

## Just who runs the E.U?

Written by Robin Clempson

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# Just who runs the E.U?

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ROBIN CLEMPSON, MAR 4 2012

### **Has Europe transcended 'international relations' to become a form of regional polity. Just who runs the E.U?**

Ever since 1957, when the Treaty of Rome was signed by the heads of government of six European states, academics, policy makers and theorists have sought to define and discuss the nature of the European project. The original aims of the European project, most notably security and cooperation in post war Europe, have long since evolved in to a much wider reaching and blurred set of aims that affect the lives of the regular European on a day to day basis. European legislation is implemented across member states, infuriating nationalists and Eurosceptics and leaving many questioning whether the EU has become some sort of quasi super state. Despite this it remains far from the widely accepted Weberian definition of being a state, (Weber, 1978), and its member states can and frequently do, take action that serves national interests as oppose to European interests (Deflem and Pampel, 1996). The battle between nationalists, functionalists, federalists and intergovernmentalists is not a new one, and neither is the argument about the extent to which Europe has transcended international relations (McDonald and Dearden, 2005, p5). This essay will discuss and analyse the various arguments by looking at the institutions of Europe, and will conclude that while Europe has indeed transcended 'international relations' and formed a regional polity to some extent; and that for now at least, the nation state still rules supreme.

The modern European Union has institutions that make it look remarkably similar to a state; it has a legislative body in the European Parliament; a civil service in the Commission, and judiciary in the European Court of Justice. It even has a common security and foreign policy. Perhaps the most Europeanized of these institutions is the European Commission. It is made up of Commissioners, usually with some domestic political experiences, who are appointed for 5 year terms by their national governments at the same time as European Parliament elections. As such the national governments of the Commissioner nearly always change within his 5 year term, which makes the Commission quite independent from national governments and from the political composition of the European Parliament. (Colomer, 2002 p296). The Commission forms a European civil service of sorts' and its President, currently Jose Manuel Barroso, has a position that has some features corresponding to that of an EU executive (McCormick, 2008). In this respect, many who would argue that the EU has indeed transcended 'international relations' and formed a regional polity would place the Commission at the centre of their argument. Its powers include the ability to propose and implement legislation, enforce EU law, and represent the EU at the international level; all free (supposedly) of member state national interests. The Commission is also central to the key neofunctionalist idea of cultivated spillover, in which the supranational organisations push for more integration and attempt to take a leadership position (Nieman 2006). The bureaucratic nature of the Commission which some such as Heller (2008) call 'Eurocracy', together with the fact that is unelected, combined with its ability to effect legislation in members states means that the Commission often the subject of scorn and distrust amongst Eurosceptics. While these Eurosceptic criticisms may be unformed and unfair, the Commission is often seen as the champion of neofunctionalist ideals (McCormick, 2008). Those taking a supranational perspective would also point to the agenda setting role the Commission enjoys and the particularly important role it played in setting up the Single European Market (Sweeny 2005). However in reality its decision making powers remain secondary to those of the intergovernmental member state bodies of the Council of Europe and the various councils of ministers. In fact far from being an independent decision making body, many argue it acts as more of a servant to the member states, and is not particularly powerful (McCormick 2008). It is however, a truly European body and certainly would add weight to the argument that Europe has evolved in to a regional polity

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The Parliament, the EU's only directly elected body, has actually managed to gain powers in the past 10 years, including powers of co decision. Crucially though it still has no legislative initiative, which is surprising considering it is the largest "trans-national elected body in the world" (Colomer 2002,p291). Interestingly rather than forming coalitions out of national groupings, members of European Parliament form groups depending on their political ideology; centre right, liberal or green for example. A theorist taking a neofunctionalist or a federalist view would argue that this is an example of European socialization and in fact many now argue that the European Parliament has its own aims of further integration and leadership in Europe (Maurer,2007,p132). These desires, however, have been kept in check both by national governments and to a certain extent by the Commission, whose commissioners are worried about the distribution of policy making powers within the EU (Bouwen,2007). This lends to the argument made by Liberal intergovernmentalists such as Andrew Moravcsik that the complex nature of the decision making process in the parliament means that it is often far easier to get things done via the member state institutions, or via bilateral relations between individual member states. As a result of this it is the member state governments that drive the pace of integration and choose the amount of autonomy Europe can have. (Moravcsik,1993. Koning, 2007). Even though Europe is now viewed as being one entity by many, individual European states frequently hold bi-lateral discussions in order to discuss various issues such as military co-operation. Individual states have long standing agreements on various issues, such as UK-Dutch naval co-operation, or the UK-Spanish treaty on drug trafficking. (<http://www.fco.gov.uk/resources/en/pdf/3706546/10773698/FCO-Tr-MLA>)

One institution that without doubt makes the EU look like a regional polity is the European Court of Justice (ECJ). The ECJ assists in the legislative process and has significantly contributed to building a stronger European polity. McCormick (2008 p85) says that the ECJ "is the most underrated institution of the European Union" and that it has been "crucial to the process of European Integration". ECJ law has supremacy over national law, and its imposition across all member states has gradually been accepted, an example of neofunctionalism perhaps (Nugent, 2010). The ECJ has also challenged the role of the state in the way that traditional international law hasn't by giving rights primarily to the individual over the state (McCormick 2008). This power certainly seems very supranational in its nature, and EU law being imposed upon member states is often a catalyst for Euroscepticism and even nationalism.

The decision making bodies of the European Council and the Council of Ministers however, certainly lend themselves to the argument made by realists and those from the intergovernmental school of thought. These are bodies made up of representatives of the member states; Prime ministers and Presidents in the case of the European Council and heads of the relevant government departments in the case of the Council of Ministers (Nugent, 2010). These bodies make key decisions with regards to economic integration, new member applications and institutional reforms and are described on the EU's own website as well as in the vast majority of the literature as being the "main decision making bodies" (Europa.eu). While Council meetings are without a doubt used for discussing European issues, it could be argued that these types of meeting are not really that different from the other regional trade blocs such as ASEAN and MERCOSUR.

The position of President of the European Council was created to provide leadership and direction to the council, as well as Europeanize it, but the appointment of the unknown and quiet Herman Van Rompuy over someone who could have shaped the role in that of quasi European President such as Tony Blair, shows that member states still want to have the final say. (Economist, 2009). The failing of Van Rompuy to get a quick decision out of Merkel, Sarkozy and the rest with regards to the Eurozone debt crisis is an example of his lack of authority and how there is a lack of a true EU executive. It is also a possible example of how when it comes to the really important decisions, it is still the leaders of the individual member states who have to take them.

The current Euro zone debt crisis has struck at the very heart of the original ideals of the European. Aside from security in the wake of World War Two, the main motives behind initial integration were economic. Initially a small customs union focusing on coal and steel, it has grown to be the world's most powerful economic actor with a common currency. Arguably the main reason small states have joined and continue to try to join the union is to reap the economic rewards it offers. A right wing idea of free markets and liberal economics it initially proved largely successful. A huge enlargement of the EU in 2004 to take in the countries of formerly communist Eastern Europe and again in 2007 to take in Romania and Bulgaria, suggested that that the EU was still a club that was progressive and that states wanted to join (McCormick, 2008). The EU has the international systems single largest GDP and is

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responsible for a staggering proportion of the world's imports and exports (Rhodes, 1998 p21). It allows smaller states to be competitive with the more traditional powerhouses, it allows labour and capital to flow across borders as needed. Certainly it is one area that makes the EU look like a very powerful regional polity. The European Central Bank for example has the power to set interest rates for states that adopted the Euro, and the European Investment Bank is the largest multilateral lender in the world (Robinson, 2009). But the current crisis has called even this economic power, and therefore the extent of the polity, in to question. The Economist (2011), a usually reliably Europhile voice, in an article titled "*The End of Monnet*" argued that the inability of the European Union to deal forcefully and effectively with the debt crisis was a result of the Euro area's complex and hybrid structure, in purgatory between the state and the supranational.

Incidents like the Greek decision to have a referendum on a bailout and the United Kingdom's decision not to directly contribute to European bailouts make Europe look more like an intergovernmental arena rather than a strong regional polity. The European Central Bank only has to be consulted in the case of changes within the monetary arena, member states still get the final decision (Beach, 2005, p8). Without the economic element, the prospect of future integration could be bleak, as the security element is less relevant than it was and with Euroscepticism stronger than ever, any large scale European default would see large pressure put on member state leaders to slow down or even stop integration. BBC economics editor Paul Mason noted that "*Faced with penury in the name of multilateralism and globalisation, this is a continent whose addiction to national solutions long pre-dates its experiment with internationalism.*" (Mason, 2011)

. "Quo Vadis Europa?" (Fischer 2000) is the question that German foreign minister Joschka Fischer raised on a speech in European Integration at the University of Humboldt at the beginning of the 21<sup>st</sup> century. It was a valid question, and ten years later is one that remains unanswered. The EU had been developing along the lines of neofunctionalism, as advocated by the likes of Ernst Haas (Hettne, 2005); but the idea of a federal Europe, still seemed distant and even ridiculous. The current debt crisis has proved that Europe is in a very strange position indeed, with many leading economists commenting that it can no longer afford to sit in the middle ground, and that either further integration or disintegration are its only credible options (Peel, 2011). Europe has indeed formed a regional polity of sorts, but 'international relations' between its member states remain important. Its institutions have yet to wrestle power out of the hands of the intergovernmental bodies, and it is currently paying the price for trying to take a middle path between the state and the supranational. It is a complex hybrid entity, and while it's Courts and to a lesser extent its autonomous institutions make it seem like a form of regional polity, it is the nation-state that still controls integration and retains its right to bilateral relations. Think of the variation in foreign policies amongst EU member states for example. The single market makes outsiders think of the EU rather than the nation as the relevant economic actor, but the recent crisis has again shown that the individual nation-state (for better or worse) has the final say.

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*Date written: 12/2011*