregions: EUREGIO (Germany – Netherlands), Viadrina (Poland – Germany), and Tyrol Euroregion (Austria – Italy). The analysis focuses on the ability of these initiatives to establish themselves as autonomous organisations. It finds considerable variation across the cases in this respect. Following on from this, the paper shows how administrative and institutional environments in different EU member states affect the ability of Euroregions to engage in policy entrepreneurship. It is concluded that it is premature to perceive Euroregions as new types of regional territorial entities; rather, they are part of the policy-innovation scenario enabled by EU multilevel governance.

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Verdun Amy

Policy-Making and Integration in the European Union: Do Economic Interest Groups Matter?
in British Journal of Politics & International Relations , Vol. 10, Issue 1, February , 129-137

What lessons can be learnt about the role of economic interests in European integration? This article seeks to answer this question by looking at four themes: (1) the role of economic interest groups on national preference formation; (2) the role of economic interest groups on EU policy-making; (3) the effect of the EU on the economic interest groups; and (4) the role of economic interest groups on the process of European integration. This article finds that economic interest groups do not 'a priori' act in favour of European integration. Also we can conclude that economic interest groups seek to influence both national and EU level actors and institutions. Finally, the process of European integration affects the overall environment in which economic interest groups operate. Overall, economic interest groups appear to play a more prominent role in EU governance and policy-making than the literature on European integration theories typically has emphasised.

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Kruger Dieter

Problemi di ieri, questioni di oggi. Il primo decennio dell'integrazione europea (1947-1958)
in Passato e Presente, Anno XXV, n. 72, settembre-dicembre

In the Intervention section Dieter Krüger analyzes the background of the Cold War, when the west European national



states as well as the USA and Canada sought to assert their national security-political interests through the various institutions of European cooperation (Marshall Plan, NATO, European Coal and Steel Community, EEC, etc.). NATO in particular relieved the Europeans from the pressure for political integration. As a result, the EEC/EC adopted its institutional form which in its essence is currently still in force today. Meanwhile, the UE has been expanded to 27 members and seems hardly capable of acting within its traditional structures of political decision-making, whose reform is now on the agenda.

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Mörth Ulrika

Public and Private Partnerships as Dilemmas between Efficiency and Democratic Accountability: The Case of Galileo

in *Journal of European Integration*, Volume 29, Number 5 / December , 601-617

This article analyses public-private partnerships (PPPs), which are characterized by shared public authority between public and private actors. The question asked is how well the officials handle the vertical and contractual relationship with the private actors, given the requirement of democratic accountability according to the hierarchical, liberal model of representative democracy. The case study is Galileo, Europe's satellite radio navigation system that can be regarded as a fairly technical and traditional European partnership in the infrastructure sector. The main conclusion is, however, that Galileo is highly complex in both political and economic terms. In spite of this complexity, or precisely because of it, officials are left with very little political guidance and directives. It is also surprising that the market actors seem to be given so much room for manoeuvre in the programme. It can be argued that the power of the officials in designing Galileo is problematic from a democratic perspective. There are basically two reasons for this. The first is that the general political goals for the partnership are too general and have little impact on and contact with the day-to-day activities. It is the officials rather than the politicians that have influence over the PPPs. The second reason is that the private actors do not only run the programme in an overall sense, they will also make important decisions in its daily management. The private actors thus have influence within important public infrastructure but are not democratically accountable for their decisions. Hence, the case of Galileo shows that a fairly simple task - the offering of satellite navigation signals - is highly complex. The conclusions from this study therefore suggest that PPPs in even more complex policy areas need to be analysed carefully before any decisions on a partnership are reached.

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Adriaenssens Philippe

Rapprochement between the EU and the UN: History and Balance of Intersecting Political Cultures

in *European Foreign Affairs Review*, Volume 13, Issue 1 , 53-72

This article elucidates how the affiliation between the EU and the UN occurred historically and depicts a potential roadmap of how regional entities can affirm themselves in a globalized world. It endeavours to draw up a balance sheet of failed commitments and positive outcomes while pointing to how both organizations influenced the other's political culture. This contribution takes a very empirical approach and draws on neo-functionalist and constructivist theories in order to demonstrate that the ever closer cooperation among the Europeans within the UN structure has triggered EU regional collaboration with the UN organization. The study argues that the frequent consultations in New York resulted in



common EC/EU Presidency statements (section II) and a higher voting consensus (section III). Both multilateral organizations eventually forged various practices of collaboration (section IV) and established a permanent regional–global dialogue (section V). The conclusion calls the history of the convergence a process of cross-pollination and it develops the concept of 'UNization', in addition to the existing concept of 'Europeanization'. The ever stronger partnership shows great promise in tackling contemporary challenges, on the condition that the EU does not fail to proceed with institutional updates.

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Savage James D.; Verdun Amy

Reforming Europe's stability and growth pact: Lessons from the American experience in macrobudgeting in Review of International Political Economy, Volume 14 Issue 5 2007

Proposed and actual reforms to the European Union (EU) Stability and Growth Pact commonly retain the Pact's deficit and debt targets. The American experience with similar macrobudgetary rules suggests that deficit targets may actually act as an incentive for political leaders to engage in noncompliant behavior. If targets were revised to budgetary objectives that politicians could achieve more easily and claim credit for accomplishing, compliance with the new macrobudgetary rules might be increased.

Section C) Regional integration processes

Subsection 6. The European unification process

Ezcurra Roberto, Rapún Manuel

Regional Dynamics and Convergence Profiles in the Enlarged European Union: A Non-Parametric Approach in Tijdschrift voor economische en sociale geografie (Journal of Economic & Social Geography), Volume 98, Issue 5, December, 564-584

This paper examines the evolution of spatial disparities in labour productivity in the enlarged European Union, using data on 250 NUTS-2 regions over the period 1991–2003. To achieve this aim, a non-parametric approach that allows us to analyse the external shape and dynamics of the entire cross-sectional distribution has been applied. The estimates show the distribution under consideration to have a bimodal structure, which raises the possible presence in this context of a polarisation pattern characterised by two internally homogeneous regional clusters. The evidence presented does nevertheless suggest a process of convergence over the sample period, despite a relatively low degree of intra-distribution mobility. Factors such as the geographical location of the various regions, agglomeration economies or the sectoral composition of economic activity have also been examined for their role in explaining the observed disparities.

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Pellegrin Julie

Regional innovation strategies in the EU or a regionalized EU innovation strategy?

in Innovation: The European Journal of Social Science Research, Volume 20, Number 3 / September, 203-221



Conceptual and empirical underpinnings of the EU approach

This article explores the conceptual and empirical underpinnings that characterize the EU approach to regional development policy. It shows how the systemic approach to innovation has been unanimously embraced in a context in which regional research and technology development and innovation strategies have been progressively promoted as the privileged way to promote competitiveness and growth both at regional and EU levels. There are, however, many grey areas, tacit underlying assumptions and unresolved contradictions that make it difficult to draw operational policy recommendations from this 'dominant' approach, which is, in fact, best used as an analytical notion rather than as a normative tool. The paper evokes some stylized facts from the experience of the Mid Term Review of the 2000-2006 Community Support Framework for Italian Objective 1 regions to illustrate the arguments put forward.

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McGinley Marie, Parkes Roderick

Rights vs. Effectiveness? The Autonomy Thesis in EU Internal Security Cooperation

in European Security, Volume 16, Numbers 3-4, September , 245-266

In the EU's internal security policy-making, parliamentary power remains - de jure and de facto - patchy. This situation has been (unofficially) justified by reference to the idea that the liberal constraints on executive power typically introduced by parliaments mark an irresponsible challenge to the effectiveness of policy. This essay tests this apologia, examining three cases where the retention of liberal values would actually be conducive to effectiveness: the EU-US 'Passenger Name Register Agreement', the elaboration of common data protection standards and the 'Returns Directive' on the expulsion of illegal immigrants. It suggests that the posited 'rights/effectiveness' incompatibility in fact masks a search for autonomy by executive participants.

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Schockenhoff Andreas

Ruf der Region

in Internationale Politik , n. 9, 62. Jahrgang, September

ABSTRACT: Mit ihrer jüngsten Erweiterung wächst die Europäische Union an den Schwarzmeer-Raum heran, berührt uns dessen Entwicklung unmittelbar. Doch mit einer rein bilateralen Nachbarschaftspolitik ist es für Brüssel nicht mehr getan. Zeit für eine stärkere Zusammenarbeit, um die Chancen der Region zu nutzen und ihre Konflikte zu schlichten.

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Howarth David

Running an enlarged euro-zone - reforming the European Central Bank: Efficiency, legitimacy and national economic interest



in *Review of International Political Economy*, Volume 14 Issue 5 2007

This article analyses the December 2002 reform of decision making in the European Central Bank's (ECB) Governing Council in terms of national economy size reflected in the bargaining power of the ECB Governing Council members and member state macroeconomic interest. The National Central Bank (NCB) governors of the largest member states were concerned about the impact upon ECB monetary policy making of equal representation being extended to future member states. By eliminating equal voting rights, the reform distorts the meaning of equality, representativeness and ad personam participation as guiding principles of ECB decision making, moving from equal member state representation towards an emphasis placed upon Euro-zone economy representation. At the same time, two possible concerns watered down efforts to modify 'representativeness' and prevent enlargement contributing to inefficiency in Governing Council decision making. First, the current smaller member state NCB governors opposed a significant reduction of their 'voice' in ECB monetary policy making. Second, legitimacy concerns ensured persistent support for the maintenance of a large and 'decentralised' Governing Council.

Section C) Regional integration processes

Subsection 6. The European unification process

Carrera Hernández F. Jesús

Réquiem por las decisiones marco: a proposito de la orden de dencion europea

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

No abstract available

Section C) Regional integration processes

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Cassen Bernard

Résurrection de la « Constitution » européenne

in *Monde Diplomatique (Le)*, Décembre

L'Europe et la participation populaire n'ont jamais fait bon ménage. En optant pour la ratification parlementaire d'un traité pratiquement identique à celui qui avait été rejeté par référendum en 2005, M. Nicolas Sarkozy élargit la fracture entre les citoyens et l'appareil institutionnel de l'Union européenne. Un appareil qui produit à flux tendu des politiques néolibérales que les gouvernements sont trop heureux d'imputer à une « Europe » dont ils sont ainsi en train de miner la légitimité.

<http://www.monde-diplomatique.fr/2007/12/CASSEN/15442>

Section C) Regional integration processes

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Quaglia Lucia

Setting the Pace? Private Financial Interests and European Financial Market Integration

in *British Journal of Politics & International Relations*, Vol. 10, Issue 1, February, 46-63



The regulation and supervision of financial services in the EU has undergone significant change between 2000 and 2005, when the so-called Lamfalussy framework, the Basel 2 agreement and its transposition into the Capital Requirements Directive were agreed. This research examines the preferences of national financial interest groups in Germany and the UK (the independent variable) in shaping national input and, more precisely, the contributions given by the relevant public authorities to EU and international policy-making processes (the dependent variable). The impact, if any, on the final outputs (the relevant international and EU agreements) is also discussed. It is argued that the level of involvement of each interest group depends on the policy content, namely, whether the policy concerns a broad institutional issue or specific rules, while the degree of interest group influence in policy-making processes depends on domestic institutions, namely state structure, interest representation and political economy institutions.

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Faramián Gilbert Juan Manuel de

Sobre los orígenes y la idea de Europa (en el cincuenta aniversario de la UE)

in *Revista Electrónica de Estudios Internacionales*, Número 14/ 2007

No abstract available

Section C) Regional integration processes

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Warntjen Andreas

Steering the Union. The Impact of the EU Presidency on Legislative Activity in the Council

in *Journal of Common Market Studies*, Vol. 45, Issue 5, December 2007

Their term in office as the Council Presidency offers Member States a unique opportunity to steer the Union's legislative activity according to their national priorities. This article offers evidence in the field of environmental policy for the period 1984 to 2001.

Section C) Regional integration processes

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Poggiolini Ilaria

Storia e storiografia sulle origini di un non-rapporto: la Gran Bretagna e le Comunità 1950-1956

in *Ventunesimo Secolo. Rivista di Studi sulle Transizioni*, Anno VI, n. 14, "A 50 anni dai Trattati di Roma", ottobre

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bartoloni M. E.



**Sulla natura della competenza della Comunità ad adottare misure restrittive nei confronti di Stati terzi
in Diritto dell'Unione europea**, Anno: 2007 – Fascicolo: 2 , pag. 271

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

de Anjo Christophe

Sur le constitutionnalisme européen

in *Revue du droit public et de la science politique en France et à l'étranger*, n. 6 , 1545-1569

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ganghof Steffen, Genschel Philipp

Taxation and democracy in the EU

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

Is corporate tax competition a threat to democracy in the European Union (EU)? The answer depends crucially on a positive analysis of the effects of tax competition on national policy autonomy. Most analyses focus on direct effects on corporate tax rates and revenues. We contend that this focus is too narrow. It overlooks the fact that corporate tax competition also has important indirect effects on the progressivity and revenue-raising potential of personal income taxation. We elaborate on these indirect effects theoretically and empirically, and explore the implications for the normative debate on the EU's democratic deficit. Our findings show that European integration can constrain national redistribution in a major way: the democratic deficit is real. Greater political contestation over the EU's policy agenda is desirable in order to mitigate this deficit.

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Bossong Raphael

The Action Plan on Combating Terrorism: A Flawed Instrument of EU Security Governance

in *Journal of Common Market Studies*, Volume 46 Issue 1, January 2008

After clarifying the ideal-typical characteristics of action plans, this contribution shows how the Action Plan on Combating Terrorism emerged out of a hectic process of policy-entrepreneurship by the European Commission and other integration-minded actors. This overloaded the EU's policy-making capacity and fostered policy conflict, while the strategic dimension was neglected.

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Pace Michelle

The Construction of EU Normative Power

in *Journal of Common Market Studies*, Vol. 45, Issue 5, December 2007

This article focuses on the constructed nature of the EU's so-called 'normative power' (NPEU). It proposes that, while a successful construction of NPEU would secure a role for the EU globally, challenges to NPEU constructions would disempower any EU attempts at its global reach based on such projections. The Middle East conflict is taken as a case in point.

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Usui Yoichiro

The Democratic Quality of Soft Governance in the EU Sustainable Development Strategy: A Deliberative Deficit

in *Journal of European Integration*, Volume 29, Number 5 / December , 619-633

The EU Sustainable Development Strategy (SDS) has taken on an Open Method of Coordination (OMC)-like style. This soft mode of governance entails an interpretation, specification and substantiation of social values and norms. Therefore, the democratic quality of this style of governance needs to be examined. While a shift to an OMC-like style of policy creation usually implies the retreat of the Community method and thereby a weakening of the European Parliament's (EP) political power, this style has established counterbalancing institutional arrangements of a democratic nature, such as the involvement of the EP, societal input by stakeholder consultations and transparency. However, a discourse analysis reveals an important deliberative deficit of the EU SDS. This article argues that the OMC-like style of the EU SDS lacks mechanisms of deliberative control over discourse formation and contestation on the meaning of sustainable development.

Section C) Regional integration processes

Subsection 6. The European unification process

Spinelli Altiero

The EP's Strategy for the Establishment of the European Union

in *Federalist Debate (The)*, Year XX, n. 3, November , 51

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Telò Mario

The EU as an incipient civilian Power. A systemic Approach

in *Politique européenne* , n. 22

No abstract available



Section C) Regional integration processes

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Duer Andreas, Zimmermann Hubert

The EU in International Trade Negotiations

in *Journal of Common Market Studies*, Vol. 45, Issue 4, November 2007

This special issue presents new research on the EU's role in international trade negotiations. In the introduction, we sketch out the relevance of this topic, introduce some of the core institutional features of trade policy-making in the EU, review the existing literature dealing with the EU in international trade negotiations, and briefly present the contributions included in this issue.

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Zemánek Jiří

The Emerging Czech Constitutional Doctrine of European Law

in *European Constitutional Law Review*, Volume 3 - Issue 03, 418-435

Influence of the Czech accession to the European Union on the judicial ideology of Czech courts – Questions regarding the constitutional status of European Union law in the Czech Republic – Czech Constitutional Court: no testing of so-called necessitated implementing provisions, except when core constitutional values and principles are at stake – Extension of this doctrine to non-Community Union law – An act contrary to Union law is not as such also contrary to the Czech Constitution

Section C) Regional integration processes

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Kröger Sandra

The End of Democracy as We Know it? The Legitimacy Deficits of Bureaucratic Social Policy Governance

in *Journal of European Integration*, Volume 29, Number 5 / December, 565-582

New modes of governance and, in particular, the Open Method of Coordination (OMC), have attracted considerable and often unduly favourable scholarly attention since 2000. Learning from best practice and increased policy effectiveness are often assumed to be the main outcome of the OMC. In contrast, this contribution seeks to assess the democratic legitimacy of the OMC by using a research design that integrates criteria both from the liberal and the deliberative theories of democracy. In analysing the OMC inclusion and its implementation in France, Germany and at the European level, it is shown that the democratic benchmarks that can be derived from either theory are not met. By way of conclusion, the potential consequences of the obvious democratic deficit of the OMC are discussed briefly.

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Liebert Ulrike

The European Citizenship Paradox: Renegotiating Equality and Diversity in the New Europe



in *Critical Review of International Social and Political Philosophy*, Vol. 10, n. 4, December , 417-441

Abstract

This article sheds light on the 'European citizenship paradox', which emerges as a result of the tensions between EU citizenship norms and member-state practices in the context of regional disparities and social inequalities that market integration arguably deepens. I claim that a transnational, politically inclusive European citizenship would provide for public spaces where unjust practices can be submitted to a respectful but no less ruthless critical analysis, where violent impositions and infringements can be disqualified by insisting on human and European citizenship rights and norms. Assessing alternative citizenship models, I argue that a purely liberal-market, a republican or a cosmopolitan citizenship model all appear to fail to resolve this paradox, unless they include deliberative procedures based on the recognition of different collective identities.

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Cannizzaro Enzo

The European Constitutional Framework: Re-reading Eric Stein's Thoughts from a Bridge on the 50th Anniversary of the Treaty of Rome

in *American Journal of Comparative Law*, vol. 55 - n. 4 , 767-792

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Panke Diana

The European Court of Justice as an agent of Europeanization? Restoring compliance with EU law

in *Journal of European Public Policy* , Volume 14, Issue 6, September 2007

Often, states incrementally adapt to demands stemming from the European Union. Yet, most of the prominent Europeanization approaches focus exclusively on immediate responses of states and are also static. If they theorize supranational actors as agents of top-down Europeanization at all, they do not specify scope conditions for their success. This article complements existing approaches in studying instances in which states do not meet European demands immediately (non-compliance). It analyses the role of the European Court of Justice in facilitating changes even against states' eminent resistance to top-down Europeanization. An empirical analysis shows that judgments and threats of sanctions are important for restoring compliance but are not always effective. This article theoretically accounts for this finding. Judgments create publicity and empower societal compliance proponents. This facilitates successful shaming or reframing strategies leading to catching up with Europeanization, if contested norms fit to institutionalized norms or if old policy frames are degenerating. Financial penalties are only effective if domestic societal resistance is weak and if the shadow of sanctions is intense. The hypotheses are illustrated with two environmental and social policy case studies in Germany.

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Smith Michael

The European Union and International Order: European and Global Dimensions
in *European Foreign Affairs Review*, Volume 12, Issue 4, 437-456

This article explores the ambiguous nature of the EU's relationship to international order and places it within the framework of recent scholarship on the EU's international relations and international roles. These ideas are explored and illustrated by reference to three levels of the EU's engagement with international order: the 'EU order', the EU in the European order and the EU in the global order. The article argues that in respect of the first of these (the EU order), the stalling of EU reform symbolized by the rejection of the Constitutional treaty has raised major questions about the EU's capacity to export its values and institutions and to mobilize resources for collective action. In respect of the second (the EU in the European order), the EU has internalized major parts of the broader European order, and this raises questions about its exercise of structural power within the European arena and the neighbourhood. In respect of the third (the EU in the global order), the EU is increasingly encountering the costs and risks associated with the conduct of a 'real' foreign policy, and this will constitute a key constraining element in its approach to problems of global order for the foreseeable future.

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Stein Josephine Anne, Ahmed Allam

The European Union as a Model of International Co-operation in Science, Technology and Sustainable Development

in *British Journal of Politics & International Relations*, Vol. 9, Issue 4, November, 654-669

This article presents European Union (EU) research policy as a stable, long-term form of organising international science and technology (S&T) co-operation, and evaluates the prospects for transposing this model to co-operation with non-European countries in the context of sustainable development (SD). The European approach combines scientific objectives with common political, social, economic and environmental aims through a form of partnership based on dynamism, collective decision-making and the distribution of research responsibility. It is argued that the prevailing character of co-operation between Europe and developing countries (DCs), which stresses the transfer of resources, does not adequately recognise the knowledge, capacity for innovation and valuable socio-cultural assets of partners within the developing world. The common objective of sustainable development in an increasingly interdependent world creates opportunities for extending aspects of the European model of S&T co-operation to wider partnerships to build scientific capacity, political stability, economic prosperity and environmental quality in a way that has been demonstrably successful within the European Union itself.

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Bach David, Newman Abraham L.

The European regulatory state and global public policy: micro-institutions, macro-influence

in *Journal of European Public Policy*, Volume 14, Issue 6, September 2007



Across a broad range of sectors, Europe is increasingly shaping global public policy. Existing research stressing the importance of market size for international regulatory influence cannot satisfactorily account for this. We contend that the rise of the regulatory state within Europe has significant international implications, augmenting Europe's ability to shape global market rules. The article develops an institutional explanation of regulatory influence stressing domestic regulatory capacity. An analysis of two hotly contested transatlantic policy fields - data privacy and financial market regulation - provides a first test of the argument.

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Leblond Patrick

The Fog of Integration: Reassessing the Role of Economic Interests in European Integration
in *British Journal of Politics & International Relations*, Vol. 10, Issue 1, February, 9-26

The main theories of European economic integration argue that private economic interests provide the impetus and pressures for integration to move forward. Public policy analyses of the European Union's legislative process, however, show that intense lobbying by such interests can prevent legislative proposals from being adopted, even if economic interests were initially in favour of supranational legislation. How do we explain this apparent contradiction? The answer is that economic interests initially face great uncertainty as to the precise costs and benefits of integrating a particular policy area; only once the 'fog of integration' lifts—as a result of concrete legislative proposals being tabled by the Commission—are economic interests able to calculate these costs and benefits and, consequently, decide whether to lobby for or against the proposal. To provide a first-run validation of the argument, the article examines the cases of the Software Patent and Takeover directives.

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Pasterniak Angelika

The Lisbon Strategy and the Quality of Public Finances
in *Intereconomics*, Volume 42, Number 6 / November, 2007

In the mid-term review of the Lisbon strategy only moderate progress towards the European Union's becoming the most competitive and dynamic knowledge-based economy in the world by 2010 could be observed. The EU Commission had emphasised the impact of fiscal policy on the structural reforms necessary to achieve the Lisbon objectives. This paper examines the empirical relationship between fiscal policy and progress towards the Lisbon goals and offers a critical assessment of the indicators available.

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Sicurelli Daniela

The Normative Power Paradigm in International Relations. A New Term for an Old Concept?
in *Teoria Politica*, Vol. 23, Fascicolo 3



Normative power has become a popular concept in the study of European foreign policy, depicting the Eu as an international actor committed to export norms beyond its borders. This article investigates the utility of this paradigm for the theory of international relations, as compared to the concepts of civilian power and hegemony. By analyzing Eu policy towards Africa, the article concludes that the definition of an actor as a normative power does provide a new image of power. As opposed to civilian power, this concept stresses the centrality of norms in international relations and, as opposed to Gramscian hegemony, it shows that norm diffusion does not necessarily lead to hegemonic control over the norm importer. Nevertheless, the article stresses a limit of the concept of normative power, namely the fact that, by underestimating the role of interests in foreign policy decisions, it fails to grasp the complex set of motivations driving the process of norm diffusion.

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Jarman Holly

The Other Side of the Coin: Knowledge, NGOs and EU Trade Policy in Politics, Vol. 28, Issue 1, February , 26-32

Despite the persistent influence of business, non-profit interest groups promoting development for the world's poorest countries, environmental protection, public health and other issues are actively seeking to influence the European trade agenda. Presenting interview evidence from doctoral research on lobbying and trade policy in the European Union and United States, this article argues that within new forms of EU consultation, insider business associations and NGOs adopt similar lobbying strategies, but that this has done little to bridge the divide between their fundamental beliefs.

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Kosebalaban Hasan.

The Permanent “Other?” Turkey and the Question of European Identity in Mediterranean Quarterly, Volume 18, Number 4, Fall

So far the prospect of Turkey's accession to the EU has been studied with exclusive reference to Turkey's progress in meeting the Copenhagen criteria for membership. However, as the recent electoral success of anti-Turkish European political parties and politicians suggests, the issue now is less institutional than cultural. By problematizing European cultural minimalism as the main informant of anti-Turkish opposition, this essay turns the issue of Turkish membership upside down. While in Turkey religiosity does not appear to be a decisive factor in shaping perceptions vis-à-vis Europe, as seen in the massive electoral support given to the Islamist but pro-EU Justice and Development Party (AKP), there is a growing culturally rooted opposition against the idea of Turkish membership in Europe. Why is it that in Europe, which is generally considered behaviorally and attitudinally more secular than Turkey, one observes this opposition against the inclusion of its religious and cultural other? This essay locates the answer to this question in the context of a European common identity-building process in which Turkey has historically played the most decisive role. While rejecting the argument that Turkish-EU relations amount to a clash of civilizations, the essay argues that the process of membership is complicated by a clash of two conflicting definitions of what Europe is and should be. The essay claims that the Turkish side's double demands of



inclusion into Europe and recognition of its distinct cultural identity directly conflict with the minimalist discourse that Europe is the center of civilization into which Turkey is expected to assimilate. While sharing this view during its history of modernization, Turkey, particularly under the AKP government, has grown more self-confident regarding its civilizational authenticity, while remaining supportive of the membership idea. Most Turks now perceive Europe as a geographical zone of opportunity where multiple claims for civilizational authenticity are equally recognized. The essay concludes that resolving the Turkish question, and by extension the question of Europe's Muslim minority, will be possible only through a new, multicivilizational vision of Europe that confronts the minimalist discourse. Such a vision will enable Europe to emerge as a global power as opposed to an introverted regional player.

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Luiza Bialasiewicz

The Uncertain State(s) of Europe?

in European Urban and Regional Studies, Volume 15, No. 1 , 71-82

Recent representations of the European project have, more often than not, characterized it as 'uncertain', 'weak', and even 'indeterminate'. In this article, I look to the political — and geopolitical — ramifications of such understandings, in particular as regards Europe's role in the world. I remark, especially, on the geographical imaginations which underpin such critiques: highly normative assumptions regarding political territoriality and 'power' in the international arena. I argue that such geographical imaginations fundamentally miss the radical transformations taking shape at and well beyond Europe's borders, thus failing to recognize the emergence of the EU as a very new sort of international actor.

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Deroose Servaas; Hodson Dermot; Kuhlmann Joost

The legitimation of EMU: Lessons from the early years of the euro

in Review of International Political Economy, Volume 14 Issue 5 2007

Political economists have raised concerns that EMU's asymmetric institutional design leaves the project's legitimacy vulnerable to fluctuations in the perceived advantages and disadvantages of the euro. The evidence presented in this paper suggests that overall support for EMU within the euro area remained high over the period 1999-2005, thus allaying concerns over the project's legitimacy. At the same time, public attitudes towards EMU did vary from one euro-area member to another with perceived rather than actual economic performance appearing to be an important factor behind this cross-country variation. In policy terms, these findings underline the need for a system of euro-area economic governance that promotes a high degree of support for the single currency over the long-term. This will necessitate a more effective approach to output legitimation as well as policies that seek legitimacy for EMU by emphasising process, values and inputs.

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Olsen Espen D. H.

The origins of European citizenship in the first two decades of European integration



in **Journal of European Public Policy** , Volume 15 Issue 1, January 2008

By tracing conceptions of citizenship in the early period of European integration until 1971, this article argues that the Maastricht Treaty was not year zero in the EU citizenship discourse. In contrast to previous research, this article contributes theoretically by studying citizenship as a status of individuals in relation to a political unit, differentiated analytically into membership, identity, rights and participation, and subsequently focuses on the interplay between them. Further, it contributes empirically by highlighting those treaties, judicial decisions, policies and practices that affected the status of individuals. The analysis finds that citizenship elements in early European integration created a frame upon which later conceptions of citizenship developed, including Union citizenship. It must, however, not be overstated as anything resembling a status akin to national citizenship. European citizenship should rather be understood as a status emerging from concrete judicial, legislative and political practices.

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Bantekas Illias

The principle of mutual recognition in EU criminal law

in **European Law Review**, n. 3, vol. 32, june , 365-385

ABSTRACT: Mutual recognition means that the judicial acts of one state will be recognised and enforced in another state subject to prescribed limitations. In the EU criminal sphere several Third Pillar instruments provide for the application of mutual recognition with very few limitations. This is revolutionary compared to the cumbersome procedures encountered in mutual legal assistance or extradition treaties. While reaching agreement on these EU instruments was facilitated by the prior approximation of some offences, to a very large degree approximation did not play a significant role. Despite the rapidity of these developments and the euphoria accompanying their adoption, they have raised significant constitutional challenges for Member States. We argue that the principle of mutual recognition should not be limited to judicial decisions but be extended in the future to cover criminal databases, provided that human rights guarantees are upheld.

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Trondal Jarle

The public administration turn in integration research

in **Journal of European Public Policy** , Volume 14, Issue 6, September 2007

This article highlights how the study of public administration is brought back into the study of European integration and European Union (EU) governance. The public administration turn in integration research has brought generic insights into the broader field of public administration but has also brought theories, concepts and hypotheses from public administration into the field of integration research. The purpose of this overview is to reveal the variegated and rich research agendas in public administration research and to stimulate further research. This public administration turn highlights (i) the impact of the formal organization of core executive institutions such as the European Commission; (ii) the conditional autonomy of subordinate administrative units such as EU-level agencies; (iii) the integration of multi-level administrative systems through collegial structures such as EU-level committees; and (iv) the external penetration and differentiated impact of EU-level institutions on domestic public administration. The lack of systematic knowledge about



the impact of administrative structures within EU-level and domestic public administration is thus steadily reduced.

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Vigier Pierre

Towards a citizen-driven innovation system in Europe - A governance approach for a European innovation agenda

in *Innovation: The European Journal of Social Science Research*, Volume 20, Number 3 / September , 191-202

Europe suffers a handicap in terms of competitiveness that is mostly related to innovation. Structural factors such as weak linkages between science and industry and unfavourable conditions for fast-growing SMEs explain the inadequate levels of knowledge creation. Only innovation policy measures that actively support the emergence of innovative firms and lead markets will be able to transform Europe into a leader in the knowledge economy. Cluster and open-innovation policies can foster innovation, responding better to individual needs, while national reform programmes should foster society-driven innovation, paying greater attention to the regional level. This paper outlines the key assumptions and premises of the European Union's contemporary innovation policy.

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Young Alasdair R.

Trade Politics Ain't What It Used to Be: The European Union in the Doha Round

in *Journal of Common Market Studies*, Vol. 45, Issue 4, November 2007

The European Union is a key player in the Doha Development Round of multilateral trade negotiations. This article argues that its negotiating position reflects distinctive patterns of politics underlying three aspects of trade policy – traditional trade policy, commercial policy and social trade policy – characterized by different sets of actors and political dynamics. Although there is significant variation in the substance of the EU's position within each aspect of trade policy, their distinctive patterns of politics help to explain why the EU's negotiating position is most liberal in traditional trade policy and least in social trade policy.

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Eijffinger Sylvester C. W.

Treaty Reform: Consequences for Monetary Policy

in *Intereconomics*, Volume 42, Number 6 / November, 2007

The proposed reform treaty, aimed at enhancing the efficiency and democratic legitimacy of the enlarged Union as well as its position on the global stage, has a number of important implications for monetary policy and the status of the European Central Bank. Can the reforms be expected to make euro area governance more efficient? Could they potentially jeopardise the ECB's independence and European monetary policy?



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Taibo Arias C.

Una reconsideración crítica de la Unión Europea
in *Cuadernos europeos de Deusto*, n. 37 , 131 - 144

No abstract available

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Yakemtchouk Romain

Une décennie de participation de l'UE au règlement de la question du Kosovo
in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, numero 512,
octobre-novembre , 556-564

The European Union approved the launching of NATO's air strikes on Yugoslavia on March 25, 1999, which were aimed to putting an end to the anti-Kosovar violence perpetrated by the Serbs. After Milosevic's surrendering, the Security Council passed resolution 1244 on June 10, 1999, placing Kosovo under United Nations administration; it provided that the citizens of that territory would be granted broad autonomy "in the framework of the Federal Republic of Yugoslavia" and its "territory integrity". The withdrawal of Yugoslavian forces, with NATO forces taking over, did not result in lasting peace, unfortunately: regrettable ethnic cleansing actions were going to be committed, by the Kosovars this time, against Serb populations, whose villages were burned down and churches were profaned. As a result, the EU member countries disagree on the issue of whether Kosovo was to be granted independence, as implied in the Ahtisaari report in 2007. Russia has again stated that it would veto the independence of that territory, whose population is 90% Albanian-speaking, whereas President Bush declared he would support it, and was prepared to by-pass the United Nations. Yet to Europe, such stances are of relative interest only, as Europe is the main cause of the Balkan situation, not Russia nor the Americans, and it is Europe who would have to pay the price of a potential failure of the Kosovo status.

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Lattarulo Alessandro

Unione europea: un'identità plurale nella memoria
in *Studi sull'integrazione europea*, Anno II, n. 2 , 389-414

No abstract available

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Groenleer Martijn L.P., Schaik Louise G. van

United We Stand? The European Union's International Actorness in the Cases of the International Criminal Court and the Kyoto Protocol*



in *Journal of Common Market Studies*, Vol. 45, Issue 5, December 2007

In this article we examine the relationship between the institutional set-up of the EU foreign policy-making process and the international actorness of the EU in two particular cases: the International Criminal Court and the Kyoto Protocol. Whereas in both cases policy-making is organized along intergovernmental lines, the EU has shown a relatively high degree of international actorness. We argue that this is the combined result of the considerable congruence of EU Member States' initial preferences and the social interactions between EU Member States, third countries and non-state actors, through which preferences converged even further over time.

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Grosser Alfred

Verpflichtung Europa

in *Internationale Politik*, n. 10, 62. Jahrgang, Oktober

ABSTRACT: Wahrheitssuche, Demokratie, Toleranz: Es fiele nicht schwer, gemeinsame europäische Werte aufzuzählen. Doch die EU des Berliner Gipfels fällt inzwischen weit hinter die Vision einer Gemeinschaft der Grundrechte zurück. Die Union als Verbund der Abwehr an ihren Grenzen: Soll dies das eigentliche Fundament Europas sein?

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Gennusa Maria Elena

Verso un referendum europeo?

in *Quaderni Costituzionali*, numero : 2, giugno , 405-408

No abstract available

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Ferrari G.F., Sacerdoti G.

Verso una Confederazione europea: marcia indietro o slancio per il futuro?

in *Diritto pubblico comparato ed europeo*, n. 3, Editoriale

No abstract available

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Kauppi Heikki, Widgrén Mika



Voting rules and budget allocation in the enlarged EU

in *European Journal of Political Economy*, Volume 23, Issue 3, September 2007

In this paper, we argue that the bulk of EU budget spending can be attributed to measures of the distribution of voting power in the Council of Ministers. Using such estimates, we compare the incumbent member states' predicted budget receipts before and after eastern enlargement and examine the impact of different voting rules in EU-27. According to our estimates eastern enlargement has large effects on the budget receipts of the incumbent member states. Moreover, whether the voting rules are based on the Nice Treaty or the Constitutional Treaty makes a difference for most member states.

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Junge Dirk, König Thomas

What's Wrong With Eu Spatial Analysis? -

in *Journal of Theoretical Politics*, Volume 19, n. 4, October , 465-487

EU legislative analysis has been enriched by insightful controversies over the interpretation of the policy process. This debate has concentrated on the interpretation of the process by focusing on the identification of the agenda setter and the relevance of voting weights, but little attention has been paid to the accurate specification of the second component of spatial analysis, the preferences of the actors involved. Although a misspecification can seriously distort the predictions of spatial theory, empirical applications often tend to reduce the number of dimensions, exclude actors' saliencies and assume continuous policy issues. Using computer simulation we show that spatial models are more robust to a misinterpretation of the policy process than to a misspecification of actors' preferences, and that their institutional elements are less decisive for the models' outcome predictions. Our empirical analysis confirms these results and provides detailed insights into the impact of the institutional and the preference component of spatial theory. We conclude that scholars should pay more attention to the accurate specification of the preference component of the models to improve our understanding of legislative decision making in the EU.

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Lavenex Sandra, Wagner Wolfgang

Which European Public Order? Sources of Imbalance in the European Area of Freedom, Security and Justice

in *European Security*, Volume 16, Numbers 3-4, September , 225-243

The creation of the Single European Market has been accompanied by an intense discussion on whether market-creating measures have been privileged over market-correcting ones by the institutional system of the EU. The creation of an 'Area of Freedom, Security and Justice' (AFSJ) launched by the Treaty of Amsterdam poses a similar question which, however, has remained heavily under-researched: will the balance between policing competencies and individual rights shift towards the former at the expense of the latter? Recent work on the 'new raison d'état' and the strengthening of national executives in processes of Europeanisation points in this direction. This essay explores the parallels between the Common Market and the AFSJ with regard to the relationship between the structures and



substance of governance. The balance between security and individual rights is scrutinised in the main pillars of the AFSJ: asylum cooperation, judicial cooperation in criminal matters and police cooperation.

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Kumm Mattias

Why Europeans will not embrace constitutional patriotism

in International Journal of Constitutional Law, Vol. 6, n. 1 , 117-136

Europeans will not become constitutional patriots any time soon. The first part of the article argues that this is not because of anything inherently implausible about the idea, either generally, or when applied to the European Union. But the actual institutional features of European politics make it improbable that Europeans will develop allegiances to the European Union grounded in shared constitutional ideals. Without meaningful electoral politics at the heart of the European political process, the citizenry's attitude toward European institutions will continue to oscillate between disinterest, fickle support, and resentment.

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Lätt Jeanne, Öztürk Asiye

Zypern und die türkisch-europäischen Beziehungen

in Aus Politik und Zeitgeschichte, Band 43, 2007

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<http://www.bpb.de/publikationen/XM4RAZ.html>

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Einleitung

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Als am 1. Mai 2004 mit großen Freudenfeiern die zehn so genannten Luxemburgstaaten der EU beitraten, wurden Malta und Zypern von den meisten Medien nur "unter ferner liefen" erwähnt. Dies mag erstaunen, wenn man bedenkt, welches Konfliktpaket die EU mit Zypern in ihre Mitte aufnahm. Lediglich eine Woche vor der EU-Erweiterung war Zypern in die Schlagzeilen geraten, als sich am 24. April die griechisch-zyprische Bevölkerung in einem Referendum überraschend gegen eine Wiedervereinigung der Insel aussprach.

Zur Person

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Dabei ist die außergewöhnliche Position Zyperns in der EU nicht zu übersehen, schon rein geographisch nicht. Im östlichen Mittelmeer gelegen, ist Zypern nur rund 68 km von der türkischen Südküste entfernt, 95 km von der Westküste Syriens und 325 km von Ägypten (im Vergleich dazu beträgt die Entfernung zu Rhodos 385 km und zum griechischen Festland 830 km). Zypern ist daher nicht nur für das europäische Verständnis von geostrategischer Bedeutung. In Anspielung auf ihre längliche Form sprach 1983 der damalige türkische Präsident Turgut Özal von einer "Insel, die die Mitte der Türkei wie ein Dolch durchbohrt"; sie sei unter sicherheitspolitischen Gesichtspunkten für sein Land lebenswichtig.[1] Aber auch politisch gesehen ist Zypern innerhalb der EU ein Kuriosum. Da die Türkische Republik Nordzypern (TRNZ)[2] als Staat international nicht anerkannt wird und die Republik Zypern somit juristisch die Souveränität über die ganze Insel ausübt, wurde am 1. Mai 2004 die ganze Insel in die EU aufgenommen, obwohl in der Realität die Übernahme des EU-Regelwerks im nördlichen Teil nicht gewährleistet ist. Der Zypernkonflikt wird offiziell als "internes Problem" betrachtet, das von der einzigen anerkannten Regierung angegangen werden muss.



Kann es sich Europa überhaupt leisten, einen de facto geteilten Staat als Außenposten zu akzeptieren? Dass der Norden der Insel von einem Drittstaat (Türkei) militärisch besetzt wird, der seinerseits die EU Mitgliedschaft anstrebt, gehört zu den Widersprüchen der aktuellen Situation. Die Bemühungen der EU, Nordzypem wirtschaftlich und finanziell zu unterstützen, ohne dabei in den Verdacht einer juristischen Anerkennung der TRNZ zu geraten, sind nur ein Beispiel dafür, wie die EU in einer im Prinzip unhaltbaren politischen Grauzone laviert. Schließlich kann sich die EU nicht mehr der Frage entziehen, welche Rolle das Zypernproblem zukünftig in ihrer Türkei politik spielen wird. Denn spätestens mit der Eröffnung der EU-Beitrittsperspektive für Zypern 1995 sind die türkisch-europäischen Beziehungen zur Geisel des Zypernkonfliktes geworden.

Sollte Zypern dem Schengenabkommen beitreten, würde sich die Beibehaltung des Status quo noch problematischer gestalten, da die sogenannte Grüne Linie nicht hermetisch abgeriegelt ist. Eine "Grenzkontrolle" durch Zypern und die EU käme aber einer impliziten Anerkennung dieser Grenze gleich.[3] Während diese Fragen noch offen bleiben, nähert sich Zypern raschen Schrittes der vollständigen europäischen Integration. Im Juli 2007 haben die EU-Finanzminister beschlossen, dass Zypern am 1. Januar 2008 den Euro einführen wird.

Weshalb hat sich die EU darauf eingelassen, den Zypernkonflikt zu "importieren"? Einerseits haben seit den ersten Beitrittsbemühungen Zyperns in den neunziger Jahren viele EU-Politiker fest daran geglaubt, dass die Integrationsdynamik und die wirtschaftlichen Anreize des EU-Beitritts als Katalysator wirken und sich die beiden Inselteile noch vor dem Beitritt wiedervereinigen würden. Mit dieser Prognose hat sich die EU aber verkalkuliert.

Andererseits drängte das EU-Mitglied Griechenland als "Schutzpatron" der Republik Zypern von Anfang an darauf, den Beitrittsantrag der Insel anzunehmen, und übertönte damit die Skeptiker innerhalb der Union. Griechenland hat außerdem entscheidend Druck ausgeübt, um den Beitritt Zyperns von der Wiedervereinigung der beiden Inselteile als Vorbedingung für deren Beitritt abzukoppeln. Damit war der Republik Zypern ein wichtiger Anreiz genommen, die Lösung des Konflikts voranzutreiben. Die EU-Mitgliedschaft hatte sie unabhängig vom Ergebnis der Verhandlungen mit dem Norden sozusagen schon "in der Tasche". Die EU hat damit ein wichtiges Druckmittel für die Lösung des Zypernkonflikts aus den Händen gegeben. Schließlich hat auch die unklare Linie der EU bei den Verhandlungen zwischen beiden Inselteilen sowie eine Fehleinschätzung des seit über dreißig Jahren andauernden Konflikts dazu beigetragen, dass am 1. Mai 2004 ein geteilter Staat in die EU aufgenommen wurde.

Die Teilung Zyperns wird zuweilen einer misslungenen Entkolonialisierung zugeschrieben. Die auf den Garantieverträgen von Zürich und London (1959) begründete Republik war weniger das Ergebnis einer konzertierten Entscheidung zweier Volksgruppen als eine Kompromisslösung, die der Insel von außen aufgezwungen wurde und vor allem auf die Interessen der drei Garantiemächte Großbritannien, Griechenland und der Türkei einging. Mit der militärischen Besetzung Nordzyperns durch die türkische Armee 1974 wurde die Teilung zementiert und legte den Grundstein für politische, juristische und finanzielle Querelen zwischen beiden Volksgruppen.[4]

Die Überwindung der Teilung wird zusätzlich durch ein politisches Statusproblem erschwert, das auf unterschiedlichen Grundkonzepten der beiden Volksgruppen basiert. Die Zyperngriechen machen keinen Hehl aus ihrer Präferenz für ein zentralistisches Staatsmodell. Die türkisch-zyprische Minderheit hingegen befürchtet, dass ein solches Modell die Gleichstellung beider Volksgruppen aushöhlen würde und befürwortet stattdessen ein föderalistisches, aus zwei autonomen und gleichberechtigten Staaten bestehendes System. In diesem Sinne fordert sie die offizielle Anerkennung des Existenzrechts der TRNZ.[5]

Zu diesen diversen politischen Unvereinbarkeiten kommen wirtschaftliche Differenzen hinzu, die den Weg zur



Versöhnung noch zusätzlich erschweren. So trug die wirtschaftliche Isolierung Nordzyperns auf internationaler Ebene dazu bei, dass der Norden immer mehr in die wirtschaftliche Bedeutungslosigkeit abdriftete, während der Süden ständig wuchs. Das wirtschaftliche Gefälle zwischen beiden Inselteilen - mit einem rund dreimal niedrigeren Pro-Kopf-Einkommen im Norden als im Süden - hat bisher jegliche Lösungsansätze für eine Wiedervereinigung untergraben.

Aber auch kulturell haben sich die beiden Inselteile auseinander gelebt, was die Identifikation mit einer vereinigten Republik Zypern in Frage stellt; kaum jemand aus der jüngeren Generation spricht noch die Sprache der anderen Volksgruppe. Die Emigrationspolitik der Türkei vergrößerte diesen kulturellen Graben, indem sich im Laufe der Jahre Zehntausende von Festlandtürken in Nordzypern ansiedelten. Dass viele der Festlandtürken als Anreiz für ihre Übersiedlung Teile der 1974 enteigneten Länder erhalten haben, macht das Zypernproblem nicht gerade einfacher.

Der EU-Beitritt Zyperns

Als die Republik Zypern am 3. Juli 1993 den Beitrittsantrag einreichte, blickten die Vereinten Nationen (VN) auf über zwanzig Jahre erfolglose diplomatische Verhandlungen in der Zypernfrage zurück. Die Türkei befürchtete, dass eine Wiedervereinigung der Insel ohne Gleichberechtigung beider Teilstaaten einer Anerkennung der Republik Zypern gleichkommen würde und blockierte deshalb konsequent alle VN-Vorschläge. Der EU-Beitrittsantrag Zyperns weckte in dieser Patt-Situation neue Hoffnungen, dass als positiver Nebeneffekt der Beitrittsverhandlungen die Teilung der Insel endlich überwunden werden könnte.

Im Unterschied zu den neun anderen Beitrittskandidaten waren die Gründe für den Beitrittsantrag Zyperns - den reichsten der Beitrittsanwärter - nicht wirtschaftlicher, sondern hauptsächlich geopolitischer Natur. Die Republik Zypern war sehr daran interessiert, ihre politische und juristische Identität zu konsolidieren, um ihre Alleinvertretungsansprüche für die ganze Insel zu untermauern. Generell ging es Zypern letztlich aber auch um die Teilhabe an einem neuen Allianzsystem, das versprach, die zyprischen Interessen und die staatliche Integrität der Insel gegenüber externen Einflüssen (sprich: der Türkei) besser beschützen zu können als das System der Garantiemächte von 1960.

Verstimmt gegen die europäischen Ambitionen des Südens reagierte die "alte Garde" um den nordzyprischen Präsidenten Rauf Denktas, der enge Kontakte zur türkischen Generalität pflegte. Denktas bestand auf der Beibehaltung des Status quo und lehnte alle Zugeständnisse ab, die einen Einschnitt in die Autonomie Nordzyperns bedeuteten hätten. Er erklärte einen Beitrittsantrag im Namen der gesamten Insel ohne Zustimmung der TRNZ für illegal und drohte mit einer Einverleibung Nordzyperns in die Türkei, sollte die Republik Zypern der EU beitreten.

Ein Großteil der nordzyprischen Bevölkerung sah das allerdings anders. Während die später eingewanderten Festlandtürken als wichtigste politische Stütze Rauf Denktas galten, traten die politische Opposition um Mehmet Ali Talat, die Gewerkschaften und die Studenten für einen Ausgleich mit dem Süden und einen EU-Beitritt ein. Sie sahen darin die einzige Möglichkeit, Nordzyperns Isolation zu durchbrechen.

Wie so oft in ihrer Geschichte hat die EU auch in der Frage des Zypernbeitritts das Kunststück vollbringen müssen, zwischen den Extrempositionen ihrer Mitglieder eine einigermaßen kohärente Politik zu formulieren. Seit dem EU-Beitritt Griechenlands 1981 unternahm Athen enorme Anstrengungen, die Zypernfrage auf die Agenda der EU zu setzen. Dem griechischen Einfluss ist es auch zuzuschreiben, dass schon sehr früh der EU-Beitritt der Türkei an die Zypernfrage



gekoppelt wurde. Griechenland konnte dabei mit der Unterstützung des europäischen Parlaments rechnen, das sich aus völkerrechtlichen Gründen für einen Rückzug der türkischen Truppen aus Nordzypern aussprach.

Das Ergebnis war, dass die EU von ihrer bislang neutralen Rolle abwich und sich im Sinne des internationalen Rechts und unter Betonung der Rolle der VN für eine Lösung des Zypernproblems einsetzte. Diese Wende hatte einen entscheidenden Einfluss auf die Art und Weise, wie der Beitrittsantrag Zyperns in den neunziger Jahren vom EU-Rat angenommen wurde. Erstens konnte die Republik Zypern auch hier wieder mit der großzügigen Unterstützung Griechenlands rechnen: Athen hat mit seiner Drohung, im Falle einer Ablehnung Zyperns die gesamte Erweiterungsrunde zu blockieren, den Prozess erheblich beschleunigt. Zweitens hat der Rat im Sinne der VN stets seinen Willen betont, beide Inselteile in den europäischen Prozess zu integrieren. Damit positionierte sich die EU in der Zypernfrage, riskierte aber, die Grüne Linie als faktische Außengrenze der EU schlicht zu ignorieren.

Die Ablehnung des "Annan-Plans"

Wie auch immer die verschiedenen Akteure zum Beitrittsantrag Zyperns standen: Dieser hat zweifelsohne zwei Jahre lang eine neue Dynamik in den Friedensprozess gebracht. Auf Druck der EU wurden im Januar 2002 zwischen dem zyprischen Präsidenten Glafkos Kliridis und Rauf Denktas Gespräche mit dem Ziel einer umfassenden Lösung des Zypernproblems unter der Schirmherrschaft der VN aufgenommen. Weniger als zwei Wochen vor der EU-Erweiterung wurde der Gesamtbevölkerung Zyperns ein vom VN-Generalsekretär Kofi Annan erarbeiteter Friedensplan zur Abstimmung vorgelegt, der eine lose Konföderation aus zwei Bundesstaaten und auf gesamtstaatlicher Ebene ein Modell mit einem Ober- und Unterhaus vorsah.

Am 24. April 2004 wurde der so genannte Annan-Plan von den Zyperngriechen mit einer überwältigenden Mehrheit von 76 Prozent der Stimmen abgelehnt, während die Zyperntürken ihn mit 65 Prozent der Stimmen annahmen. Damit entschied sich der Süden letztlich auch dafür, den Norden aus dem europäischen Integrationsprozess herauszuhalten und die Anwendung des gemeinschaftlichen Besitzstandes auf die Republik Zypern zu beschränken. Erweiterungskommissar Günter Verheugen zeigte sich schwer enttäuscht von der Wahl der Zyperngriechen und betonte den Willen der EU, Nordzypern nicht "draußen in der Kälte" stehen zu lassen.

Nachdem sich die Emotionen gelegt hatten, traten die eigentlichen Auswirkungen des gescheiterten Referendums zu Tage. Die Hoffnung auf eine baldige Lösung des Zypernkonflikts war nun endgültig begraben worden, nach 2004 gab es keine nennenswerten Vorschläge für die Wiedervereinigung der Insel mehr. Auf der Insel selbst vergingen zwei Jahre, bevor von offizieller Seite im Juli 2006 wieder zaghafte - und kaum überzeugende - Schritte in Richtung Dialog unternommen wurden. Außerdem legte die Kommission im Sommer 2004 ein Hilfspaket in Höhe von 259 Millionen Euro für Nordzypern vor, das an ein Handelsabkommen zwischen der EU und dem Norden der Insel gekoppelt war. Damit sollte erstens dem Anschein entgegengewirkt werden, dass der türkische Inselteil für seine Kooperationsbereitschaft bestraft, der griechische dagegen für sein Nein beim Referendum mit einem EU-Betritt belohnt würde. Zweitens sollte verhindert werden, dass sich die wirtschaftlichen Unterschiede zwischen dem weiterhin isolierten Norden und dem nun im Schlepptau der EU stetig anwachsenden Süden noch verstärkten. Das Versprechen der EU-Kommission, die Isolierung Nordzyperns zu beenden, wurde jedoch bislang nicht eingelöst, da Zypern die Hilfs- und handelspolitischen Maßnahmen der EU seit 2004 blockiert. Durch ihre Blockade sucht die süd-zyprische Regierung jegliche Anzeichen einer Anerkennung des nord-zyprischen Teils zu verhindern, die als eine Verneinung des Alleinvertretungsanspruchs von Nikosia interpretiert werden könnten.



Der Zypern-Faktor in den türkisch-europäischen Beziehungen

Die komplexen Konstellationen nach dem Scheitern des Annan-Plans führten noch vor dem offiziellen Beginn der EU-Beitrittsverhandlungen mit der Türkei 2005 beinahe zu einer "Zugkollision", wie Erweiterungskommissar Olli Rehn bemerkte. Die Dynamiken auf der Insel beeinflussten die türkisch-europäischen Beziehungen auf zweierlei Weise. Zum einen sah sich die Türkei aus geopolitischen Sicherheitsinteressen und als Schutzpatron der Inseltürken in der Pflicht, die Souveränitätsbehauptungen der TRNZ zu unterstützen. Zum anderen wurde spätestens auf dem Luxemburg-Gipfel 1997 durch die Ernennung Zyperns zum EU-Beitrittskandidaten die Lösung des Konflikts auf der Insel an die Frage des EU-Beitritts der Türkei gekoppelt.[6]

Das Junktim zementierte sich, als Brüssel auf dem Helsinki-Gipfel 1999 die Aufnahme von EU-Beitrittsverhandlungen mit Ankara an zwei Bedingungen knüpfte: Das Land musste Kompatibilität mit den Kopenhagener Kriterien erreichen und seine Nachbarschaftsprobleme mit Zypern (und Griechenland) dauerhaft lösen. Mit dem offiziellen Beginn der Beitrittsverhandlungen mit der EU im Oktober 2005 wurde die Lage für die Türkei noch problematischer, da sie einen EU-Mitgliedsstaat völkerrechtlich nicht anerkannte. Auch verkleinerte sich der politische Handlungsspielraum Ankaras, als Zypern als Vollmitglied der Union neue Vetomöglichkeiten gegen die Türkei erhielt.[7]

Die Republik Zypern lehnt den EU-Beitritt der Türkei so lange ab, wie Ankara den Inselnorden besetzt hält. Doch lehnt Nikosia einen Abbruch der Verhandlungen ab, da es hofft, durch die "Europäisierung" der Türkei deren Kompromissbereitschaft hinsichtlich der Insel zu erhöhen. Ansatzpunkt dieser Hoffnung ist die Tatsache, dass durch die Demokratisierung der Türkei im Zuge der EU-Annäherung der Einfluss der reaktionären politischen Kräfte - insbesondere des Militärs - geschwächt wird. Denn diese lehnen eine Regelung des Zypernkonfliktes unter Preisgabe der Souveränität Nordzyperns ab. In der Tat ließ sich in der türkischen Zypernpolitik ab 2003 ein neues Profil erkennen. Der Wandel von der Ansicht, dass die Aufrechterhaltung des Status quo als solche auch eine Lösung sei, hin zur Unterstützung des Annan-Plans wurde im EU-Fortschrittsbericht 2004 anerkannt.[8]

Die Zypernkrise 2005

Die jüngsten Spannungen, welche beinahe die von Olli Rehn beschriebene "Zugkollision" ausgelöst hatten, waren die Streitigkeiten zwischen Brüssel und Ankara im Zuge der Zypernkrise 2005. Auf den ersten Blick ging es um die Interpretation der EU-Zollunion, im Kern aber um die völkerrechtliche Anerkennung Zyperns durch die Türkei. Brüssel forderte Ankara auf, das Zusatzprotokoll zum Abkommen über die Zollunion zu unterzeichnen, das den Freihandelsraum auf die neuen EU-Mitglieder ausdehnen und türkische Häfen und Flughäfen für zyprische Schiffe und Flugzeuge öffnen sollte. Die Türkei verweigerte kategorisch die Unterzeichnung, da sie einer indirekten Anerkennung der Republik Zypern als alleinige Inselvertreterin gleichkäme. Dies war für Ankara nur denkbar, wenn Brüssel im Gegenzug den Grundsatz der politischen Gleichheit der Inseltürken unterstrich und direkte Handelsbeziehungen mit Nordzypern aufnahm.

Innerhalb der EU wurde die Diskriminierung eines Mitglieds durch die Haltung Ankaras einstimmig kritisiert. Jedoch bestand kein Konsens, wie reagiert werden sollte. Die Stimmen reichten von einer Suspendierung des Beginns der



Beitrittsverhandlungen (Österreich) bis hin zur planmäßigen Aufnahme der Verhandlungen, für die ja die Anerkennung Zyperns nie zur Vorbedingung gemacht worden sei (Dänemark). Die Türkei drohte mit dem Rückzug ihres Beitrittsesuchs, falls neue Auflagen gestellt würden. In der türkischen Öffentlichkeit ließ die Haltung Brüssels am Bekenntnis der EU zur Türkei zweifeln und gab nationalistischen Kräften Anlass, die EU-Forderungen als Heuchelei der Union zu diffamieren. Unglaublich war die EU insofern, als Brüssel einerseits den Alleinvertretungsanspruch der griechisch-zyprischen Regierung akzeptierte, andererseits aber ihre volle Unterstützung für den Annan-Plan und Möglichkeiten der Handlungsbeziehungen mit dem Norden der Insel anbot.

Fazit und Perspektiven

Die Zypernfrage ist ein komplexes Problem. Angesichts der nach dem gescheiterten Referendum von 2004 neu eingetretenen Patt-Situation zwischen der Republik Zypern und der Türkei stellt sich die Frage nach der Zukunft des zyprischen Wiedervereinigungsprozesses.

Als positive Entwicklung ist die innenpolitische Öffnung Zyperns in den letzten Jahren hervorzuheben. 2005 wurde der pro-europäische Kandidat Mehmet Ali Talat zum neuen Präsidenten des türkischen Nordteils gewählt und löste Rauf Denktaş ab. Eine ähnliche Öffnung könnte bald auch in der Republik Zypern stattfinden, wo der Hardliner Tassos Papadopoulos vom populären Chef der Linkspartei AKEL Demetris Christofias herausgefordert wird. Letzterer will sich für eine Überwindung der Teilung der Insel einsetzen und hat bereits für Februar 2008 seine eigene Präsidentschaftskandidatur angekündigt.[9]

Ob Talat und Christofias die nationalistischen Fußstapfen ihrer Vorgänger so einfach werden verlassen können, bleibt jedoch abzuwarten. Außerdem dürfte eine innenpolitische Wende kaum für einen grundlegenden Wandel ausreichen, wenn die EU nicht zusätzlichen Druck ausübt. Einige Experten sind der Meinung, dass die supranationale Rolle der EU eine wichtige Funktion bei der Überwindung der Teilung der Insel spielen könnte, da die Bedeutung von Souveränität dadurch relativiert wird, dass wesentliche politische Entscheidungen nun in Brüssel fallen.[10]

Auch aus der Türkei werden nach den Präsidentschafts- und Parlamentswahlen im Sommer 2007, aus denen die amtierende Regierung und Unterstützerin des Annan-Plans als Siegerin hervorging, verstärkt positive Signale erwartet. Die Regierung bekräftigte ihren Willen, nicht nur den innenpolitischen Reformprozess weiterzuführen, sondern auch den EU-Beitritt des Landes voranzutreiben. Dass damit unweigerlich weitere Konzessionen in der Zypernfrage verbunden sind, ist den politischen Akteuren in Ankara bewusst. Gegenwind könnten sie aber verstärkt vom Militär bekommen, dem seit Sommer 2006 der Hardliner Yasar Büyükanit als Generalstabschef vorsteht. Im Gegensatz zu seinem Vorgänger mischt er sich vermehrt in die Politik ein und lehnt Zugeständnisse in der Zypernfrage ab.

Mangels eines umfassenden Plans hat die EU ihr Augenmerk unterdessen auf kleinere Projekte gerichtet, die eine Kooperation beider Volksgruppen in technischen Bereichen wie der Verwaltung des Abwassersystems und der Renovierung der Altstadt Nikosias fördern sollen. Besonders hervorzuheben ist die positive Entwicklung im Bereich des freien Personenverkehrs. Tausende von Touristen und Einheimischen besuchten seit der Öffnung der Grünen Linie an einigen strategischen Durchgangsstellen den anderen Inselteil.

Die "Politik der kleinen Schritte" der EU ist aber für eine politische Lösungsfindung letztlich unbefriedigend. Die zentrale (und längerfristige) Frage des zukünftigen politischen Status Zyperns wird damit bewusst umgangen. Die Beitrittsverhandlungen mit der Türkei drohen derweil immer wieder am Zypernproblem zu scheitern. Eine klare Linie ist



von der EU, die zwischen den Extrempositionen ihrer Mitglieder gefangen ist, aber kurzfristig wohl nicht zu erwarten. Noch zu oft stehen die realpolitischen Nationalinteressen der EU-Mitgliedsstaaten im Vordergrund. Griechenland hat bisher in der Zypernfrage erfolgreich Druck ausgeübt, um die EU im Sinne der griechisch-zypriotischen Positionen zu beeinflussen. Zypern selbst hat als EU-Mitglied die Möglichkeit, unerwünschte Initiativen zu blockieren. Großbritannien unterstützt zwar die europäische Integration der Türkei, sein direktes Interesse liegt aber in der Beibehaltung des Status quo und des Systems des Garantievertrags von 1960, das ihm die beiden Militärstützpunkte Akrotiri und Dekelia zugesteht. Pessimistisch stimmt außerdem, dass sich die Positionen der Hardliner nach dem Scheitern des Annan-Plans auf lange Zeit verfestigt haben. Umfragen belegen, dass die Idee einer Zwei-Staaten-Lösung immer mehr Unterstützer auf beiden Seiten der Trennungslinie findet, und zwar vor allem bei der jüngeren Generation.

Trotz der vorherrschenden Schwierigkeiten und dem fortdauernden Zypernkonflikt kann die EU nicht untätig bleiben. Einerseits könnte es immer schwieriger werden, angesichts der verhärteten Fronten eine befriedigende Lösung zu finden. Die beiden Inselteile werden sich weiterhin wirtschaftlich auseinander entwickeln. Schon jetzt sind Zweifel berechtigt, ob die Einführung des gemeinschaftlichen Besitzstandes wirtschaftlich gesehen im Norden überhaupt realistisch ist. Andererseits wird die ungelöste Zypernfrage auch in Zukunft die Beziehungen zwischen Ankara und Brüssel vergiften. Zypern dürfte weiterhin seine Vetomacht innerhalb der EU gegen den Beitritt der Türkei nutzen, solange Ankara keine Zugeständnisse in der Zypernfrage macht. Die türkische Regierung wird jedoch die Republik Zypern nicht anerkennen, wenn sie im Gegenzug nicht die Zusage zum EU-Beitritt erhält.

Über kurz oder lang wird die EU eine Lösung des Zypernkonflikts finden müssen, der sich in ihren eigenen Grenzen abspielt. Es steht zuviel auf dem Spiel: Die Duldung einer international nicht anerkannten politischen Einheit innerhalb des EU-Raumes stellt nicht nur die Glaubwürdigkeit der europäischen Institutionen in Frage, sondern auch die Fähigkeit der EU, eine komplexe geopolitische Krise in ihrem eigenen Territorium zu lösen. Eine Abwendung der Türkei von Europa kann sich die EU aus geopolitischer Sicht auch nicht leisten. Um nicht tiefer im türkisch-zypriotischen Treibsand zu versinken, wird die EU von ihrer "Sowohl-als-Auch"-Politik Abschied nehmen müssen.

Fußnoten

- 1 Vgl. Kipros Kibriz/Vesna Marinkovic, Chypre: une déchirure pour un peuple, un enjeu pour l' Union Européenne, Centre Robert Schuman, Paris 2006, S. 46; Nasuh Uslu, Türk Tarafi Açısından Kıbrıs Sorunu Boyutları (Auswirkungen der Zypernkrise aus türkischer Perspektive), in: Saban H. Çalı?/İhsan D. Dagi/Ramazan Gözen (Hrsg.), Türkiye'nin Dış Politika Gündemi. Kimlik, Demokrasi, Güvenlik, Ankara 2001, S. 213 - 242.
- 2 Wenn im Folgenden von der TRNZ und deren Institutionen die Rede ist, impliziert dies keine völkerrechtliche Anerkennung der Nordzyprischen Republik durch die Autorinnen.
- 3 Vgl. Josselin Gauny, L'échec du Plan Annan pour Chypre: un passage de témoin entre l' ONU et l' UE, in: Diploweb - la revue géopolitique, <http://www.diploweb.com/forum/chypre07023.htm> (1.12.2006).
- 4 Vgl. K. Kibriz/V. Marinkovic (Anm. 1), S. 8.
- 5 Vgl. Heinz Kramer, Patt auf Zypern, SWP-Aktuell 13/2002; ders., Stillstand auf Zypern, SWP-Aktuell 22/2006.
- 6 Vgl. Heinz-Jürgen Axt, Konflikttriade im östlichen Mittelmeer, in: Internationale Politik, (1996) 2, S. 33 - 38.
- 7 Vgl. Heinz Kramer, Türkei-Verhandlungen vor dem Aus?, SWP-Aktuell 51, November 2006, S. 7.
- 8 Vgl. EU-Kommission, Regelmäßiger Bericht über die Fortschritte der Türkei auf dem Weg zum Beitritt, COM (2004)



656 final, S. 52ff.

9 Vgl. Süddeutsche Zeitung vom 12. 7. 2007.

10 Vgl. H. Kramer, Stillstand auf Zypern (Anm. 5), S. 8.

Section C) Regional integration processes

Subsection 6. The European unification process

Sadurski Wojciech

'Solange, chapter 3': Constitutional Courts in Central Europe—Democracy—European Union

in *European law journal*, January 2008 - Vol. 14 Issue 1 , 1–35

Soon after the accession of eight post-communist states from Central and Eastern Europe to the EU, the constitutional courts of some of these countries questioned the principle of supremacy of EU law over national constitutional systems, on the basis of their being the guardians of national standards of protection of human rights and of democratic principles. In doing so, they entered into the well-known pattern of behaviour favoured by a number of constitutional courts of the 'older Europe', which is called a 'Solange story' for the purposes of this article. But this resistance is ridden with paradoxes, the most important of which is a democracy paradox: while accession to the EU was supposed to be the most stable guarantee for human rights and democracy in post-communist states, how can the supremacy of EU law be now resisted on these very grounds? It is argued that the sources of these constitutional courts' adherence to the 'Solange' pattern are primarily domestic, and that it is a way of strengthening their position vis-à-vis other national political actors, especially at a time when the role and independence of those courts face serious domestic challenges.

Section C) Regional integration processes

Subsection 6. The European unification process

Linde Paniagua E.

¿Qué queda de la Constitución europea?

in *Cuadernos europeos de Deusto*, n. 37 , 73 - 92

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Cava Mesa M.J.

¿Éxito o fracaso de la UE?. Conmemoración del 50 aniversario de los Tratados de Roma

in *Cuadernos europeos de Deusto*, n. 37 , 11-20

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

AUBY Jean-Bernard, DUTHEIL de la ROCHÈRE Jacqueline

À propos de la notion de droit administratif européen

in *Revue française d'administration publique*, n. 123 , 373-386

This article studies the birth of a new legal discipline within public law, European administrative law. The European Union's administrative law is a special form of administrative law because it is an executive law, and the executive powers of the community are not as easily definable as those of a state. There are two effects of this law on national administrative laws. First, there are the effects of authority which emanate from European treaties such as the principle of loyal cooperation, and from Court jurisprudence like the principles of primacy and "invocability". It also has indirect influences as seen through borrowing techniques, such as proportionality, and structures, like government agencies. This law leaves its mark on the objectives of economic regulation it pursues (e.g. competition and freedom of movement), as well as through the means it uses to reach these objectives, for example through the attention it gives to the procedures of adopting new laws and the control exercised over national administrative laws. Finally, the authors study the manner in which national administrative laws adapt more or less easily to European administrative law.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Turpin Frédéric

Alle origini della politica europea di cooperazione allo sviluppo: la Francia e la politica di associazione Europa-Africa

in *Ventesimo Secolo. Rivista di Studi sulle Transizioni*, Anno VI, n. 14, "A 50 anni dai Trattati di Roma", ottobre

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Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Ghérari Habib, Chemain Régis

Chronique UE-OMC: lère partie - Les accords de partenariat économique, entre réalisme et solidarité

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, numero 512, octobre-novembre , 585-590

The Cotonou agreement signed on June 23, 2000, for 20 years, includes a negotiation programme for the revision of its trade aspects. The EU and ACP countries agreed on developing Economic Partnership Agreements (APEs) intended to supersede, as from January 1, 2008, the current trading regime, whose basic principle, preferential access of ACP exports into the EU, dates back to the famous Lomé agreement, which was once regarded as a model in terms of North-South solidarity. Both for economic reasons (inefficiency of trade preferences) and legal reasons (incompatibility with WTO rules), the status should yield to a mutual liberalisation of exchanges and to an agreement on various related questions (services, competition, investments). The stake is huge, and unsurprisingly, this great project soon showed



the scope of its complexity and difficulties. Now, its outcome scheduled for 31 December 2007 seems out of reach to many, so the question of alternatives and principles applicable after January 1, 2008 is inevitably posed.

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Subsection 7. Inter-regional Cooperation

Molano Cruz Giovanni

El interregionalismo y sus limites

in *Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile*, Vol. 40 / 2007 / Nr. 158

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Belay Seyoum

Export performance of developing countries under the Africa Growth and Opportunity Act: Experience from US trade with Sub-Saharan Africa

in *Journal of Economic Studies*, Volume 34 Issue 6 , 515 - 533

The purpose of this study is to assess the implications of US trade preferences under the African Growth and Opportunity Act (AGOA) and its impact on beneficiary country exports.

The approach is to use Wilcoxon signed rank test and time series regression analysis using ARIMA.

The results largely indicate that AGOA has a positive but not significant effect on beneficiary exports to the USA for all country groups. Its effect is also quite marginal on sectoral exports except for textiles and apparel. Similarly, AGOA's effect is positive but not significant for all major exporters except Lesotho.

A proper understanding of this relationship will help donors and recipients devise appropriate policies to help encourage the growth and diversification of exports that is so vital for developing countries

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Subsection 7. Inter-regional Cooperation

Ornelas Emanuel

Feasible multilateralism and the effects of regionalism

in *Journal of International Economics*, Volume 74, Issue 1, January 2008

Recent research shows that the GATT/WTO negotiating rules are capable of delivering a politically efficient equilibrium. Such an equilibrium is, however, economically inefficient. Global free trade, in particular, is unattainable even in a fully cooperative world, if governments have political motivations. In such a context, we show that regional trade agreements can help move the world towards a welfare-superior equilibrium. The reason is that, when members of regional trade agreements lower trade barriers against one another, they tend to reduce their multilateral tariffs as well. Once we account for these endogenous changes—and only then—we find that regionalism can raise world welfare even in a fully cooperative (but political) world. Regional integration can, however, harm outsiders.



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Subsection 7. Inter-regional Cooperation

Bowen Norman

France, Europe, and the Mediterranean in a Sarkozy Presidency
in *Mediterranean Quarterly*, Volume 18, Number 4, Fall

Nicholas Sarkozy's campaign documents and speeches reveal more continuity than rupture with past French foreign policy. The US will welcome his support for missile defense and possible unilateral action outside of the UN. However, like previous French presidents, Sarkozy extolled multipolarity and independent European Union military capacity while opposing a global role for NATO. He called for protection against the negative impacts of globalization and promoted EU-wide industrial "champions." He opposed Turkey's entry into the EU on cultural and antiterrorist grounds. Instead, he proposed to create a new Mediterranean Union. Anti-immigrant policies at home combined with an unapologetic view of French colonialism make it unlikely that Sarkozy will be able to revive the EU's Mediterranean initiative and with it France's fading leadership in North Africa.

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Subsection 7. Inter-regional Cooperation

Thallinger Gerhard

From Apology to Utopia: EU-ECP Economic Partnership Agreements Oscillating between WTO Conformity and Sustainability

in *European Foreign Affairs Review*, Volume 12, Issue 4 , 499-516

This contribution assesses the future Economic Partnership Agreements between African, Caribbean and Pacific countries and the EU and its Member States in the light of their questionable WTO conformity and their goal to promote sustainable development. After a brief outline of the legal framework and political background of the Economic Partnership Agreements, the article depicts their objectives as provided for in the Cotonou Agreement. Thereafter, the criteria for their conformity with Article XXIV GATT as well as the conceivable repercussions of a WTO-compatible design on the achievement of sustainable development are analysed. It will thereby be argued that, against the backdrop of the current uncertainty and the need for clarification of the requirements for North-South regional trade agreements under Article XXIV GATT, WTO-compatible Economic Partnership Agreements calling for a restrictive design of flexibility and asymmetry threaten to subvert the Cotonou Agreement's aim that they shall foster sustainable development and contribute to poverty alleviation. Hence, solutions to mitigate this inherent tension between WTO conformity and sustainability will finally be pointed out.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Perez Romain, Karingi Stephen Njuguna

How to Balance the Outcomes of the Economic Partnership Agreements for Sub-Saharan African Economies?
in *World Economy*, Volume 30, Number 12 , 1877-1899



Since 2002, the Sub-Saharan African countries (except South Africa which already has a free-trade agreement with the EU) have embarked on free-trade agreement negotiations with the European Union. These arrangements will replace the Cotonou scheme, which requires these countries to eliminate their tariffs on 'substantially' all their European imports. Based on a general equilibrium analysis, this study estimates the potential effects of these agreements by considering different levels of reciprocity in the commitments of the Sub-Saharan African countries. It shows that the 'standard' EU proposal, whereby Sub-Saharan African countries would cut tariffs on 80 per cent of their European imports, would not be enough to balance the outcome of the Economic Partnership Agreements. As a result of the asymmetries between European and African protections and supply-side capacities, African countries could experience a balance of trade deficit of USD 1.8 billion associated with a 0.1 per cent decrease in GDP. This proposal, which also induces an industrial restructuring to the benefit of the agro-processing industries, will create a significant fiscal burden. A lesser level of commitment could largely mitigate these unfavourable results; by reciprocating tariff eliminations on only 60 per cent of their European imports, African countries would reduce the trade imbalance and fiscal losses induced by these agreements by 21 and 51 per cent respectively.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Jeandesboz Julien

Labelling the 'neighbourhood': towards a genesis of the European neighbourhood policy

in **Journal of International Relations and Development**, Volume 10, Number 4, December , 387-416

This article investigates the drafting of the most recent initiative developed by the European Union (EU) to manage its relations with the countries lying in its geographical vicinity: the European neighbourhood policy (ENP). It argues that a functional reading of this policy, as being the response to externally given problems, does not allow for a satisfactory understanding of the various processes at work under the ENP. It tries to depart from such an outlook by analysing the ENP as an administrative label, structured by a variety of discursive strategies and the struggles among differentially positioned agents of the European bureaucracies. In this, it draws from proposals for a sociology of practices initially developed in the field of critical approaches to security studies. Its main conclusion on the ENP is that, despite the official discourse highlighting the need for a rapprochement between the EU and its neighbours based mainly on a programme of 'good governance', the ENP is now largely structured by a perspective focusing on the management of potentially threatening developments stemming from the EU's vicinity.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Rakotonirina Haingo Mireille

Le dialogue interrégional UE-Afrique depuis Cotonou : le cas de la Facilité de soutien à la Paix en Afrique.

in **Politique européenne** , n. 22

No abstract available

Section C) Regional integration processes



Subsection 7. Inter-regional Cooperation

Šabič Zlatko, Bojinović Ana

Mapping a Regional Institutional Architecture: The Case of the Mediterranean

in *Mediterranean Politics*, Volume 12, Number 3, November , 317-336

Intra-regional international institutions are important for the development of a region because they facilitate its coherence and the build-up of common values. The Mediterranean region lacks a strong institutional infrastructure, which contributes to the fact that many states in the Mediterranean region, especially the poorer ones, play only a marginal role in Mediterranean affairs. Yet there are some positive developments. The analysis of the existing web of intra-Mediterranean international non-governmental institutions shows that it has been growing stronger since the end of the cold war. Unfortunately, this development has not been matched by the growth of a web of intergovernmental institutions. This makes the contemporary Mediterranean institutional architecture incomplete, and the population there vulnerable to interest from external actors.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Pace Michelle

Norm shifting from EMP to ENP: the EU as a norm entrepreneur in the south?

in *Cambridge Review of International Affairs* , Vol. 20, n. 4, December , 659-675

This article focuses on the normative dimensions of European Union (EU) policy on the Mediterranean which, it is argued, give rise to a number of dilemmas and challenges. First, it scrutinizes the core *raison d'être* behind the EU's regionalist strategy within the Euro-Mediterranean Partnership (EMP) context. Second, since it purportedly supplements the EMP, the article examines the European Neighbourhood Policy (ENP) and its associated normative bilateral basis. In doing so, the article attempts to raise a number of broad questions about the nature, purpose and underlying logic of regional integration, the role of norms in international relations, and the changing nature of foreign policy. It is argued that EU endeavours at enhanced relations with southern partners point to the pursuit of a dual strategy: the identification of the EU as a 'normative power', on the one hand, and the attainment of political and economic interests, on the other. The challenges of this pursuit may in turn explain some of the main dilemmas facing EU-Mediterranean relations.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Smith Michael E., Webber Mark

Political Dialogue and Security in the European Neighbourhood: The Virtues and Limits of 'New Partnership Perspectives

in *European Foreign Affairs Review*, Volume 13, Issue 1 , 73-95

This article examines the EU's most prominent policy tool (short of further enlargement) intended to help stabilize and secure relations with its bordering states: the European Neighbourhood Policy (ENP). Dealing with the problem of regional stabilization has been a central rationale of the ENP and in what follows we consider how the ENP's concern with this problem has been pursued through the framework of political dialogue with partners, focusing particularly on cooperation in external relations. There are undoubted benefits which the ENP brings to this policy domain, however the initiative is also saddled with three sets of problems. The first relates to the question of local relevance and



'value-added', and is a concern largely for the ENP partners. The second is the challenge of policy coherence and is played out at the EU level and among EU Member States. The third is how the ENP relates to important regional actors (principally the USA and Russia) who have the potential to both facilitate and frustrate the initiative. These three challenges frame the context for two brief regional snapshots of the ENP in action, looking at EU security relations with the South Caucasus (and Georgia more specifically) and the Middle East.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Baabood Abdullah, Edwards Geoffrey

Reinforcing Ambivalence: The Interaction of Gulf States and the European Union

in *European Foreign Affairs Review*, Volume 12, Issue 4 , 537-554

This paper explores the seeming paradox of Europe's strategic dependence and minimal EU presence in the Gulf. The Strategic Partnership agreed in June 2004 has done little to advance any sense of coherence or purpose in relations with the Gulf states in the face of the continued belief of some of the larger Member States in the value of their bilateral relationships with particular Gulf states. The resulting ambiguity in European policy has been exacerbated by the ways in which Gulf states themselves have dealt with Europe, looking less to the Gulf Cooperation Council as the preferred interlocutor with the EU, than at maintaining older, bilateral political and military relationships with particular Member States. The assessment of the relationship is set against the economic and strategic role of the USA, and the raised tensions in the Gulf region since September 11 and the invasion of Iraq.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Montanari Marco

The Barcelona Process and the Political Economy of Euro-Mediterranean Trade Integration

in *Journal of Common Market Studies*, Vol. 45, Issue 5, December 2007

The Barcelona Process aims to create a free trade area between the EU and its Mediterranean neighbours by 2010. This article uses two-level game theory to analyse the negotiations leading to the signature of the Euro-Mediterranean Association Agreements. It argues that conflicts of interests between the actors involved in the bargaining process are responsible for the restrictive nature of the agreements, characterized by agricultural protectionism, long transition periods and small amounts of financial support allocated by the EU to its partners. These provisions have prevented the Barcelona Process from significantly boosting Euro-Mediterranean bilateral trade in the last few years.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Sautene Antoine

The Current Status and Prospects of the 'Strategic Partnership' between the EU and China: Towards the Conclusion of a Partnership and Cooperation Agreement

in *European law journal*, November 2007 - Vol. 13 Issue 6 , 699-731

This article aims to evaluate legal aspects of the content and implementation of the 'strategic partnership' between the



EU and the People's Republic of China. In the absence of a category of 'emerging countries' in international economic law, the Union must adapt its foreign policy with regard to this major economic and commercial power. Relations between the European Community and China are currently governed by a second-generation agreement from 1985. However, a new dynamic has been set in motion since 2003, by the drawing up of preparatory documents by both parties and joint declarations at annual summits bearing on the 'strategic partnership'. Seen in a long-term perspective, this partnership helps provide a measure of predictability in relations between the two partners, through combining elements of 'soft law' and 'hard law'. If the insertion of political dialogue into the strategic partnership seems to alter the coherence of the Union, notably with regard to the difficulties of implementing the dialogue on human rights, the added value of the partnership lies essentially in its economic and commercial aspects, through not only the putting into place of non-binding 'economic dialogues' which cover a large spectrum of the relationship, but also by the multiplication of sector-based accords in numerous areas (maritime transport, customs cooperation, etc.). This constant development has thus allowed parties, at the last annual summit, to envisage the conclusion of a new framework agreement: this is the origin of the mandate given to the Commission in December 2005 to conclude a partnership and cooperation agreement. This article will sketch out a forecast of the legal framework, measured against the yardsticks of Asiatic regional reconfigurations and the law of the World Trade Organisation (WTO). The commercial risks of the relationship could imply the integration of the domains known as 'WTO plus' into the future agreement, notably in the field of investments and intellectual property rights, which would introduce a greater variety into the agreement. That being the case, the negotiations risk being equally fragile at the political level, in particular concerning the insertion of a clause of democratic conditionality in the future agreement. Also, any clash between the values and the interests of the EU would be uncomfortably highlighted during negotiations.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Baroowa Saponti

The Emerging Strategic Partnership between India and the EU: A Critical Appraisal in *European law journal*, November 2007 - Vol. 13 Issue 6 , 732–749

For a long time, the relations between India and the EU have been largely informed by economics without any similar significant engagement at the political level. In recent times however, amongst others, the changing external environment, the EU's emerging profile as a global actor and India's growing importance both regionally and globally warranted the need for greater political dialogue and cooperation between the two sides. What followed therefore was the formalisation at the highest level of the EU's political dialogue with India and its institutionalisation into a meaningful summit-level partnership leading to a strategic partnership. Areas of divergence and challenges remain but the opportunities that have surfaced are significant and deserving of attention. This article critically analyses the growing strategic partnership between India and the EU in the light of both these realities.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Brach Juliane



The Euro-Mediterranean Partnership: The Role and Impact of the Economic and Financial Dimension
in *European Foreign Affairs Review*, Volume 12, Issue 4 , 555-579

The EU and 12 countries of the Middle East and North Africa (MENA) engaged in 1995 in the Euro-Mediterranean Partnership (EMP) in political, economic and cultural matters with the aim to foster cooperation, stability and prosperity around the Mediterranean Basin. The Economic and Financial Partnership (EFP) plays a central role in the EMP design and implementation, which is centered on economic and trade integration as a starting point for and an anchor of socio-economic development in the MENA region. Against this background, this paper reviews the situation in the MENA partner countries and the past performance of the EFP. It analyses the association agreements, economic cooperation and financial assistance, discusses the major obstacles, and outlines the potential of the EFP to shape the European Neighborhood Policy.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Polsh Walter

The European Union and Iran: What Next?

in *International Spectator (The)*, Vol. XLII, n. 4, October-December

EU-Iranian relations have reached a stalemate. EU engagement with Iran makes sense as long as it is accompanied by stringent sanctions that are imposed by the international community (i.e. E3+3 format and UNSC) and that focus on the nuclear file only. In the end, such an approach could allow the EU to find that delicate balance between the US position of imposing sanctions for the sake of sanctioning, thereby rendering them ineffective, and a Russian-Chinese position of applying minimal sanctions that would make them equally inefficient.

Section D) Federalism as a political idea

Subsection 1. Federalism

Müller Jan-Werner

A general theory of constitutional patriotism

in *International Journal of Constitutional Law*, Vol. 6, n. 1 , 72-95

This article offers a theory of constitutional patriotism independent of the controversial social theories of modernization and rationalization with which Jürgen Habermas's version of constitutional patriotism is associated. It argues that the purpose of constitutional patriotism, as a set of beliefs and dispositions, is to enable and uphold a liberal democratic form of rule that free and equal citizens can justify to each other. The object of patriotic attachment is a specific constitutional culture that mediates between the universal and the particular, while the mode of attachment is one of critical judgment. Finally, constitutional patriotism results in a number of policy recommendations that are clearly different from policies that liberal nationalists would advocate.

Section D) Federalism as a political idea

Subsection 1. Federalism

Sotan Karol Edward



Constitutional patriotism and militant moderation

in *International Journal of Constitutional Law*, Vol. 6, n. 1 , 96-116

Constitutional patriotism is a form of political loyalty combining a commitment to universal principles with a love of a unique object of loyalty, and with a special connection to a constitution. This paper outlines a version of constitutional patriotism with three distinctive characteristics. First, constitutions are not the object of the loyalty, but its most important expression. Second, constitutions are seen as commitments to a certain form of moderate politics. And, finally, constitutional patriotism can be directed toward many different objects of loyalty, but only when it can be simultaneously directed toward a universal civilization. Constitutional patriotism seems to be the best possible form of political loyalty, and hence the form we should adopt. Loyalty is not necessarily always a virtue. But a certain form of loyalty (constitutional patriotism)—to individuals and groups, institutions and causes that deserve loyalty—is a virtue. There are many conceptions of constitutional patriotism; this paper argues in favor of one that expresses a passionate, ambitious, and militant moderation.

Section D) Federalism as a political idea

Subsection 1. Federalism

Soltan Karol Edward

Constitutional patriotism and militant moderation

in *International Journal of Constitutional Law*, Vol. 6, n. 1 , 96-116

Constitutional patriotism is a form of political loyalty combining a commitment to universal principles with a love of a unique object of loyalty, and with a special connection to a constitution. This paper outlines a version of constitutional patriotism with three distinctive characteristics. First, constitutions are not the object of the loyalty, but its most important expression. Second, constitutions are seen as commitments to a certain form of moderate politics. And, finally, constitutional patriotism can be directed toward many different objects of loyalty, but only when it can be simultaneously directed toward a universal civilization. Constitutional patriotism seems to be the best possible form of political loyalty, and hence the form we should adopt. Loyalty is not necessarily always a virtue. But a certain form of loyalty (constitutional patriotism)—to individuals and groups, institutions and causes that deserve loyalty—is a virtue. There are many conceptions of constitutional patriotism; this paper argues in favor of one that expresses a passionate, ambitious, and militant moderation.

Section D) Federalism as a political idea

Subsection 1. Federalism

Müller Jan-Werner and Scheppele Kim Lane

Constitutional patriotism: An introduction

in *International Journal of Constitutional Law*, Vol. 6, n. 1 , 67-71

No abstract available

Section D) Federalism as a political idea

Subsection 1. Federalism

Dragana



Crisis of Federalism?

in *Review of International Affairs (The)* , Vol. LVIII, nn. 1125-1126, January-June

No abstract available

Section D) Federalism as a political idea

Subsection 1. Federalism

Smith Troy E.

Divided Publius: Democracy, Federalism, and the Cultivation of the Public Sentiment

in *Review of Politics (The)*, Vol. 69, N. 4, Fall , 568-598

No abstract available

Section D) Federalism as a political idea

Subsection 1. Federalism

Benson David; Jordan Andrew

Understanding task allocation in the European Union: exploring the value of federal theory

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

After a long period in the doldrums, in recent years the use of federalism to understand the European Union (EU) has undergone something of a renaissance. However, some of its core claims remain ambiguous and many have not been tested empirically. This paper argues that amongst a number of truth claims made by federal theorists, potentially the most illuminating is that relating to the allocation of decision-making powers (or tasks) across different levels of governance. In testing the value of what appears to be an increasingly distinct 'turn' in EU scholarship, it subjects this particular claim to empirical testing within the area of environmental governance - a policy area which is especially well suited to federal theory. Drawing on three relevant federal theories, this paper concludes that each one sheds new light on task allocation, but all have their blind spots, suggesting the need for further refinement, empirical testing and possibly synthesis with other theoretical approaches.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Tierney Stephen

Beyond the Ontological Question: Liberal Nationalism and the Task of Constitution-Building

in *European law journal*, January 2008 - Vol. 14 Issue 1 , 128-137

Section D) Federalism as a political idea

Subsection 2. Nationalism

Rahim Aminur



Communalism and Nationalism in Bangladesh

in *Journal of Asian and African Studies* , December 2007, Volume 42, No. 6

The scholars of the South Asian politics have tended to take a one-dimensional view in national formations in Bangladesh, that is, identity formation is seen as either instrumental or primordial. Relying on the conceptual framework of social formation, this article argues that 'Bengali' and 'Muslim' are complementary. Group solidarity itself is seen as a social process that links to the everyday world that provides the space for the identity formation. It transcends the narrow utilitarian principle to strive for securing and organizing power itself.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Stepan Alfred

Comparative Theory and Political Practice: Do We Need a 'State-Nation' Model as Well as a 'Nation-State' Model?

in *Government and Opposition* , Vol. 43, n. 1, Winter , 1-25

Some polities have strong cultural diversity, some of which is territorially based and politically articulated by significant groups that, in the name of nationalism, and self-determination, advance claims for independence. In this article such polities are defined as 'politically robustly multinational'. If the goal is peace and democracy in one state in such a polity, this article advances theoretical and empirical arguments to show that ideal typical 'nation-state' making policies are less appropriate than policies associated with new ideal type I construct called 'state-nation'. Countries discussed are Spain, Belgium, and Canada and the 'matched pair' of successful Tamil political integration via state nation policies in India, and failed Tamil political integration due to nation-state policies in Sri Lanka.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Abraham David

Constitutional patriotism, citizenship, and belonging

in *International Journal of Constitutional Law*, Vol. 6, n. 1 , 137-152

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Delanty Gerard, Hutchinson John, Kaufmann Eric, Özkirimli Umut, Wimmer Andreas

Debate on John Hutchinson's Nations as Zones of Conflict

in *Nations and Nationalism*, Vol. 14, Issue 1, January 2008 , 1-28

No abstract available



Section D) Federalism as a political idea

Subsection 2. Nationalism

Spruce Damian

Empire and Counter-Empire in the Italian Far Right

in Theory, Culture & Society, Volume 24, n. 5, September , 99-126

What old Fascisms and new nationalisms circulate in the political spaces of Europe? Through an analysis of their split on immigration policy in 2003, this article examines the myths and ideologies of the two major far right parties in Italy, the Lega Nord and the Alleanza Nazionale. It argues that the anti-imperial mythology of the Lega, based on the defence of Lombardy against the Holy Roman Empire, has led it into a modernist politics of territoriality, borders and homogeneity. On the other hand, the Alleanza Nazionale has used its Fascist heritage, and in particular the mythologizing of the Roman empire, to open up a postmodern imperial politics, involving the expansion of borders, and the incorporation of new peoples and territories. Through the use of interviews with militants and deputies, it looks at how the Alleanza has re-articulated imperial Fascist mythologies within a new pro-European Union discourse, while the Lega has maintained its role of protest against deterritorialization despite the seeming inevitability of the territorial integration.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Winter E.

How does the nation become pluralist?

in Ethnicities, Vol. 7 n. 4 , 483-515

This article proposes a sociological framework for the constitution of pluralism within the nation state. Revisiting Max Weber's concept of social closure in light of recent scholarship in ethnic relations, the approach developed in this article first emphasizes the constitution of groups within majority/minority relations. It shows that processes of racialization and ethnicization are at the heart of social relations. Second, it argues that nations are constituted in inter- and intra-national relations of conflict and power. This allows one to deconstruct the civic/ethnic dichotomy without losing the theoretical value of these concepts. Rather than being cultural properties, civic and ethnic forms of nationalism allude to different positions of power held by groups and nations in their respective constitutive contexts. Finally, normative pluralism is defined as being produced through conflict and struggle between the dominant group and various minorities. The article examines the relations between different national imaginations and diverse types of pluralism (e.g. multinationalism and multiculturalism). It also accounts for the intersections between different types of pluralism.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Aktürk Sener



Incompatible Visions of Supra-Nationalism: National Identity in Turkey and the European Union
in *European Journal of Sociology*, Volume 48, Issue 02, August 2007 , 347-372

Abstract

This essay looks at Turkish-EU relations with a specific focus on identity narratives from the Turkish point of view. It outlines Turkey's official national narrative in its Ottoman, Turkic, and Islamic supra-national contexts and compares it with the supranational framework of EU member states' national narratives. According to the official Turkish historiography, Turkey is not part of a European family of nations. Turkey's non-European post-imperial identity is found to be comparable to that of Britain.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Berger Mark T.

Keeping the World Safe for Primary Colors: Area Studies, Development Studies, International Studies, and the Vicissitudes of Nation-Building

in *Globalizations* , Volume 4, Issue 4, December 2007 , 429 - 444

Abstract

This paper focuses on the theory and practice of nation-building. This is done primarily in an effort to explicate how area studies (AS), development studies (DS), and international studies (IS) have been, and continue to be, embedded in international security and economic/development policy processes and questions of national sovereignty, international relations, and global governance. The central argument is that at this world-historical juncture the nation-state system (and the pursuit of modernity via the nation-state) is one of the key obstacles to the achievement of a genuinely emancipatory modernity in an era of global oligopolistic capitalism centered on US hegemony. The analysis followed here challenges the way in which the nation-state, and the nation-state system, remain central to and continue to be routinized and naturalized by the dominant discourses within AS, DS, and IS. Furthermore, with the end of the Cold War, the boundaries between AS, DS, and IS, and their relationship to international relations and other disciplines, have become increasingly blurred. In this context, it is argued that the future of AS and DS lies in their convergence on IS. Furthermore, if IS is to gain any purchase as a set of critical practices and structures and the study of nation-building (a central theme in IS) is to gain a critical conceptual edge, they both need to be dramatically reformulated. IS generally and nation-building more specifically need to be recast in ways that carry them well beyond their current conceptual and policy frameworks. Only in this way will IS and the study and practice of nation-building make a contribution to furthering global emancipation, social prosperity, and political stability.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Losano M. G.

La Romania e le minoranze balcaniche nell'Unione europea

in *Sociologia del diritto* , n. 2 , 5 - 40

No abstract available



Section D) Federalism as a political idea

Subsection 2.Nationalism

Cattini Giovanni C.

La costruzione del discorso nazionalista catalano alla fine dell'Ottocento: il paradigma storico-giuridico in Spagna Contemporanea, Anno XVI, n. 31 , 35-54

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Nieburh Reinhold

La immoralidad de las naciones

in Relaciones internacionales : revista publ. por el Instituto de Relaciones Internacionales , Nº 7 Noviembre 2007

Se ha aludido con frecuencia a la diferencia entre las actitudes de los individuos y las de los grupos, sosteniendo la tesis de que las relaciones grupales nunca pueden ser tan éticas como aquellas que caracterizan las relaciones individuales. Al abordar el problema de la justicia social podemos encontrarnos con que la relación entre las clases económicas dentro de un estado es más importante que las relaciones internacionales. Pero desde la perspectiva del análisis ético del comportamiento grupal, es factible estudiar antes las actitudes éticas de las naciones; pues la nación moderna es el grupo humano con mayor cohesión social, con una mayor autoridad central indiscutida y con una pertenencia más claramente definida. Puede que la Iglesia haya podido desafiar la preeminencia de la citada nación en la Edad Media y que la clase económica compita con ella para lograr la lealtad de los hombres en nuestros días. Aún así, la nación sigue siendo, como lo ha sido desde el siglo XVII, la más absoluta de todas las asociaciones humanas. Las naciones son sociedades territoriales, cuyo poder de cohesión es proporcionado por el sentimiento de nacionalidad y la autoridad del estado. El hecho de que nación y estado no sean sinónimos, y que los estados incorporen con frecuencia a varias nacionalidades, indica que la autoridad del gobierno es la fuerza última de la cohesión nacional. Asimismo, el hecho de que estado y nación sean más o menos sinónimos demuestra que sin el sentimiento de nacionalidad, con una lengua y tradiciones comunes, la autoridad del gobierno es, por lo general, incapaz de mantener la unidad nacional. La unidad de Escocia e Inglaterra en un solo Estado Británico y el fracaso de mantener esa misma unidad entre Inglaterra e Irlanda, evoca tanto las posibilidades como las limitaciones de trascender la nacionalidad en la formación de los estados. De acuerdo con nuestros objetivos, podemos pensar en el estado y la nación como términos intercambiables, ya que nuestro interés se circunscribe a las actitudes morales de las naciones que poseen un aparato estatal a su disposición, a través del cual son capaces de consolidar su poder social y de definir sus posiciones ideológicas y sus políticas.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Resnik Judith

Law as affiliation: "Foreign" law, democratic federalism, and the sovereigntism of the nation-state in International Journal of Constitutional Law, Vol. 6, n. 1 , 33-66



This essay explores the role that law plays in marking the identity of a nation-state and the concerns—which I gather under the term sovereignty—that animate interest in dictating what position "foreign" law ought to play as a domestic resource in adjudication. In some countries such as the United States, opposition to "foreign" law has a long pedigree, exemplifying an exclusivist form of sovereignty. In contrast, South Africa's Constitution is also sovereigntist but inclusively so, directing its jurists—as an expression of that nation's identity—to consider international law. After showing why exclusivist sovereignty cannot succeed as a practice in barring law's migration and how it is wrong as a theory of democracy, I commend engaging in important questions raised by sovereignty: whether the import and export of law ought to be regulated by national law, what legal actors ought to be active in the trade in law, and how sovereignty illuminates human aspirations to use law to make distinctive identities for nation-states.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Dagenais Michèle, Laville Christian

Le naufrage du projet de programme d'histoire « nationale ». Retour sur une occasion manquée accompagné de considérations sur l'éducation historique

in *Revue d'histoire de l'Amérique française*, Volume 60, numéro 4, printemps

Une simple polémique nationaliste ?

Nationalisme ethnique, nationalisme civique...

« Il en va de la mémoire collective du Québec »

2 - Histoire, éducation civique et à la citoyenneté

De sujet de l'État à citoyen de la nation

De la citoyenneté nationale à la citoyenneté démocratique

3 - Histoire, pédagogie et didactique

Une historiographie scolaire

L'historien et le pédagogue

Conclusion : une grande illusion ?

Section D) Federalism as a political idea

Subsection 2. Nationalism

Githens-Mazer Jonathan

Locating Agency in Collective Political Behaviour: Nationalism, Social Movements and Individual Mobilisation in Politics, Vol. 28, Issue 1, February , 41-49



Some studies have emphasised the role of modernity and/or the emergence of the state in the occurrence of nationalism. These perspectives have underemphasised the motivations and rationales of individuals who claim to act on behalf of the nation. Over-reliance on state-based accounts of nationalism contributes to a broader failure to explain or predict specific and definable moments of popular nationalist mobilisation. This article seeks to redress this imbalance by suggesting that a combination of ethno-symbolist approaches to nationalism with theoretical explanations of mobilisation and contentious politics refocuses attention back on to content rather than structural factors. It will be argued here that national 'repertoires' of myths, memories and symbols serve as collectively defined but individually understood factors for nationalist mobilisation. The article will conclude by suggesting potential mechanisms which explain how 'popular resonance' translates the 'imagined community' of the nation into tangible bases for political action.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Abbott V Oliver, Franks S.

Malaysia At Fifty: Conflicting Definitions Of Citizenship

in *Asian Affairs*, Volume 38, Issue 3 , 337 - 356

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Hearn Jonathan

National identity: banal, personal and embedded

in *Nations and Nationalism*, Vol. 13, Issue 4, October 2007 , 657–674

This article examines the theoretical problem of understanding the relationship between personal and social dimensions of national identity. It does this by relating ethnographic data collected during a study of a merger between a Scottish and an English bank to three conceptual frameworks. First, it considers Michael Billig's thesis of 'banal nationalism'. Then it addresses Anthony P. Cohen's concept of 'personal nationalism'. Finally, it adapts a conception of the relationship between personal and social identity found in the recent work of Derek Layder. Based on this it argues that national identities, like all identities, are rendered salient for persons when they seem to address personal issues of power over one's life, and that the various social organisational settings through which people realise control over their lives (in this case, the bank) are thus crucial contexts for understanding people's attachments to identities, national and otherwise.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Saraçgil Ayse

Nazione e insegnamento della storia nella Turchia contemporanea

in *Passato e Presente*, Anno XXV, n. 72, settembre-dicembre



Ayşe Saracgil' essay offers an analysis of the ideological and political nature of Turkish nationalism, reflecting on its relationship with the writing and teaching of history. A careful examination of historical texts shows a surprising continuity from the last years of the XIXth century until the present day. The evolution of nationalist ideology is examined in three key moments: first, the last decades of the Ottoman Empire and the beginnings of a historical discourse on the Turkish nation; second, from the later 1920s, when a priority of the new Kemalist state became the formulation of some interpretative theses of the history of the Turks; third, the 1980's, when the Muslim religion, reintroduced in the political and cultural arena during the 1970's, came to be integrated with the Turkish identity constructed by the Kemalists.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Cash Jennifer R.

Origins, Memory, and Identity: "Villages" and the Politics of Nationalism in the Republic of Moldova in East European Politics and Societies, Volume 21, Number 4, November , 588-610

This article reconsiders the manifestation of nationalism in the Republic of Moldova during the late Soviet period and early 1990s. Whereas dominant approaches have focused on the ethnic dimensions of the national movement, I argue that rural-urban identities also played a significant role in shaping political events and outcomes of the recent past by drawing on ethnographic research among participants in the "folkloric movement" within the arts and performance world. This movement coincided with the broader national movement of the 1980s and demonstrates the centrality of "villages" in the construction of an anti-Soviet "national" identity among ethnic Moldovans. In conclusion, the politics of nationalism must be understood in a wider framework that also accounts for the importance of non-ethnic forms of collective identity, such as villages, and that investigates how individual origins and social memory shape civic and political participation.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Adamson Fiona, Demetriou Madeleine

Remapping the Boundaries of `State' and `National Identity': Incorporating Diasporas into IR Theorizing in European Journal of International Relations , Vol. 13, n. 4, December , 489-526

ABSTRACT: The structural components of a state are regularly conflated with a state's national identity. In reality, however, the assumption that the boundaries of a state and its national identity are coterminous is problematic. While this has always been the case, changes in the ability of actors in the international system to use communication and transportation technologies to sustain transnational collective identities points to the need for new empirical research in this area. Contemporary diasporas are defined by a national or cultural identity, yet differ from nation-states in terms of their organizational and spatial logics. By comparing diaspora mobilization in two cases, we find that both non-state political entrepreneurs and state elites are using diasporic practices of identity formation as a means of generating economic and political support in an increasingly integrated global economy. This points to discontinuities between a territorially defined states system and deterritorialized practices of collective identity formation.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Shen Simon, Cheung Mong



Reshaping nationalism: Chinese intellectual response towards Sino-American and Sino-Japanese relations in the twenty-first century

in *Pacific Review (The)* , Volume 20, Number 4, December , 475-497

Since the end of the Cold War, the international arena has witnessed two concurrent worldwide trends. One is the gradual prevalence of universalism under the banner of human civilization; the other is the gradual revival of nationalism globally under exactly the same heading. Both trends are evident in China, a country which in the twenty-first century is perceived universally as a rising nation. However, does Chinese nationalism necessarily pose a threat to the world? By examining two debates on the Chinese intellectual response towards Sino-American and Sino-Japanese relations in the early twenty-first century, this paper investigates the status of Chinese nationalism. It questions whether it is a fixed set of ideas embraced by a solid entity, or whether it possesses multiple layers with dual elements contributing to both security and insecurity internationally. The paper argues that three separate nationalist processes are occurring concurrently but independently of each other: the construction of civic nationalist values; the development of an international relations strategy assigning responsible power to China; and the detection of alleged anti-Chinese conspiracies. The effect of the first two would be to encourage regional peace, and they could offset fervent nationalist expression. A somewhat counter-intuitive result of Chinese nationalism might be that it also becomes a stabilizing force within and outside China's borders.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Dufour Frédéric Guillaume

Social-property Regimes and the Uneven and Combined Development of Nationalist Practices

in *European Journal of International Relations* , Vol. 13, n. 4, December , 583-604

ABSTRACT: Concepts like 'nation', 'society', and 'culture' name bits and threaten to turn names into things. Only by understanding these names as bundles of relationships, and by placing them back into the field from which they were abstracted, can we hope to avoid misleading inferences and increase our share of understanding. (Wolf, 1997: 3)

Theories of International Relations have often shied away from apprehending the historicity of modern nationalism. Inversely, theories of nationalism have not spent much time theorizing the inter-national. The analysis of the relationships among social relations, international orders and nationalism has fallen in the cracks between the field of IR and the field of comparative nationalism. In the context of a renewal of interest for the historical sociology of the international, the analysis of these relations remains of particular relevance. In this article, the author builds on Benno Teschke, Justin Rosenberg and Hannes Lacher's theorization of modern sovereignty, capitalism and the uneven and combined development of International Relations to recast the socio-historical conditions of emergence and diffusion of the modern national form.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ypi Lea L.

The Albanian Renaissance in Political Thought: Between the Enlightenment and Romanticism

in *East European Politics and Societies*, Volume 21, Number 4, November , 661-680



The conceptual genealogy of the Albanian so-called Renaissance is often linked to the influence of Western Romantic ideas on the nationalist movements of the Balkans. This paper analyzes the specificities of the Albanian cultural and political context and suggests, by contrast, that Enlightenment categories provide a better means of comprehension of this stage in Albanian intellectual history. It focuses on the ideological function played by the critique of religion as well as by a cultural project addressed to political struggle and emphasizes its roots in the Enlightenment tradition. It finally argues that Enlightenment concepts such as self-criticism and rational teleology might help to grasp some unique features of the Renaissance movement and to construct a more sophisticated account of the emergence of the Albanian modern state.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Flere Sergej

The Broken Covenant of Tito's People: The Problem of Civil Religion in Communist Yugoslavia in East European Politics and Societies, Volume 21, Number 4, November , 681-703

The author attempts to demonstrate that the concept of civil religion is appropriate and illuminating in comprehending the culture and society of Communist Yugoslavia (1945-1991). Though manifestly contrary to theism, numerous elements of this civil religion make it deserving of the name: it contained a tale of an alleged sacred historical past and a transhistorical mission of the Yugoslav peoples, including an eschatology, and a sacred covenant. President Tito's charisma was the major element of this civil religion, the idea of a broken covenant was present, along with the rule of equalitarianism (particularly as a wealth taboo) at the ethical level. When Tito's physical presence disappeared, the entire civil religion was doomed (there was no possibility of routinizing and depersonalizing charisma), as well as the society it legitimated. Because of the charismatic nature of legitimation and the basically authoritarian nature of this cultural pattern, transformation into rational-legal legitimation was blocked.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Berg Eiki, Ben-Porat Guy

Themed Section on Partition/Conflict Resolution. Introduction: partition vs. power-sharing? in Nations and Nationalism, Vol. 14, Issue 1, January 2008 , 29-37

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Walker Iain

What Came First, the Nation or the State? Political Process in the Comoro Islands in Africa: The Journal of the International African Institute, Volume 77, Number 4 , 582-605

The widespread failure of the post-colonial state in Africa is often attributed to a lack of social and cultural unity, and hence of national identity, in the territories in question. In Europe the state has historically been conceptualized as coterminous with the nation, an apparently 'natural' cultural unit that allowed for subsequent political cohesion and the



avoidance of ethnic conflict. In Africa the concept (and the reality) of the nation is often absent and this is sometimes considered to be a stumbling block on the path to political stability. However, the suggestion that a state whose population exhibits the requisite cultural homogeneity would construct and maintain a nation and, subsequently, successful and stable statehood is challenged by evidence from the Comoro Islands. Here, despite apparent socio-cultural unity, there has been little movement towards the development of a nation; indeed, there is evidence that an explicit denial of socio-cultural unity underpins the failure of the state.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Vallinoto Nicola

25th Congress of the World Federalist Movement Held in Geneva in Federalist Debate (The), Year XX, n. 3, November , 55-56

From August 27th to 31st, 2007, the 25th Congress of the World Federalist Movement was held in Geneva at the site of the World Meteorological Organization. The Congress was attended by 160 delegates and observers from 20 countries (Argentina, Belgium, Cameroon, Canada, Denmark, Finland, France, Germany, Japan, Great Britain, India, Iran, Italy, Madagascar, Mexico, Norway, New Zealand, the Netherlands, United States, Switzerland).

The Congress, after the meeting of the outgoing Executive Committee, started the discussion on the reform of its statutes, and then went on with its sessions in four commissions, a public meeting in the United Nations building in the afternoon of August 28th, and the commemoration of the WFM's 60th anniversary held in Montreux in the afternoon of August 30th at the Grand Hotel Suisse Majestic, where the Movement was founded in 1947. For this occasion, many messages of greetings have arrived, among which those by Kofi Annan, Hans Blix, Mercedes Bresso, Jo Leinen, Federico Mayor (former UNESCO President).

As to the reform of the statutes, the Congress decided not to support the proposal of abolishing the Congress and replacing it with meetings of the Council, nor to support the change of the Executive into a body only composed of five top managers and officers of the International Secretariat, thus spoiling the WFM's democratic nature. The proposal was withdrawn, and so a Congress will continue to be held every four (or at the most five) years, and a Council meeting every year. Instead of one President, there will be two Co-Presidents. The Congress works were held in plenary sessions, and were later continued in four commissions dealing with the following issues:

1. Justice and rule of law at the international level, and human rights
2. Peace, human security and conflict prevention
3. UN reform and global governance, and federalism at the regional and world level
4. Global environmental and economic governance, management of global commons and the effects of economic and social globalization.

The Congress confirmed the WFM commitment in the campaigns for the ratification of the Treaty establishing the International Criminal Court, that has attained the number of 105 states, and for assigning to the UN the "Responsibility to Protect" (i.e. humanitarian intervention for) populations threatened by genocide.

The commission on the environmental and economic governance approved several resolutions proposed by Italian federalists: Alfonso Iozzo and Antonio Mosconi presented a resolution "for a new Bretton Woods and for a new economic world order", proposing a world currency unit as a first step towards a world currency; Roberto Palea



proposed the creation of a World Agency for the Environment, to be devised on the institutional model of the European Coal and Steel Community, endowed with real powers and financial autonomy based on the revenues from a Carbon Tax to be levied in the industrialized countries. On the same issue Peter Luff presented a resolution for the creation of a Community for the Global Climate, initially set up by a group of willing States. All these resolutions have been unanimously approved by the Congress.

The commission on UN Reform saw the greatest participation and is also the one where two diverging positions about the Security Council reform have clashed: Lucio Levi's proposal of its transformation into a Council of the Great Regions of the world, and Joseph Schwartzberg's one of a regional representation based on a weighted vote according to a formula taking into account, beside the states' population and representation, also their economic contribution to the UN. This latter proposal, supported by the American and Canadian delegates, roused to negative reactions many other French, Italian and Argentine delegates, who consider the economic criterion as a coming back to an out-of-date principle: that of the voting right based on income. In the final document the Congress approved a compromise resolution, which includes the proposal of a regional reform of the Council and the weighted vote, without mentioning, however, any criterion for determining the weighted vote.

Among the other proposals, that by Domenico Moro, director of the Spinelli Institute, to open the Ventotene Seminar to young world federalists has been well received, as well as that by Fernando Iglesias to provide a simultaneous translation in order not to damage those who do not fully master the English language, and that by many youngsters to drastically reduce the Congress' expensive registration fee.

During the Congress, an organization meeting was held for the Campaign for a UN Parliamentary Assembly, coordinated by Andreas Bummel, of the Committee for a Democratic UN, which has been launched at the world level this year.

The seminar at the Palais des Nations was for many one of the best symposiums on the status of the UN and the quest for democratic global governance that WFM has organized. The impact of human rights law, and especially the Rome Statute of the International Criminal Court, on the evolution of international law into world law was eloquently presented. The continuing division between the 'development' and 'peace and security' sectors of the UN, also present in WFM since its founding, were poignantly raised at the symposium.

The last part of the Congress was devoted to electing the members of the new bodies and to admitting three new associations as associated members: Planetafilia (Mexico), Democracia Global (Argentina) and Sapiens Movement (New Zealand). Some of the members elected in the Council are: James Arputharaj, Keith Best, Jean Francis Billion, Edward Chobanian, Tony Fleming, Toshio Kozai, Lucio Levi, Peter Luff, Rebecca Luff, Ton Macel, Francisco Plancarte, Barbara Walker, Fergus Watt and Lucy Webster, while Fernando Iglesias, Peter Davidse, Takahiro Katsumi, Jean-Paul Pougala and Mahmoud Shariar Sharei have been co-opted. The Council has been tasked to elect the two Co-Presidents. The new Executive Committee elected by the Congress is composed of: President, the Canadian Senator Lois Wilson, who remains in office until the next Council; Treasurer, Edward Chobanian; President of the Council, James Christie, assisted by Lucy Webster and Mitsuo Miyake; President of the Executive Committee, Keith Best; President of the Statutes Committee, Tony Fleming; elected members are Lucio Levi, Bente Nielsen and James Arputharaj. Bill Pace remains the Executive Director, with two permanent offices and several hired employees in New York and The Hague.

In conclusion, there is to remark the WFM division in two movements: one "top-down", based in New York, headed by



Bill Pace, who was the most active promoter for the creation of the International Criminal Court, and one "bottom-up", comprising the individual national organizations that pursue objectives not supported, as it would be necessary, by the center: like the campaign for the UN Parliamentary Assembly, or the campaign for the control of small arms trading. The objective of the newly elected Council will be precisely that of trying to unify those two modes ("top-down" and "bottom-up") so as to transform the WFM into a movement with a greater participation, less elitist and open to the aspirations of the global civil society for a world where democracy, human rights and social justice will prevail. Lucio Levi's proposals to hold political debates before Council meetings, with speakers chosen among the members of WFM organizations, and to change the agenda of the Council and Executive Committee meetings so that political resolutions could be discussed and approved, go in such a direction.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Pinder John

Altiero Spinelli's European Federal Odyssey

in *International Spectator (The)*, Vol. XLII, n. 4, October-December

Altiero Spinelli's federalist mission started during his years of internment on the island of Ventotene. This was where he wrote, together with Ernesto Rossi, the Ventotene Manifesto, a clarion call for European federation. Considering the war a product of unlimited national sovereignty, Spinelli saw a federal Europe as the key to avoiding another fratricidal war. From then on, Spinelli spent the rest of his life working tirelessly to achieve this ambitious goal. His bold and radical initiatives, from the European Political Community in 1951-53 to the Draft Treaty on the European Union in 1981-84, were perhaps too far ahead of their time to be successful, yet Spinelli's ideas did succeed in stimulating further European integration and the relaunching of the Community's federal development. His main legacy is the inspiration his life provides for those who wish to complete the building of a federal Europe.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Levi Lucio

Altiero Spinelli, Founder of the Movement for European Unity

in *Federalist Debate (The)*, Year XX, n. 3, November, 4-5

It is in the context of the turbulent history of the 20th century that the significance of Spinelli's political design must be interpreted yet today, on the occasion of the 100th anniversary of his birth, it is not enough to view him simply as a protagonist of those years. He was the founder of a new political movement: namely, the movement for European unity. For this reason he can be defined as an "historical man". According to Hegel, historical men "are those who first expressed what men want". They are not philosophers, but "men of action". They "know and want their work, because it corresponds to the age".

In the summer of 1941, when Spinelli together with Ernesto Rossi wrote the Ventotene Manifesto, the document which defines his action plan for the United States of Europe, Hitler's swastika flags were waving all over the European continent. After the occupation of France, German troops were attacking the Soviet Union, but the founders of European



federalism, though confined on Ventotene, were able to see beyond the apparent horizon and glimpse the future of post-war Europe's development.

It is true that the Spinelli's plan for a European federation is still unaccomplished. Overcoming the crisis of the nation-state through the construction of European unity requires long-term processes of such a complex nature that to achieve them takes longer than any man's natural life-span. Today however, 100 years after Spinelli's birth and 50 years after the creation of the European Community, we can assert that a considerable part of Spinelli's project has been achieved. That he has been admitted into the Pantheon of the Founding Fathers is shown by the fact that one European Parliament building is dedicated to him. The European Commission, the European Parliament, the European Court of Justice, the European Central Bank now regulate what were once considered the domestic affairs of the nation-states. The powerful growth of European unification highlights the erosion of states' sovereignty and fosters the strengthening of economic, monetary, social and environmental competences at the EU level.

It is in the field of political action that Spinelli's work made a really innovatory impact. He defined the strategy to achieve the European federation. This objective has a dual nature. On the one hand, it is a treaty in which states agree to give up part of their power to a supranational government, and on the other it is a Constitution defining the structure of this union of states. Since the nature of the objective determines the character of the means to be used, Spinelli concluded that progress towards the construction of a European federation would not be possible without the agreement of the states, even though the latter represent the main obstacle to the transfer of powers to the European level.

The model of the Philadelphia Constitutional Convention was constantly in his mind. Following this example, Spinelli specified the characteristics of the constituent method which he saw as the only procedure possible for the successful construction of a European democratic power. It required on the one hand a European constituent assembly representing all the peoples and political forces of Europe. This would be the only body entitled to draft and propose a Constitution with the legitimacy deriving from its democratic composition. On the other hand, as a democratic assembly it would take its decisions publicly and by majority vote together with procedures permitting a clear identification of responsibilities and therefore enabling democratic and productive decision-making. This is, namely, the opposite of the diplomatic method in which decisions are reached in secret and by unanimity: a process which protects national sovereignty and leads to compromises that have to take the individual interests of every participating state into account. When the first European institutions were established, Spinelli's strategic goal became the bestowal of the constitutional mandate on the parliamentary bodies which were a significant aspect of those institutions. On the basis of this constitutional strategy, Spinelli twice succeeded in bringing Europe to the threshold of a federal union. First, he tried to put the European army - in course of construction between 1951 and 1954 - under a European political power. Second, in 1984, as a member of the European Parliament he tried again with the draft Treaty of European Union. In both cases it was a parliamentary body - the enlarged Assembly of the European Coal and Steel Community and the European Parliament - that drafted the constitutional document. And in both cases the constitutional project was defeated by a single government: France in the first instance, and then Britain.

The Convention summoned in 2001 to frame a European Constitution was the most recent incarnation of Spinelli's constitutional strategy, though at the same time it contained an innovatory element, namely a constitutional procedure based on co-decision between associated national and European institutions and their governmental and parliamentary organs. On the one hand, member states' governments recognized that Spinelli was right in thinking it is unrealistic to entrust an intergovernmental conference (IGC) with the task of drafting a Constitution for the people's representatives are essential to the process.

On the other hand, any attempt to eliminate the influence of national governments from the drafting of institutional reforms is wishful thinking and destined to fail. A federal Constitution is a pact between both states and citizens. This



means that governments and parliaments, national and European institutions, are indispensable partners in the constitutional process.

The limitation of the constitutional revision procedure - as regulated by art. 443 of the Constitutional Treaty and now confirmed by inter-governmental agreement - lies in the fact that the IGC, deciding by unanimity, has the last word as regards ratification. This rule compels the EU to proceed at the speed of the slowest of the 27 member states.

This is the main problem to be resolved by a new Convention. A qualified majority of member states should be sufficient to pass constitutional revisions. As Britain and Poland have opted out of the EU Charter of Fundamental Rights - a genuine constitutional matter - it may be ventured that similar decisions might in future also be taken concerning other elements of a comprehensive project for a European Constitution.

If Spinelli were among us addressing the limits of the Reform Treaty today, he would say: "Never mind, let us go ahead, convene a new Convention". In the past, the rejection of the European Defence Community provided the premise for the EEC. Likewise, after the rejection of the Treaty of European Union, the adoption of the Single European Act created the conditions for Monetary Union. The Reform Treaty which will replace the European Constitution, however inadequately, nevertheless represents a step forward which can raise expectations and generate pressures likely to compel governments to consider more advanced solutions regarding the governance of the European economy, the unification of foreign and security policy, and majority voting in respect of constitutional revision.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

O'Hara Jonathan

Aristocratic and Confederate Republicanism in Hamiltonian Thought and Practice

in *Publius: The Journal of Federalism*, Volume 38, Number 1, Winter , 56-80

This article identifies and explores the presence of republican thought in the intellectual and policy writings of Alexander Hamilton, particularly as it applied to his theoretical understanding of the American executive branch. The article moves chronothematically, highlighting, through the Revolutionary, Constitutional, and Governmental periods of American political development, Hamilton's unique sense of republicanism with respect to international and domestic politics, as well as American political economy. The article not only attempts to demonstrate Hamilton's intellectual adherence to the republican tradition, but also his commitment to rhetorically applying the ideology to the realization of practical executive policy goals.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Dustdar Farah

Die leitenden Prinzipien der Weltpolitik. Kants Auseinandersetzung mit den drei grundlegenden Friedensentwürfen

in *Kant-Studien*, Jahrgang 98, Heft 4, 2007 , 464-472

No abstract available



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Bösch Michael

Globale Vernunft. Zum Kosmopolitismus der Kantischen Vernunftkritik

in **Kant-Studien**, Jahrgang 98, Heft 4, 2007 , 473-486

Zu den bedeutendsten Leistungen der Friedensschrift Kants für die Entwicklung der Völkerrechtsidee gehört die Zurückweisung der bisherigen Leitvorstellung eines *ius ad bellum*. Unmißverständlich formuliert er: „Bei dem Begriffe des Völkerrechts, als eines Rechts zum Kriege, läßt sich eigentlich gar nichts denken“ (ZeF, AA 08: 356). Eine internationale Rechtsordnung müsse dem Ziele dauerhafter Friedenssicherung dienen, und in einem Bund freier Völker soll dieser zwischenstaatliche Konsens institutionalisiert werden.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Vedovato Giuseppe

Intorno all'umanesimo africano con Léopold Sédar Senghor

in **Rivista di Studi Politici Internazionali**, Volume 74, n. 2, aprile-giugno , 184-197

The centenary of his birth provides the opportunity to testify to Léopold Sédar Senghor's commitment to a new role for Africa, to cohabitation amongst people able to unite and share the profound values which tie Africa and Europe, through a common definition of 'blackness'. The Author's frequent encounters with the President of Senegal, in the capacity of Italian congressman and President of the Strasbourg Parliamentary Assembly, have allowed him to personally verify how both, the country's poetry and politics, express deep spiritual values imbued with Christian tradition. Senghor's life-long endeavor in politics and literature have confirmed his belief in the possibility of a new humanism, an opponent to nationalism; and of a bond among cultures, view shared by Albert Tévoédjrè, the Geneva promoter of AMPS (World Association for Social Prospect) and of the Académie Internationale de Prospective Sociale, along with the Author. Albert Tévoédjrè's theory, as formulated in the "Solidarity contract", develops on Senghor's belief in a new world order. The project focuses on the Author's analysis of the need for international cooperation founded on equality and the abolition of the disparity between countries. In the 1970's Senghor appealed to the European Parliamentary Assembly to work in this direction, thus creating an element of strenght in the European Union, as well as an instrument for peace in the United Nations. Africa and Europe have shared a common need for Senghor, Tévoédjrè and Vedovato, three advocates joined by a deep friendship and a mutual humanistic vision.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Boissière Bruno

Is Denis de Rougemont's Federalism still Alive?

in **Federalist Debate (The)**, Year XX, n. 3, November , 35-37

No abstract available



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Loriaux Sylvie

Kant on International Distributive Justice

in **Journal of Global Ethics**, Volume 3, Issue 3, December 2007 , 281 - 301

Abstract

This paper concentrates on the way Kant's distinction between duties of right and duties of virtue operates at the interstate level. I argue that his Right of Nations (Völkerrecht) can be interpreted as a duty to establish a kind of interstate distributive justice (that is, as a duty to secure states in their independence and territorial possessions), which is called for to secure domestic distributive justice and to protect individuals' freedom and private property. Or at least this is 'ideal theory' for, as I specify, this cosmopolitan linkage is compromised by Kant's endeavour to accommodate the existence of non-republican states.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Melchionni Maria Grazia

La personalità de Jean Monnet dans l'aventure européenne

in **Rivista di Studi Politici Internazionali**, Volume 74, n. 3, luglio-settembre , 339-346

Why Jean Monnet, a little man from Cognac, became in the Fifties the visionary leader of a new Europe? To answer this question, the Author goes back to the American experience of Jean Monnet and his commitments during the two world wars and underlines the exceptional features of his personality, innovative and full of charisma. Then, having described the Monnet method and the role of committees in it to drive the action, the Author deals with the Action Committee for the United States of Europe, founded by Jean Monnet in 1955 and which he presided over until 1975 to carry the construction of the European Communities through.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Layton Chris

Spinelli and World Federalism

in **Federalist Debate (The)**, Year XX, n. 3, November , 48-50

When I learnt that Altiero had cancer, in the early 1980s, I wrote a sympathetic note to him, telling him in passing that after twenty five years working for Europe I had now decided to focus on promoting an effective system of world Government. This was his response, on a small Post Card:

"I have always thought that some system of world government is necessary to solve the world problems of peace, the economy and the environment. But first one must adopt a Benthamite position and consider, rationally, what are the conditions which are needed to bring such a Government into being. And then one man, at least, must move to a



Nietzschean position and say: 'Hier stehe ich, Gott sei mit mir' and devote his life to achieving the goal".

This direct and formidable message was classic Spinelli. It showed first that his life of dedication to European federation was matched by an awareness that this must be seen as a step to world federation - a lesson our Italian federalist friends have never forgotten.

It revealed also his method - to meditate on the historical necessities that offer the opportunity for radical change and then to act. Jeremy Bentham was the English enlightenment philosopher whose "Utilitarianism" proclaimed that political economy should seek the "greatest good of the greatest number". To Altiero it meant, in short, rational calculation of the greater good. "Nietzschean" meant acting with the unhesitating spirit and passion of the Superman. The classic example of this thoughtful preparation for bold deeds lay in his historical reflections on Parliaments and his action once in the European Parliament. As a Commissioner, not yet in the Parliament, and long before direct elections, he remarked to me: "Look at what happened to the English Parliament. It was only when Edward III needed money that he summoned the burgesses from the English towns. He and his successors went on needing money so they had to keep convening parliament and in return give it a share of power. We must do the same in Europe. The parliament must use control of the budget to get real power".

Altiero's first goal, when elected to the European Parliament, was to get on the budget committee. He was soon elected chairman. The directly elected parliament was still advisory and had, it seemed, no legislative power, but it did have to agree to the modest "non-obligatory" expenditure within the budget (i.e. not agriculture!). Within two years Altiero, working with all parties, had persuaded the Parliament to block the budget. The disruption made the members of Parliament realise that they could influence events and recognise Altiero as a leader. The crocodile club and the Treaty on Political Union were the logical next step. He had acted to apply his historical lesson - finding the practical leverage to apply his federalism, and empowering his fellow MEPs with his decisiveness and strength.

Altiero's call for one Superman to change the world did not reflect the historical reality of building Europe. He certainly played a Herculean part in inspiring Italy's and Europe's Federalists, but no one can deny that Monnet, Spaak, Delors, Kohl and others played crucial roles in building the Union. Altiero died believing that the European Single Act was a pathetic failure to realise his vision. He was wrong. Delors had made a crucial breakthrough, spotting, in the Single Market, the "condition" which could be used to persuade Thatcher to allow the return to majority voting. Through this and subsequent treaties a significant part of the Political Union Treaty have been put into effect. The vision lives on, being implemented by others step by step.

What then of his challenge on world government? Two "conditions" seem essential for its realisation. One is grave dangers which can manifestly not be overcome by nation states or the old laws of power politics. The other is willingness by people and key leaders to make an imaginative response. In the 1980s it seemed for a moment that such conditions for a step towards world government existed. At Reykjavik Presidents Reagan and Gorbachev agreed to abolish all nuclear weapons. Gorbachev proposed a revival of the Security Council as a real peacekeeper with the moribund Military Staff Committee brought back to life. Though the west quickly retreated from this staggering perspective, for a few years East-West disarmament and the falling of the iron curtain seemed to open a new hope for a shared peace, with a peace dividend which might be used to close the appalling gap between the haves and have-nots of the world. Instead, the fall of the Soviet Union was met in the West, and especially in America, by a damaging triumphalism while the United States has begun to act out the fantasy of hegemonic - yet paranoid - imperial power. The window of opportunity of the 1980s was not used to reform or democratise the United Nations or create the world authority which would manage the abolition of nuclear weapons. With China rising and Russia increasingly authoritarian and defensive,



the demons of world power politics are out of the cupboard once again.

Today the world faces new unstable dangers which demand progress to world government: the breakdown of fifty years of non proliferation of nuclear weapons, the terrorist threat, the competition for remaining oil, the need for regional security structures and true peacemaking to overcome violence in regions such as the disintegrating Middle East. Above all Climate Change now threatens the survival of humanity in a way which cannot be met by a national response.

Our twenty-first century world is, economically and culturally, a globalising world. But the institutions of world governance have not matched this pace. The mission of Europe is to apply to the world the methods used for its own salvation - the progressive development of federal institutions to create a zone of peace and shared prosperity. In Iraq it threw away its first key opportunity to stand for the global rule of law.

Climate change, however, offers a more fundamental existential challenge to all humanity, just as two world wars confronted Europeans with an existential challenge to create new institutions and relationships with one another. Mastering climate change requires effective global Government: institutions which will embody commitments to cut greenhouse gas emissions to the level necessary to halt climate change, execute and take decisions, enforce implementation, adjudicate disputes and contain a democratic element which provides accountability and mobilises opinion behind the rule of law.

With imperial America obstructive and reluctant, the European Union must take the lead, seeking partners in the world's South for a just and equitable climate deal which will allow poorer countries their share in sustainable development. Just as Six countries pioneered today's European Union through the European Coal and Steel Community, so a Climate Community of willing states could lead the way, later drawing in all members of the United Nations. And this in turn could offer a model for wider global governance.

As for Altiero's personal appeal, I cannot claim to have committed my whole life to the struggle for world government. But in the 1980s it seemed to me that India and Europe together, two great federal democracies from North and South of the world, might provide the engine, as France and Germany provided an engine for the European Community. I explored this with Indian politicians whose response was "yes, but can you get key European leaders?". Monnet's former committee was still in existence. I could not persuade them yet to give this top priority.

Today once again I believe that India and Europe could be key players in the construction of a Global Climate Community. A private gathering of key Indians and Europeans in Potsdam in October will test this out. Have we the zeal and skill to pull off a Spinelli coup - a catalytic move which will play a useful part in global progress towards world government?

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Melchionni Maria Grazia

Spinelli vivo nel centenario della nascita

in Rivista di Studi Politici Internazionali, Volume 74, n. 2, aprile-giugno , 286-296



The Author uses his large collection of interviews, realised during the eighties and from 1991 to 1993, with Italian politicians and diplomats and with European leaders of the federalist movements to present the personality of Altiero Spinelli and his strenuous political action in favour of the European federation. The portrait coming out is of an outstanding person, exceptionally gifted but rather eccentric in respect of the way of being of his environment, a man who didn't achieve his life's goal, but was a model of relentless fighter for a true idea and as such left a great heritage.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Pinder John

Spinelli's Commitment for the European Constitution

in Federalist Debate (The), Year XX, n. 3, November , 38-42

The directly elected EP and the making of the Draft Treaty on European Union Spinelli was, three decades after his initiative for creating a European Political Community (EPC) in the early 1950s, once again at the centre of a major endeavour to federate Europe. But this time the Monnet method of building federal Europe by a series of steps had provided him with a directly elected Parliament to act as a constituent, and, aged seventy five, he now had not only an idea for achieving it in the form of a treaty to establish a federal European Union but also a capacity for leadership through persuasion as well as example; and, in order to get the Parliament's structures and party groups on board for the voyage, he realised that he should begin by securing the commitment of a sufficient core of individual MEPs to the idea.

He opened his campaign in May 1980 in a debate on the budget, when he judged that their treatment by the Council had irritated MEPs sufficiently, by declaring that the Council's behaviour regarding the budget was such that the Parliament must initiate reform of the institutions: if this was to be done by the governments ignoring the Parliament, the result would be an intergovernmental reform that would change nothing; if by Parliament, it would deliver stronger, supranational institutions capable of dealing with the problems. He followed this with a letter to all MEPs and an invitation to a dinner at the Restaurant Crocodile, which was attended only by three other Italians, three British and two Germans, who did however found the Crocodile Club to promote the idea. Membership grew, regular weekly meetings were held and by the end of the year some eighty had expressed interest. A resolution was drafted for MEPs to sign, proposing an ad hoc working party representing all political groups and currents of opinion, to devote itself to the task of drawing up a constitution to present to the member states; and by June there were a hundred and seventy nine signatures, from all the significant party groups. But the largest group, the Christian Democrats, was under-represented, evidently because, having been prominent in the Parliament's federalist initiatives, they saw Spinelli as an interloper: In discussion with them, however, Spinelli discovered that they would be satisfied if the resolution proposed a full parliamentary committee rather than a less formal working group, which he was ready to concede - and which was surely an important improvement.

The Parliament approved the resolution and the Committee on Institutional Affairs started work in January 1982, with a strong membership, balanced among the party groups and including three chairs from other committees. Spinelli wished to emphasise broad support rather than over-identification with himself. So chapters on the several aspects were drafted by six co-rapporteurs from the different party groups, within the framework of a basic general draft provided by himself as general rapporteur, underlining the principles of democratic and effective institutions and of competences attributed according to the principle of subsidiarity. The Committee repeatedly discussed and revised all the reports, until a full draft report was collated and edited by Spinelli, and it was debated, amended and approved by a large majority in the



Committee. This vast task was completed and presented to plenary session, which, after discussing 185 amendments and adopting a few of them, approved the resolution in September 1983 by 202 votes to 37.

Four lawyers then worked with Spinelli on drafting a legal text, which included Article 82 stipulating that the Treaty could enter into effect when ratified by over half the member-states containing two-thirds of the Community's population. That was of course designed to prevent the whole enterprise from being torpedoed, like the EPC in 1954, by the veto of one or two member states. Knowing that this would be controversial, Spinelli had kept it until this stage so that MEPs could both appreciate the importance of the project and be confident that its implementation was legally well enough founded. That strategy was vindicated on 14 February 1984 when the plenary approved the legal text by the yet larger majority of 237 to 32.

The Parliament's Draft Treaty

Apart from Article 82, by-passing the veto on treaty amendment, the various provisions of the Draft Treaty establishing the European Union did not break with the method of building on the foundations of the European Community. Indeed many of the provisions have been put into effect in subsequent amending treaties. The distinction was, rather, in the scale of what was proposed, designed as a radically new departure to create a more powerful, democratic and effective Union.

Thus the European Union would inherit all the laws, practices and institutions of the European Community that were compatible with the new Treaty. The European Council would decide its own working methods and a new function would be to nominate the President of the Commission, who would select the list of other Commissioners to be presented for approval by the Parliament. The Council would decide mainly under the procedure of qualified majority and in legislative codecision with the Parliament. The Commission would be strengthened and the Court of Justice aided by a Court of First Instance. The division of powers between Union and member states would follow the principle of subsidiarity. There would be a monetary union and timetable for completion of the internal market; and the provision for environmental and social policies would be more explicit. The distinction between agricultural and other expenditure would be abolished and the Union would have power to raise its 'own resources'. These provisions were all in the line of the Community's federal development. But cooperation in defence and political aspects of foreign policy was to be the responsibility of the European Council, which was to determine its own procedures, i.e. to work on a basis of consensus until it should decide otherwise.

Spinelli had carefully planned the next steps, towards winning enough support to ensure ratification of the Draft Treaty. The Parliament secured backing from the European associations of employers and trade unions as well from other elements of civil society. The Treaty was presented to member states' parliaments, was generally well received and was approved as it stood by the Belgian and Italian parliaments. But the breakthrough came when, two months after the European Parliament had approved the Treaty, Spinelli together with the President of the Parliament, Piet Dankert, and of the Institutional Committee, Mauro Ferri, visited President Mitterrand. Spinelli believed that French leadership would be the key to success. So he outlined the unique role that France, and hence Mitterrand himself, could play in launching the process of ratification and he proposed that Mitterrand should make a statement to that effect in his speech to Parliament in May 1984 as the current President of the European Council. Mitterrand was evidently impressed by what Spinelli said because he ended that speech by expressing his support for the Draft Treaty, adding that 'France is available for such an enterprise'; that he, as President, was willing, on behalf of France, 'to examine and defend your project, the inspiration behind which it approves; and, implicitly accepting the by-passing of the veto through Article 82, that consultations should begin leading up to a conference 'of the member states concerned'.



Meanwhile Parliament's delegation had visited Bonn, where Spinelli found parties and members of the Bundestag largely supportive. But the reaction of the Chancellor's office was that the time was not yet ripe to consider alternatives to all the member states going forward together, with particular mention of the occupying powers, i.e. the UK as well as France. The preference for steps taken by all member states was a settled element in Germany's European policy; and it may well be that the political situation in the Soviet Union, where Gorbachev was to succeed to the leadership in a year's time, weighed heavily with Chancellor Kohl, who had long combined what seemed to many to be, for his generation, the contradictory ambitions of achieving both European and German unification - the latter requiring the consent of all four occupying powers.

Mitterrand then secured the agreement of the European Council in June to set up an Ad Hoc Committee of the heads of governments' personal representatives, which became known as the Dooge Committee after the Irish Senator who chaired it, to prepare the ground for the proposed conference; and Mitterrand appointed as his own representative Maurice Faure, who had been one of the signatories of the Rome Treaties and could be relied on to draft a report for the Committee incorporating the main features of the Draft Treaty. This he indeed did in the Committee's Interim Report, presented to the European Council in December 1984, with the reservations of the British, Danish and Greek members expressed in numerous dissenting footnotes.

Spinelli had by now identified Germany as the 'weak point' among the states whose support for the Draft Treaty was necessary; and Kohl proposed postponement of the decision on the Committee's final report, with presentation only to the foreign ministers in March and to the European Council not until June. Spinelli perceived that this delay was a danger for the Draft Treaty.

From Draft Treaty to Single European Act

The destiny of the Draft Treaty had indeed been profoundly affected by another decision of the European Council under Mitterrand's Presidency: to appoint Jacques Delors as President of the Commission starting in January 1985. Delors was determined to get the Community moving again after two decades of relative stagnation but, like Monnet, he sought what he thought politically possible while being at the same time necessary, whereas Spinelli put all his effort into making his vision of the necessary possible. So Delors spent the latter part of 1984 visiting the heads of member states' governments to ascertain which they would accept among what he identified as four major necessary projects: monetary union, common defence policy, reform to make the institutions more effective and democratic, or completion of the internal market. Needless to say, the one that gained unanimous assent, including that of Mrs Thatcher, was the single market. So Delors began his Commission Presidency preparing, with great speed and energy, a very detailed White Paper on a programme for completing the internal market by 1992, for presentation to the European Council in 1985.

Spinelli was encouraged when Delors told him, in September 1984, that he was now convinced that institutions were decisive. But Delors was doubtless thinking of institutional reforms that would be required to make a project such as the single market effective, rather than those of the Draft Treaty as a whole; and this offered a way through Kohl's dilemma by providing for a significant reform which all the member states were likely to accept.

Delors had the advantage of a close relationship with Mitterrand, including recent service as finance minister in his government; and this, combined with the Presidency of the Commission, helped to give him privileged access to Kohl. So it was perhaps not surprising that before the meeting of the European Council in June, both Kohl and Mitterrand made it known that they favoured reforms such as a move towards qualified majority voting in the Council, increases in power for the Commission and the Parliament, and an extension of Community competences, corresponding to what was to be required for what became the Single European Act rather than the full Draft Treaty.



This evidence that Mitterrand had abandoned the Draft Treaty was extremely disturbing for Spinelli, who underwent a major cancer operation on 22 May which seriously weakened him throughout the summer and prevented him from travelling until October. Mrs Thatcher, who preferred trying to create the single market through a 'gentlemen's agreement' rather than treaty amendment, was against the proposal for an intergovernmental conference. But the Italian presidency called a vote, in which the six founder states plus Ireland prevailed over the negative votes of Britain, Denmark and Greece. While this was encouraging, the IGC was based on the Commission's White Paper and the Dooge Committee's report, not the Parliament's Draft Treaty. So the main institutional reforms incorporated in the Single European Act agreed by the European Council in December 1985 were confined to provision for qualified majority voting on single market legislation, a "cooperation" procedure that gave the Parliament a foot in the door to legislative power and an assent procedure for accession treaties and association agreements; and there were some new competences in fields such as the environment, social policy and a fund to support the Community's less-developed regions, together with a commitment to the aim of monetary union.

Spinelli's first journey after his operation was to Bonn, in early October, where he was well received at the Bundestag, which had however delayed delivering its report, recommending that the Draft Treaty be the basis for the government's position, until after the IGC had been completed - perhaps because the Christian Democrats wished to express their support for the more federalist project while not embarrassing Kohl before the day of decision on the Single Act in the European Council. Spinelli followed this with a visit to Brussels for lunch with Delors, who said that not only Britain but also France and Germany were now opposed to the Draft Treaty and that the Commission, more realistically than the Parliament, was seeking a compromise; and after the European Council's meeting, Delors told the Parliament that what had been agreed was not enough, but nevertheless a significant step.

The Single European Act was signed in February 1986. Spinelli tried, despite his failing health, to rally MEPs into promoting a campaign to secure support from a group of member states for giving the Parliament a constituent role after the next European elections. But MEPs no longer had the stomach for it. So he died on the twenty third of May, believing that the result of all his efforts had been 'only a miserable little mouse, which many suspect is a dead mouse'.

Spinelli's legacy

The legacy of the second great episode of Spinelli's European federal odyssey, from 1970 to 1986, was twofold. He put the idea of a European constitution back on the political map from which it had been deleted since the mid-1950s, and he made a major contribution to the relaunching of the process of the Community's federal development, after the stasis initiated by de Gaulle.

Delors, in his Mémoires, was to express himself as 'surprised and hurt' that Spinelli had criticised the Single European Act so severely, pointing out that, without the impact of the Draft Treaty, he would not have been able to insert so many 'factors of progress' in it. The SEA did indeed initiate a period of dynamism in the Community during which important federal elements of the Draft Treaty came into effect. The Act's apparently modest institutional reforms led on, through subsequent treaties, to the application of the principles of qualified majority voting and codecision for most legislative decisions; to nomination by the European Council of the Commission's President subject to approval by the Parliament; and to the establishment of the Court of First Instance. Subsidiarity became a basic principle for the division of responsibilities between the member states and what is now called, as in the Draft Treaty, the Union. The Single Act's commitment to 'the progressive realisation of economic and monetary union' was honoured by the creation of the euro and the European Central Bank, for which British and Danish vetoes were circumvented by what amounted to a specific application of the principle of Article 82; and there is now an Amsterdam Treaty provision for this precedent to be



followed by member states wishing to go farther and faster towards a federal polity.

All this confirmed the constructive synergy of Monnet's and Spinelli's approaches to the building of a federal Europe. It had been Monnet's creation of the ECSC and initiation of the proposal for an EDC that gave Spinelli the opportunity to promote his project for a federal EPC; and from this in turn emerged the project of the common market for the relaunching of Monnet's Community process, with the successful extension of its scope in the EEC. It was thanks to the provision in the ECSC and subsequent Treaties for direct elections that Spinelli was able to go so far towards realising, in the form of the Parliament's Draft Treaty, his vision of the citizens' representatives drafting a federal constitution, which led on to the federal elements in subsequent treaties, as well as keeping the aim of a federal European constitution on the agenda.

Spinelli recognised this synergy when he said, on the day after the Parliament's first massive vote in favour of the Draft Treaty in September 1983, that "Monnet has the great merit of having built Europe and the great responsibility to have built it badly", and while it was surely not feasible in 1950 to "build Europe well" in the full sense that Spinelli doubtless had in mind, his radical initiatives in 1951-53 and 1981-84 not only kept the aim of a European federal constitution on the agenda but were also major impulses towards building the Union better. Twenty years later the Convention put the idea of a constitution on the agenda again, though as the name for a less federal and more complicated project than the Parliament's Draft Treaty, and the outcome is almost certain to be some further federal steps. So the final destination of his odyssey is not yet in sight. But his life remains an inspiration for those who are continuing the journey, and in particular for those who wish to complete it.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Tagliaferri Teodoro

Storia e profezia politica nella visione imperiale di John R. Seeley

in *Ricerche di Storia Politica*, numero 3, dicembre , 301-326

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Ponzano Paolo

The "Spinelli" Treaty of February 1984

in *Federalist Debate (The)*, Year XX, n. 3, November , 43-47

1. Introduction/Summary

On 14 February 1984, at the urging of Altiero Spinelli, the European Parliament approved a draft Treaty as the start of the process of constitutionalising the European Union. This initiative led first to the revision of the Treaties establishing the European Community (the Single Act, the Treaties of Maastricht, Amsterdam, Nice) and later to the Constitutional Treaty of 29 October 2004.



Altiero Spinelli made his constitutional attempt (i.e. to provide the European Community with a kind of constitutional text) at a time when the European Community was embroiled in negotiations about the amount of Britain's contribution to the European budget, reforming the common agricultural policy and increasing the very resources of the Union itself (not to mention negotiations on Spanish and Portuguese membership). As we can see, they were the same problems that gripped the Union in 2005 during the difficult discussions on the financial perspectives for the years 2007-2013.

The European Parliament was frustrated by the fact that, despite being elected by direct electoral suffrage, it did not have real powers of political influence in the European decision-making process (with the sole and essentially negative exceptions of the power to reject the budget adopted by the Council and the power to censor the Commission, but without being able to influence its investiture). Departing from his purely advisory role, Altiero Spinelli decided to prompt the European Parliament to become the "main weapon" of the constituent process within the Community and to revive the dynamics that were at least supposed to result in the radical reform of the European institutions as conceived by the 1957 Treaties of Rome, if not in the immediate adoption of a European "Constitution". In other words, he decided to take the initiative to lend new impetus to the process of European integration through the drawing up of a "new Treaty" rather than a simple change of detail in the existing Treaties.

2. The Spinelli Project

Re-reading the draft voted on by the European Parliament in February 1984 under the decisive impulse of Altiero Spinelli allows us to rediscover its extraordinary relevance and, at the same time, its precursory influence on the successive amendments to the Treaties of Rome. The relevance of the Spinelli Project lies at once in the method of drafting the Treaty and in the content of many of its provisions.

In the early 1980s, not unlike the situation today, the process of European integration found itself stuck in discussions about Britain's financial contribution, agricultural policy reform and increasing its own resources. Moreover, the Community was starting its third expansion to embrace Spain and Portugal without making provision meanwhile to reinforce its institutional mechanisms and powers. On the other hand, the European Parliament had been elected by direct universal suffrage in 1979 even though its essentially advisory powers remained unaltered. The exception of the power to reject the budget had proved to be a blunt weapon since the Council had been able to adopt a new budget similar to the one rejected by Parliament. The European Commission's power of censorship would also prove to be equally blunt since the Member States would have been able to appoint a Board of Commissioners not necessarily as welcoming to the European Parliament as the former (given that, unlike today, the Parliament did not have the power to approve the nomination of the new Commission). Therefore, the European Parliament was in danger of becoming, as was revealed, "an Assembly invested with an increased moral and political responsibility, but lacking in competences enabling it to exercise them". Like a good strategist, Altiero Spinelli made himself the commentator of this unsatisfactory situation and in a speech to the European Parliament in 1980 he launched a political initiative to give the European Community new powers and its institutions the means of exercising them. It was in that very speech on 25 June 1980, when the budget adopted by the Council was rejected, that Altiero Spinelli urged the European Parliament to take charge of the future destiny of the European Community and to launch the initiative of undertaking a "global reform" of the Rome Treaties.

In the interest of brevity, I shall limit myself to going over the fundamental steps of Altiero Spinelli's initiative:

- a) creation of the "Crocodile Club" as a transversal group of innovative European Parliamentarians (reminiscent of the watershed between innovators and conservatives already present in the Ventotene Manifesto);
- b) creation of an "Ad Hoc Commission" within the European Parliament in charge of drawing up the draft of the Treaty;
- c) bringing pressure to bear on such prominent political personalities as Enrico Berlinguer, Willy Brandt, Leo Tindemans



and finally, after the vote of the European Parliament, François Mitterrand, who Spinelli felt was the political personality most likely to support the Treaty both as the President of France and because of his personal leanings. Spinelli's strategy came to fruition when Mitterrand delivered his speech on 24 May 1984 in Strasbourg: "On behalf of France, I declare it ready to examine your project, whose spirit suits it".

Re-reading it today, Mitterrand's declaration can be interpreted in the light of other factors, as behind the statement by the President there was also a French interest in supporting the Spinelli Project, as was revealed by J.M. Palayret, who consulted the French diplomatic archives of the time. This interest lays in using a more ambitious European Union project to counterbalance English minimalism and keep open the option of a two-speed Europe (or one of variable-geometry), as Article 82 of the Spinelli Project suggested (once there was a majority of States representing 2/3 of the population, it provided for governments to decide, by common accord, the date on which the Treaty entered into force and the relations with States that had not ratified it). As we can see, this clause is more ambitious than declaration No 30 attached to the Constitutional Treaty of 29/10/2004, even though it is driven by the same desire to "sidestep" the unanimity rule.

3. The essential elements of the Spinelli Project

Re-reading the text of the Treaty of 14 February 1984 shows that most of its innovative provisions were included in successive Treaties or in the text of the Constitutional Treaty of 29 October 2004. Let's go over them briefly:

3.1 The method used by Spinelli

Altiero Spinelli was the first to argue that a Constitutional Treaty could not be drafted by an intergovernmental conference according to the traditional diplomatic method. Governments made this theory their own when, after the Treaty of Nice, they entrusted a European Convention with the task of preparing a new draft Treaty. Furthermore, in the Spinelli Project there was the germ of participation by national parliaments and civil society, such as emerged later in the European Convention and its methods of work.

3.2 The general structure of the Treaty

The Spinelli Project takes shape as a new institutional Treaty of the European Union and not as a mere revision of existing Treaties (unlike the Single Act, the Treaties of Maastricht, Amsterdam and Nice, but like the Constitutional Treaty of 29/10/2004). Therefore, rather than merely amending existing treaties, Altiero Spinelli really started the "constitutional" process of the Union.

3.3 Surmounting the various forms of political cooperation/integration

Article 1 of the Spinelli Project provides for the creation of a European Union that goes beyond the three European communities existing in 1984, the European monetary system and political cooperation. It is thus an approach that is equivalent to suppressing the three pillars provided for by the Constitutional Treaty of 2004 (which will be maintained by the new Treaty that will come out of the current Intergovernmental Conference).

3.4 European citizenship

Article 3 of the Spinelli Project introduces the concept of Union citizenship in parallel with national citizenship, the two being closely connected. This concept was revived by the Maastricht Treaty on the European Union and maintained in successive Treaties.

3.5 Fundamental rights

Article 4 introduces the idea of the fundamental rights that derive from the common principles of the National



Constitutions, as well as from the European Convention for the Protection of Human Rights and Fundamental Freedoms. This article refers not only to the classic rights of the ECHR, but also to the new economic and social rights guaranteed by the National Constitutions (as would be done later by the Charter of Fundamental Rights promulgated in Nice in 2000 and integrated into the Constitutional Treaty of 2004).

3.6 Sanctions against Member States

To guarantee that fundamental rights are respected, Article 4(4) introduces the principle of penalties against States that are in breach of the democratic principles or the fundamental rights themselves. This provision anticipates the articles later introduced in the Amsterdam Treaty following the penalties bilaterally applied against Austria by certain Member States.

3.7 The institutionalisation of the European Council

Article 8 of the Spinelli Project introduces the European Council as one of the Institutions of the Union for the first time (whereas the Treaties of Rome make no mention of it and successive Treaties entrust the European Council with a few functions, but without making it an Institution of the Union). It would take the Constitutional Treaty of 29/10/2004 to "institutionalise" the European Council. In this area, too, the Spinelli Project proved to be the precursor of future constitutional developments.

3.8 The methods of operation of the Union

Article 10 of the Spinelli Project provides for two methods of operation of the Union. On the one hand, there is common action in accordance with the classic Community method (Commission proposal, majority vote of the Council, co-decision of the European Parliament); on the other hand, cooperation between the Member States in accordance with the intergovernmental method. The innovative element of the Spinelli Project is that the Union can move from intergovernmental action to the Community method by decision of the European Council (see Article 11). This provision anticipates the so-called "bridging" clauses introduced in successive Treaties to permit the passage from one decision-making procedure to another more in keeping with the Community method.

3.9 The principle of subsidiarity

Article 12 of the Spinelli Project introduces the idea for the first time that, in the area of concurrent powers, Union action is necessary if it proves to be more effective than the action of the Member States, particularly when the dimensions of the action of the Union or its effects extend beyond national frontiers. It is the first clear definition of the so-called principle of subsidiarity that would later be introduced into European law by the Maastricht Treaty.

3.10 Legislative co-decision between the Council and the European Parliament

The Spinelli Project introduces the concept of European law (taken up again by the Constitutional Treaty of 29/10/2004) voted on by the two branches of the legislative body (the European Parliament and the Council). European law is adopted by a procedure of co-decision between the European Parliament and the Council, as later provided for by the Maastricht Treaty. The Spinelli Project also makes provision for a Concertation Committee between Parliament and Council, with the participation of the Commission, as introduced successively by the Maastricht Treaty (based on the German model of the Conciliation Commission between the Bundestag and the Bundesrat).

3.11 The investiture of the Commission

The Spinelli Project provides for the Commission to start functioning after receiving a vote of investiture by the European Parliament. This provision was also included and perfected in successive Treaties.



3.12 The Council of the Union

Article 20 provides that the Council of the Union should consist of Ministers who are specifically and permanently responsible for European issues. This provision is a forerunner to the legislative Council provided for in the draft Treaty of the European Convention, although this was not resurrected in the Constitutional Treaty of 29/10/2004.

3.13 The Luxembourg Compromise on majority voting

An innovative clause of the Spinelli Project that was not included in successive Treaties is Article 23(3) provided for the maintenance of the "Luxembourg Compromise" to prevent majority voting for a transitory period of ten years (should a vital national interest be recognised as such by the Commission). Nevertheless, traces of this provision, which confirms Spinelli's political realism, can be found in the so-called "bridging" clauses, which provide for the passage from unanimity to qualified majority after a certain number of years (see Article 67 of the Treaty on European Union). Even the transitory revival of the so-called Ioannina mechanism in the new Treaty that will come from the IGC is inspired by the philosophy of the Spinelli solution.

3.14 The designation of Commissioners by the President

This provision of the Spinelli Project (Article 25) was not taken up again in successive Treaties. Nevertheless, it is an idea that had already been formulated by Valéry Giscard d'Estaing during the European Convention and proposed again by Sarkozy in his speech in September 2006 in order to appoint a Commission freed from nationality and not subject to the regular rotation of the Member States. In this case, too, this is a proposal that was ahead of its time.

3.15 The primacy of European law

Article 42 of the Spinelli Project sanctions the primacy of European law over that of the Member States. This provision, which results from the decisions of the Court of Justice, was taken up again in Article 6 of the Constitutional Treaty of 29/10/2004.

4. Elements of the project which have not been acknowledged so far

Other innovative provisions of the Spinelli Project were not acknowledged in successive Treaties or in the Constitutional Treaty of 2004. For example:

4.1 The system of financial equalisation

Article 73 of the Spinelli Project made provision for a system of financial equalisation to alleviate excessive economic imbalances between the regions of the Union. Inspired by the German federal system as a way of attenuating differences between the Länder, this provision was not acknowledged in successive amendments of the Treaties.

4.2 The entry into force of the Treaties

Article 82 of the Spinelli Project provided for the possibility that the Treaty should enter into force even in the absence of ratification by all the Member States. A majority of States representing two thirds of the population could decide on its entry into force and on relations with States that had not ratified it. This clause set out to modify the unanimity ruling imposed today by Article 48 of the Treaties. Even though not acknowledged in successive Treaties, it triggered other solutions put forward to sidestep the need for unanimous agreement (see, for example, the solution proposed in the "Penelope" Project drafted by a group of European officials directed by F. Lamoureux at the request of President Prodi).

4.3 Revision of the Treaties

Article 84 provided for a procedure to revise the Treaties through an agreement between the European Parliament and the Council in accordance with the procedure applicable to organic laws. This provision aimed to relieve Member States



of the power to revise the Treaty and to suppress the need for unanimity. This procedure has recently been put forward again by MEP Andrew Duff for the new Constitutional Treaty.

4.4 The system of revenues

Article 71 of the Spinelli Project foresaw the possibility of creating new revenues for the Union without needing to amend the Treaty (an organic law being sufficient). Moreover, the Commission would be authorised by law to issue loans. This proposal, highly innovative at the time, remains so even today.

5. Conclusions

A rough estimate shows that about two thirds of the innovative provisions of the Spinelli Treaty have been acknowledged in successive Treaties. As far as the remaining third is concerned, about half were incorporated into the Constitutional Treaty or are being debated today as provisions to be included in the new Treaty expected to enter into force in 2009. This re-reading of the Treaty of 1984 not only proves the vital importance of the Spinelli Project, it also underlines its farsightedness. Altiero Spinelli began the process of constitutionalising the Treaties and proposed innovative solutions that have, for the most part, been acknowledged or recognised as valid solutions for the new Constitutional Treaty. Even though initially Spinelli lost the immediate battle of the Single Act of 1986, we can say that today he is winning the fight to give the European Union a Treaty that is essentially, if not formally, constitutional and that will contain most of the solutions imagined by him and voted on by the European Parliament in February 1984.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Bresso Mercedes

The 60th Anniversary of the WFM

in Federalist Debate (The), Year XX, n. 3, November , 52-54

Ten years ago, for the first time in their history, the WFM and the UEF held a joint meeting in Montreux on the occasion of the 50th anniversary of their foundation. It was possible to call that meeting because of the widespread conviction that the reasons for the separation between European and world federalists were no longer valid. What divided federalists after the end of WWII was their differing view of the priorities to be pursued: the European federalists' regional aim contrasting with the world federalists' global objective.

Yet the Montreux Declaration contained a clear statement that "the foundation of regional federations - insofar as they do not become an end in themselves or run the risk of crystallizing into blocs - can and should contribute to the proper functioning of the world federation". I think that this view is shared today by both European and world federalists.

Since the Ventotene Manifesto, written in 1941, European federalists have recognized the final objective of their political commitment to be the achievement of a world federation. On the other side of the equation world federalists conceive regional federations as being intermediate stages on the road to world federation. But I would like to underline that regional federations can also act as a brake on the tendency toward world centralism, since the subsidiarity principle suggests that nations should be represented at regional level and the great regions of the world be represented at world level.



I have been struck by another far sighted assertion in the Montreux Declaration, namely the idea that federalism is the political priority of our time. "We world federalists", the Declaration stated, "are convinced that the establishment of a world federal government is the crucial problem of our time. Until it is solved, all other issues, whether national or international, will remain unsettled. It is not between free enterprise and planned economy, nor between capitalism and communism that the choice lies, but between federalism and power politics. Federalism alone can assure the survival of man".

There is a striking analogy between these words and a passage in the Ventotene Manifesto, where we can read: "The dividing line between progressive and reactionary parties no longer coincides with the formal lines of more or less democracy, or the pursuit of more or less socialism, but the division falls along a very new and substantial line: those who conceive the essential scope and goal of the struggle as being the ancient one, the conquest of national political power, and who, albeit involuntarily, play into the hands of reactionary forces, letting the incandescent lava of popular passions set in the old moulds, and thus allowing old absurdities to arise once again, and those who see the main purpose as being the creation of a solid international state". Ideas like these are absolutely essential in offering us an orientation towards the future of humankind.

During the long years of the Cold War, the UN was paralysed by the cross-vetoes of the superpowers. While the bipolar world order, born out of WWII, certainly promoted European unification within the Western bloc, it also hindered any genuine progress towards world unification. The division of the world into opposing blocs left no room for the actions of the world federalists. For forty years their pioneering, far-sighted activities could not, for objective reasons, go beyond outlining their ultimate aims and exploring the eventual features of a peaceful world order. Today, with the collapse of that great ideological barrier which for decades gave rise to distrust and hostility between the blocs, with each side investing in terrifying tools of mass destruction, the world has now entered a transitional period characterised by contradictory trends. On the one hand, we are witnessing the collapse of cohesion within states and international organizations - a trend which is particularly strong in the former communist sphere of influence but is also visible everywhere in the world.

On the other hand, co-existing with this trend we have globalisation fostering the formation of regional organizations of states - the EU is the world leader in this respect - opening the way towards a new world order based on law and UN reform.

The end of the Cold War has revealed the obsolescence of the present UN institutions founded 60 years ago. We have now entered a new phase of international co-operation. Already by the end of the 20th century a new generation of international organizations had appeared: the WTO, created to govern the global market, and the International Criminal Court, established to defeat the culture of impunity and to pave the way for the rule of law at international level.

The ICC represents the greatest achievement of the WFM in its 60-year existence. It has played a leading role in the development of a trans-national NGO movement unrestricted by state borders. This is an important political and organizational innovation. The creation of the NGOs' Coalition for the ICC, for example, introduces an extraordinarily efficacious new pattern of action which made it possible for it to exert a real influence on the course of a world diplomatic conference. I think that we can confidently claim that the alliance between the Coalition and like-minded states provided the necessary critical mass for the creation of the ICC.

Federalists today are united in their common commitment against the old demons of nationalism and their drive to strengthen and democratise the EU and the other similar regional organizations as well as the UN. It was the awareness



of the complementarity of the objectives of the European and world federalists which led the UEF at the Genoa Congress in 2004 to forward the application for full membership of WFM. This is the first WFM Congress in which there are no longer British, French and Italian delegates but only UEF delegates. The unification of the European and world federalists is one of the most important achievements we celebrate in this 60th anniversary of the foundation of the WFM. Unity is strength. Without themselves being able to speak with one voice it would be difficult for federalists to ask governments to transfer their power to the European and world levels.

We should recognize that the process of unifying the European and world federalists is still incomplete, since not all UEF national sections have yet decided to become WFM members and not all the European WFM chapters are UEF members. But the unification process has started and is in progress. The recent decision of UEF-France to become a WFM member through the UEF shows it. Precisely because they are the strongest federalist organizations in the world, the UEF and the WFM share great responsibilities. The complete achievement of their unification is a task for the next decade.

In conclusion, if we were to take a quick glimpse into the future, we would realize that under the twin banners of free international trade (World Trade Organization) and the protection of human rights (International Criminal Court), matters which were once considered domestic affairs of the states are now regulated by international organizations. The vigorous growth of globalisation highlights the erosion of state sovereignty and fosters the strengthening of economic, monetary, social and environmental international institutions.

But the fact that those institutions can act without democratic legitimation remains an unresolved problem. "In our age everything has been globalized except consent", wrote George Monbiot. "Only democracy has remained relegated to the national state". International democracy and the need for a World Parliament are therefore the great tasks awaiting the young generations of federalists.

* Message of the UEF President for the 60th anniversary of the WFM

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Hobson Christopher

"Democracy as Civilisation"

in **Global Society**, Volume 22, Issue 1, January , 75-95

Since the fall of the Berlin Wall, democracy has come to embody the very idea of legitimate statehood in international politics. It has done so largely through defining a new standard of civilisation, in which "democraticness" determines the limits of international society and helps to construct relations with non-democracies "beyond the pale". Like the "classical" standard, this new version again reflects a considerable interest in the socio-political organisation of states. Central in this shift back to a more "anti-pluralist" international society has been the democratic peace thesis, which emphasises how the internal (democratic) characteristics of states influence their external behaviour. Against more optimistic interpretations, it is argued that the democratic peace is a distinctly Janus-faced creature: promoting peace between democracies, while potentially encouraging war against non-democratic others. Within the democratic peace, non-democracies become not just behaviourally threatening but also ontologically threatening. Non-democracies are a danger because of what they are (or are not). In sum, the argument presented is that democracy, positioned as the most



legitimate form of domestic governance in international society, has become caught up and used in global structures of domination, hierarchy and violence. Thus, the role of "democracy" in international politics is much more complicated, and, at least in its current guise, less progressive than often portrayed.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Amegashie J. Atsu, Kutsoati Edward

(Non)intervention in intra-state conflicts

in *European Journal of Political Economy*, Volume 23, Issue 3, September 2007

There are two factions in a conflict. A third party may choose to intervene by supporting one of the factions. We consider a third party maximizing a weighted sum of the welfare of the warring factions and the non-combatant population. The third party's intervention decision is influenced by the nature of the conflict success function, the difference in ability between the combatants, his belief of how protracted the conflict will be in the absence of intervention, the weight he places on the welfare of the combatants relative to the rest of the population, and whether he can intervene militarily or non-militarily. Under certain conditions, the third party intervenes for sufficiently extreme values of the weight placed on the warring factions but does not intervene for intermediate values.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sumit Shekhar

A jurisprudential understanding of the hegemonic world's superpower

in *World Affairs*, Vol. 11, n. 3, Autumn

Shekhar Sumit traces the contours of hegemonism in international relations, with special reference to American foreign policy and the various interpretations of the latter emanating from American scholarship. He then correlates the triumvirate of jurisprudence, international relations and discourse relating to power equations, to explain the nature and rationale of the US's drive for global dominance through a combination of economic, military, ideological and cultural instruments.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Smith Mitchell P.

All Access Points are Not Created Equal: Explaining the Fate of Diffuse Interests in the EU

in *British Journal of Politics & International Relations*, Vol. 10, Issue 1, February, 64-83

According to literature on organised interests in the European Union, the European Parliament's Environment Committee (ENVI) gives environmental interests a potent point of legislative access. Yet while ENVI helped sustain the EP's commitment to environmental interests in the case of the End-of-Life Vehicles Directive adopted in September 2000, it did not do so for REACH, a regulatory framework for the chemicals sector adopted by the EP and Council in December 2006. Ultimately, the value of legislative access for organised interest groups depends on the extent to which



they have privileged interactions with a node in the policy-making apparatus and the degree to which actors in the policy-making process defer to the particular institutional node. For environmental interests, both privileged interactions between environmentalists and ENVI and deference to the committee decline when environmentalists seek regulations that impose concentrated costs on producers. Such instances invoke calls to protect industrial competitiveness and intensify conflict between EP committees.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

La Caze Marguerite

At the Intersection

in Political Theory, Volume 35, n. 6, December, 781-805

To elucidate the tensions in the relation between ethics and politics, I construct a dialogue between Kant, who argues that they can be made compatible, and Derrida, who claims to go beyond Kant and his idea of duty. For Derrida, ethics makes unconditional demands and politics guides our responses to possible effects of our decisions. Derrida argues that in politics there must be a negotiation of the non-negotiable call of ethical responsibility. I argue that Derrida's unconditional ethics cannot be read in precisely Kantian terms because his 'impossible reals' can be destructive. Moreover, Derrida expands the reach of ethics beyond Kant by making all ethical demands unconditional or perfect, yet he does not articulate a politics that would enable us to respond to these demands. We need to take account of these difficulties in theorizing how ethics should constrain politics and how politics can provide the conditions for ethics.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Choi Seung-Whan, James Patrick

Civil-Military Structure, Political Communication, and the Democratic Peace

in Journal of Peace Research, Volume 45, Number 1, January, 37-53

Looking beyond the democratic/Kantian peace argument that highlights the pacifying effect of regime type on international conflict, this study explores additional, potentially important domestic factors that may influence conflict — most notably, civil—military structure, such as degree of civil versus military control and military manpower system. It also looks into the effects of political communication in terms of diplomatic channels and open media. On the basis of logistic regression analysis for 120 countries during the period from 1950 to 1992, the authors report that strong military influence is more likely to lead to the onset of militarized interstate disputes, wars, and international crises while the presence of conscripted soldiers, diplomatic activities, and open media makes that less likely. These results hold up in the presence of the three Kantian peace variables (i.e. democracy, economic interdependence, and joint membership in international organizations) and other control variables that are standards within contemporary research designs. Thus, the authors conclude that the four factors are important complements to understanding the impact of domestic traits on interstate conflict beyond the conventional regime-type explanation of the democratic/Kantian peace.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pandey Anurag

Communalism and Separatism in India. An Analysis

in **Journal of Asian and African Studies** , December 2007, Volume 42, No. 6

Due to the rise and growth of the Bhartiya Janata Party (BJP) with its sister organizations in Indian politics, the existence of the Muslim political elite's communal attitude, acceptance of liberalized economic policy by India and the rise in mutual suspicion and hostile attitude among both Muslims and Hindus, India may witness a violent civil war between Hindus and Muslims in the future. The clashing political and economic interests and confronting attitude from both sides may lead them to be two different nations again. The spectre of Two Nations Theory may emerge once again.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Siim Birte, Squires Judith

Contesting Citizenship: Comparative Analyses

in **Critical Review of International Social and Political Philosophy**, Vol. 10, n. 4, December , 403-416

The pursuit of equal citizenship has been complicated by two recent developments: the emergence of multi-level governance (and with it the growing importance of local, regional and global levels of citizenship practices) and the emergence of group recognition claims (which signal the growing importance of particularised experiences and multiple inequality agendas). These developments shape the way citizenship is both practiced and analysed. Mapping neat citizenship models onto distinct nation-states and evaluating these in relation to formal equality is no longer an adequate approach. Comparative citizenship analyses need to be considered in relation to multiple inequalities and their intersections, and to multi-level governance and trans-national organising. This, in turn, suggests that comparative citizenship analysis needs to consider new spaces in which struggles for equal citizenship occur and new dynamics interactions between them.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gelpi Christopher F., Grieco Joseph M.

Democracy, Interdependence, and the Sources of the Liberal Peace

in **Journal of Peace Research**, Volume 45, Number 1, January , 17-36

Can the world be made more peaceful through commerce? Empirical studies of the impact of trade on military conflict have yielded conflicting results depending on the specific measures and empirical domains that scholars select for their studies. The article suggests that these varying results may be due to inadequate specification of the conditions under which trade will prevent conflict. In particular, previous research suggests that democratic leaders rely on public policy successes, such as economic growth, to maintain their political viability to a greater degree than do autocratic leaders. Since trade can help promote growth, the authors argue that democratic leaders should be more averse than autocratic leaders to initiating military conflicts with trading partners, for such conflicts might damage commercial ties and hamper



politically important economic growth. The authors find support for this expectation in their analysis of trade integration and international conflict initiation by democratic and autocratic states between 1950 and 1992. The results are robust across different data sources on trade and conflict, suggesting that the conditional impact of trade on conflict may explain the variance in previous results. However, these results have sobering implications for the view that trade dependence by itself can be a mechanism for preventing autocratic states from using military force.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Vargova Mariela

Dialogue, Pluralism, and Change: The Intertextual Constitution of Bakhtin, Kristeva, and Derrida

in *Res Publica*, Volume 13, Number 4, December , 415-440

In this article I show how the concept of intertextuality as developed by Mikhail Bakhtin, Julia Kristeva and Jacques Derrida can be applied to the political theory of constitutionalism. Such an approach carries with it the valuable democratic idea that all texts in society, including the political constitution, are in a dynamic relationship and reflect social pluralism. By analyzing and comparing intertextual theories, I develop the idea of the constitution as an open and emancipatory interpretative and textual category. I show how intertextual theorizing contributes significantly to the democratization of a modern liberal constitutional order, offering distinct strategies for progressive political and social transformation.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sousa José de, Lamotte Olivier

Does political disintegration lead to trade disintegration? Evidence from transition countries

in *Economics of Transition*, October 2007 - Vol. 15 Issue 4 , pp. 825-843

Recent studies have found that political disintegration is a cause of severe and rapid trade disintegration in former Eastern European countries. This finding somewhat conflicts with another strand of the literature highlighting the fact that trade patterns change relatively slowly. This article aims at reconciling the apparent inconsistency between these two results. Using a theoretically grounded gravity equation, we evaluate the intensity of trade between successor states of three former countries (Czechoslovakia, the Soviet Union and Yugoslavia) in the period 1993–2001. We find no clear evidence that political disintegration leads to systematic and severe trade disintegration. This result is consistent with the patterns displayed by using simple descriptive statistics, is robust to sensitivity checks, and supports the idea of hysteresis in trade.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Manow Philip, Schäfer Armin, Zorn Hendrik



Europe's party-political centre of gravity, 1957-2003

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

Europe's 'political space', its dimensionality and its impact on European policies have received increased academic attention lately. Yet, one very basic element of this political space, the party composition of EU member states' governments, has never been studied in a systematic way in the rich literature on European integration. In this paper we explain why the EU literature should pay more attention to the analysis of Europe's party-political 'centre of gravity'. We give a systematic overview of the party composition of member governments from 1957 to 2003. This includes analyses of how the support for integration, the left/right political conviction, and the ideological homogeneity or heterogeneity of the member states affected the Council over the course of time. We draw on expert surveys, the data of the Comparative Manifesto Project, and data about government composition.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Schneider Volker; Häge Frank M.

Europeanization and the retreat of the state

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

Is the state on the retreat? We examine this question through an analysis of changing patterns of government involvement in infrastructure provision, which is generally considered to be one of the main functions of the modern state. Based on an analysis of the extent of privatization of infrastructure companies between 1970 and 2000 across 20 OECD countries, we find that there is indeed a general trend towards less public infrastructure provision visible in all of the countries and that the main factors associated with the extent of privatizations are EU membership and government ideology. Overall, the results of the study are consistent with the view that the trend of privatizing infrastructure companies was triggered by a change of the prominent economic discourse in the 1970s and that a rightist party ideology and EU membership fostered the adoption and implementation of these ideas in domestic settings.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Douki Caroline, Minard Philippe

Histoire globale, histoires connectées : un changement d'échelle historiographique ?

in *Revue d'Histoire Moderne et Contemporaine*, a. 54, n. 4/bis octobre - décembre , 7- 21

- WORLD ET GLOBAL HISTORY : CHANGEMENTS D'ÉCHELLE ? CHANGEMENTS DE REGARDS ?
- UNE PLACE DISPUTÉE
- DES ENJEUX MULTIPLES

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Palombella Gianluigi

Il rule of law, la democrazia e il diritto internazionale. A partire dall'esperienza degli Stati Uniti



in **Studi sull'integrazione europea**, Anno II, n. 2 , 255-284

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Szokolczai Arpad

In Pursuit of the 'Good European' Identity

in **Theory, Culture & Society**, Volume 24, n. 5, September , 47-76

This article argues that Nietzsche's preoccupation with the figure of Dionysos can be best understood as a visionary insight concerning the distant roots of European culture in Minoan civilization. While the opportunity offered by the discovery of ancient Crete for continuing Nietzsche's genealogical work into the sources of Greek culture was ignored by the vast archive of literature on Nietzsche, this project was pursued in a book by the mythologist Károly Kerényi, published posthumously. Using the classic work of Henrietta Groenewegen-Frankfort, this article identifies the 'spirit' of Minoan Crete with its attempt to manifest the gracefulness of life. The sudden emergence of Minoan Palace civilization, its peaceful character shown by the absence of fortified walls, and the importance of epiphany scenes in various works of art all indicate the centrality of religion for ancient Crete. The article offers the hypothesis that the origins of this culture can be traced to similar transcendental experiences such as those in ancient Judaism. The basic difference is that in the Cretan case epiphanies were connected to female figures, leading not to a prophetic tradition of divine grace through the revealed word and public law, rather the transmission of a secret tradition and the manifestation of its truth through spectacular public rituals and graceful works of art. While direct awareness of Minoan civilization was lost, its central concern survived in the value attributed to the manifestation of radiant, indestructible truth, a central characteristic of European identity, periodically revitalized in a series of renaissances.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gilbert J  r  mie

Indigenous Rights in the Making: The United Nations Declaration on the Rights of Indigenous Peoples

in **International Journal on Minority and Groups Rights**, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?" , 207-230

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kymlicka Will

La evoluci  n de las normas europeas sobre los derechos de las minor  as: los

in **Revista espa  ola de ciencia pol  tica**, n. 17 , 11-50



Durante los últimos 15 años hemos sido testigos de una gran expansión de los esfuerzos para desarrollar normas internacionales sobre los derechos de las minorías, tanto en el ámbito global como en el regional. Estos acontecimientos parecen prometer protección ante graves injusticias a algunos de los grupos más vulnerables del mundo contemporáneo. A las minorías étnicas no les ha ido demasiado bien en el sistema westfaliano de “estados-nación” soberanos. Las minorías han sido objeto de numerosas políticas de asimilación y exclusión en pos de la construcción de estados-nación homogéneos, al tiempo que, históricamente, la comunidad internacional ha hecho caso omiso a estas injusticias. Hoy en día, sin embargo, existe un compromiso creciente con la resolución de este problema, y la idea de que el tratamiento de las minorías es una cuestión que merece una auténtica atención y supervisión internacional goza de un creciente apoyo. Como mínimo, estas normas en evolución establecen límites en los medios que los estados pueden emplear para lograr sus objetivos de homogeneización nacional. Pero además, al menos implícitamente, ofrecen una visión alternativa del Estado que incorpora la tolerancia como valor nuclear, y de acuerdo con la cual la diversidad constituye una realidad ineludible y tozuda y una característica definitoria del sistema político. Desde este punto de vista, la tendencia a codificar las normas internacionales sobre los derechos de las minorías es, seguramente, deseable y progresista. No obstante, no por ello deja de generar varios dilemas y ambigüedades morales. En este artículo se exploran algunos de estos dilemas después de un análisis exhaustivo de algunos intentos recientes de codificar los llamados “derechos de las minorías nacionales” en Europa. La experiencia europea constituye un experimento fascinante, aunque imperfecto, de desarrollo de normas internacionales sobre derechos de las minorías que tiene implicaciones en otros contextos.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Riello Giorgio

La globalisation de l'Histoire globale : une question disputée

in *Revue d'Histoire Moderne et Contemporaine*, a. 54, n. 4/bis octobre - décembre , 23-33

- TROIS PRÉALABLES PERSONNELS
- EN QUOI L'HISTOIRE GLOBALE DIFFÈRE - T - ELLE DE L'HISTOIRE EN GÉNÉRAL ?
- QUELLE MÉTHODOLOGIE POUR L'HISTOIRE GLOBALE ?
— L'expérience du GEHN
- POURQUOI DES RÉTICENCES PARMIS LES HISTORIENS ?
- OÙ VA L'HISTOIRE GLOBALE ?

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Castro Apreza Inés

La sociedad civil en tierras indígenas

in *Metapolítica : revista trim. de teoría y ciencias de la política*, Num. 56, noviembre - diciembre 2007

La elección presidencial de 1988 expresó sus resultados en Chiapas hasta las elecciones de 1991, con cifras claras de



una democratización política incipiente y un descenso irreversible del Partido Revolucionario Institucional (PRI). Igualmente, el fenómeno de la movilización de la sociedad civil en pro de objetivos de largo alcance enmarcados en un proyecto democrático, ocurrió en Chiapas varios años después de que lo hiciera en otros estados. Más allá del lento paso, pocos momentos en la historia del país dan cuenta de una movilización organizativa como la que siguió al levantamiento armado del Ejército Zapatista de Liberación Nacional (EZLN) en enero de 1994, la cual se extendería por varios años. Los sectores movilizados adoptaron el término de sociedad civil y en su nombre tuvieron lugar experiencias y ensayos políticos de trascendencia.

En 1994, aunados por vez primera bajo la denominación sociedad civil, grupos indígenas de diversa trayectoria política confluyeron, en Chiapas, con grandes organizaciones campesinas, organismos no gubernamentales, militantes del Partido de la Revolución Democrática (PRD), internacionalistas, académicos locales y nacionales e individuos sin filiación alguna, vinculados todos ellos por la certeza de que en aquel estado se encontraba en gestación un mundo nuevo. Para fines de año, la utopía intentó concretarse en los llamados municipios autónomos zapatistas, acaso el más importante proyecto étnico planteado en el marco de la lucha de los pueblos indios por ser reconocidos como tales dentro del Estado-nación mexicano. Esto es, pueblos que sin buscar la conformación de un Estado propio, pretenden sin embargo alcanzar un determinado estatus políticoterritorial, definido éste a partir del reconocimiento de ciertos derechos diferenciados. Por distintas razones, hasta el momento, dichos municipios no han logrado ser exitosos en la construcción de su autonomía, como tampoco en el control del propio territorio y de los recursos naturales en él existentes. En paralelo, el apoyo social al zapatismo ha venido marcado por un ritmo de continuo decrecimiento. No obstante, en los años inmediatamente posteriores a 1994, la sociedad civil se erigió en el agente central de las movilizaciones políticas ligadas a las reivindicaciones zapatistas. En este sentido, mientras que en la Primera Declaración de la Selva Lacandona de enero de 1994 el EZLN hacía uso de un lenguaje protorrevolucionario, llamando a engrosar las filas de su organización armada, en la Segunda Declaración, fechada en junio del mismo año, aquel venía a reconocer que la "Sociedad Civil" había asumido su deber de "preservar a la patria" manifestándose en contra de la masacre que se perpetraba con los pueblos indígenas. El uso de mayúsculas en las iniciales del término ponía de relieve el alto reconocimiento que el EZLN otorgaba a un agente que todos parecían y parecen identificar, pero cuya vaguedad conceptual y política quedó también de manifiesto desde entonces: conformaban la sociedad civil convocada por...

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sardella Barbara

**La "dimensione comunitaria" dei nuovi Statuti regionali
in Istituzioni del federalismo**, n. 3/4 , 431 -477

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Zuniga Jean Paul

L'Histoire impériale à l'heure de l'« histoire globale ».

in Revue d'Histoire Moderne et Contemporaine, a. 54, n. 4/bis octobre - décembre , 54-68



- D'UNE ANALYSE SEGMENTÉE À UN MONDE SANS BORNES ?
- HISTOIRE ATLANTIQUE ET HISTOIRES « GLOBALES »
- CONNECTED HISTORY ET ANALYSE SOCIALE
- L'HISTOIRE IMPÉRIALE : POUR UNE HISTOIRE SITUÉE DES CONNEXIONS

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Orakhelashvili Alexander

Overlap and Convergence: The Interaction Between Jus ad Bellum and Jus in Bello
in *Journal of Conflict and Security Law*, Volume 12, Number 2, Spring , 157-196

The legal regime governing rights and duties of the aggressor state has been extensively debated since Grotius, and has acquired particular importance after the international community outlawed the recourse to force. Although it is often assumed that the legality of war is irrelevant for the regulation of rights during the armed conflict, state practice, jurisprudence and doctrine have consistently developed the thesis that if the prohibition of the use of force is to be meaningful, the aggressor state shall not be able to claim rights and benefits potentially arising from its commission of the act of aggression. This contribution analyses the conceptual foundations of this argument and its standing within the legal framework. After this, the feasibility of the determination of the aggressor in international conflicts is addressed. At the final stage, this contribution addresses some specific dimensions of aggressor discrimination, in terms of the law of occupation, law of neutrality and the potential response by national courts, notably by reference to public policy and the act of state doctrine.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Subrahmanyam Sanjay

Par-delà l'incommensurabilité : pour une histoire connectée des empires aux temps modernes
in *Revue d'Histoire Moderne et Contemporaine*, a. 54, n. 4/bis octobre - décembre , 34-53

- L'INCOMMENSURABILITÉ ENTRE LES CULTURES
- DIPLOMATES ET AMBASSADES
— L'envers de la question : les ruptures radicales
- LA GUERRE
- LES REPRÉSENTATIONS VISUELLES

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Fakiolas Efstathios T.

Pax-Americana or Multilateralism? Reflecting on the United States' Grand Strategic Vision of Hegemony in the



Wake of the 11 September Attacks

in *Mediterranean Quarterly*, Volume 18, Number 4, Fall

Since the disintegration of the Soviet Union, the United States has been presented with a unique structural opportunity to establish world-scale hegemony. But it was not until after the 11 September terrorist attacks that an American president explicitly set out, under the pretext of the "war on terror," to pursue hegemony in the form of a Pax Americana, that is, to build a unipolar American security order. Since then, the opposition of the other great powers, mainly of the European Union and in particular of the French-German axis, has proved a powerful stumbling block. Today, in the light of upheavals in Iraq and the US leadership's inability to deal efficiently with its overcommitment, Pax Americana can be said to come into effect only if Europe falls prey to decay and division or Washington materializes its designs for the construction of an antiballistic missile defense shield. Rather, the key to US hegemony is the establishment of a multipolar American-led international system.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Jackson Matthew O., Morelli Massimo

Political Bias and War

in *American Economic Review*, Vol. 97, No. 4, September 2007

We examine how countries' incentives to go to war depend on the "political bias" of their pivotal decision makers. This bias is measured by a decision maker's risk/ reward ratio from a war compared to that of the country at large. If there is no political bias, then there are mutually acceptable transfers from one country to the other that will avoid a war in the presence of commitment or enforceability of peace treaties. There are cases with a strong enough bias on the part of one or both countries where war cannot be prevented by any transfer payments. Our results shed some new light on the uneven contender paradox and the interpretation of the "democratic peace." We examine countries' choices of the bias of their leaders and show that when transfers are possible, at least one country will choose a biased leader, as that leads to a strong bargaining position and extraction of transfers.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tangiev Murad

Political Leadership and Transitional Democracy in the Russian Federation: Challenges and Prospects

in *Peace, Conflict and Development*, Volume 11, Issue 11, November , pp. 33

Full text available on-line:

http://www.peacestudiesjournal.org.uk/docs/PCD%20ISSUE%2011%20ARTICLE_Political%20Leadership%20and%20Transitional%20Democracy%20in%20Russia_Murad%20Tangiev.pdf

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous



Zimmermann Hubert

Realist Power Europe? The EU in the Negotiations about China's and Russia's WTO Accession
in *Journal of Common Market Studies*, Vol. 45, Issue 4, November 2007

What determines the preferences the EU represents in international trade negotiations? This article argues that realist theories can help to answer this question. Whereas, the majority of the literature on EU trade policy-making looks at 'domestic' variables such as institutional factors and the influence of interest groups, a systemic approach such as realism is rarely employed. However, as the empirical case studies of China's and Russia's WTO accession show, in international trade negotiations the EU is motivated by geoeconomic and mercantilist considerations to an important degree, specifically the interest to maximize EU wealth relative to other powers. The article is a pledge for taking realism seriously in research on preference formation in EU external policies.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Bertrand Romain

Rencontres impériales. L'histoire connectée et les relations euro-asiatiques

in *Revue d'Histoire Moderne et Contemporaine*, a. 54, n. 4/bis octobre - décembre , 69-89

- HISTOIRE « EXTERNALISTE » ET HISTOIRE « INTERNALISTE »
- L'HISTOIRE À DOUBLE ENTRÉE DES « PREMIERS CONTACTS »
- LES MODES VERNACULAIRES D'ACTION POLITIQUE EN « SITUATION COLONIALE »
- LES BASSINS D'HISTORICITÉ DU MONDE INSULINDIEN ET « L'HYPOTHÈSE EURASIE »

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lasas Ainius

Restituting victims: EU and NATO enlargements through the lenses of collective guilt

in *Journal of European Public Policy* , Volume 15 Issue 1, January 2008

Following the disintegration of the Soviet bloc, many Central and Eastern European countries launched a vigorous 'come back to Europe' campaign, which primarily focused on accession to NATO and the European Union. I interpret the decisions of the Euro-Atlantic community to enlarge eastward as a historical restitution for countries affected by the 'black trinity': the Munich Agreement, the Molotov-Ribbentrop Pact, and the Yalta-Potsdam Conferences. Collective guilt of the Euro-Atlantic community transformed the process of accession by constraining the opposition, creating a sense of urgency, and shaping the geographical scope of Eastern enlargement.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Franke Mark F. N.

Self-determination Versus the Determination of Self: A Critical Reading of the Colonial Ethics Inherent to the United Nations Declaration on the Rights of Indigenous Peoples



in **Journal of Global Ethics**, Volume 3, Issue 3, December 2007 , 359 - 379

The United Nations' (UN) adoption of a Declaration on the Rights of Indigenous Peoples is intended to mark a fundamental ethical turn in the relationships between indigenous peoples and the community of sovereign states. This moment is the result of decades of discussion and negotiation, largely revolving around states' discomfort with notion of indigenous self-determination. Member states of the UN have feared that an ethic of indigenous self-determination would undermine the principles of state sovereignty on which the UN is itself grounded. However, such fears are the result of very poor understandings of the ethical principles under which the relations between indigenous peoples and nation-states already have been formed under centuries of European colonialism. The principle of self-determination embraced in this Declaration does not diverge from colonial norms; it entrenches these norms as international policy. Without doubt, indigenous peoples are more likely to benefit than suffer from states' observance of the Articles within this Declaration. Reducing the challenge of indigenous peoples' rights to the notion of self-determination set out in this document, though, misses an extraordinarily important opportunity to critically investigate the ethic of rights that has produced an opposition between nation-states and indigenous peoples to begin with. A true turn in the ethics of this relationship would see not simply the institution of a right to self-determination but, rather, indigenous peoples' right to first determine the nature of self for themselves.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Davies Jonathan S.

The Limits of Partnership: An Exit-Action Strategy for Local Democratic Inclusion

in **Political Studies**, Volume 55, Issue 4, December , 779-800

The challenge of enhancing the 'democratic anchorage' of partnerships has become a central concern in policy studies. Radical reform proposals designed to level the deliberative playing field include community veto powers and the appointment of neutral arbiters. Welcome as they would be, however, it is questionable whether such reforms would overcome power asymmetries in the partnership arena. A study of the local politics of social inclusion in two UK cities, Dundee and Hull, suggests that managerialism, driven by national governments, is eroding the prospects for partnership democratisation. But more significantly for the reformist agenda, public managers and community activists think in incompatible frames about the role of partnerships and in ways that are not understood by the other party. Non-communication undermines the prospects for an equitable democratic consensus. Insights from Bourdieu suggest that even in environments more favourable to equitable democratic discourse than those in Dundee and Hull, subtle manifestations of power in culture, discourse and bearing would undermine the potential for a Habermasian consensus between radically unequal actors. In a radical departure from the network governance paradigm, it is therefore argued that empowerment may depend less on enhanced network democracy than on strong independent community organisation capable of acting separately and coercively against governing institutions and elites – an exit-action strategy. These preliminary conclusions point to a substantial research agenda on the politics of the state–civil society nexus.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous



Iovane Massimo

The Universality of Human Rights and the International Protection of Cultural Diversity: Some Theoretical and Practical Considerations

in *International Journal on Minority and Groups Rights*, Volume 14, Numbers 2-3, "Reforming the UN Human Rights Machinery: What Does the Future Hold for the Protection of Minorities and Indigenous Peoples?", 231-262

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kymlicka Will

The internationalization of minority rights

in *International Journal of Constitutional Law*, Vol. 6, n. 1, 1-32

Debates concerning integration and accommodation are a familiar feature of the domestic political life of many countries. But these debates increasingly have an international dimension as well. International organizations can strongly influence the way state–minority relations are framed and resolved, endorsing some models of accommodation while discouraging others. This paper attempts to explore which models of state–minority relations and, hence, which types of minority rights, have been endorsed by international organizations, for which types of groups, and in which contexts. These are not simple questions to answer. Many international organizations have struggled with this issue for the past fifteen years without any clear resolution, and their current policies and practices are full of ambiguities and inconsistencies. The goal of this paper is to bring out some of these complexities, focusing particularly on how the rights of indigenous peoples have been elaborated at the United Nations, and the way in which the rights of national minorities have been discussed within European organizations. Very different assumptions and principles underlie the two cases, and each raises its own moral and political dilemmas.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Dexter Helen

The 'New War' on Terror, Cosmopolitanism and the 'Just War' Revival

in *Government and Opposition*, Vol. 43, n. 1, Winter, 55-78

The post-Cold War era has seen the return of the 'good war' and a move away from legal pacifism – the control of war through international law – to 'just war' theorizing. This article is concerned with the re-legitimization of warfare witnessed within the post-Cold War security paradigm that is being justified via humanitarian claims. It aims to highlight the difficult relationship that has developed since the commencement of the Bush administration's 'war on terror' between the cosmopolitan beliefs of those who have long argued for legal and legitimate humanitarian intervention, and the cosmopolitanism being espoused by the neo-conservatives of the Bush administration and the Project for the New American Century.

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Santos J.A.

Tolerancia y relativismo en las sociedades complejas

in *Persona y derecho*, n. 56 , 177-190

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Barkey Karen

Trajectoires impériales : histoires connectées ou études comparées ?

in *Revue d'Histoire Moderne et Contemporaine*, a. 54, n. 4/bis octobre - décembre , 90-103

HISTOIRE MONDIALE – HISTOIRE GLOBALE

• POUR DES ÉTUDES COMPARÉES