

THE LEGISLATIVE ACTOR IN THE NOBEL ERA: *QUO VADIS* EU?

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Abstract

The idea of a political union, as well as an economic union of Europe, beyond free circulation of persons, goods and services, has always been included in the ideals of the building of Europe. However, its *de jure* formalization only occurs on November 1, 1993, when the Treaty of Maastricht is in force and a new political and strategic actor is in place: the European Union (EU).

Since then, literature has "defined" the European Union in order to clearly establish what this UPO - Unidentified Political Object (an expression by Jacques Delors in the 1990s) - is or what it can be. One of the ideas which has been a focus of discussion is that of "legislative actor" (Manners, 2001; 2002), which claims that the European Union has progressed towards normativity, both internally as well as externally, to its close neighbors and its relations with the rest of the world.

This paper aims to contribute to the discussion on Europe's quality or condition to impose rules. We will begin by systematizing a series of achievements which, according to Manners, lead to the triangle democracy, Human Rights and good governance in the signing of the Treaty of Lisbon on December 13, 2007 and its entering in full force on December 1, 2009. However, this paper does not disregard the fact that the concept "legislative actor" has been (re)worked and perfected by its author and other scholars due to criticism and empirical studies and has thus been altered, enhanced and argued against.

Therefore, some concepts will be studied whose arguments will allow us to question the internal and external dimension of the actor European Union. We will also explore the symbolic power of the Union in the development of tools and capacity to be acknowledged as an actor able to face current threats and challenges but whose profile may not be different from other actors in international relations. Finally, we will discuss the impact of the EU having been awarded the Nobel Peace Prize in 2012 on the (re)defining of rules, values and principles and on the present financial crisis in the future of the "economic giant but a political dwarf".

Keywords

European Union; Legislative Actor; the Treaty of Lisbon

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Introduction

The basic idea for Europe included the creation of a project of peace, Human Rights, Democracy and Good Governance after the destruction of World War II (1939-1945) within and outside its borders. Therefore, faced with "new wars"¹ in the borders of Europe at the onset of the 90s, the European Economic Community (EEC) was compelled to meet the new challenges and moral responsibilities required by the International Community.

Thus, within this international framework, the Treaty of Maastricht presents a "Greek temple model" and introduces a new pillar solely dedicated to CFSP - Common Foreign and Security Policy. The Union gradually becomes a committed political actor with the triangle Democracy, Human Rights and Good Governance as the corollary of the maintenance of peace and enhancement of international security *à la* EU. In the objectives of CFSP under article J-1, n.º 2 TEU it is included that the increase in international security is associated with the major objective of developing and increasing Democracy and Rule of Law as well as the respect for rights and fundamental freedoms.

Ex ante, on June 19, 1992, the Western European Union Council would adopt the Petersberg tasks (the German city, near Bonn, where the Petersberg Palace is located and where the meeting took place) and that the Treaty of Amsterdam, in 1999, would include in article 17, paragraph 2. The Petersberg tasks specialize in humanitarian or citizen evacuation tasks; *peace-keeping* tasks and tasks carried out by combat forces on crisis management, including *peace-enforcing* tasks. In the final part of this paper, we will analyze how the Treaty of Lisbon views these, considering them as part of the European Union current tasks.

Simultaneously, in the same year the Treaty of Maastricht is in force, in 1993, the three criteria which would be included in a State's application to access the European Union would be established in the European Council in Copenhagen and later reinforced in the European Council in Madrid, in 1995. Therefore, the Copenhagen criteria require that the conditions in article 49 and the principles of n.º 1 of article 6 of the EU Treaty be met, fulfilling a political criterion (stable institutions which guarantee Democracy, Rule of law, Human Rights, respect for minorities and their protection), an economic criterion (an effective market economy and the ability to face the market forces and the competition of the Union) and a legal criterion (the adoption of the legal acquis).

¹ See Kaldor's analysis, 2001 (1999), based on the Bosnia-Herzegovina case in terms of the dichotomy between old and new wars.



The triangle Democracy - Human Rights - Good Governance was taken on as a concern with the needs of individuals and communities in preventing conflict and with a focus on the structural roots of its weaknesses, the European Union has progressed towards normativity, in parallel and in complement to what is expressed in the Treaty, now included in the features of the foreign policy actor as well as the security and defense actor.

Thus, one of the most important references is the creation, on March 1, 1999, of the European Commission Humanitarian Office (ECH)² to assist third countries affected by conflicts or natural/human disasters around the world. In fact, the task of the EU humanitarian office is particularly relevant in two interdependent areas. The first, to save and preserve human lives in emergency and post-emergency situations, to reduce or prevent the suffering and safeguard the integrity and dignity of populations affected by natural disasters and human conflicts. The second is, as part of a set of aid instruments, to help populations to recover from crisis in terms of their autonomy through implementing emergency, recovery and development strategies.

Noteworthy are also the several Press Releases on Human Rights and Good Governance and the Commission's Initiative for Conflict Prevention on April 11, 2001, to improve the EU capacities in terms of civil intervention. This initiative results from the joint Report by the Commission and the High Representative for CFSP on conflict prevention, submitted to the European Council in Nice, in December 2000, and precedes the European Program for conflict prevention, adopted by the Council of Europe in Gothenburg, in June 2001. The Commission's Press Release focuses on the Union's capacity to timely react in "rising" conflicts, as well as enhance its detecting and fighting skills against the roots of conflicts at an early stage rather than treating the "symptoms" in crisis situations.

Also in 2001, Europe is faced with the following questions: what is and/or should be Europe's new role in a globalized world? How can CFSP/ESDP promote the Union as a security actor in the international chess? "Shouldn't Europe, now that it is finally united, fulfill a stabilizing role in the world and be a reference to countries and peoples?" The answer to this question, included in the Laeken Declaration for the future of Europe, raised at the European Council on December 14 and 15, 2001, can be found in the same document: "the role it should fulfill is that of a power that fights decidedly against all forms of violence, terror or fanaticism, but which is not oblivious of all the injustice in the world".

However, as it is a Declaration on the Future of Europe, Laeken may also be read as a Declaration on European Identity³, at the onset of the 21st century, under globalization and the fresh memory of the attacks to the Twin Towers in the United States. In fact, September 11 seems to have triggered the concern to design a strategic concept based on dialogue and negotiation, by means of preventing and stabilizing regional conflicts, as well as by integrating all countries in an equal world system of security, prosperity and development. It is a world of Peace, Right(s) and tolerance that the EU aims to create, especially when the fight against terrorism appears as one of Union's priorities.

² In Portuguese, serviço oficial da *Comissão Europeia responsável pela assistência humanitária*

³ Already on December 14 and 15 1973, the Copenhagen Summit adopted a kind of European Identification Card - the "Declaration on European Identity" - which defined the existing European communities as an ethical and legislative beacon and a civil power.



Javier Solana, at the time High Representative for CFSP, will be the one to clarify the Union's contribution and potential as a producer and promoter of rules and values. In fact, the European Security Strategy, announced and approved by Conclusion 83 of the European Council in Brussels, on December 12 and 13, 2003, affirms that the European Union "which gathers 25 States with more than 450 million inhabitants, a production that is a fourth of world Gross Domestic Product (GDP) and a wide scope of tools at its disposal, is undoubtedly a global actor". (Solana, 2003: 1)

To meet this challenge, EES defines three main strategic goals for defence and security for the promotion of European values. Based on "global thinking and local acting" logic, the three strategic goals of the document are (Solana, 2003: 6-9): firstly, face old and new threats such as terrorism, the proliferation of weapons of mass destruction, regional conflicts, failed States and organized crime; secondly, promote stability, Good Governance and security of Europe's neighbors (Balkans, Caucasus, Mediterranean...); finally, contribute to a world order based on effective multilateralism, enhancing the legitimacy of the United Nations, fostering the transatlantic relation and the strategic partnerships with OSCE, the Council of Europe, ASEAN, Mercosur and the African Union, as well as with the World Trade Organization.

These three objectives represented Solana's strategy and what the Union exported to its neighbors and to the rest of the world. Under the legal framework, in terms of Humanitarian Law and International Criminal Law, in both decision-making and operational terms, the EES gave the first green light to a more normative Union. In fact, in his strategy, Solana seems to be certain that the EU has progressed in terms of preventing new global threats, enhancing democracy, good governance and Human Rights as pillars of security.

When, in 2008, at the end of his mandate as High Representative, Solana presents an *amendment* to his "original" strategy, explicit references are made to the global actor to the benefit of promoting the legislative actor and *peace-settler* as an active actor within the international community, aware of its responsibilities and proactive in its strategic action. According to Solana, the Union is a "pole of stability" (2008: 1), and "at world level, Europe should lead a process of renewal of multilateral order." (Solana, 2008: 2).

Also in 2003, the European Neighborhood Policy was launched within the enlargement of the European Union to 25 countries. The ENP was created as a new framework for relations between the enlarged Community and its neighboring countries to the east (Armenia, Belarus, Georgia, Moldova, and Ukraine) and to the south (Algeria, Palestinian Authority, Egypt, Israel, Jordan, Lebanon, Morocco, Syria and Tunisia). This way, it aims to create an enlarged area of stability, security and prosperity, where there is peace and cooperation between the EU and its neighbors through additional liberalization of trade exchange and focusing on a closer relation between Mediterranean countries and the European single market, as well as more technical and financial aid. Again, Democracy and Human Rights are at the core of the relations between the Union and its close neighbors, to the east and to the south.

Finally, and more recently, in June 2012, the Commission approved a Strategy for Human Rights and Democracy, with special emphasis on the rights of women and children in all areas of the Union's foreign relations. This strategy and a specific work plan were implemented to promote Democracy and Gender Equality and will include the



appointment of a special Human Rights envoy who will monitor gender issues in conflict situations.

The legal acquis of the Union: from Maastricht to Lisbon

The references quoted earlier exemplify, to a great extent, the "important power of positive change" (Hirschman, 1963: 4) that the Union has been experimenting. Carr would be the first to refer to rules as guidelines for political action when he says that "political action should be based on coordination between morality and power" (2001: 92).

But how can normativity be measured and who defines it, especially if we consider that there are different types of rules, whether regulative, constituent or prescriptive. Manners, an author who has attempted to answer these questions, states that the key concepts of a legislative Union lie in Peace, Democracy, Rule of Law, Good Governance and Respect for Human Rights (2001, 2002).

These five pillars Manners refers to lead us to conclude that the legislative basis of the EU already is in place (as I have already mentioned in the beginning of this paper), considering that the European Union has defined an institutional framework which produces and promotes rules and values that have been incorporated in what may be viewed as the Union's *legal acquis*:

Scheme 1: The legal acquis of the Union according to Manners

Founding principles	Task and objectives	Stable institutions	Fundamental Rights
Freedom Democracy, Respect for Human Rights and Fundamental Freedoms, Rule of Law	Social progress (positive) Discrimination Sustainable development	Guarantee for Democracy, Rule of Law, Human Rights and Fundamental Freedoms, Protection of minorities	Dignity Freedom Equality Solidarity Citizenship Justice
Basis of Treaty - Art. 6 TEU	Basis of Treaty - Articles 2 TEC and TEU Arts. 6 e 13 TEC	Copenhagen criteria - conclusions of the European Council in June 1993.	Charter of Fundamental Rights of the European Union

Source: Manners (2001: 11-12)

Of all the elements Manners refers to and that we have mentioned in this paper, noteworthy is now to focus on one which we have not fully discussed so far: the Charter of Fundamental Rights of the European Union, formally adopted in Nice, in December 2000, by the European Parliament, the European Council and the European Commission.

In fact, the Charter was written by a convention which included a representative of each EU country and of the European Commission, as well as by members of the European Parliament and of national parliaments. The document includes a preamble and 54 articles divided into seven chapters: dignity; freedoms; equality; solidarity;



citizenship; justice and general provisions. As such, it compiles jurisprudence which was scattered and is now gathered in one document. In December 2009, when the Treaty of Lisbon was in force, the Charter was given binding legal effect. To that effect, the Charter was amended and proclaimed a second time in December 2007.

Considering Manners' conceptual proposal, shown in image 1, we may conclude that, with the Treaty of Lisbon, the EU is more normative, first because the Charter of Fundamental Rights of the European Union, politically proclaimed in the European Council in Nice, in December 2000, was only legally binding in the Treaty of Lisbon.

Therefore, and considering that Manners' proposal dates from 2001 and does not encompass many of the elements we referred to in our introduction, we propose the following model:

Scheme 2: Author's proposal. The Union's legal acquis adapted, bearing in mind the rules of the Treaty of Lisbon

<i>Values, Rights, Freedoms and principles</i>	<i>Task and objectives</i>	<i>Democracy and stable Institutions</i>	<i>Relation with the rest of the world</i>	<i>European Union tasks within ESDP</i>
Respect for human dignity, freedom, democracy, equality, Rule of law, Human Rights (...). As acknowledged in the Charter of Fundamental Rights of the European Union and ensured by the accession to the European Convention on Human Rights and Fundamental Freedoms.	Promotion of peace, values and well-being of peoples Space of freedom, security and justice Sustainable development Economic, social and territorial cohesion	Representative democracy Relation with national parliaments Guarantee for Democracy, Rule of Law Human Rights and Fundamental Freedoms, Protection of minorities	Peace and Security Poverty eradication International Law Multilateralism Respect for the principles in the United Nations Charter Privileged relations with neighboring countries	Tasks in which the Union may use civilian and military means, including joint actions in disarmament, humanitarian and evacuation tasks, counseling tasks and military aid tasks, conflict prevention and peace-keeping tasks, combat tasks for crisis management, including peace-restoring tasks and stabilization tasks after the end of a conflict. All these tasks may also contribute to the fight against terrorism.
Art. 2 TEU Art. 6 TEU	Art. 3 TEU, Art. 13 TEU	Art. 10 TEU Art. 11 TEU Copenhagen criteria - conclusions of the European Council in June 1993.	Art. 3 TEU Art. 8 TEU Art. 21 TEU European Neighborhood Policy EES 2003 and Amendment 2008	Art. 42 TEU Art. 43 TEU

Source: Authorship



Considering scheme 2, as well as our previous comments, there are significant changes in the Treaty of Lisbon as far as the legislative actor is concerned, which significantly influence the management of its foreign relations. In fact, a specific legal basis is introduced on humanitarian aid (art. 214 TUE) which emphasizes the specificity of this policy and the application of principles of international humanitarian law, namely the principles of impartiality and non discrimination. Furthermore, the policy of development becomes a service of development unique within the Commission, there being a commissary responsible for cooperation on development and humanitarian issues, who is also a member of the Commission.

Therefore, with cooperation and development becoming an independent area, with competence to act in terms of relations with developing countries and, consequently, the separation in budget for development and humanitarian aid, all European policies affecting developing countries now need transversal support from developing policies in all its objectives. All reforms put in place also include a hierarchy and a mechanisms to promote development and eradication of poverty as the main objective of this policy⁴ (art. 208).

Finally, a reference must be made to the European Union tasks as such, whose scope in crisis management now goes beyond the traditional Petersberg tasks, having become an actor committed to major international issues. Noteworthy is to mention that the EU has now, at the moment this paper is being written, twelve tasks under ESDP (European Security and Defense Policy), three military and three civilian tasks in three different continents⁵ and is currently preparing three new tasks: EUAVSEC Southern Sudan (civilian task for support and training of airport security against external risks); EUCAP NESTOR (task to enhance marine security in countries in the Horn of Africa and West Indian Ocean in the fight against piracy) and EUCAP SAHEL Niger (civilian task to strengthen capacity in the fight against terrorism and organized crime in Sahel).

In Manners' perspective, the Union is more than a security and defense actor, it is a *special type* of actor that develops foreign relations in the several dimensions and contexts of the international system. According to the author, the Union's foreign relations (in terms of the actor's international or foreign policy) and its presence and action in the international scenario are very specific when compared to the foreign policy of other international actors (relevant and/or equivalent), and these features are closely related to its features as an internal actor, which would be connected to "its long-term achievements as a model for regional cooperation, a multiple actor and political decision-makers, as well as to its new and unprecedented type of power" (Telò, 2009: 1).

However, this is exactly the argument behind the Union's specificity as a foreign policy actor, which has been questioned in recent years (Tocci, 2008a); 2008b), allowing for a critical analysis of this idea.

⁴ A clear sign of the European Union's commitment with the Millennium Development Goals (MDG), defined in 2000, in the United Nations Millennium Summit, having agreed to a world project to reduce all types of extreme poverty until 2015. Thus, the EU claims the role of main financing body of public aid to world development, about 55%, if we consider all its Member-States.

⁵ In Europe/Caucasus EUFOR Althea (military); EULEX Kosovo; EUBAM Moldavia-Ukraine; and, EUMM Georgia. In Africa: EUSEC RD Congo; EUPOL RD Congo; EUNAVFOR Atalanta (military); and EUTM Somalia (military). In Asia and the Middle East: EUPOL Afghanistan; EUJUSTLEX Iraq; EUBAM Rafah/Palestine; and EUPOL COPPS Palestine.



A critical perspective on distinctive normativity

Although the European Union has an important international role and is a core actor in contemporary international scenario, scholars have proposed multiple analyses and concepts so as to define (not necessarily in the Latin perspective of *definire*, "providing and end") the European Union today.

Ginsberg, for example, advocates that "scholars agree that the EU has an international «presence» (visible in regional and global forums) and evidences some of the features of a "developing actor" (an international actor in some areas but not in others)" (1999: 437). This concept of *actorness* attributed to Hettne and Soderbaum (2005), an ongoing and always incomplete concept, with a set of Institutions with different rules and procedures, coordinated at several levels and pillars (up to Lisbon), also evidences the deficit between "want" and "can" in terms of international visibility. 306, 315; Toje, 2008:139).

Hill proposes a similar concept (1993) and considers that, at the time, the European Community had four roles in the international system which were deeply influenced by the cold war dynamics (*idem ibidem*: 310-311): the stabilizing of Western Europe (namely the southern countries becoming democracies, such as Greece, Portugal and Spain and the French-German entente); international trade management (the European Community as the most important sole actor in the negotiation process of GATT and, later, in the WTO); being the most important voice in the developed world in terms of relations with the south (the Lomé Conventions and the preferential agreement with Mediterranean countries); being the second western voice in international diplomacy (European diplomacy as an alternative to the United States, namely in the reconstruction of Eastern Europe after 1989).

Still considering 1993, Hill believed the European Union had the potential to take on six roles in the international arena in the near future (*idem ibidem*: 312-315): replacing the USSR in the balance of power (the EC as a candidate to fill in the room left by Soviet hegemony in a bipolar world); being a regional pacifist (be a mediator/coercive referee when regional peace and stability in at risk of becoming global); being a global player (a player in the global crisis with the economic and political tools and in which the stability of a State or region may threaten the economic interests and the values and principles of the international community); being a conflict mediator (diplomatic action, including coercion and conditioning measures to force third parties to resolve their conflicts and avoid returning to non-democratic regimes); being a bridge between rich and poor (due to special relations, as a result of colonialism, with a wide number of countries doomed to poor conditions in terms of wealth and power); being co-supervisor of world economy (able to act coherently and consistently with the IMF, the World Bank, G7 summits or other institutions in which the EC negotiates directly with the United States or Japan).

On the other hand, Bretherton and Vogler are the first to refer to the Union as a "global actor" (1999), a concept which involves three key elements: opportunity (to act in the world), presence (ability to move and stay outside its borders, influencing the development of other States) and capacity (to take advantage of all opportunities to be present).



Finally, based on the proposal of the EU being an "international actor", Caporaso and Jupille (1998) added four preconditions for the Union to reach a higher international status: acknowledgement, authority, autonomy and cohesion.

Though there is a plethora of proposals, we believe the most important is the idea that "[...] the EU is different from other actors because it is not only a civilian power (in the sense that it does not have military instruments at its disposal), but (also) a legislative, civilizational or ethical power within the international system" (Sjursen, 2006: 170).

Javier Solana adds that "the distinct way in which the EU enforces power, whether civilian or military, is increasingly described as the "European way" of conducting international relations, which implies that there is a set of European values emerging, which determines the rules of foreign action" (2005).

A specific way of viewing rules, principles and values appears to unite all these conceptual proposals, yet Manners himself, in his initial theory, emphasizes a transcendental dimension of this actor, considering that the concept of Europe as a legislative power is part of a key-idea; of "power over the opinion", "ideological power", or "symbolic power" and the desire to go beyond the debate of actor visibility as a State through understanding the EU's international identity² (2001: 7).

This explains why Manners considers that the Union's legislative power is visible: through transmission (international diffusion); through information (strategic communications and statements); through procedure (institutionalization of EU relations); through transference (exchange for benefits between the EU and third countries); through evidence (EU presence in third countries and Organizations) and through culture (cultural diffusion and political learning in third countries and Organizations). (2001: 13)

However, if we consider the symbolic power Manners advocates, we should analyze its double dynamics: firstly, this symbolic power should be internally visible, requiring that the Union ensures that the triangle democracy, good governance and human rights is in force among its own Member-states; secondly, this power must be external, which requires that the Union is able and has the credibility to rise to expectations and take on the role of legislative actor. In fact, this double dimension provides the actor with its *specific character*. Yet, does the Union fully accept this double dimension? Is the Union today a unified actor in its external expression or is it a management crisis actor which acts when asked, especially in post-conflict situations rather than in prevention? Is there a truly European strategic culture? Is sharing values enough? Is there unequivocally a European strategic culture and does it resist transatlantic division?

So as to answer some of these questions, scholars have analyzed how the intensity of Manners' legislative actor has decreased and have questioned the perversity of the Union's externalization, in which the establishing of an area of stability and peace would merely serve European interests. Deep down, the Union would be claiming security as a global public asset by means of *soft power* while it would be holding the most effective tool of *hard power*: the process of enlargement.

Aggestam thus proposes that we consider the limits to the EU aiming to shape the world in Europe's image, which could be easily viewed as moral presumption of superiority. The author draws the attention to a possible scenario of international protectorates, which "could easily lead to an identity discourse between "we" and



"they" and could be viewed as budding cultural imperialism" (2008: 7). Therefore, Aggestam's suggestion of a "Europe of ethical power" would represent a "conceptual change in the role of the EU and in its ambition of what it "is" to what it "does": simply representing a "power of attraction and a positive model to proactively work to change the world towards its perspective of "global common good" (2008: 1).

Furthermore, we must be careful in considering the EU as a distinctive legislative actor, because "if a legislative foreign policy implies meeting legislative foreign policy objectives using means legally established and having a visible legislative impact, then perhaps we will inevitably realize that the EU is not always legislative, just like any other international actor⁶" (Tocci, 2008b: 3). Then, Tocci (2008a: 5) proposes defining a framework based on the three dimensions encompassed under the title "legislative foreign policy": what an actor wants (its objectives), how it acts (how it mobilizes political means) and what it can achieve (its impact). Manners also perfects his original proposal and acknowledges the importance of understanding what being a legislative actor entails, which, in the case of the EU, implies "the way in which the EU promotes those substantive principles, resulting from the principles of "leading by example", the fact that its actions must "be reasonable" and, consequently, its impact to "do less evil" (2008).

Final considerations

Throughout this paper, we have revised some of the basic elements which would enhance Manners' idea that the European Union is a legislative actor and thus concluded that this dimension is, in fact, enhanced in the Treaty of Lisbon.

We identified several elements which contribute to the idea that the Union is a relevant (even distinct) actor in international relations, at the crossroads of multiple conceptual labels. The authors we quoted also suggested that the European Union is essentially a "civil power", a concept by Duchêne in which he describes the European Union as a natural model for stabilization, reconciliation and peace for other regions in the world. Even without a military dimension, a civil power would have the ability to influence other international actors and have a relevant political, diplomatic, legal⁷ and economic presence.

This presence is also closely linked to what Karl Deutsch defined as "security community" (1961), a community united around a process of common economic and political integration, historically connected, developing one another's expectations, with shared values and perspectives on how security may be attained (Adler; Barnett, 1998: 30).

On the other hand, Weiler states that the European Union is neither a classical State nor a community, as the "idea of community aims towards a different type of relation among its members, a self-limitation in its perception of itself, a redefined self-interest and redefined political interests even, which conditions the discourse among States as well as among the people of those States, thus influencing the relation among States. (1991: 2479)

⁶ The author develops this argument using Russia, China and India as examples (2008a).

⁷ On the rules of external action, Morel and Cameron view the Union as a "legislative power" (2009: 81), in reference to the integration of national laws in the European laws adopted in Brussels every day.



However, and in conclusion, it is noteworthy to question all these references and consider the EU having been awarded the Nobel peace prize at the end of 2012. According to the Nobel jury, the prize aimed to recognize the contribution of the European Union to peace, reconciliation among peoples and enhancement of democracy and human rights in the last six decades.

In a joint declaration by the President of the European Council and the President of the European Commission, Van Rompuy and Barroso drew attention to the values the Union continues to promote as a major provider in terms of assistance to development and humanitarian aid, always in the forefront of global efforts in the fight against climate change and in promoting peace and security as global public assets.

However, there were different reactions to the Nobel prize: for some, the prize was more an obituary, considering that the Union only managed to be a project of negative peace (absence of war) whereas the model of positive peace (of social State) is yet to be met; for others, it was an opportunity for the States to rethink the project of European integration, how to avoid the downfall and how to continue pursuing the triangle democracy-human rights and good governance. A triangle that should be considered, both within its States (where anti-Europe extremist movements are becoming stronger), and as a world-renowned actor of security, having carried out more than 20 civilian, military and civil-military missions since 2003 in three different continents (even with the current financial limitations forcing the States to do more and better with less resources through, for example, *pooling & sharing*).

No wonder, then, that now that the identity of the "economic giant but a political dwarf" is in question, advocates of the federal system question the impact that the lack of consolidation of a economic union (whose consolidation was expected with a common currency and a common market) may have on a political union, on which, though more recently and still under development, the pillars of a legislative Europe are based and which the founding fathers idealized and the Nobel acknowledges.

In conclusion, and using Jean Monnet's words: "We unite people. Not States". Yet, in 2013, still bearing in mind the Nobel prize, where do we stand? Are we a renewed utopia? Are we in search of an idea for Europe? In the expectation of a "communion" (Manners, 2011) which brings integration and cooperation together as a constellation of communities, a cosmopolitan space and an example of cosmopolitan coexistence⁸, i.e., both a community and a union?

Even with the support of the analytical tools we used in this paper, we are left with more questions than answers. The latter may be provided by the philosophy of ideas and the more or less federative scenarios, now more acute as a result of the financial crisis. Therefore, the question at the basis of the European project remains: *quo vadis* Europe?

References

Aggestam, Lisbeth (2008). «Introduction: ethical power Europe?». *International affairs*. 84 (I-II), Blackwell Publishing Ltda/The Royal Institute of International Affairs

⁸ The concept of cosmopolitan democracy is also developed by Archibugi, 2003.



- Archibugi, Daniele (2003). «Cosmopolitical Democracy». In Archibugi, Daniele (ed.), *Debating Cosmopolitics*, London: Verso
- Bretherton, Charlotte; Vogler, John (1999). *Europe as a Global Actor*. London: Routledge.
- Caporaso, J.; Jupille, J (1998). «States, Agency, and Rules: the EU in Global Environmental Politics». In C Rhodes (ed), *The European Union in the World Community*. Boulder, Co.: Lynne Rienner.
- Carr, Edward Hallett (2001). *The Twenty Year's Crisis, 1919-1939: an introduction to the study of international relations (with new introduction by Michael Cox)*. New York: Palgrave Publishers
- Deutsch, Karl W. (1961). «Security communities». In James Rosenau (ed), *International Politics and Foreign Policy*. New York: Free Press of Glencoe
- Diez, Thomas (2009). EU Superpower Temptations and the beauty of complexity. [Consult. em 30/07/2012]. Disponível em www.rj.se/60f7-c2d3e838aa-15457c435ec1298c.
- Duchêne, Francois (1973). «Europe's role in World peace». In R Mayne (ed), *European Tomorrow: Sixteen Europeans Look Ahead*. London: Fontana, 217-220
- Ginsberg, Roy H. (1999). «Conceptualizing the European Union as an International Actor: Narrowing the Theoretical Capability-expectations Gap». *Journal of Common Market Studies*: 429-454.
- Grabbe, Heather (2002). The implications of EU enlargement. In Center for European Reform. [Consult. em 30/07/2012]. Disponível em www.cer.org.uk/pdf/grabbe_CEE_oct02.pdf
- Hettne, Bjorn; Soderbaum, Fredrik (2005). «Civilian Power or Soft Imperialism?». *European Foreign Affairs Review*. 10 (4): 535-552
- Hill, Christopher (1993). «The Capability-expectations Gap, or Conceptualizing Europe's International Role». *Journal of Common Market Studies*. 31 (3).
- Hirschman, Albert O. (1963). *Journeys toward progress. Studies in Economic policy-making in latin America*. New York: the twentieth century fund
- Kaldor, Mary [2001 (1999)]. *New and Old Wars. Organized Violence in a Global Era*. Stanford: Stanford University Press.
- Manners, Ian (2011), European communion: political theory of European union. Paper prepared for the Biennial Conference of the US European Union European Studies Association (EUSA), Boston 3-5 March 2011
- Manners, Ian (2008), «The normative ethics of the European Union». *International Affairs* 84: 1, 65-80
- Manners, Ian (2002). «Normative Power Europe: A Contradiction in Terms?». *Journal of Common Market Studies*. 40 (2), 235-58
- Manners, Ian (2001). Normative power Europe: The international role of the EU". In European Community Studies Association. Biennial conference. Madison, Wisconsin, USA



Morel, Jean-François; Cameron, Alastair (2009). *L'Europe de la Défense – le chœur du débat*. Paris: L'Harmattan

Sjursen, Helene (2006). «What kind of power?». *Journal of European public policy*, 13 (2): 169-181

Solana, Javier (2008). Relatório sobre a execução da estratégia europeia de segurança – garantir a segurança num mundo em mudança. [Consult. em 30/07/2012]. Disponível em www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/PT/Reports/104638.pdf

Solana, Javier (2005). Shapping an effective EU foreign policy. Speech at the Konrad Adenauer Foundation, Brussels.

Solana, Javier, (2003). Estratégia Europeia em matéria de segurança. Uma Europa segura num mundo melhor. [Consult. em 30/07/2012]. Disponível em www.consilium.europa.eu/showPage.aspx?id=266&lang=pt

Telò, Mario (2009). «Introduction: the EU as a model, a global ator and an unprecedent power». In Mario Telò (ed.) *The European Union and Global Governance*. New York: Routledge

Tocci, Nathalie (2008a). «Profiling Normative foreign policy: the European Union and the global partners». In Tocci, Nathalie (ed.) *Who is a normative foreign policy ator? The European Union and its global partners*. Centre for European Policy Studies: Brussels.

Tocci, Nathalie (2008b). *What prospects for normative foreign policy in a multipolar world?*. ESF WORKING PAPER NO. 29, Joint initiative of CEPS – IISS – DCAF – GCSP

Toje, Asle (2008). «The consensus expectations gap: explaining Europe's Inneffective Foreign Policy». *Security Dialogue*. 39 (1). SAGE Publications

Weiler, J. H. H. (1991). «The Transformation of Europe». *The Yale Law Journal*. 100 (8): 2403-2483.