

Iordan Gheorghe Bărbulescu, *Noua Europă. Identitate Și Model European*, Iași: Polirom Publishing House, 2015, 623 p.

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Professor Iordan Gh. Bărbulescu's *New Europe* covers the latest additions brought to the ever evolving project of the European Union after the successful ratification of the Lisbon Treaty in 2007. One of the main tenets of the book revolves around the fact that this was the rational step towards the establishment and consolidation of a federation comprised of nation-states. *New Europe* is a scholarly journey into the intricacies of a European Union that is trying to become more transparent for its citizens.

At the same time, *New Europe* constitutes a valuable academic work in support of the idea also advanced by the Vice President of the Convention on the Future of Europe, Giuliano Amato, that: "The Lisbon Treaty does not shut the door to a future of enduring European constitutionalism. To the contrary, it paves the way for it"¹. This newest comprehensive textbook on the European Union is a testament to the enduring notion of European unity which has on one hand surpassed the expectations of those familiar with a Europe of nation-states characterised by strife, enmity and war while on the other, remained true to the founding fathers' idea of building a "Europe of the people". In other words, a "federal Europe"².

From the economic communities of the '50s to the political union proclaimed at Maastricht, EU has in the words of the author: "imposed a new model of development – the social-liberal one – which places the

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¹ Giuliano Amato, "Preface", in Stefan Griller, Jacques Ziller (eds.), *The Lisbon Treaty: EU Constitutionalism without a Constitutional Treaty*, Horn, Austria: Springer-Verlag Wien, 2008, p. x.

² Iordan Gheorghe Bărbulescu, *New Europe. Identity and European Model*, Iași: Polirom Publishing House, 2015, p. 51.

citizen at its core, instead of the state or of the market. The rationale behind this being that peace and social wellbeing, dialogue and negotiation are preferred in face of alternatives such as violence, confrontation, war and poverty³. Moreover, since as Habermas argues, European member states “are no longer able to provide their members with the goods and benefits they have come to expect”, it becomes the EU’s responsibility “to generate a qualitatively different set of authoritative commands from those generated by Europe’s nation-states”⁴.

The book is divided into three parts covering across twelve chapters, wide-ranging aspects of European issues, varying from the concept of the “European idea” and its historical and theoretical origins in the first part, to its implementation through vertical integration and federalism, and horizontal enlargement and unification in the second part, while the third part expands on the notion of Europe as a valid and feasible social framework of sustainable development. Consequently, in the first chapter, Professor Bărbulescu takes a closer look at the first European projects of federalist inspiration, the ideas of unity and integration as the foundation for the European Community and European Union, respectively, the constructive debate between the puritan supporters of federalism and the pragmatic functionalists. Moreover, the second part is dedicated to the Romanian contributions to the European idea: from Aurel Popovici’s federal plan to the Danubian Confederation Plan, to the Economic Community of the Little Entente and last but not least, to the Balkan Entente as an effective model of federal association.

Chapter two explores the theories and models of integration both from the international relations perspective as well as from the point of view of political sciences. It analyses the intergovernmental paradigms – either in its classic or liberal forms – taking into account the realist and neorealist foundations. It continues with federalism, covering its traditional forms as well as neofederalism. The chapter also offers an overview of other theories of integration as such functionalism, neofunctionalism,

³ *Ibidem*, p. 21.

⁴ Habermas referred to by Glyn Morgan, *The Idea of a European Superstate: Public Justification and European Integration*, Princeton: Princeton University Press, 2005, p. 143.

theories of interdependence, structural neorealism, institutionalism, neoliberalism, consociationalism, theories of governance or constructivism⁵.

The following six chapters argue in great detail about how European integration and federalisation have developed simultaneously while mutually consolidating themselves. This claim is thoroughly investigated starting from the third chapter, which explores the EU objectives (achieving continental long-term peace through economic unification, which afterwards expands into political unification, democratisation and the construction of an European social identity) and actors (the role of the national actor and of the European institutions in the European Union, coupled with the network of interdependencies pertaining to a system that has more of a federal outlook than one strictly belonging to a traditional international organisation)⁶.

The fourth chapter focuses on the method of integration, studied in all of its aspects: unification, integration, cooperation, enlargement, consolidation, deepening. Moreover, in weighting between integration versus cooperation, the author pays particular attention to the process of enhanced cooperation which “enables participating States to organise greater cooperation than that initially provided for by the Treaties under the policy concerned”⁷. The author considers enhanced cooperation to be the key to the betterment of a European Union of 28 states, which also happens to represent the most heterogeneous configuration so far in the history of the European construction. In so far as the nature of integration is concerned, the chapter expands on the EU’s unitary nature, political dimension, as well as on the judicial aspects, with considerate attention being paid to the conventional origins of the European Communities and of the European Union law⁸. In addition, the chapter researches the merits of European progressiveness as an engine for improving the mechanisms of integration and of enabling the process of democratisation by maintaining the institutional balance awarded through the foundational treaties⁹.

Chapter five is dedicated to the new European judicial order

⁵ Iordan Gheorghe Bărbulescu, *op. cit.*, p. 66.

⁶ *Ibidem*, p. 117.

⁷ ***, “Enhanced cooperation”, 2010 [<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:ai0018>], 27.06.2015.

⁸ Iordan Gheorghe Bărbulescu, *op. cit.*, p. 137.

⁹ *Ibidem*, p. 166.

comprised of primary legislation – the treaties as the basis for all EU action¹⁰, secondary legislation – with its binding legal instruments (the regulations, directives, decisions) and non-binding instruments (resolutions, opinions)¹¹. – as well as the jurisprudence of the European Justice Court (EJC) with an emphasis to the cornerstone decisions promulgated by the EJC¹². Chapter six identifies and defines the Union’s formal and material competences with an emphasis on their origins, classification, and characterisation. The author also compares and contrasts the European competences to the national ones as far as their irreversibility, attribution and exercitation are concerned¹³.

Other competences are analysed in a similar manner: from the exclusive (“the EU alone is able to legislate and adopt binding acts in these fields”) to the shared (“the EU and Member States are authorised to adopt binding acts in these fields”) and supporting respectively (“the EU can only intervene to support, coordinate or complement the action of Member States”, see also subsidiarity)¹⁴. The second part analyses the European policies regarded as the implementation of the material competences of the EU, beginning with the objectives and means, through to the instruments and limits of European policies, common polities and actions. It addresses the role of the Lisbon Treaty in clarifying the problems related to these policies as well as the role of the national parliaments in the EU. The framework for integration of the regional and local policies in the context of the European ones, is also mentioned in view of Protocol (No. 2) on the application of the principles of subsidiarity and proportionality of the Lisbon Treaty¹⁵.

If the previous chapters addressed the issue of federalisation through integration – i.e.: vertical European development – chapter seven concentrates on the horizontal development – i.e.: European unification through the enlargement of the European Union. Professor Bărbulescu

¹⁰ ***, “EU law” [http://europa.eu/eu-law/index_en.htm], 27.06.2015.

¹¹ ***, “Legislation” [<http://eur-lex.europa.eu/collection/eu-law/legislation/recent.html>], 27.06.2015.

¹² Jordan Gheorghe Bărbulescu, *op. cit.*, p. 167.

¹³ *Ibidem*, p. 223.

¹⁴ ***, “Division of competences within the European Union”, 2010 [<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:ai0020>], 27.06.2015.

¹⁵ Jordan Gheorghe Bărbulescu, *op. cit.*, p. 223, p. 257.

analyses the process of enlargement understood in its double alterity: of a political necessity as well as of a historical opportunity. This follows with a presentation of the accession criteria – the European association agreements and accession negotiations – and the candidate states. The chapter highlights both from a historical and a pedagogical perspective, the particularities of this process, the global, inclusive and evolving nature of European unification, the pre-accession strategy, the consolidated strategy for pre-accession and the accession partnership¹⁶.

Chapter eight approaches the impact of the enlargement and unification processes from a comparative perspective, presenting on one hand, the situation in the European Union prior to the 2004-2007 accession waves and on the other hand, assessing the situation in the Central and Eastern European states. In order to more aptly portray the effects of enlargement and unification on the European common policies, the chapter follows with an in-depth radiography of the EU funding, its budgetary policy, agriculture, socio-economical cohesion, commerce policy, the common transport policy, justice and internal affairs, immigration, the Common Foreign and Security Policy and the Common Security and Defence Policy¹⁷.

With chapter nine, the author expands in a comprehensive manner, on the idea of Europe as representing a new framework for society based in the federalist-intergovernmental institutional model. The chapter defines the vectors, identifies the dominant actors, and justifies the reasons that stood behind the process of adopting and promoting the federal model in the European public discourse. The second half is devoted to defining concepts such as intergovernmental, asymmetrical and multi-level federalism, as well as to pointing out the inevitable shortcomings inherent to the intergovernmental method of reforming a multidimensional EU – process started in the early aughts, with the European Convention on the Future of Europe¹⁸.

Chapter ten follows with an extensive overview of the social-economical model of the European Union. The author methodically presents the economical unification and integration from two points of

¹⁶ *Ibidem*, p. 259.

¹⁷ *Ibidem*, p. 284.

¹⁸ *Ibidem*, p. 325.

view: historical and conceptual. It begins with an analysis of the European Coal and Steel Community and the Common Market up to the Single European Act and the Internal Market followed by the Maastricht Treaty and the Single Market. The chapter also takes into account the crises, the enlargement and development of the Single Market, its insufficient consolidation, the lack of a common economic policy, the appearance of the Internal Market and Single Market respectively. From the conceptual perspective, the author presents the above mentioned concepts as well as the mechanisms that have allowed the jump from the Common Market to the Internal Market, all while taking into account the Lisbon Treaty provisions and amendments. In addition, the author explores the Economic and Monetary Policy and the Economic and Monetary Union (from the economic policies to the specific instruments, the excessive deficit, the corrective measures, etc.), the monetary policy (European Central Bank and the European System of Central Banks, with the British and Danish exceptions), the three phases of the Economic and Monetary Union as well as all the contemporaneous mandates resulted from the Lisbon Treaty. The second part of the chapter covers the social dimension of the European Union regarded by the author as the most important component of the European model of society while also as a referent for social-liberal European policies. Along with peace and cooperation, the social dimension completes the “trifecta” of the European Model. The institutionalised framework of participation for the civil society is perceived to be of utmost importance for the legitimacy and sustainability of this construction¹⁹.

Chapter eleven provides an extensive review of the political system of the European Union and of its main vectors divided in the following categories: political Europe versus federal Europe, technical government versus political government, multi-speed Europe versus one-speed model, neoliberalism versus the social model, the role of the EU in the world and its common values. It focuses both on the internal dimension – the area of liberty, security and justice – and on the external aspects: the common diplomacy and legal personality of the Union. The chapter also presents and exemplifies the values and principles of the EU: democracy, respect of human rights, member states equality, respect for national identity, sincere cooperation, solidarity and transparency. Following this, the author moves

¹⁹ *Ibidem*, pp. 355-356.

towards a thorough presentation of the European treaties' political evolution up to the Lisbon Treaty, while also addressing the rights safeguarded by the EU and the member states' and third parties' obligations to respect fundamental rights and liberties. Professor Bărbulescu concludes the chapter with an objective rendering of the new political reality constituted by the European Union through its two core dimensions: intergovernmentalism and constitutionalisation. A testament to the states' inbuilt fight for power, intergovernmentalism is framed through the voting shares and voting power issues – in other words, the author highlights the states' over and underrepresentation in the Council, as well as the choice for the decision making process (consensus or qualified majority). Regarding it as central to the idea of a new Europe, the chapter concludes with a presentation of the European model and supranational governance. Also carefully presented are inter-institutional dialogue and the means for increasing the efficiency of the EU as well as the development of new areas of competence ascribed to the citizen's, the national parliaments', the regions' or the local communities'²⁰.

This comprehensive enterprise culminates with an investigation of the European Union after the Lisbon Treaty by exploring the debate between such fundamental aspects as those related to the national versus supranational, intergovernmental versus federal, or the debates on the form of the union: confederation versus federation, international treaty versus European constitution²¹. "Europe has become federal through integration and has become united through enlargement based on a social market economy model of development", states Professor Bărbulescu. The new Europe is a political one with a strong social market economy – currently tested by the Greek case – which promotes among its member states and in the international life, the values of democracy, rule of law, equality, solidarity, respect of fundamental rights in the spirit of loyalty to the European Union and to the states in equal parts. Through its actions, the European Union represents a political and judicial synthesis of a federation of nation-states defined and regulated through a material Constitution²².

Professor Bărbulescu's *New Europe. Identity and European Model* –

²⁰ *Ibidem*, pp. 431-432.

²¹ *Ibidem*, p. 570.

²² *Ibidem*, p. 593.

first volume from the *New Europe* book cycle – is a key source of scholarly work on the European Union, as well as being the first local, most up-to-date pedagogical handbook for specialists and students in the field of European studies alike. In spite of the optimistic view on the future evolution of the European Union and its overall net benefits for the European citizens and member states alike, the author is careful to underline in a balanced manner the crises, critiques and yet to overcome shortcomings of a political union that has still to grow both into its own potential as well as accept and adopt to the inherent limitations faced by the socio-political-economical constructions of the present.