

Sovereignty and European Integration

Towards a Post-Hobbesian Order

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Knud Erik Jørgensen



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Sovereignty and European Integration M. Wind, 2001-10-25 From the point of departure of international relations theory it is not an easy task to come to grips with the European integration process We are faced with a situation where some of the world's oldest and traditionally most sovereignty loving nations have surrendered essential parts of their power to a supranational institution In order to make sense of this the book employs a constructivist framework Empirically it focuses on the way in which the Community has transformed from a traditional international regime based on classical international law to a semi federal polity where Community law and regulations trump national law and constitutions

Understanding Conflicts of Sovereignty in the EU Nathalie Brack, Ramona Coman, Amandine Crespy, 2021-05-10 This book investigates the multifaceted conflicts of sovereignty in the recent crises in the European Union Although the notion of sovereignty has been central in the contentious debates triggered by the recent crises in the European Union it remains strikingly under researched in political science This book bridges this gap by providing both theoretical reflections and empirical analyses of today's conflicts of sovereignty in the EU More particularly it investigates conflicts between four types of sovereignty First national sovereignty referring to the autonomy of the Westphalian Nation State to rule on a territory delimited by borders second the supranational sovereignty acquired by the EU in a fragmentary fashion in a number of scattered internal and external policy fields third parliamentary sovereignty understood as the autonomy of parliaments at the regional national and European levels to take part in the decision making process and control the executive in the name of the principles of election and representation fourth popular sovereignty whereby the body politic confers legitimacy to decision makers in a democratic system Through an analysis of the various crises rule of law Brexit migration Eurozone crisis the chapters look at how sovereignty is framed and contested by different types of actors and how the strengthening or the weakening of certain types of sovereignty contribute to shape preferences regarding policies and governance structures in the multi level EU The chapters in this book were originally published as a special issue of the Journal of European Integration

European Approaches to International Relations Theory Jörg Friedrichs, 2004-03-01 A well established community of American scholars has long dominated the discipline of international relations Recently however certain strands of continental theorizing are being introduced into the mainstream This is a critical examination of European approaches to international relations theory suggesting practical ways of challenging mainstream thought Friedrichs presents a detailed sociological analysis of knowledge production in existing European IR communities namely France Italy and Scandinavia He also discusses a selection of European schools and approaches

The Court of Justice of the European Union and the Politics of Law Sabine Saurugger, Fabien Terpan, 2017-08-24 The Court of Justice of the European Union CJEU is one of the central institutions of the EU and has played a decisive role in European integration As one of the most powerful international courts at a time when political systems around the world are becoming more judicialized it is a key actor to understand in world affairs Yet it

is not without controversy As both an interpreter of law and as a political power influencing policy making through its bold case law it has become increasingly criticized in recent years for its perceived activism and distance from the European people Combining the perspectives of a legal scholar and a political scientist this important new text gives a uniquely broad ranging account of the CJEU It introduces readers to the role and function of the Court and explains how it fits into the broader political system and historical evolution of the European Union It examines the constitutional contributions made by the Court and the part it plays in policy making in areas such as the environment gender equality and human rights Drawing on the latest research the book takes full account of recent changes to the place of the Court in the European political system and shows how new forms of governance such as the open method of coordination have had a significant impact on the role the Court is able to play

Between Globalization and Integration Sebastian Vaduva, 2016-02-23 This volume focuses on the integration and globalization of Romania a prominent emerging market in South Eastern Europe and one of the major players in the securitization of the Black Sea and the Eastern European border as both a part of NATO since 2004 and a fully integrated EU Member State since 2007 It will examine the challenges the country has faced in its progression from totalitarianism to democracy through several waves of reform intended to update and streamline its political and economic processes for success in the free market capitalist arena Having learned the hard way about some of the key aspects of public administration Romania has learned a place for itself among the diverse global players of Europe and beyond The first section reviews current perspectives on globalization and its impact in the late 20th century It has flattened the Earth generating better communication and exchanges than ever before but also gathering a fair amount of criticisms from commentators seeing it as little else than neo colonialism Cooperative administrative strategies are being suggested instead in order for new public administration patterns to smoothly run in coordination with the globalized world In the second section the European Union is described as a complex multi level socio political entity itself historically in turmoil over its own style of rule e g hierarchy vs coordination integration vs centralization etc or even its own existence as the European dream seemed to be losing steam with the general population of Europe several times in the previous century Powers and responsibilities of the European institutions and agencies are also discussed Thirdly the recent history of Romania is approached from the Europeanization context starting from its post 1989 days of confusion and of attempting to jumpstart democracy Eventually it has to undergo a series of reforms and internalize some principles fundamental to the EU in order for the much awaited accession to occur and its multiple effects to start taking place A country with a rich cultural heritage and straddling multiple socio political axes Romania has plenty more to offer in the new geostrategic security and development contexts of the 21st century Europe As such this volume provides inspiration for further research and practical application opportunities on topics of local European and global significance

Democracy, Federalism, the European Revolution, and Global Governance Andrea Bosco, 2020-06-10 The European Union is facing today the greatest crisis since its

creation Brexit could mean not only the reversal of its steady enlargement from 6 to 28 member states but also the beginning of an inexorable decline leading to its disintegration. However few today seem to recollect that it was precisely the British who were the first to promulgate the political culture which inspired the European Union's construction: democracy and federalism and the first who tried to realise in June 1940 a European federation on the basis of an Anglo-French union. This volume traces the fundamental stages of the European unification process placing it in relation to the wider process of world economic and political integration. In particular it analyses the historical significance of the European Revolution which is identified in the overcoming of the nation state namely the modern political formula which institutionalised the political division of mankind and the birth of the first truly international state. The universal historical significance of the European Revolution lies in its exportability as for the other great European revolutions and therefore its potential as progressively extensible to all the states of the planet. Europe was indeed the first region of the world where the barriers between national states fell and a post-national political identity emerged complementary to national political identities. It is in fact in the context of the European Union that democracy beyond the borders of the nation state has first been realized constituting a guiding principle for global governance. European Constitutionalism Beyond the State J. H. H. Weiler, Marlene

Wind, 2003-09-04 Some of the most innovative scholars in the field of European constitutionalism come together in this book to highlight different facets of the new constitutional discussion. Provoking deep analysis of the different ideas of constitution and constitutionalism it delineates new ways of thinking about the future of Europe. In particular it aims to challenge the idea of the European Union as an evolving federal polity. This book will appeal to anyone interested in the timely subject of constitutionalism including students and practitioners of law, politics and philosophy. **Sovereignty in Fragments** Hent

Kalmo, Quentin Skinner, 2010-12-09 The political make-up of the contemporary world changes with such rapidity that few attempts have been made to consider with adequate care the nature and value of the concept of sovereignty. What exactly is meant when one speaks about the acquisition, preservation, infringement or loss of sovereignty? This book revisits the assumptions underlying the applications of this fundamental category as well as studying the political discourses in which it has been embedded. Bringing together historians, constitutional lawyers, political philosophers and experts in international relations, *Sovereignty in Fragments* seeks to dispel the illusion that there is a unitary concept of sovereignty of which one could offer a clear definition. This book will appeal to scholars and advanced students of international relations, international law and the history of political thought. **The Legal History of the European Banking Union** Pedro Gustavo

Teixeira, 2020-12-24 How was the Banking Union the most advanced legal and institutional integration in the single market created? How does European law impact European integration? To answer these questions this book provides a sweeping account of the evolution of European law. It identifies five integration periods of the single financial market intertwined with the development of global finance from its origins through its expansion and crisis to the Banking Union. Each period is

defined by innovations to deepen integration such as the single passport for financial services soft governance and comitology agencies or a single rulebook Providing a far reaching explanation of the legal and institutional rationality of the European Banking Union this book demonstrates that the Banking Union is not an accident of history or simply the product of the existential crisis of the Monetary Union It has deep roots in the evolutionary process of European law and its drive towards supranational integration *Oxford Principles of European Union Law* Robert Schütze,Takis Tridimas,2018-03-01

Since the 1957 Rome Treaty the European Union has changed dramatically in terms of its composition scope and depth Originally established by six Western European States the EU today has 28 Members and covers almost the entire European continent and while initially confined to establishing a common market the EU has come to influence all areas of political economic and social life In parallel with this enormous geographic and thematic expansion the constitutional and legislative principles underpinning the European Union have constantly evolved This three volume study aims to provide an authoritative academic treatment of European Union law Written by leading scholars and practitioners each chapter offers a comprehensive and critical assessment of the state of the law Doctrinal in presentation each volume nonetheless tries to present a broader historical and comparative perspective Volume I provides an analysis of the constitutional principles governing the European Union It covers the history of the EU the constitutional foundations the institutional framework legislative and executive governance judicial protection and external relations Volume II explores the structure of the internal market while Volume III finally analyses the internal and external substantive policies of the EU *Sovereignty Games* R. Adler-Nissen,T. Gammeltoft-Hansen,2008-11-24 This book offers an in depth examination of the strategic use of State sovereignty in contemporary European and international affairs and the consequences of this for authority relations in Europe and beyond It suggests a new approach to the study of State sovereignty proposing to understand the use of sovereignty as games where States are becoming more instrumental in their claims to sovereignty and skilled in adapting it to the challenges that they face **Reflective Approaches to European Governance** Knud Erik Jørgensen,2016-07-27

Celebrating the existence of contending theories of European integration the book begins with a critical exploration of the concepts and theories used to examine this unique policy presenting theoretically informed empirical studies of the origin of the key themes of European governance territorial politics domestic European linkages and the EU s foreign policy affairs **An Ever More Powerful Court?** Dorte Sindbjerg Martinsen,2015-10-01 The Court of Justice of the European Union CJEU has become famed and often shamed for its political power In scholarly literature this supranational court has been regarded as a master of integration for its capacity to strengthen integration sometimes against the will of member states In the public debate the CJEU has been severely criticized for extending EU competences at the expense of the member states In *An Ever More Powerful Court The Political Constraints of Legal Integration in the European Union* Dorte Sindbjerg Martinsen challenges these views with her careful examination of how judicial legislative interactions determine the scope

and limits of European integration in the daily EU decision making process Methodologically the book takes a step forward in the examination of judicial influence suggesting a law attainment approach as a novel method combined with a large set of interviews with the current decision makers of social Europe Through a study of social policy developments from 1957 to 2014 as well as a critical analysis of three case studies EU regulation of working time patients rights in cross border healthcare and EU posting of worker regulations Martinsen reveals the dynamics behind legal and political integration and the CJEU s ability to foster political change for a European Union social policy

The Foundations of the EU as a Polity Massimo Fichera,2018-08-31 In this insightful book Massimo Fichera provides an original account of European integration as a process He argues that European constitutionalism has been informed from its earliest stages by a meta rationale which is expressed by security and fundamental rights as discourses of power Employing this descriptive and normative conceptual framework to analyse the development of the EU as a polity chapters cover significant recent events such as the Eurozone crisis the refugee crisis the rule of law crisis Brexit and the constitutional identity crisis

EU Powers Under External Pressure Christina Eckes,2019-01-15 EU external actions have deep constitutional and institutional implications for EU law and practices The EU s competences in external relations have continuously increased including with the entry into force of the Treaty of Lisbon As a result the EU has become ever more active in external relations This has in turn increased the internal constitutional and institutional effects of EU external actions This book traces these legal effects and the broader constitutional implications including potential integrative forces EU external actions affect the power division between the EU and its Member States and between the different EU institutions the unity and autonomy of the EU legal order the role and position of Member States on the international plane their autonomy the relationship between national international and EU law and the ability of EU citizens to identify who is responsible for a particular action or policy as well as their legitimate expectation that the EU takes action on their behalf The chapters demonstrate the interpretation of organizational principles such as sincere cooperation subsidiarity primacy and coherence changes in the context of external relations how the choice of an external legal basis rather than an internal legal basis affects the powers of the Union and its Member States what power shifts happen when policies are determined in international agreements rather than in internal decision making and how EU participation in international dispute settlement mechanisms affects the autonomy and legitimacy of the EU

International Organizations and the Idea of Autonomy Richard Collins,Nigel D. White,2011-04-20 International Organizations and the Idea of Autonomy is an exploratory text looking at the idea of intergovernmental organizations as autonomous international actors In the context of concerns over the accountability of powerful international actors exercising increasing levels of legal and political authority in areas as diverse as education health financial markets and international security the book comes at a crucial time Including contributions from leading scholars in the fields of international law politics and governance it addresses themes of institutional autonomy in international law and governance from a range of

theoretical and subject specific contexts The collection looks internally at aspects of the institutional law of international organizations and the workings of specific regimes and institutions as well as externally at the proliferation of autonomous organizations in the international legal order as a whole Although primarily a legal text the book takes a broad thematic and inter disciplinary approach In this respect International Organizations and the Idea of Autonomy offers an excellent resource for both practitioners and students undertaking courses of advanced study in international law the law of international organizations global governance as well as aspects of international relations and organization

European Constitutional Language András Jakab, 2016-04-15 If the task of constitutional theory is to set out a language in which the discourse of constitutional law may be grounded a question of the utmost importance is how this terminology is created defined and interpreted In this groundbreaking new work András Jakab maps out and analyses the grammar and vocabulary on which the core European traditions of constitutional theory are based He suggests understanding key constitutional concepts as responses to historical and present day challenges experienced by European societies Drawing together a great and diverse range of literature much of which has never before been touched upon by scholarship in the English language Jakab reconceptualises and argues for a new understanding of European constitutional law discourse In so doing he shines new light on what constitutes its distinctively European nature This remarkable book is essential reading for all scholars and students of constitutional theory in Europe and beyond

Political Theory of Global Justice Luis Cabrera, 2006-02-03 This book offers a moral argument for world government claiming that not only do we have strong obligations to people elsewhere but that accountable integration among nation states will help ensure all persons can lead a decent life

International Relations Theory and the Politics of European Integration Morten Kelstrup, Michael Williams, 2006-12-05 International Relations Theory and the Politics of European Integration focuses on the roles of community power and security within the European Union It features contributions from highly respected international scholars and covers subjects such as sovereignty and European integration the EU and the politics of migration the internationalisation of military security the EU as a security actor money finance and power the quest for legitimacy with regards to EU enlargement

The Transformation of Europe Miguel Poiras Maduro, Marlene Wind, 2017-09-28 Joseph Weiler's The Transformation of Europe is one of the most influential works in the history of European studies Twenty five years after its original publication this new collection of essays pays tribute to Weiler's legacy by discussing some of the most pressing issues in contemporary European Union law policy and constitutionalism The book does not intend to be a simple expression of intellectual esteem for Weiler's seminal work instead the collection honours it by critically engaging with some of its assumptions and theses Overall it shows how a study of 1991 can still be fundamental to the present and future of the EU including the challenges of Brexit and Eurozone crises

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