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The Evolving Forms and Purposes of Regional Integration: The Cases of the European and African Union

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INTRODUCTION

Two of the most prominent among the regional integration projects which emerged during the early Cold War period are, after decades of progress, looking forward to massively consequential transformations. The African Union (AU) has adopted Agenda 2063, a package of reforms and proposals designed to give Africa a single government by the year 2063, and while the Agenda itself is set to be implemented over multiple years, the consequences promise to be momentous if taken at face value. The European Union (EU), confronted with the imminent accession of critical regions and countries - Ukraine, Moldova, Georgia and the West Balkans - together with a recently renewed Turkish membership bid, has launched a series of consultation on major institutional reforms, while its Spanish presidency has promised to tackle the completion of the banking union and other urgent issues during its six-month mandate.

In the face of these developments, it is interesting to note how the two regional integration systems across the Mediterranean are in many ways the mirror image of each other: one, the EU, has placed economic integration front and center and used it as a locomotive of its political project; the other, the AU, was born of a shared political will to resist colonialism and neo-colonialism and has placed political unity at the core of its work, while allowing economic integration to proceed at a staggered, and often uneven, pace. Comparing the two models, then, offers a window into how a process which is fundamentally the same in terms of its end goal - some form of transnational union - can take very different approaches.

Studying these approaches, and the direction of travel of the two most advanced regional integration organizations on Earth, is especially interesting in the context of a period of deep crisis of the institutions, norms and centers of power which most believed would dominate at the dawn of the 21st century, when the EU adopted the euro and the Organization for African Unity became the AU. A persistent theme in late modern and contemporary history has been the suggestion of international organizations as equivalent alternatives to empires and spheres of influence, an inclusive and egalitarian mirror to the hierarchical and authoritarian constructs around which the balance of power - both regional and global - has been traditionally constructed. This position was advanced by American and European thinkers as early as the Interwar period, and a greater focus on cooperation

between regional organizations has long been a mainstay of Portuguese policy contributions to Europe's common foreign and trade policies particularly.

Regional integration, as the phenomenon epitomizing the neo-functionalist theory of international organizations, emerged after the end of the Second World War in Europe. Between 1948 and 1957, ambitious proposals were advanced by European states to resolve their problems by common action and the exercise of pooled sovereignty. The Brussels Treaty Organization would almost immediately transfer its functions to the emergent North Atlantic Treaty Organization, but the European Coal and Steel Community would both maintain its narrowly European regional dimension and serve as the basis for a series of more far-reaching proposals - such as the European Political, Defense, Atomic Energy and Economic Communities proposed between 1951 and 1957. While the more ambitious EPC and EDC proposals were in the end shelved, European integration took on a character unlike any other previous international organization as the EEC and Euratom were eventually merged into the European Communities.

The Organization for African Unity, established in 1963 by 32 African countries, was at its inception a vastly different entity - as different as the context in which it had emerged. Its aims were explicitly political: to promote African integration, ensure a higher living standard for all Africans, and enable a more effective fight against colonialism and neo-colonialism in all its forms. In practice, the OAU would soon develop ambitions that apparently paralleled those of the European Communities: economic integration, foreign policy cooperation, common security became immediate goals, and the degree to which these goals were met in Africa came to evidence the difference between the two models, especially as the organization proved reluctant to meaningfully interfere in the internal affairs of member countries.

The similarities, however, should not be exaggerated. They stem not from some inherent similarity between international organizations as such, but from a similar purpose which - willingly or unwillingly, consciously or unconsciously - both the former empires and the former colonies ascribed to their respective organizations: what has been termed in Europe "the rescue of the nation-State". While both pan-European and pan-African ambitions were as real as they were different in their peculiar conception, in both continents there was a considerable distance between the general will and consciousness and the high-minded ideals of a unity greater than that of the nation, legitimized by tradition. The formerly (and in some cases, still) imperial European nation-States were busy salvaging their declining influence and restarting their economies; the newly liberated

African states were on the other hand faced with the myriad problems of post-colonial life, ranging from neo-colonialism to the artificiality of their borders. In both cases, nation-State concerns took precedence and the question being asked in Brussels and Addis Ababa, in spite of the immense difference, was essentially the same: not what their constituent States could do for Europe or for Africa, but what could Europe and Africa do for their constituent nation-States.

The emergence of regional integration as something beyond a means to “rescue” the nation-State occurred unfolded at the end of the Cold War, and led noted political scientist Francis Fukuyama to point at the emerging European Union as a potential example of the “end of history” - the final system of human government: a liberal democracy operating at a transnational scale, with a regulated market economy and an essentially open, cosmopolitan society. But the European Union, for all of its considerable achievements, maintained a primarily economic and at a stretch social and legal dimension; its overtly political elements remained mostly subject to intergovernmental dynamics. A major event of the early 2000s, overshadowed in the West by the beginning of the War on Terror, was the replacement in 2002 of the Organization for African Unity with the new, 55-State African Union. More than twenty years since, the enduring parallelism and difference between the two regional integration organizations is perhaps best evidenced by the recent admission of the African Union to the G20, a body in which the European Union has participated since its inception, amidst a new drive to make it an effective and inclusive group of the world’s foremost economies.

The following chapter will discuss the development of the theoretical studies of regional integration. In the subsequent two chapters, the European and African integration processes will be discussed. In the fourth chapter a brief discussion of comparative regionalism as an analytic framework will be followed by a comparison between the two models on the basis of seven key aspects.

CHAPTER 1 - THEORIZING REGIONAL INTEGRATION

1.1 Introduction

The study of regional integration, and of European integration as its foremost example, is an extremely complex field, in which different disciplines bring to bear different instruments and frameworks. In order to address the issue from the standpoint of political science, an initial distinction must be made between the study of regionalism, defined as inter-State cooperation at the regional rather than global level, and regional integration, defined as the process of establishing common transnational institutions to pursue a form of unification - whether general or based more narrowly on economics or security - in a certain region. The study of the discipline evolves and has continued to evolve, with four main phases being more or less recognizable (De Lombaerde and Söderbaum, 2013): i) classical regional integration (1945-1970); ii) its revision (1970-1990); new regionalism (1990-2000); iv) comparative regionalism (2000-2010). While this periodization allows to more clearly understand the development of a field of study which in many ways is to this day lacking in terminological coherence, it should not be understood as a rigid division: theories belonging to earlier “waves” of regionalism and regional integration studies have endured well beyond the years of their emergence, and some have gone on to influence later theories, and cross-fertilization between different currents, influences and between different regions and approaches have only increased with time.

The study of regionalism and regional integration branched off from the broader field of international relations in the period immediately after the Second World War, as the United Nations became increasingly complemented by international organizations with a defined regional basis, such as the various European organizations of the late 1940s and early 50s or post-colonial organizations such as the League of Arab States. While non-European thinkers and non-European actors respectively studied and pursued the perspectives of regionalism, Western scholarship mostly focused on the subject of European integration.

This initial phase of “classical” regionalism is therefore largely centered on the study of European integration starting with the European Economic Community founded in 1957, or alternatively with the federalist currents also active in Europe in the same period, but this bias does not entirely reflect reality. From Latin America to the post-

colonial world, including both Africa and Asia, several different ideas on regionalism, regional integration and other forms of regional unity, comity or cooperation were studied and, in some cases, put practically to the test. Therefore, regionalism and regional integration are, initially, two sides of a same coin, and this perception is compounded by the contemporary arguments for a rejection of various universalisms in favor of regional solutions (Polanyi, 1945) and more specific socialist and anti-colonialist calls for a rejection of global capitalism in favor, again, of regional if not national systems. This phase would last until the 1970s, when events within and outside Europe would trigger a wave of reconsiderations of both theoretical frameworks and policies.

The period from the 1970s to the 1990s is then one characterized by a kind of “soul-searching” for the discipline, which begins researching types of regionalism which do not necessarily imply integration through common institutions. Regionalism is increasingly understood not only as a new tendency, but also as a “reactive”, if not “reactionary”, development, responding to the emerging trend of globalization and interdependency. Theorists also began to distance themselves from unifying “grand theories” in the specific field of integration, seeking instead to explain individual aspects of it as separate processes in their own right.

Between the 1990s and the 2000s, two further waves of “new” regional studies emerged in response also to a newly and rapidly increasing relevance and scope of regionalism as a phenomenon. While each of these waves could be considered separately, they ultimately had more common traits than differences: they both resulted in a massive diversification of the field and, latterly, in the consolidation of a comparative method that had, until then, remained based on a comparison of case studies which often lacked in either depth of analysis or breadth of vision.

In particular the fourth wave of regional studies, while still more diverse than any of its predecessors, was also notable in that it began rebuilding bridges between the study of regional integration - until then largely confined to Europe - and the study of other forms or realities of regionalism. In particular, the possibilities of regionalism for emerging regions such as South America and the Caribbean have drawn the attention of this new wave of scholarship, also in the context of broader studies on the perspectives of a “post-hegemonic”, “post-neoliberal” world and its accompanying forms of regional cooperation and integration.

Also, in the context of the study of the European integration process, a significant difference has emerged among theorists on the basis of the scope and ambition of their

analysis. To this day, approaches to the study of European integration can be grouped into one of two broad categories: “grand theories” and “middle-range theories” of integration (Nugent, 2017). Whereas grand theories of integration seek to comprehend the entire phenomenon and mechanisms of the European integration process, middle-range theories focus on the effective functioning of the European Union and individual aspects of integration. In the period following the relaunch of European integration under the Delors Commission, grand theories have lost some ground to middle-range theorizing, at least in part as a consequence of the further increasing complexity of the European scenario. Nonetheless, new grand theory approaches have emerged, and throughout the entire history of European integration a tendency has been maintained to harken to the very first grand theory of European integration: neofunctionalism.

The next section discusses the four most prominent examples of grand theory, with a focus on the enduring importance of neofunctionalism. The following one provides instead examples of middle-range approaches. A third section provides an overview of the tendencies and theories of new regionalism, with mention of the specific developments outside of Europe.

1.2 Grand Theory of Integration: Neofunctionalism, Intergovernmentalism, Interdependency and Postfunctionalism

The development of “grand theories” of regional integration has been ongoing since the earliest days of the European Community. Whereas research into the phenomenon of international organizations long predated the 1957 Treaty of Rome, it was this development that made new and specific approaches necessary. The Treaty establishing the European Economic Community created a new and distinct supranational organization in the wake of the “defeat” on one side of the federalist perspective, due to the failure of the European Political Community, and on the other of the pure “old school” intergovernmentalism of the Council of Europe. As a consequence of its origins and of the uniquely advanced character of the European integration process, much regional integration theory has focused on the European project and its developments, but grand theory can be in abstract applied to any regional integration organization. Of the four major grand theories, by far the most influential and enduring has been neofunctionalism, whose

insights and concepts have outlived the confidence of its own original author, Ernst B. Haas (1958).

1.2.1 A Pragmatic Institutionalism: The Development of Neofunctionalism

According to Schmitter (2004), the school of neofunctionalism drew from two separate traditions of political thought: functionalism and democratic pluralism. It was the confrontation between scholars versed in these schools and concepts and the emerging reality of cooperation around supranational structures that would lead Haas to introduce to the public the neofunctionalist theory shortly after the signing of the 1957 Treaty of Rome.

The first of the two precursors of neofunctionalism was and is itself a grand theory of international organizations, referring to the realist and State-centric view of these institutions.

The functionalist theory had emerged from the research of those scholars and political scientists who had been studying international organizations since the formation of the Rhine Commission in 1815 (Klabbers, 2015). Functionalism argued that international organizations could and should only perform specific functions agreed by their member states and should not entertain ambitions of creating a system beyond that of the Westphalian nation-state model, or alternative to colonial imperialism. It was systematized only at the beginning of the 20th century, and its declared perception of international organizations as being similar in their effective mechanisms to colonial empires contributed to its diminishment in public discourse. However, its scholarly importance remained significant, and it continued to influence public policymaking, with both the wartime inter-Allied war effort and the subsequent United Nations System being hailed as products of effective functionalism.

Early functionalist theories, during the 19th and early 20th centuries, focused on the practical reality of international organizations which existed during the lifespan of their foremost theorists. Their most essential idea was that international organizations should pursue the widest possible membership, limit their goals to non-controversial, non-political, and clearly useful ends, and furthermore that, insofar as they possessed a will to pursue these goals, this will would be shaped by either a single overwhelmingly powerful member State or a small cadre of like-minded States. This latter idea led one of the most

famous early functionalists, Francis B. Sayre, to equate international organizations openly and repeatedly to colonial empires (Sayre, 1919).

The second key influence on neofunctionalism, after the classic functionalist theory, is the theory of democratic pluralism (Dahl, 1961). In contrast to functionalists and other realist-influenced schools of thought, neofunctionalists believe that in the context of an integration process the States involved can be disaggregated into group actors which collectively determine the preference expressed by the government. Rather than expressing a singular immutable interest based on geopolitical realities, governments are understood to represent the positions of a State conceived as an arena where a plurality of societal actors, ranging from businesses to interest groups, compete in pursuit of their interests. In rejecting the view of the States as monolithic actors competing for survival and cooperating as a way to secure this immutable goal, the neofunctionalist school ultimately presents international relations and supranational integration in particular as a transnational interplay between societal actors in the individual States. To quote Haas, “If groups within or amongst states believe that supranational institutions are more promising than national institutions in achieving their interests, then regional integration will result” (Haas, 1958, p. xiv).

In this view, the provision of common goods becomes a driver of integration especially where it benefits from economies of scale, as in the case of defence. Functionalists, seeing cooperation as being based on a narrow coincidence of interests within a broader competition for survival, believe that the only way to bypass national sovereignties is through transfers of limited competences to specialized authorities, as seen with NATO bodies and agencies created through the NATO Council. Neofunctionalists, on the other hand, see these coincidences as opportunities to establish broader, institutionalized mechanisms of common governance, pooling sovereignty extensively and intensively through a supranational integration that remains however uneven and sector-based. This cooperation is not necessarily believed to be the final state of a regional integration system, and the federalist outcome isn’t outright dismissed as the more dogmatically realist schools tend to do. As a rule, neofunctionalists do not adopt positions on the political finality of an integration process, preferring to focus on the process itself, and its direction (Hooghe and Marks, 2019).

Neofunctionalists describe the process of integration as a three-phase cycle. Once initiated, integration is driven initially by more or less constant spillovers between diverse and differently-integrated policy areas, the separation of which can only be maintained in

the relatively short term. The progressive extension of the “Community method” in European decision-making is an example of this tendency. Then, as integration grows in scope and complexity, the need to implement common decisions with a good basis of information leads to an increased reliance on non-State, supranational actors for the implementation – and, in some cases, the formulation – of common policies. This in turn has been observed to produce an increased attachment on part of citizens towards the supranational institutions, which are increasingly seen as capable problem-solvers, on par if not above the national governments themselves, resulting in increasing expectations.

These expectations can lead, in the presence of democratic institutions, to further attributions of competence or further cooperation. Cooperation and integration ultimately enable a more extensive exploitation of the benefits of trade and interdependence, creating options that individual States or less-integrated collectives could not consider or seriously pursue.

A further neofunctionalist departure from classic functionalism is the thesis that crises resulting from the process of integration create opportunities for further integration. In this and other contexts, neofunctionalists see supranational actors as “policy entrepreneurs” who leverage both crises and successes to co-opt national interest groups and shape the compromises that will ultimately be adopted by the governments. So, whereas an integration process is likely to be irregular and discontinuous and may even be broken down into separate processes with different aims, neofunctionalists believe that the progressive development of supranational structures and mechanisms ultimately result in a long-term tendency towards greater integration which can survive apparent ruptures.

A final and fundamental underpinning of the neofunctionalist view of integration is the concept of path dependence: the timing and sequence of prior steps taken in any integration process will restrain the options for decision-makers at any subsequent point in time. This means that, over longer periods of time, the tendency to integration perdures as the cost of reversing its course grows, and the number of options regarding its direction falls. This tendency is exacerbated and in part, at the microscopic level, caused by the problem of “bounded rationality”, a term describing the fact that the decision-makers “in charge” of the process have limited time horizons, seldom exceeding their mandate, and comparatively limited information (Pierson, 1996). Prior integration also tends to produce crises that make a maintenance of the status quo unfeasible and even undesirable, further guaranteeing the continuation of the integration process.

1.2.2 A Frequently Renewed Approach: Intergovernmentalist Theories of Integration

Classic intergovernmentalism is another major school of grand theory, based on the assumption that all processes of integration occur by the will of the States involved, and that more specifically the European integration process was spurred by the failure of the States themselves to secure the most basic goal of statehood: resistance to foreign invasion. In the classic intergovernmentalist view, integration, while occurring at the behest and direction of the States, is inevitably in contradiction with their diversity of views, interests and positions. Therefore, classic intergovernmentalists believe that integration is necessarily limited to economics, as when it moves into the realm of “high politics” (foreign affairs, defence) the integrationist tendency collides with the diverse positions and interests of the participants, and the latter is expected to always prevail, resulting in the collapse or minimization of the integration effort (Milward, 1992).

Liberal intergovernmentalism is a more recent stream of theory studying European integration, applying international political economy to the bargaining between Member States. More specifically, liberal intergovernmentalism rejects the idea that Member State interests are zero-sum and promotes the idea that economic interdependence creates benefits for the participants. Somewhat closer to neofunctionalists in their view of the potential development of regional integration, liberal intergovernmentalists assert that supranational institutions are a response and a method to institutionalize and reinforce interdependence where it is deemed positive by the participating States. Drawing on the writings of the functionalist scholar Robert Keohane (Keohane, 1982), liberal intergovernmentalism asserts that it is in pursuit of their own rationally determined interests that States establish supranational institutions to reinforce and consolidate their cooperation. In this view, integration is a product of interaction between national leaders who represent the functional interests of their States. Furthermore, liberal intergovernmentalism argues that these interests are essentially of an economic nature and determined by domestic groups, ranging from firms to trade unions, for which the State acts as a funnel, creating broad common preferences and enabling common action on the international scene (Moravcsik, 1998). Thus, integration becomes an additional layer of an aggregation of economic interests that begins within each participating State.

The liberal intergovernmentalist vision of supranational integration is therefore driven by domestic interests in each participating State, and in practice takes place through intergovernmental bargaining between national leaders in a context of pre-existing and

asymmetric interdependence (Moravcsik and Schimmelfennig, 2009). This asymmetry, defined as a different degree of dependence in different fields for each State, leads to a situation in which the States who need an agreement the most are also the worst-placed to determine the final shape of the bargain, a condition exacerbated by the unanimity mechanism by which most intergovernmental organizations adopt their decisions. Liberal intergovernmentalism furthermore rejects the neofunctionalist assumption that participating States suffer from unequal access to information and posits instead that, at least among participants in an integration process, there is a substantial equality of information, reducing the need for the participation of non-State supranational actors.

For both of these reasons – the dominance of the less needy and the equal ability of States to assess the situation – liberal intergovernmentalists argue that when an integration process results in the establishment of institutions, these are simply functional responses to problems in the integration process which bargaining alone cannot solve. In these situations, national governments are therefore expected to pool, and therefore renounce the unilateral exercise of, just enough sovereignty and authority to ensure the compliance of their peers based on their own estimation of the value of integration to their national interest. The solutions adopted following this logic tend towards the lowest common denominator, both as a consequence of intergovernmental asymmetry and the minimalist approach to the pooling of sovereignty, but this can nevertheless result in different and significant levels of integration which vary with the nature of the problem which integration is meant to solve.

1.2.3 Interdependency: Regional Integration as the Acceleration of a Global Trend

The third main grand theory, the theory of interdependency, first came about in the 1970s as a result of the research of Robert Keohane and Joseph Nye (1977). Interdependency distinguished itself by virtue of placing the greatest emphasis not on the internal workings of the European Communities of the time, but on the evolution of global dynamics, and the pressure these changing dynamics put on European actors. More abstractly, it explained regional integration as a phenomenon arising in a region in which multiple States at once saw their influence and ability to assert themselves wane. The theory of interdependency distinguishes itself from neofunctionalism and intergovernmentalism in that it framed the

European integration process as a localized, reinforced form of a much broader, global trend towards economic, security and regulatory interdependence in the aftermath of the Second World War and the establishment of the United Nations.

The school of interdependency has come under perhaps the harshest criticism. This criticism, broadly, tends to contest the entire theory rather than aspects of it. Critics argue that if interdependency merely evidences an existing tendency, it fails to answer relevant questions on the institutional outcomes of the integration process, on its finality or on the possible developments of integration that are extraneous from the mere governance of a global tendency towards interdependence on a regional basis (Nugent, 2017).

1.2.4 Post-functionalism: Regional Integration and Political Psychology

A fourth school of grand theory, more recent than neofunctionalism, intergovernmentalism or interdependency, is post-functionalism. Post-functionalism distances itself radically from the older theories, which had framed the process of European integration - and, more broadly, any theoretical integration process - as a means by which economically motivated actors seek to improve the efficiency of an interdependent system to maximize their gains. Rather, post-functionalism sees integration as a conflictual process in which the functional pressures of integration clash with exclusive identitarianism (Hooghe and Marks, 2009). In their analysis, post-functionalists draw on the domestic political cleavage theory (Lipset and Rokkan, 1967) and on the canon of political psychology, rather than on the economic rationalism in which older theories found the rationale and mechanics of integration.

Neofunctionalist and intergovernmentalist theories conceive integration as a cooperative effort, whether driven by interest groups or governments, in which the overall underlying trend to greater integration is consolidated by a combination of sunk costs, path divergence and increasing collective loyalty to institutions. It is, in these more traditional viewpoints, a process which seeks to complement or support the nation-States or the interest groups which compose them, and a process in which divergent preferences can at worst result in deadlock or a failure to reach beyond the lowest common denominator in terms of solutions.

Post-functionalists, by contrast, see integration as a facet of the reconfiguration of State structures to suit a growing need for a multi-level form of governance, capable of providing public goods from the local to the national and international levels at a scale

never seen before. This restructuring of existing jurisdiction, combined with the establishment of new transnational and sub-national jurisdictions, is therefore a transformational process comparable to the establishment of modern administrative nation-States, and equally conflictual and subject to opposition on the basis of non-economic preferences and biases, rooted in religion, ethnicity, culture or ideology, all of which can take an exclusive and identitarian character and which can potentially be more influential on human behavior than mere economic preferences. The term post-functionalism itself stresses that the inclusion of these elements makes it impossible to determine *a priori* whether decision-making will be based on functional interest or exclusive identitarianism. This has led post-functionalism to further diverge from their predecessors by proposing a third possible outcome, beyond either the status quo or further integration: dis-integration, as seen most prominently with Brexit (Jones, 2018).

More precisely, post-functionalism assesses the causes and effects of the politicization of integration, which is its central focus, in three main stages. The first stage, during which the need for integration is established or re-established, can be described as a process driven by a misalignment between the degree of institutionalized integration achieved and the functional pressure pushing for multi-level governance (Marks, 2012).

Once this situation is established, the second stage concerns the arena in which the decisions on how to resolve the misalignment are made. Here, two broad scenarios are envisioned: a self-contained decision-making arena consisting of political and policy élites and interest groups, or alternatively the open arena of mass politics, with the participation of mass media, mass movements and political parties. Which arena ends up being the theater of operations is generally determined by the stakes of the issue and the capacity of the contending actors to politicize and translate into mass politics an issue which, absent institutionalized cooperation, would normally be negotiated behind closed doors in a traditional élite setting. Broadly speaking, whereas a self-contained and insulated arena makes decision-making on the basis of functional interest easier, high-stakes issues will more easily be translated into mass politics, opening the door to exclusive, often nation-based identitarianism which acts as a constraint on integration.

Once the issue has become clear, and the arena in which the participants of the decision-making process shall determine their positions has been determined, post-functionalists look at how the integration process itself shapes political conflict. This is where the divergence from past schools becomes most evident, as post-functionalists focus on behavioral analysis, party competition and voter choice. Here, the findings of this school

are that European integration, where it stokes identitarian sentiment in a problematic way due to its nature as an all-encompassing reconfiguration of statehood and political community, results in the disruption of existing party systems. This produces new radical forces, both left-wing and right-wing in orientation, which act as constraints on the integration process. More broadly, it results in a polarization of society with the emergence of a new and durable social and political cleavage (Dalton, 2018) between nationalist and transnationalist positions. Those with a more exclusive attachment to an identified national in-group, a sociological concept referring to a group towards which one feels psychological attachment or identification, are more prone to Euroscepticism and to support nationalist parties.

1.3 After Grand Theory: Middle-Range Theorizing

During the mid-to-late 1960s and the early 1970s, several crises shook the European Communities - some internal and political, and others, such as the oil crisis, of an exogenous and global nature. The disjointed response to these events led to widespread talk of “Eurosclerosis”, and put in serious crisis those scholars who had argued for a unifying grand theory of European integration.

It was Ernst Haas himself who, together with his colleague Leon Lindberg, asserted that in the face of the difficulties experienced by the European Community, new approaches to the theorization of integration would be needed, with the neofunctionalist expectations on Europe’s ability to exploit crises having been at least partly dispelled. Neofunctionalism, in spite of this “abdication”, remains influential even to this day, with authors such as Jeppe Tranholm-Mikkelsen (1991) and Wayne Sandholtz (1996) continuing to base their efforts on the theory originally developed by Haas. However, partly as a response to the crisis of grand theory, a new approach began asserting itself: middle-range theorizing, the practice of analyzing and systematizing individual aspects of European integration. The various proponents of middle-range theorizing each belong, broadly speaking, to one of four main schools: new institutionalism, policy network theory, rationalism and constructivism.

1.3.1 New Institutionalism

As with the dominant and enduring relevance of neofunctionalism in grand theory, middle-range theorizing is also significantly shaped by the new institutionalist approach (Nugent, 2017). New institutionalism, which asserted itself as a major school of thought in the 1980s, has as its core assumption the idea that the institutions have a significant role in shaping the political actors and processes through which decisions are made in the context of international organizations and, specifically, the European Communities. New institutionalism further distinguished itself by innovating the tradition of institutionalism through the embrace of a broader analysis, going beyond the statutory roles and powers of institutions and considering a wide range of formal and informal actors, forums and procedures. Being an approach rather than a single and coherent theory, new institutionalism can in turn be divided into three main camps: historical institutionalism, rational choice institutionalism and sociological institutionalism. Each of these placed the influence of institutions in a different interpretive lens to explain the process of European integration.

In many respects, historical institutionalism can be conceived as a middle-range implementation of approaches belonging to neofunctionalism. This is most evident in the two key assertions of historical institutionalism: the validity and relevance of path dependence and the gradual increase in importance of supranational institutions through delegation. Historical institutionalists highlighted the importance of path dependence as a force shaping European integration, much like neofunctionalist grand theory, studying the emergence of regular patterns in the processes of European integration and institutional decision-making. Furthermore, this school focused on how supranational institutions accumulated further powers and independence through the delegation, by the Member States, of the implementation of common decisions, a process explained in part by the need for a flat information base for decision-makers operating at the supranational level. The most prominent scholars of historical institutionalism (e.g. Bulmer, 1994) described the process of European integration as a form of capture of national decision-making processes, framing them inside a developing, multilayered system with the supranational level at its apex. However, unlike proponents of grand theory, they applied these concepts and these analyses to individual sectors of the European integration process, abstaining from pronouncing themselves on the broader European project or its potential outcomes.

A different current of new institutionalism positioned itself as a branch of rational choice theory, an approach to political science and social studies centered on the assertion that actors shape their behavior in pursuit of the maximum possible achievement of their interests, which are in turn determined by their situation and, at least insofar as the rationalist approach is applied to political science, are chiefly economic in nature. The school of rational choice institutionalism is therefore characterized by its attempt to explain aspects of European integration in light of the interests of the Member States, while also highlighting how European institutional structures and rules condition the behavior of the State and institutional actors.

The main thrust of rational choice institutionalism is that in each area of integration, governments transfer competences to supranational institutions to benefit from more efficient decision-making and implementation, as well as to delegate the monitoring of compliance to *super partes*, non-State actors. This is accompanied by an attempt to illustrate how the functioning of these institutions, once put in place, shapes further integration and individual examples of decision-making. As a practical example, rational choice institutionalism has concerned itself with the impact of different voting procedures at the EU level on the inter-institutional equilibrium, and on the adoption of qualified majority voting (QMV) for the Council (Pollack, 2006; Scully, 2006). It was observed that this procedure, by removing the one-country veto, effectively consigned to the past the unanimity-based, intergovernmental nature of the institution in all fields in which it has been implemented, transforming the Council into something closer to a federal Senate or, at any rate, “supranationalizing” a fundamentally intergovernmental institution with respect to certain specific fields. This has been observed to not only improve the efficiency of the Council as an organ, but also to bolster the position of the “traditional” supranational actors - the Commission and the Parliament - who can more easily bypass the opposition of individual countries.

The third and final school of new institutionalism is sociological institutionalism, which studies the attitudes and behavioral patterns of the members and personnel of the EU institutions themselves. Researchers such as Trondal (2007) focused on how belonging to the supranational or intergovernmental institutions, as well as to specific administrative departments or committees, can result in different attitudes to the functioning of the EU or to its priorities. However, sociological institutionalism remains severely under-used, especially because while it has potential as an explanatory tool with regards to EU decision-making, its potential in uncovering the mechanisms of integration even within a

specific field is limited. Centrally, sociological institutionalism believes that the affiliations and behavioral patterns it seeks to evidence shape the way institutional actors approach European integration. This means that, rather than seeking to explain choices made as the product of a rationalist logic, based on the maximization of interest and cause-and-effect reasoning, sociological institutionalists analyze integration on the basis of how socially constructed identities emerging within the institutions shape different visions of the appropriate solution to a problem - appropriate, that is, on the basis of a subjective and constructed view of the problem at hand and of the surrounding circumstances. This viewpoint has made sociological institutionalism prone to cooperation, or overlap, with constructivist theories of integration.

Collectively, new institutionalism has focused on the contribution of the European institutions to the process of integration, and, as a middle-range theory which seeks to analyze individual aspects and fields of integration separately as processes in their own right, it is theoretically not strictly in competition with any grand theory approach.

1.3.2 Policy Network Theory

The policy network approach is in some ways a close relative to new institutionalism, setting itself apart mainly by embracing a broader set of institutions and processes. Broadly speaking, a “policy network” is a space in which different actors and interest groups mediate their differences and devise solutions to common issues. Such networks are understood to be highly fluid and mutable in structure, reach and membership, with its participating actors being highly self-reliant and the whole network being both eligible and uninterested in preventing external influence. Policy networks are contrasted with policy communities, spaces with a permanent membership that is more often than not organized in a strict hierarchy, with tighter bonds between the participating actors and a greater resistance to external influence. Policy network theorizing considers the entire system of institutions across the European Union’s space of multi-level governance as an ideal arena for the emergence of policy networks transcending narrow institutional structures or identities (Kohler-Koch and Eising, 1999) and seeks to explain the mechanisms of integration through the study of these networks.

The most common criticism levied against middle-range theorizing is that its various schools are often judged unsatisfactory in their explanations of the outcomes and

processes of EU decision-making and regional integration more broadly. With a focus on individual aspects of supranational integration, middle-range theories face even harsher criticism than certain schools of grand theory for their “agnosticism” as to the nature and potential outcomes of the integration process. An area in which middle-range theorists have found themselves on a stronger footing is the European Union’s enlargement policy, arguably in and of itself a field of study. Here, two different schools with nearly opposite views have emerged: a rationalist and a constructivist explanation for EU enlargement.

1.3.3 Rationalism and Constructivism

Enlargement is one of the most ambitious endeavors for the European Union and for any international organization, implying the induction of new members into its legal and institutional frameworks with all the ensuing political, economic and, in the case of the EU, social consequences that this integration brings about. Enlargement as an EU policy is both broad enough to merit detailed study and specific enough to warrant the adoption of the middle-range theorizing method: studying the phenomenon in and of itself, without necessarily making connections to the broader process of European integration. It is however interesting that it is in this ideally suitable field that scholarship has divided itself into two essentially opposed camps.

The rationalist approach posits that EU enlargement is in the direct interest of the Member States. An application of rational choice theory, though not necessarily of rational choice institutionalism, rationalism in the study of EU enlargement focuses on the two main advantages that existing EU Member States can be broadly agreed to find in the addition of new members to the Union: benefits based on economic considerations and benefits based on considerations of so-called “high politics”. In economic terms, which are generally preferred by rationalist and functionalist theories, the enlargement of the EU is also the enlargement of its borderless single market and customs union, adding consumers, capital and productive capabilities to the common pool. Richer Member States benefit economically, and the Union itself is strengthened especially in the long run. Similar considerations can be made in the realm of “high politics”, mainly security and defence, as the expansion of the EU secures neighboring States into a legal framework which seeks to ensure peace and foster liberal democracy, arguably benefiting the existing Member States as much as the entrants, if not more. Of course, these benefits, and especially the

economic benefits, are felt unevenly by the existing Member States. The theory developed by rationalists is that the EU, being in a much stronger negotiating position than any accession candidates, can tailor each accession in such a way that the costs for the existing Member States are outweighed by the benefits, and that only once these conditions are satisfied can enlargement take place.

The rationalist logic can be easily applied to the cases of the Western Balkans, the Republic of Turkey and the Association Trio (Ukraine, Moldova, Georgia): in each case, different considerations have resulted in wildly divergent paths for integration. The Ukrainian case, in particular, shows how political and security considerations can weigh in and surpass the economic costs of such an accession. But the extremely ambitious targets set by senior EU figures in recent years – such as the 2030 enlargement target floated by EUCO President Charles Michel – can also be used to argue in favor of the opposing theory, that of constructivism.

Constructivism is a sociological theory of European integration that posits that the explanation for the actions of the Member States and of the EU as a whole, especially in the critical field of enlargement, cannot be explained solely in rational terms as being instrumental to a desired outcome or based on rational calculations of costs and benefits. The permanence of the veto and the individual approval of each candidacy by the European Council means, in the view of Schimmelfennig (2001) that, had the decisions of the Member States and the Commission been driven solely by a rational calculus, at least some of the States which joined during the Central and Eastern European (CEE) enlargement (2004-2007) would have faced the veto of at least some of the then 15 Member States. That they did not, and that the process of enlargement went on to expand beyond the affluent countries of Western and Northern Europe means, according to constructivists, that “[..] something more than instrumental calculations, and something less than a selfless concern for human rights [...]” (Sjursen, 2002, p. 509) moved the European Council during the 2004, 2007 and 2013 sessions that sanctioned the enlargement of the Union to 13 CEE States. This “something” is argued to be an attachment to a diversely understood idea of pan-European community, which produced a sense of underlying and overarching duty to the idea of a united European continent as something good in and of itself, rather than a source of particular benefits. Concepts such as principles, but also more typically sociological and behavioral terms such as appropriateness and the fear of other’s (in this case, often the CEE themselves) perception shaped EU approaches to enlargement at least as much as the above-cited rationalist explanations.

The case of Turkey in particular makes a positive case for this tendency: in the Turkish case, the rationally-motivated fears of political and economic upheaval roused by the possibility of a Turkish accession combine with culturally-motivated diffidence and are countered by feelings of one side a shared “Western” identity, borne of Turkish participation in Western organizations and an ongoing process of liberalization and democratization that, though stalled, evokes familiar feelings in many leaders across Eastern Europe, and on the other a sense of responsibility - a responsibility to live up to the expectation of an Asian, Islamic nation which has consciously chosen to embark on the arduous path of European integration.

1.4 The New Regionalisms: from the 1990s to the Emergence of Comparative Analysis

Starting from the second half of the 1980s, and with a marked increase in the 1990s, the slowdown in the efforts for the reinforcement of the global, “multilateral” free trade and economic cooperation regime first established by the 1947 General Agreement on Tariffs and Trade (GATT) contributed to a considerable increase in the number and scope of regional trade agreements, one which endured the resumed impetus of the Uruguay Round of multilateral negotiations and the establishment of the World Trade Organization in 1994.

These new agreements began proliferating as the European Communities entered the final stretch of their reform into a more complete European Union, and both processes reflected a growing ambition for regionalism. Whereas in Europe old integrationist logics were prevailing over inertia and “Euroscepticism”, the whole world was looking at regional arrangements as being increasingly relevant in a globalizing, and increasingly unipolar, world. The successes of European integration also contributed to the popularity of regionalism. Agreements therefore multiplied in number and increased in depth, with over 20 new agreements being notified to the Executive Secretary of the Contracting Parties of GATT in 1992 alone, and regional agreements increasingly being thought of in terms of integration within defined regions, often identified in geopolitical terms, rather than mere trade. These agreements also tended to be more ambitious, reaching for a total liberalization of trade between members rather than the piecemeal and sector-based approaches that had been common in the past. It was also after the founding of the WTO

that the signatories of regional agreements began considering the liberalization of trade in services as a matter of course.

Whether this increasing relevance of regional arrangements was a counterbalance to or enabled by the progress of globalization and multilateralism remains a matter of some debate, debate which has become part of a vast and sometimes confusing academic landscape. In this period, the term regionalism came to be used in reference both to the increasing material and academic relevance of regional agreements in contrast with the multilateral WTO framework and to a parallel new wave of studies and theorizing on regional integration, with the two having both overlaps and differences. Furthermore, the emergence of new and heterodox perspectives has been, if contentiously, affirmed by several sources (De Lombaerde and Söderbaum, 2013).

The establishment of the North American Free Trade Area, of the South American Common Market (Mercosur) and of free trade areas as part of the Association of South-East Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC) as well as the Greater Arab Free Trade Area (GAFTA) are prominent examples of this trend (World Bank, 2000), which was at times opposed by those countries and theoreticians who instead stood for the development of a single multilateral system. Nonetheless, a growing emphasis on geopolitics and later the difficulties and effective interruption of the Doha Round of WTO negotiations went on to reinforce the trend of new regionalism. These developments further stimulated an increase in empirical studies, based not only on the growing volume of data on the trade effects of regional integration but also on its effects and spillovers into other fields, including politics and security (De Lombaerde and Saucedo Acosta, 2017).

The Swedish scholar Björn Hettne (1993) developed an explanation for new regionalism which he called “neo-mercantilism”. His theory hinged on the assumption that, throughout history, two logics competed to define the organization of the global economic system. On one hand, the logic of the State, which is grounded in the decision-making of a territorially delimited entity, seeks to control insofar as possible the processes of economic growth and capital accumulation, and to place the physical location of economic activities under its jurisdiction - whether by attracting business or expanding its reach. On the other hand, the logic of the market, more utilitarian and functional to the interests of capital, sought to locate economic activities in the places where productivity and profit could be maximized, and to reduce as much as possible obstacles to the global movement of goods, services, capital and labor in order to be able to maximize the efficiency of all

economic activities. This tension was already captured by mercantilism – the theory of economics on the basis of which European governments conducted much of their policy between the 16th and 18th centuries – which assumed both a finite amount of wealth and a permanent competition to acquire control thereof, with the goal of securing self-reliance and State power. According to Hettne, modern neo-mercantilism does not have the nation-State as its frame of reference, but rather the international political economy, which is effectively the “world order” and its economic system. This vision is used by Hettne as an interpretive lens to explain the efforts by diverse political actors in the direction of regional integration, taking into account the impossibility of self-sufficiency at the national scale and the growing relevance of regional camps and alliances with the disappearance of identifiable global “blocs”. A comprehensive survey of the literature on new regionalism, compiled as the comparative perspective was about to replace it, was provided by Shaw, Grant and Cornelissen (2011).

Throughout the first decade of the 21st century, new regionalism both as a phenomenon and field of study was further compounded by the greater relevance of regional integration in areas going beyond trade, and reaching into the sphere of high politics, leading to calls to go “beyond new regionalism” (Hettne, 2005). This new phase in the study of regionalism was characterized by the consolidation, deepening and greater systematization of comparative analysis of regional integration, especially with respect to comparisons between the old trailblazer, Europe, and other regional integration projects. For example, in the African case Bach (1999) affirms that in Africa a significant formal and political ambition has in practice resulted in trans-State and strictly intergovernmental cooperation with the effective purpose of preventing the emergence of deeper integration.

The following chapters of this thesis will discuss the development of the European and African regional integration projects drawing from the theoretical approaches presented above.

CHAPTER 2 - REGIONAL INTEGRATION IN EUROPE

2.1 Introduction

The process of European integration, which after many false starts is today officially regarded to have begun with the Treaties of Rome in 1957 (though this thesis would suggest that both 1948 and 1951 are equally suitable dates), is one of the most unique phenomena in the contemporary history of politics. For several decades it has been studied as something apart from all other regional organizations, agreements, and integration processes – and this is only in part due to the residual Eurocentrism of academia. The breadth and depth of the European integration project is extremely significant, especially considering the long-standing atmosphere of mutual distrust and animosity that divided even the original, six-state kern of the project.

Furthermore, whereas the scholarly debate on the subject remains lively and the theoretical developments recounted in Chapter 1 suggest that the theorization of European integration is very much a process that does not have any immediate perspective of reaching an end, the political discussion on the basis of which further practical steps in European integration are to be taken has rarely been more binary than today. In terms of public perception, the distinction between federalism and the possible forms of integration envisioned by various post-1958 schools of thought is null, and this is likely to reduce the reluctance of pro-European actors to adopt a federalist lexicon, even if the substance remains distant from the federalist idea itself.

This chapter is organized as follows¹. The next section discusses the early beginnings of European integration, and how they set the stage for the ensuing decades of integration. The subsequent six sections detail the ensuing development of the European Communities and of the European Union until the latest set of crises. After these, section 10 deals with the emergence of a new political cleavage around the future of the European project, and section 11 tries to present some conclusions.

¹ This chapter is partly based on my Master Thesis in European Studies, *European Federalism: Utopia or Hidden Reality?*, LUISS, academic year 2020/21, supervisor: Prof. Yves Mény.

2.2 The Beginning of European Integration: False Starts and Early Concepts

The history of regional integration in Europe begins, in most historiographies, with the end of the Second World War². The Interbellum, the period between the two global great power conflicts of the 20th century, had seen the emergence of initiatives for regional unification, but these were tailored to a world where Europe maintained its colonial hegemony and the Soviet Union was seen as being no different from France or Britain - one of the great powers of Europe, but neither the greatest nor a serious contender on the global scene (Mattli, 1999). Early attempts at European unity found limited success in the form of agreements in principle such as the Stresemann-Briand memorandum, but were overshadowed by the more ambitious yet persistently ineffective League of Nations and its efforts to secure world peace under the enlightened guidance of the Great Powers: above all, the Kellogg-Briand Pact for the abolition of armed warfare as a means of conflict resolution is emblematic of the hopes and disappointments of interwar, Western-led and colonialism-endorsing liberal internationalism.

With the Second World War over and colonial empires on life support, the reality that a crippled Germany or Italy were not in the interest of the Allied Powers quickly became self-evident (Judt, 2005). It was in ignorance or deliberate avoidance of practical considerations that, between 1945 and 1946, early steps were taken towards the de-industrialization and demilitarization and permanent destabilization of Germany. In 1947, the Treaty of Dunkirk was signed between the two great powers of Western Europe - the United Kingdom and France - envisioning close cooperation and mutual defence against a potential resurgent Germany. The Treaty has long been judged to have used Germany as an excuse or at most to consider it a secondary threat, and its primary if covert object was to deter Soviet aggression, as the “percentages agreement” and other Western-Soviet pacts began faltering in the aftermath of victory in Europe. Pushed in part by an existing sense of community between West European powers, dating back at least to the First World War, and in part by the need to quickly rebuild a credible political framework for cooperation as the United Nations developed from the wartime Allies, and tension with the Soviet Union grew, France and Britain decided to extend their alliance to the Benelux countries and lay the foundations of a broader European organization.

² For a recent account of the history of European integration see Berend (2021). The peculiarities of the European experience among regional integration processes were highlighted by Wallace (1994) and Urwin (1995).

In 1948, the “five powers” of Western Europe - Belgium, Britain, France, Luxembourg, the Netherlands and the United Kingdom - signed the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, better known as the Treaty of Brussels (Mueller, 2010). This Treaty was signed in part with a repeat of 1919 in mind, with the US inevitably retreating to their own shores. Its broad scope and the ambitious name of the organization it created - the Western Union, with its own flag - all pointed to a determination to consolidate the “bulwark of democracies” that had withstood the tide of authoritarianism in the inter-war years and had faced down the Western advance of the Wehrmacht in 1940-1941. The plan furthermore echoed the Franco-British Union proposed by Churchill himself in 1941, and created a set of cooperative structures which, in addition to permanent military coordination committees, at one point included a “Cultural Identity Card” for teachers, students and researchers, an early form of enhanced cross-border mobility, which anticipated Erasmus and other more modern programmes.

By 1948, however, the European Recovery Plan (ERP), better known as the Marshall Plan, was in full swing, Germany was (in part due to Soviet pressures) on the cusp of returning to a form of independent statehood and early talks for the involvement of the United States in a permanent European collective security framework were well underway (Hogan, 1987). The founding in 1948 of the Organization for European Economic Cooperation (OEEC, future OECD) to manage the funds of the ERP created a *de facto* competing and far more developed European economic framework at a time when the Western Union was in its earliest infancy. The founding of NATO in 1949 saw the transfer of most military tasks to that organization, rendering the Western Union a body tasked solely with those military duties which the United States had refused to internationalize through NATO, as well as the general goals of social and cultural cooperation. The United Kingdom, furthermore, developed under Clement Attlee the ambition to develop the British Commonwealth of Nations and other parts of its Empire into the nucleus for what Attlee called “the unity of the non-Communist world”, with Britain as the banker and “nerve center” of the system. The government led by the Labour Party would, on this occasion, prove more loyal to the Empire than the overtly imperialist and at the same time proudly Europeanist Churchill, who backed the Western Union and a closer British involvement in Europe, especially after the “loss” of India. France, the Netherlands and Belgium were also beginning to face the reality of imperial dissolution, and initially opposed it with comparable levels of denial. The United Nations would contribute to managing the process, but the earliest years of the post-war period were

largely spent rebuilding a degree of control and awareness in formerly occupied countries by recently restored governments. The Western Union, nonetheless, lived on and continued operating.

The ambition to see a united Europe, articulated in the inter-war period by statesmen such as Aristide Briand, found many torchbearers in the Allied camp, with the most famous being, as mentioned already, none other than British Prime Minister Winston Churchill, who as early as 1943 advocated for a permanent “Council of Europe” as part of the organization of Europe’s future. In 1948, riding the headwind of speeches by Churchill himself and several other Western political leaders and an upsurge in the popularity of a European federalism among “mainstream” political parties, the Congress of Europe - a conference of politicians, intellectuals, diplomats and journalists - was held in The Hague, and adopted a resolution in favor of the establishment of a Council of Europe. The Consultative Council of the Western Union then established, on this basis, a Committee for the study of European unity, which met nine times with the goal of drafting the statute for a new European organization.

During the work of the Committee, two distinct viewpoints emerged, with a faction advocating for a purely intergovernmental organization based on relationships between national governments, and a more integrationist view favoring the creation of a pan-European political forum with the participation of national legislators. In the end, the two visions were combined in a “bicameral” organization, in which however the intergovernmental element (the Committee of Ministers) was considerably more powerful. This organization was, and still is, the Council of Europe, established with the signing of its Statute in London, in March 1949. By using a mixed intergovernmental and inter-parliamentary approach, it hoped to produce pan-European cooperation, at least between democratic countries, and to preserve European peace. Its further aims were to uphold and advance the cause of human rights in Europe, and to foster cultural cooperation between its Member States, a task effectively transferred to it from the Western Union, now reduced to a military cooperation organization supplementary to NATO. Whereas many early advocates of European peace and cooperation saw this new Council as an ideal framework to pursue their goals, and especially British advocates of European unity found themselves content with it, the Council was in practice a miniature United Nations with an initial membership of 15 Western-aligned European countries. Its operation was based on consensus-building and unanimously ratified conventions; furthermore, it did not have

economic cooperation structures, nor any ambitions exceeding its initial remit (Guerrieri, 2014).

This situation suited some of the parties better than others - Great Britain in particular, as mentioned, had gone from being the foremost driver of a future European unity to being essentially opposed to any form of integration going further than the intergovernmental frameworks of the Council of Europe and the OEEC, and the Attlee government saw even the Parliamentary Assembly of the Council of Europe (PACE) as an excessively “power-hungry” organ, which should maintain only a consultative status. However, there remained strong dissenting voices, which would soon make their dissatisfaction with this settlement heard.

By 1950, France had been engaged in the process of post-war reconstruction and was reckoning with multiple colonial crises. Diplomatically, it was effectively already part of the Western camp while extremely wary of German rehabilitation and rearmament. After unsuccessfully pushing for the full internationalization of the German coal and steel industries and annexations in the Rhineland area, French officials began investing more effort and thought in European cooperation. The existing structures - the Council of Europe, the Western Union and the OEEC - were all seen as inadequate by the French government. France’s flagship industrial recovery plan, named after its commissioner-general Jean Monnet, was based on the availability of coal imports from Western Germany, but it ran into obstacles ranging from a variety of hypothetical concerns on both sides of the border to an ongoing preoccupation that reconstruction would create an occasion for the establishment of large cartels in the sensitive coal and steel sectors. To prevent this risk, Monnet, who had served as the first Assistant Secretary General of the League of Nations and knew well of the relative impotence of intergovernmental organizations, advised Schuman to propose the creation of a transnational common authority with direct jurisdiction over the French and German coal and steel industries. Schuman, who had advocated for a supranational dimension of European unity at the signing of the London Statute in 1949, found in Monnet’s proposal an ideal foundation for the project of a unified Europe. Far from being a mere anti-cartel agency, this organization would be central to the economic reconstruction of Europe and, by pooling strategic industries together, would promote peace. In a broader sense, according to the Declaration released on the subject by Schuman on the 9th of May 1950, it would create the foundation for a true European federation, seen as the indispensable guarantee of future peace.

The Schuman Declaration impacted the mutual relationship among the Western trio of France, Britain and the United States with the effect of a hand grenade. Gathered at the Elysée Palace in the aftermath, the British ambassador expressed outrage at the lack of consultation and suddenness of the Declaration, while the American ambassador expressed the United States' approval at a significant step on the path to European unity, and also at France's newfound confidence in directing Western Europe on a pro-Atlantic path. The secrecy surrounding the drafting of the Declaration was later explained by the perceived need to prevent interventions early into the preparatory phase. There was a certain fear that the British government in particular would object to the proposal, as it effectively did, and that there would be attempts to fold the new organization into either the OEEC or the Council of Europe. On the continental European front, the Declaration proved so successful that not only Germany but also Italy, the Netherlands, Belgium and Luxembourg chose to sign on to the project before it had even been put to the test. At the signing of the Treaty of Paris, which created the new European Coal and Steel Community (ECSC), a joint Declaration was issued by the foreign ministers of the six participant countries: the Europe Declaration or "Charter of the Community". This document formalized the position of the founders of the Community on its future direction, namely by stating their intention to create "the first supranational institution" and declaring the Community to be open to all nations with the freedom to make for themselves the choice to join. The Charter served the purpose of recalling future generations to the immense task of building a united Europe; but the founders themselves soon began concerning themselves with advancing it in the immediate future (Mason, 2013).

The ECSC in fact did not fully satisfy the authors of the 1951 Declaration; the new organization had a purely economic dimension, and this not only failed to meet the expectations set by Schuman in 1949, but also had immediate consequences for the question of German rearmament. The provisional agreement on the occupation of Germany signed in 1952 (the Bonn-Paris conventions or *Deutschlandvertrag*) - which remained in effect even after the proclamation of the Federal Republic of Germany - had set another, less known but far more ambitious project as the precondition for the concession of quasi-sovereignty without occupation to the newborn Federal Republic: the integration of continental West European militaries into a common military structure. The "six" therefore envisioned a military complement to the ECSC: the European Defence Community (Fursdon, 1980). The vision for this new Community was for the time dazzlingly ambitious: the project of a common army and air force overseen by a set of

supranational bodies and a single Supreme Commander integrated into the NATO command structure. The plan was drafted by a set of ad-hoc bodies based on the Common Assembly, the consultative inter-parliamentary forum of the European Coal and Steel Community. A European Political Community (EPC), setting a common foreign policy and exercising an overarching control over the ECSC and EDC, was to be the final element of this construction. The Dutch government, which in turn harbored significant ambitions for the development of a European economic union and distrusted a scheme based on the integration of military industries and military forces, proposed a further step in the form of an EPC commitment to establish a European single market, with a common external tariff, a common regulatory framework and internal freedom of movement. The EPC represented the high point of European federalism - as envisioned, it would have had sweeping powers, including the conduct of foreign, defence, trade and fiscal policies, as well as political control over the EDC and ECSC (Castaldi, 2007). This organization would operate as a kind of federal republic, with a bicameral Parliament, an Executive Council and a Court of Justice, as well as an advisory Social and Economic Council. The only concessions to intergovernmentalism were to be the election of the President of the Executive Council by the Senate - composed of representatives of the States - and the existence of a Council of National Ministers responsible for and coordinating the actions of the Executive Council with national governments and for approving the Executive Council's legislative proposals. Even this represented in fact a massive transfer of sovereignty: the Council of National Ministers was to determine, albeit unanimously, the conditions for an intervention of the Common Army on the territory of the Member States for the maintenance of order. It is telling of the federalist commitment of the Christian and Social Democratic leadership of the time that the EDC and EPC Treaties were signed by all of the "Founding Six" - Belgium, France, Germany, Italy, Luxembourg and the Netherlands - even as their nationalist and communist parties sought the extinction of the ECSC.

The French National Assembly, however, refused to ratify the EDC Treaty after it had been signed, rendering all discussion of the EPC moot. The combined ECSC, EDC and EPC would have created a confederation of six West European nations and avoided the decidedly military tone of the Community configuration proposed originally by the French government: coal and steel were the bread and butter of military industry at the time, and the EDC and the EPC as originally envisioned had a common army and a common foreign policy respectively at its core. Nonetheless, this amended and decidedly more peaceful design would have had an important and immediate military effect: it would

have allowed for the supervised rearmament of Germany, even if drafts included options for its fully equal participation, and the failure of the EDC and EPC was seen by Western capitals, who were concerned with the Cold War as much as and more than with the prospect of European unity, as potentially harmful for the prospect of a rehabilitated Germany participating in the Western alliance. There were concerns that it would make Soviet calls for a neutral, reunified Germany all the more attractive, fears that were ramped up by the famous “Stalin note” of 1953. The Western Union, therefore, had one last eminently political role to play: recast as the Western European Union through the so-called Modified Brussels Treaty (MBT) in 1954, it was extended to Germany and Italy and was considered satisfactory to the clauses of the 1952 *Deutschlandvertrag*, enabling the re-establishment of the German armed forces (Rohan, 2014).

In 1955, a special conference in Messina discussed new ideas for European integration. The findings of the Conference led to the adoption of a new phased approach to European integration, replacing the federalist thrust of the European Political Community with a project of gradual integration, driven by economic cooperation, while the military aspects of cooperation were - for the moment - fully entrusted to NATO and the Western European Union. The results of the Messina process were the two Treaties of Rome of 1957, which established the European Economic Community (EEC) and the European Atomic Energy Community (Euratom). With the EEC being identified as the main organization to drive the new approach, a later Merger Treaty (1967) would unify the institutions of the EEC, ECSC and Euratom, by creating a single Commission of the European Communities and a single Council of ministers, and confirmed the role of the European Parliamentary Assembly (later the European Parliament) and of the Court of Justice of the European Communities, previously the only bodies shared between the three Communities (Loth, 2017).

This new situation created a common set of institutions operating three legally distinct international organizations - the EEC, ECSC and Euratom - which would later absorb also the Western European Union. This legal multiplicity of the European Communities would only be resolved after the creation of the European Union and the adoption of the fourth version of its basic Treaties with the 2007 Lisbon Treaty. Commenting on these developments, Jean Monnet himself wrote that, by rejecting the federalist proposal of the EPC, Europe had embarked on a process of integration that would be driven by crisis moments which would require a pooling of sovereignty to be overcome. At roughly the same time, academics were taking a very similar stance on the process of

European integration in the wake of the federalist EPC's failure - in America, Ernst Haas was about to publish his theory of neofunctionalism (Haas, 1958).

Over the course of the following decades, the European project advanced through a process that saw the Commission, or different special committees assembled ad-hoc, as the main drivers of further integration in areas where an agreement was reached with an informal Council of European heads of government. Significantly, until the 2007 Lisbon Treaty, prime ministers and presidents would not have a formal role in the European institutions; the Commission would remain the sole executive organ and cooperate with the Council and, increasingly, the Parliament as the main decision-makers. The federalist perspective, even as academia pivoted to neofunctionalism, was not abandoned by the politicians of the Communities, and ambitious proposals of Treaty revision were submitted multiple times - ranging from intergovernmentalist attempts at resurrecting the EPC or EDC during Charles de Gaulle's presidential tenure to the "Crocodile Club" proposals of wholesale Treaty reform made in 1984. While none were adopted, the latter - which introduced the term "European Union" into the political lexicon of the Communities - provided the impetus for the two major reforms of the late 20th century: the Single European Act and the Treaty of Maastricht, the act by which the European Union formally came into being.

2.3 European Integration in Practice: Federalist Ideas, Neofunctionalist Practices, and Intergovernmental Dynamics

The European Communities, as already stated, developed in a climate of passionate and at times disruptive dissent on their direction and on the question of their purpose - the *finalité politique* of the European integration process. In contemporary sources, the European Union is described as a "hybrid" polity, a "supranational union" which incorporates intergovernmental and federal elements into a single structure. The question of the *finalité politique* remains unresolved. And as the European Union inches closer to the 70th anniversary of the Treaty of Rome, the multiple attempts at theorizing European integration, described in Chapter 1, have either been abandoned in favor of a focus on specific aspects of integration, or resulted in hybridization and cross-disciplinary fertilization of the different theoretical models. All the same, while the federalist option remains unrealized, its proponents remain undeterred and influential, especially inside of

the European Parliament, where parliamentary associations such as the Spinelli Group have never ceased advocating for federalization.

Yet, while federalists and those who either do not pronounce themselves on Europe's federal perspectives, or do not believe in them, remain opposed in the public discussion on the direction of European integration, there is a degree of compatibility between their views. After all, most European integration theory borrows at least some concepts from neofunctionalism, and the followers of this school do not oppose federalism outright, rather refusing to commit either way. And in fact, the supranational rather than international nature of the EU organization is owed to the limited federal characteristics of its political and economic system: from the supremacy of EU law to its direct effect on citizens, from the EU Single Market - far more tightly bound than the US or Australian internal markets - to the Euro. The European Union, whether seen as a new type of polity or an emergent federation, is generally agreed to have taken on at least some federal characteristics, with Western leaders at the turn of the century coining the expression "federation of nation-States" to describe the organism that the successive Treaties of Maastricht (1993), Amsterdam (1997) and Nice (2001) and the failed Constitutional Treaty of 2005 would all have attempted to build and which the later Treaty of Lisbon only partially established. The remainder of this chapter is dedicated to the construction in Europe of this still incomplete polity, whether considered as the emergence of a new type of federalism or of a wholly new political form of organization. The driving idea is embedded in the concept of integration by "implied consequence" or, as it is sometimes described, "creeping" integration, which led the formation of the EU legal system, as well as the early history of economic integration. Subsequently, the construction of the Economic and Monetary Union was the final step taken on the Community's early journey and the beginning of the so-called "constitutional" phase of European integration.

It can be argued that the process of European integration has long been advancing as a result of incremental extensions of "federal" competences, which have been the implied consequences of an initial deliberate step in an integrationist direction. Whether this comes as a result of the dynamics analyzed by the neofunctionalist theory, or of the efforts of federalists such as Altiero Spinelli, the practical existence of this trend is, if often seen as imperiled, a fact of reality. The idea driving much of the federalist thought after the failure of the EPC remained that, in the construction of a federal State, the official recognition of its competence over one specific policy area almost inevitably necessitates further centralized interventions or controls over other policies, that are part and parcel

with the former. This has indeed happened in the United States of America and in the Swiss Confederation, the two main models of European federalists of all stripes. In partial contrast, non-federalist scholars and analysts saw these developments not in terms of the establishment of new powers, but of a pooling of national sovereignties in the common institutions, made necessary by the continuous spillovers of the initial decision, with a confederal or unique (*sui generis*) course or no grand design at all.

This pattern of supranationalism or federalism “by necessity” can be discerned in a series of decisions of the European Court of Justice (ECJ), discussed in the following section, that gradually affirmed the supremacy of European law. The same concept will be used in subsequent sections to describe the progressive deepening of European economic integration, starting from the “four freedoms” promised by the Treaty of Rome.

2.4 Direct Effect, Primacy and Pre-Emption: The Affirmation of European Law

The most important case in which the concept of “implied consequences” to certain political decisions has led to further major political developments so far may very well be the 1964 *Costa v. ENEL* decision of the ECJ, in which the Court stated that “by creating a Community of unlimited duration, having [...] real powers stemming from limitation of sovereignty or a transfer of powers from the States to the Community, the Member States have limited their sovereign rights, albeit within limited fields, and have thus created a body of law which binds both their individuals and themselves”. EU law, following this opinion (and other landmark opinions which reinforced the case) was acknowledged as an autonomous legal system granting rights and imposing obligations on both individuals and Member States, and thus limiting national sovereignty (Nugent, 2017, Ch. 13). It was an important step, because there was no treaty or agreement granting this power to the Court explicitly; quite simply, the ECJ drew the implications of its own mandate in the broader framework of the Communities and stated its conclusions.

This legal system, drawing legitimacy from the Treaties but developed through ECJ jurisprudence, has two main pillars: direct effect and primacy. “Direct effect” or “direct applicability” means that certain provisions of EU law may create rights or obligations which national courts are bound to recognize and enforce. This principle was originally established by the ECJ in 1963 with its judgment on the case of *Van Gend en Loos v.*

Nederlandse Administratie der Belastingen and reinforced in a series of successive judgements.

Its importance for European integration is evident: if single Member States were free to choose which EU law provisions to apply, it would be impossible to implement common policies such as the removal of barriers to the free circulation of goods, services, capital, and people. The lack of ratification in a single Member State, or in different Member States with multiple provisions, would fragment the Single Market and more broadly the then-emergent Communities into an overlapping system of legal orders without any real uniformity or unity.

“Primacy”, on the other hand, is the essential principle stating that European law has precedence over national law, especially when the two are in conflict. The Court, in yet another case of “implied” powers being asserted due to practical necessity, namely the 1978 *Simmenthal v. Commission* case, had claimed the primacy of Communities law over national legislation: “every national court must, in a case within its jurisdiction, apply Communities law in its entirety and protect rights which the latter confers on individuals and must accordingly set aside any provision of national law which may conflict with it, whether prior or subsequent to the Community rule”.

However, until the Treaty of Lisbon (2007), there was no mention of primacy, or indeed of the relationship between the European legal system and its national homologues, in any agreement or treaty. It must be noted that, even then, the recognition of the primacy of EU law was not an article of the Treaty itself, but rather an annexed Declaration. The political sensitivity of what is by all measures an accepted fact and an integral part of the EU’s foundations gives an idea of the distance between federalist idealism and reality: the very notion of formally enshrining EU legal “supremacy” in the Treaties, even in a diluted form as would have been the prerogatives of the Lisbon drafters, remains politically toxic.

The situation is further complicated by the fact that, however intrinsically connected they may appear, direct effect and primacy are not necessarily twin doctrines, appearing always together: primacy – or “supremacy” – demands that national courts disapply a national law when it conflicts with EU law; direct effect demands that national courts apply EU law, as a general principle. There can therefore be direct effects without an affirmation of primacy, where no conflicting national law is present. Moreover, the principle of primacy can be applied only to the extent that it is possible to ascertain if national and European laws are effectively in conflict, which is the task of the doctrine of pre-emption. The ability of EU law to pre-empt (displace) national laws may be subject to

constitutional limits related to the kind of instrument used (regulation, directive, or international agreement) and to the type of competence underlying the Union's act (Schütze, 2018, Ch. 4).

The effective settlement seems to be a tendency to accept primacy as an “implied power” demanded by the ECJ in the name of the Union. However, several Member States express an equally strong urge to set some boundaries to this claim to supremacy. More precisely, the “absolute” version of primacy vindicated by the ECJ, which invalidates *any* national law conflicting with EU law, is challenged by its “relative” version, which is based on the idea that EU law prevails only inasmuch as it does not appear to violate national constitutional laws.

As previously mentioned, claiming that absolute primacy for the highest source of law is inherently federal is wrong, and it is important to remark that it is so for two separate reasons. Firstly, it ignores the historical experience of successful federal systems which do not apply the principle of absolute primacy of federal law, such as the – usually all *too* present in these debates – United States of America (and this is Schütze's position, quoted above). Secondly, it ignores the fact that one principle alone does not make a system, and that while federalism could conceivably be compatible with absolute primacy, said principle in fact applies even more readily to highly centralized systems. The EU's internal conflict on the exact version of supremacy which should prevail can therefore also be attributed to the fact that, absent a strong common cultural bond, the unity of the Union is chiefly a product of law and that the pronounced centralist tendencies of the Single Market's legislative framework effectively result in an apparently “Eurosceptic” resistance even from committed Member States.

The most conspicuous alternative to absolute primacy in a federal context is constitutional pluralism (Walker, 2002; 2016). Its main issue is the reluctance of the Union to define itself, not necessarily as a federal union but even just as a confederation. Had the notion of constitutional pluralism been stated from the beginning as a principle of integration, had it been applied explicitly within a framework to safeguard national constitutional autonomy in the perspective of the “ever closer Union”, it could have offered (and could still now offer) a better and clearer perspective on the EU and its overlapping constitutional authorities – one Court and 27, possibly soon to be over 30, States – than any other perspective (even federalist ones) based on constitutional monism. But this road, attempted with the draft Treaty embodying the Statute of the European Political Community (1953) and the equally failed Treaty establishing a Constitution of Europe

(2005), seems to have been at least in principle reprised by the European Parliament which has, in late 2023, adopted a proposal for significant institutional reforms now due for debate in the European Council.

Beyond the hypothetical solutions to the political problem of how to reconcile primacy and Member State sovereignty, it is indubitable that the absolute version of primacy was clearly asserted by the ECJ in its 1970 judgment on the case *Internationale Handelsgesellschaft mbH v Einfuhr- und Vorratsstelle für Getreide und Futtermittel* with the following words: “the validity of a Community measure or its effect within a Member State cannot be affected by allegations that it runs counter to either fundamental rights as formulated by the constitution of that State or the principles of a national constitutional structure”. However, this statement was challenged by the constitutional courts of several Member States, including Germany and Italy. These challenges were never ultimately about a reversal of roles, or a wholesale rejection of the principle of primacy and the competence and autonomy of the ECJ; rather, the national Courts adopted doctrines allowing them to deny the application of a provision of EU law within a concerned Member State where such a provision would contradict the most fundamental principles of a national constitution. The result of these positions is a delicate balancing act on part of the national Courts, on the razor’s edge between standing up for constitutional pluralism within the framework of the Union and challenging the most fundamental bases of European integration (Paris, 2018).

The aforementioned doctrine of constitutional pluralism posits the existence of different institutional levels at which constitutional laws may be legitimately set. Given the absence of an agreed source of final authority upon possibly conflicting claims between the Union and its Member States, the acknowledgement of constitutional pluralism seems to offer a more promising context for a further development of European integration, with respect to the quarrels on the legitimacy of federal competencies that have characterized the last decades. In the opinion of Schütze (2012) the relativity of EU law supremacy is of no real obstacle to even the admittedly for now remote prospect of federal integration, and to state the contrary is to ignore the historical reality of the United States of America, in which federal integration has not been impeded by the recognition of the “divided nature” of sovereignty.

It is a limit of an integration advanced by the arrogation of implied powers that there is little public reflection on issues that go beyond what the Union is notorious for – the euro, the “four freedoms”, and the constantly criticized set-up of its central institutions.

Implied powers, or implied consequences, have nonetheless remained a driver of integration in those very fields: the Single Market, and that which followed it as the Economic and Monetary Union.

2.5 The Long Journey towards the Implementation of the “Four Freedoms”

The European Single Market, the completion of which was reached at the turn of the millennium with the introduction of the common currency, was built on the original “four freedoms” formula dating back to 1957 (Treaty of Rome), and many of its intervening alterations and reforms constitute perhaps the most glaring examples of the concept of “federalism by necessity”. In the fields where the action of the EU is more closely scrutinized by the public and the national political élites, the practice of integration through the legal recognition of the implied consequences of previously adopted measures has been derided and at times opposed as “integration by stealth”, carried out away from the public eye by unscrupulous Eurocrats. Examples of further policies adopted by the European Communities, and then the Union, that were nothing more than the logical completion and culmination of earlier, officially sanctioned initiatives, are many, but nowhere more so than in the areas covered by the so-called four freedoms: the free movement of goods, the free movement of services, the free movement of capital and the free movement of people. The customs union established by this Treaty provided for the first such agreement on such a scale between sovereign States, and in such a way that immediately made clear that the new Communities would not be founded on the principle of settling for the bare minimum – which had been the policy line surrounding the Council of Europe shortly after the end of World War 2. The customs union was a boldly integrationist move, as it not only realized the free movement of goods in the form of a free trade area, but also established a joint customs and trade policy with regards to the world beyond the borders of the six founding States of the European Economic Community³. Furthermore, this policy would remain the exclusive purview of the common institutions. It was something unprecedented in Europe: a supranational authority exercising power over an entire area of policymaking, unlike the comparatively narrow authority of the Coal and Steel Community.

³ The economic theory of customs unions is still based on the seminal study by Viner (1950). A survey of theoretical and empirical research on free trade areas and customs unions is provided by Freund and Ornelas (2010).

While the primary focus of the customs union was the free movement of goods, its provisions were less useful to the free movement of services, something which was to become relevant to West European economies and which necessitated the achievement of the other three Treaty freedoms.

The intangible nature of most services limits the feasibility of providing them across borders; most activities in the “tertiary” sector require the physical presence of the customer and the provider in the same place – a perfect example would be the hospitality industry, which includes activities such as hotels or restaurants, but also something as simple as a financial or legal consultation. In many circumstances, international exchange of services can only occur when the customer is free to move between countries to access services, or when the providers can access the foreign market both as a legal person and a natural person (or several natural persons).

This dependence of the free movement of services from the free movement of enterprises and people is officially recognized in the General Agreement on Trade in Services (GATS), which came into force with the institution of the World Trade Organization in 1995. Article 1 GATS recognizes four possible “modes” of international trade in services: Mode 1: Cross-Border Supply; Mode 2: Consumption Abroad; Mode 3: Commercial Presence; Mode 4: Presence of Natural Persons. While in Mode 1 both parties in the transaction are static, in Mode 2 the buyer moves into the country of the producer and in Mode 3 and 4 the producers move abroad to sell their services (Sauvé and Stern, 2000).

This dependence, acknowledged in an international treaty only after the end of the Cold War, had already been implicitly recognized by the Treaty of Rome itself. However, the effective implementation of the Treaty, and of the goals it set, was a slow and gradual process, mired in opposition, external meddling and conflicting priorities. Its achievement came about over multiple decades and successive agreements, including the liberalization of capital movements and the creation of the Schengen Area, allowing the free movement of natural persons among its member countries. Another particularly noteworthy example of “implied consequences” in the process that led from the “four freedoms” to today’s Single Market and Monetary Union is the European competition policy (Baldwin and Wyplosz, 2022, Ch. 11). Since the very beginnings of the Common Market, it appeared obvious that the permanence of different national regulations concerning market structure and State aid, and in general the existence of large enterprises capable of acting to obstruct fair competition, made a uniform regulation of this vital sector necessary. Without it, the

Common Market may have been a free market, but it would have hardly been a fair one: concerns ranged from the dominant position of French and German firms to the storied cartelization of the Italian business class, and the experience of the interwar period, with its history of protectionism and collusion. Later, as the Union expanded eastwards and southwards, these concerns would only be validated as the frailty and lack of competitiveness of the economies of the former Iberian corporatist dictatorships and East and Central European Communist regimes came to light.

The concerns about the inevitable pushback against the economic restructuring that would certainly follow the integration of the European markets were self-evident and generally shared, enough so that there was an immediate agreement not only on common standards on national policies, but also on a much less uncontroversial idea: to entrust the Commission of the European Economic Community with the power to regulate, as a central authority, the EEC's (and then EU's) competition policy in the interest of guaranteeing that "level playing field" seen as a necessary condition and characteristic of the Common Market. That a supranational authority would be given the power to sanction any action that might in any way prevent, restrict, or distort competition in the Common Market was a revolutionary proposition in a Europe whose economic discourse was still dominated by the cumbersome presence of "national champions" and political concerns around the protection and promotion of "flagship sectors" of the national economies. That such an institution would be given extensive powers to investigate breaches with means not unlike those afforded to national law enforcement agencies – including the powers to force companies to hand over documentation, or to conduct surprise inspections and even (with a proper mandate from a competent judge) inspect the homes of employees – almost beggars belief. And this power to investigate was not without very practical consequences: in addition to keen eyes, the Commission watchdog was to have formidable teeth in the form of the power to issue injunctions against companies guilty of breaching its regulations, and to impose fines against offenders varying up to a maximum of 10% of the firm's worldwide turnover. Even in the field of subsidies, a sensitive subject for all countries involved, the Commission was given the authority to force companies to repay integrally subsidies it deemed illegitimate.

Broader EU law on anti-competitive behavior, on which the Commission's actions were and are to be grounded, was already enshrined in the Treaty of Rome and has been subject to minimal modifications, save the occasional renumbering of the relevant articles in drafting the new Treaties. It is, however, an extremely active field of jurisprudence that

remains key to the correct functioning of the Single Market of today, and as such it has been shaped and further defined by a number of decisions of the EU Court of Justice, to the point where even a reading of the pertinent articles in the Treaty on the Functioning of the European Union (TFEU) only serves to provide the barest outline of EU policy in the field. Article 101 TFEU (formerly Article 85 of the Treaty of Rome) comprises the norms on the basis of which the EU forbids vertical and horizontal anticompetitive arrangements, such as – respectively – agreements among the components of a particular production and distribution chain or a cartel of enterprises agreeing to fix prices. Article 102 addresses abuses by one or more enterprises of a dominant position within a market. And while the Treaties form the basis for most of the Union’s activity in the field of competition, in some cases the Commission acted on the basis of, again, “implied consequences” of previous acts. One example of the latter case would be the Commission’s control of company mergers, a controversial attribution of powers reached only in 1990 with the European Union Merger Regulation, itself a product of the 1980s drive towards the completion of the Single Market in the form of the Economic and Monetary Union.

The Delors reforms came at a time when the Union had known a relatively long period of stasis, lacking further integration, and the economic climate was particularly favorable to new moves in an integrationist direction (Baldwin and Wyplosz, 2022, Ch. 1). But the conjuncture may have passed, unexploited, had it not been for the appointment of an extraordinary promoter of European integration to the seat of President of the Commission in 1985. President Jacques Delors, whose mandate spanned the period between 1985 and 1993, defined his presidency early on with his commitment to the completion of the EC internal market and the removal of the last barriers to the realization of the “four freedoms”. At the time, the only freedom substantially implemented by the Community had been the liberalization of trade in goods, and even in this area significant “gray” barriers were still to be removed; free movement of labor, capital and services were all an eternal work in progress. To fix this issue, Delors launched the initiative for a “Single Market Programme”, in open contrast with the then more commonly used name of the EEC “Common Market”. This policy proposal published in the middle of 1985 would be adopted in record time and, by July 1987, all Member States would have signed the resulting Single European Act. But what did Delors’ Programme entail, specifically? After all, it led to the single biggest leap in European integration since the Treaty of Rome, thirty years before, and it was undertaken a relatively short time after the British and Irish accession and almost simultaneously with the Iberian accession, marking Delors’

leadership as a moment of considerable expansion and furthering of European integration. The critique moved by the 1985 White Paper against the state of the Common Market of the time addressed the fact that not only three of the four goals of the Treaty of Rome were still distant objectives, but that even in the field of the free movement of goods the only “real” accomplishment was the removal of intra-Community tariffs, which did not fully abolish trade-inhibiting barriers such as the different national regulatory standards, the presence of capital controls, the continued survival of practices such as preferential public procurement or administrative and frontier formalities, and the differences in national value-added tax (VAT) and excise rates, to mention but a few. Freedom of movement for services was no less inhibited, with national regulations demanding that service providers acquire local certifications in order to operate freely.

To overcome these obstacles, the Delors Commission proposed in its Programme to further streamline or eliminate border formalities, to harmonize within a wide variation band the VAT rates of Community countries in order to prevent cross-border fraud, to implement the liberalization of government procurement, the harmonization and mutual recognition of technical standards across the production and distribution chain and the total abolition of internal capital controls and further capital market integration through the harmonization of relevant regulation. The Programme also targeted the principle of unanimity, seen as the chief obstacle to any attempts by the European institutions to take meaningful action, and attempted to move away from it and towards the system of majority voting envisioned in the Treaty of Rome.

Taking once again the perspective of the history of integration in a phase when it was driven by the implied and necessary consequences of officially adopted policies, it is agreed by historians that the Delors Commission’s Single Market Programme, although primarily focused on achieving capital mobility, began an inescapable trend towards further integration that would eventually culminate in the 1992 Treaty of Maastricht and the subsequent adoption of a common currency. This is because the liberalization of capital controls and the crises that followed led economists to agree on the principle that nations must, inevitably, choose between controlling their exchange rate and controlling their monetary policy (as part of the “impossible trilemma”, together with international financial integration). In a context of full capital mobility and with exchange rate stability having risen to paramountcy in the concerns of economists, monetary integration seemed the only possible path to take.

Another consequence of the reforms undertaken by Delors was the beginning of the European Economic Area, which in turn set the stage for the Fourth Enlargement after the end of the Cold War. With many neighboring countries afraid that the new Single Market would mean discrimination for their businesses, especially EFTA (European Free Trade Association) States, Delors sought to avoid this risk by promoting in 1989 the European Economic Area: an extended Single Market (sans Common Agricultural Policy and the Common External Tariff) without participation in common institutions. This arrangement satisfied very few and led several to join the nascent European Union itself as early as possible. This was the decision of Sweden, Austria, and Finland; Norway rejected EU membership and remained in the EEA (in today's jargon, "the Norway option"), while Switzerland, another applicant of the period, ended up rejecting EEA entirely and opting instead for a succession of bilateral agreements.

2.6 The Delors Commission and the EMU: A Second Wind of European Integration

The Economic and Monetary Union was itself a product of the Treaty of Maastricht, a document signed in December 1991 on the basis of a report written in 1989 by a committee headed by Jacques Delors himself (EC, 1989). Neither document was however sprung from nowhere on an unprepared Europe. The European Communities had, since the collapse of the Bretton-Woods System, adopted a regional form of the defunct all-Western system, a substitute known as the European Monetary System. The EMS, itself born from an agreement between the German Federal Chancellor, Helmut Schmidt, and the French President Valéry Giscard d'Estaing, was grounded in the Exchange Rate Mechanism, a system of fixed and adjustable exchange rates backed by the mutual support of participating countries. This system, initially praised as a substitute to the collapsed international order, rapidly became overwhelmed by constant readjustments (twelve in eight years between 1979 and 1987) as the liberalization of capital movements impacted the European economies by market force as well as policy. This put a strain on the tendency of high-inflation and depreciation-prone countries to lower their interest rates to the minimum achievable rate, and eventually resulted in the practice of most European central banks to base their policy as closely as possible on that of the German Bundesbank – a

model of low-inflation stability whose currency, the Deutsche Mark, became if not the new golden standard of Europe, at least a second-best alternative.

With national monetary policies adopting the German model, inflation rates began to converge. As the Single Market advanced in the wake of the Single European Act, things seemed to look up for the ERM, which went through nearly six years with no realignment. The total ban of capital controls in 1990 tightened the link between central banks: the Deutsche Mark was now the anchor of the entire system. It was in this climate that Jacques Delors resurrected the concept of a monetary union as the completion of the Single Market project after an earlier attempt – the Werner Plan (EC, 1970), proposed by the then-Prime Minister of Luxembourg – failed to gather enough of a consensus behind it. His 1989 report, commissioned by the European Council and adopted in July of the same year, would lead to the signing of the Treaty of Maastricht in December 1991, committing the Community – subject to ratification by the Member States, of course – to the creation of a single currency. The political earthquake caused by the uneasy ratification of the Treaty in France and the rejection of the document by Denmark – which would eventually negotiate itself out of it – led to speculative attacks targeting the weaker countries in the still-running EMS, those which had not been able to achieve the levels of monetary stability of Germany and the other low-inflation economies.

The first to break were the United Kingdom and Italy. When the Bundesbank decided against unlimited support to the failing pound sterling and lira, the two currencies withdrew from the ERM. This in turn fed into speculation that the system was not as strong as it had seemed, and further speculative attacks targeted Ireland, Portugal, and Spain. All of them had to devalue twice over the course of a few months, and from there the “contagion” spread to France, Denmark and Belgium. By late 1993 the embattled economies of the EMS had thrown their reserves into the fray, yet speculation remained at an all-time high – an ill omen for the recently approved Maastricht Treaty. The solution to the crisis came in part through a redesign of the ERM, allowing for considerable bilateral fluctuations. This “updated” ERM (known also as ERM II) became, as part of the Maastricht Treaty establishing the Economic and Monetary Union (EMU) one of the requirements to join the Eurozone-to-be: the Treaty, written before the reform of ERM, specified that two years of ERM membership were needed to accede to the EMU, a provision that still stands today as a “gateway” into the Eurozone.

The Treaty of Maastricht signalled an acceleration of the European integration process that in part motivated the anxiety of old and new Member States to put an end to

the phase of “creeping integration” and begin the “constitutional” phase of the history of integration. Maastricht saw the addition of two new “pillars” to the European construction: these were the Common Foreign and Security Policy and the Justice and Home Affairs pillar. The Treaty also marked an important symbolic change: the switch from a European Community to a European Union. Its significance was lost on no one, and it would mark the beginning of the current “era” in the calendar of the great European project.

With the ratification of the Treaty of Maastricht in 1992 a new phase in European integration began. It was a phase influenced by the evolving understanding of the Union’s role promoted by the Delors Commission during its mandate and by the new reality of the European continent, as the Soviet bloc fell apart and the first major expansion appeared to be in sight. Its leading figures would, much like the Commission and the ECJ in the period of creeping economic and legal integration now drawing to a close, need time to find their footing and assert the guiding principles of the new era. From the Treaty of Maastricht five years passed before the 1997 Treaty of Amsterdam, the first in a series of four treaties (all but one of which would be adopted) that were emblematic of the early disagreements and contradictions of the immediate post-Cold War era. The completion of this last series of reforms – arguably, the single most substantive reorganization of European institutions – came about only with the last of these treaties: the Treaty of Lisbon. Its negotiation and approval, its content and effects summed up everything the leadership of the Union, both governments and institutions, had learnt and come to accept as necessary over the period from the end of the Cold War to the Eastern Enlargement (Finke et al., 2012). As the crisis of 2009 would prove, this still left the Union painfully short of what it needed in terms of policy instruments, authority, and legitimacy.

The Treaty of Maastricht, and all its historic innovations, cannot be viewed separately from the broader international context (Berend, 2021). Certainly, the looming currency crisis that was to doom ERM I in a matter of months had its weight in the negotiations, but when the Treaty was ratified, the crisis was still in a state of flux and had not yet reached the stronger currencies of the prospective Economic and Monetary Union. What is far more important to understand about the circumstances in which the Treaty of Maastricht, the successive four treaties until Lisbon and the new policy line concerning integration in general (“constitutionalism”) is that they were conceived as the world entered a short-lived period of apparent Western dominance which was exalted as “the end of history” by Francis Fukuyama (1992), and as the beginning of a new century of American unilateral dominance, market capitalism and NATO expansion by several

influential pundits and (far more crucially) the Bush Administration (1989-1993). Indeed, there was a time in between the fall of the USSR and the end of Boris Yeltsin's rule when the accession of Russia to NATO was being seriously considered – a Western Alliance encompassing a large part of the Northern Hemisphere, a global hegemony to last well into what was to become the “New American Century” (NATO, 1997). It is however interesting to notice how, no matter how “the end of history” was understood by the Western political class of the time, Fukuyama himself identified not a particular State as the torchbearer of the new “final age”; rather, he saw in free trade and a rules-based order the possible final shape of human civilization, and said that in his view the European Union itself, with its perceived attempt to replace national sovereignty with a transnational rule of law, was the closest thing to his vision of the “final civilization” – more so than America and its residual belief in God, nation and its armed forces. More locally, the dissolution of the Warsaw Pact and the (in fact only apparent) end of serious challenges to the liberal world order pushed from the West sparked new life in the European project. If, until now, the EU had in practice been an extension of the Atlantic bloc, the downfall of the Communist regimes in the East opened the possibility of enlarging the Union significantly and fulfilling that ambitious Pan-European calling it had been forced to abandon before its birth, as the Iron Curtain descended “from Stettin in the Baltic to Trieste in the Adriatic” (Delors, 1989). For the British, in particular, enlargement was also a means to oppose supranationalization and federalization, by drawing into the Union more and more different countries whose clashing political cultures would, in the mind of British statesmen, act as natural roadblocks to further centralization, under the motto of “wider is wiser” (Mény, 2015). Whatever the reasons for this sudden bout of expansionism, it was a welcome perspective in the East, as emergent opposition leaders roused populations woken up to the failures of one-party States with command economies, and pointed to the wealthy West as the surest proof that a better life awaited the newly liberated vassals of Moscow. But it was a perspective that opened a number of issues that West European countries, inured to a life of relative inaction as increasingly passive protectorates of Washington, had never considered – not publicly, not in full, and certainly not for long enough to come to a consensus on how to address them.

These issues began, in a way, with that same spark of new life that the apparent absence of a looming military threat and the end of Western Europe's subordinate role as the vanguard post of the Atlantic bloc had lit in Brussels. As American foreign policy concerns now moved to secure alliances in Central and Eastern Europe and the Soviet

spectre was banished, Europe could once again dream to assert itself as an equal partner in the new world order, speaking with one voice. At least, that was the hope of some. More conservatively, the new political geography of Europe meant that the European Community could hope to become a more effective vehicle of its members' interests, by improving and reinforcing cooperation in key areas. The Treaty of Maastricht bears the trace of a new impetus, certainly in an integrationist direction, and it is ultimately difficult to say whether the compromises and pushbacks that followed occurred despite or in accordance with the wishes of the political forces and national leaders behind its signing (Nugent, 2017).

The Treaty of Maastricht gave an early imprint to the new phase that none of the following treaties was able to match, and in doing so it had to solve the questions its own innovations had raised in Europe. The Treaty renamed the Community as the European Union and inaugurated a new European citizenship, granting all citizens of all Member States the rights to live, work, study, and travel in each State of the Union, and even to stand for and vote in local and regional elections. This was a step beyond even Schengen, however important of an agreement that had been. For the Union itself the negotiation, carried out in “an atmosphere of optimism and even euphoria” (in the words of Jim Cloos, a Director-General in the European Council) not only changed the name of the organization, but also its scope and capabilities: the Member States agreed to create a Union focused on three pillars – European Communities, or “economic” pillar; Common Foreign and Security Policy (CFSP); Justice and Home Affairs (JHA). The latter two were, initially, purely intergovernmental; but the ineffectiveness and headaches it caused led to the “supranationalization” of the JHA pillar in the Treaty of Lisbon (Baldwin and Wyplosz, 2022).

Even considering the evident reluctance to vest more power in the central institutions, this considerable achievement was reached in a climate of general agreement about the future of the Union as a stronger actor in more than just the economic field and represented a definite step up from the time when the Community was liquidated in most conversations as a “trade bloc”. For Germany, the EMU meant sacrificing the Deutsche Mark, the symbol of German recovery. But in the aftermath, the realization of just how much had been added on to the plate at once floored the public opinion and the political scene of several Member States – leading to the Treaty's difficulties especially in Denmark and, to a lesser extent, France. This general and renewed hesitation were in all likelihood not so much due to the new competences of the Union, but rather to how the Treaty had

changed the ways in which the common institutions took their decisions. It was, in many ways, the practical side of the passage from a Community to a Union.

2.7 The Principle of Subsidiarity between Theory and Practical Implementation

The new competences created by the Treaty of Maastricht were at the root of the long (15 years!) period of soul-searching and reform attempts that followed until the settlement of the Treaty of Lisbon. The signatories of the 1992 Treaty were not, however, unaware of the importance of what their new document called “shared competences” and set out to establish a general criterion for the apportionment of responsibilities in each individual case. This became the principle of subsidiarity – something which other treaties and the Single European Act had implied, but which only became explicitly part of the European *acquis* with Maastricht. Subsidiarity, as a political theory, had its roots in the German declination of the XIX century cleavage⁴ between increasingly secular and centralizing States and the powerful independent networks of the established Churches; it essentially consisted of the general principle that decisions should be taken as close as possible to the level of those directly affected by them, and in this light defended the autonomy of clerical and parochial structures from the interference of the State (Anheier, 2009).

Until the Treaty of Maastricht, the principle of subsidiarity appears sporadically, informally and without a theoretical formulation in the treaties establishing the European Coal and Steel Community and EURATOM, and in the Single European Act (CEPR, 1993). It did not, originally, seem that such a general formulation would be necessary – the role of national governments in the Community was unassailable for most of its history, and their residual influence is formidable to this day – as the Court of Justice was a constant presence since the Treaty of Rome, operating in a generally satisfactory manner to watch for overreaches and adjudicate controversies.

With the Treaty of Maastricht (henceforth Treaty on European Union, TEU), subsidiarity in its modern form is introduced in Article G, which modifies the Treaty of Rome by adding Article 3b. The Article itself is a compromise between the British and German positions on the issue of attributing effective power in the large grey area of shared competences that had only expanded (significantly) with the TEU. This was a point of

⁴ Intended as a social cleavage as part of the Lipset and Rokkan (1967) model of critical junctures and political history.

contention, and one that only became more significant with almost every Maastricht addition to the Union's sphere of activity.

Shared competences are defined under Article 4 of the Treaty on the Functioning of the European Union (TFEU), the new name of the Treaty of Rome after the reorganization and consolidation of the founding treaties. Subsidiarity, contained in the TEU, is a general principle of law, but its intended purpose appears – as it is retrospectively obvious – targeted specifically to this particular subset of competences. Article 4 TFEU states that the EU has a shared competence in every field in which the treaties do not state specifically that it has either an exclusive or a supporting competence. Such an open field of action saw the EU and the Member States as being formally “equal”: so how was it to be decided when one or the other would act? The principle of subsidiarity was to answer this question satisfyingly.

According to the TEU, in the fields where a shared competence exists, the Union shall act when the Member States alone cannot act effectively, and when the intervention of the Union would yield a better result than that of the individual Member States. In its public comment on the subject (AE 1804/5) the Commission expressed the opinion that the same logic could be applied in reverse: the States would only act when their action would be more effective than the Union's action.

The principle of subsidiarity has been an object of contentious interpretation, and it has lent itself to be understood as a general recommendation to decentralize European action. This is, in fact, not the case; both decentralization and centralization have their benefits and downsides, and subsidiarity is not a stand in favour of the earlier over the latter; it is a presumption operating only until or unless a clear and convincing case can be made for centralization (or, in the Commission's interpretation, unless a case can be made for decentralization). Even when convincing arguments are made, it is very common for their focus to be on specific aspects of the individual issue.

This principle was added during the negotiations of the Treaty to reach a compromise between the conflicting positions (German and British) on the issue of EU competences. It is completed by the principle of proportionality; that is to say, that in any case, the Union would not act beyond the strictly necessary to achieve its objectives as defined by the TEU.

It is evident how this formulation can lend itself to contrasting interpretations. There is not a true consensus on where the benefits of centralization become outweighed by the downsides, and the same is true in the reverse, where the additional weight of

nationalist sentiment further complicates matters. The principle of subsidiarity has certainly had a role in determining the apportionment of responsibilities and the responsibility of interventions, but it has also been contradicted, defied, and tempered by the shifting power dynamics and contingent political trends in the Union and its Member States – in a way, as the CEPR (1993) noted in its commentary on subsidiarity, the Social Chapter of the Maastricht Treaty itself contradicted the principle of subsidiarity, established in the same treaty. It can be said that coordinating policies yield greater benefits when there is a serious threat of spillovers, or when economies of scale are a relevant factor. Consequently, the general principle argued by CEPR is that centralization of powers with the common institutions is desirable when “coordination is desirable, but its decentralized implementation is not credible” (CEPR, 1993, p. XV), and that this should be the discriminating factor at the centre of subsidiarity. While this report and its suggestions concerning the practical application of this precept may seem dated, it does present a realistic interpretation of both subsidiarity in practice and in its “ideal” implementation.

Nevertheless, it must be noted that subsidiarity, as a “core principle” of EU law, was and is a subject of heated discussion. Dear to the advocates of intergovernmentalism, it has been left vague in terms of definition and can more easily be classified as a “political”, rather than “legal” or purely “constitutional” principle. This leaves the proverbial ball in the field of the European Court of Justice, which maintains the role to adjudicate on the legitimacy of the Union’s action. However, aside from the increase in workload which future challenges based on subsidiarity entail, it is also debatable whether the Court has enough legal arguments to present a view on the issue and finally relieve the political leadership of this ineffable foundation of the Union. Certainly, it has the potential to be our very own States’ Rights question.

2.8 German Reunification, the Eastern Enlargement, and their Impact

The Treaty on European Union was followed by a cascade of new developments. As the situation in the East evolved and EU15 leaders took stock of the new perspectives offered by the East, attempts were made to further advance the European Union’s position and prepare it for the challenges ahead, of which there were many. The main sources of predictable disruption were on one side the renewed unity of Germany, which consolidated

its position as the undisputed economic powerhouse of the Union, and on the other side the imminent accession of many former Warsaw Pact countries, on the subject of which there was already a strong consensus at the leadership level.

Economically, Germany boasted one of the highest standards of living among large European States – both credited to the corporatist “Rhine capitalism” introduced by Chancellors Adenauer and Erhard – and was, in terms of nominal GDP, only surpassed by the United States in the Western ranking of economic powers. Wealthier than France or Britain by a third, Germany remained a formidable force in the European continent, and demographically the largest nation in Europe bar Russia: 80 million people lived in the Federal Republic and the likely-to-be-dissolved Democratic Republic. Leaders worried about this imminent further shift of the power balance towards Germany. Even the spectre of German militarism – a revenant the Allies had kept alive in the early 50s through no little amount of political necromancy in order to bolster their Eastern bulwark – was briefly resurrected, even though the nascent German unitary State that seemed to emerge from the initial talks between Bonn and Berlin was far from either the Reich itself or the Nazi-infested early days of the Federal Republic. The leadup to reunification after the night of 9 November 1989 was a tormented process that saw considerable hesitation on part of the British and French leadership especially. It could be argued, and not without reason, that part of the rationale for including in the Treaty of Maastricht (signed, it must be remembered, in 1992, when a united Germany was a tangible political reality) provisions strengthening the supranational Parliament against the intergovernmental institutions was, at least in part, the growing realization that the new united Germany and the prospective new Eastern “joiners” would dramatically alter the balance of powers within what had been the “EU of Fifteen”.

As early as 1995, the process of signing bilateral agreements with the CEECs – the so called “Europe Agreements” or Association Agreements – had been mostly completed (having begun in 1991), with the explicit purpose of paving the way for full membership at a later date. And that commitment alone did not come easily to the West. The Eastern States were markedly poorer, more reliant on the primary sector, used to a regime of protectionism, unbalanced pro-Soviet deals and State or collective ownership of the means of production. The shift to market capitalism – a necessity to even consider their application – was far from painless, and the eventual goal of joining the EU represented a metaphorical “light at the end of the tunnel” which played a major part in keeping the reforms on track. Still, there was unease across the West, and the fear of compromising a

successful experiment. But that fear was second fiddle to a major institutional “detail”: the apportionment of voting power in the European institutions was based on the principle of “regressive proportionality”, which made so that smaller States received a disproportionate amount of votes compared to their share of the EU’s population. It had made sense when the EU (or EC) had been just the “Inner Six”: three large countries (Germany, France, Italy) and three small ones (the Netherlands, Belgium, Luxembourg). Every enlargement since had put a strain on the system, resulting in a situation in which the bloc of smaller countries could, in theory at least, overpower the “giants”. And the arrival of mid-sized countries (in terms of population) such as Poland or Romania, as well as numerous smaller ones, heralded a massive power shift in favour of this bloc.

Two orders of solutions were needed: those necessary to confront the economic and social impact of the Eastern enlargement, and others to preserve the European project and its political and institutional balance in the face of an accession round that looked set to nearly double the Union’s numbers. There was, however, very little agreement among EU15 governments on how to tackle any of these issues, and over the 16 years following the Treaty of Maastricht four new treaties attempted to bring about a concrete solution.

2.9 1996-2007: Institutional Reform Attempts from Amsterdam to Lisbon

In 1996, an Inter-Governmental Conference (IGC) of the EU15 Member States produced the Treaty of Amsterdam. Entered into force in 1999, the Treaty’s purpose was officially stated to be “to reform the Union institutions in preparation for the arrival of future member countries”. The admittedly high expectation that the text resulting from the IGC would present a solution to the problems of enlargement were however not met. The Treaty of Amsterdam is better understood, perhaps, as a refinement of the Treaty of Maastricht with a limited number of additions: a greater role for the Union in the formation of social policy, a reform of the role of Parliament in the legislative procedure of co-decision and – in what might be the most crucial addition to the Community *acquis*, the introduction of the concept of flexible integration, in the form of “closer cooperation” (today known as enhanced cooperation). Instituted to prevent tensions between integrationists and “minimalists” from endangering the broader European architecture, this process allowed multiple countries to band together in the pursuit of further integration under the EU aegis.

This was, however, not immediately significant and remains marginal at best even today – although occasionally useful (Majone, 2005; Fabbrini, 2015).

Furthermore, as reinforced cooperation ineffectively tried to build a “multi-speed Europe”, another attitude to differentiation emerged in the same years, with an expansion of the practice and scope of including opt-outs in European agreements (which even extended to the renegotiation and reorganization of the founding Treaties) and a growing practice to interpret protocols to said agreements and treaties in the most restrictive light.

As these tendencies developed in parallel and largely outside of the public’s view, a lack of coherent views or unity among leaders of the integration process emerged clearly. In short, the issue was “kicked down the road” to the Inter-Governmental Conference of 2000.

In the aftermath of the signing of the Treaty of Amsterdam, the EU15 leaders agreed to a new IGC to address what were then euphemistically termed the “Amsterdam leftovers”, which were in fact nothing less than the very pre-enlargement reforms that the 1997 Treaty had been originally meant to address. An official list was agreed among leaders, with all the reforms they wished to see resolved by the next conference, and a date was set for the coming year 2000. IGC 2000, the longest European summit in the history of the Communities and of the Union, produced a political agreement on a new Treaty, which was to be the Treaty of Nice. This would prove a worthy equal to the Treaty of Amsterdam in failing to solve the issues it was originally supposed to.

A summit which put at the top of its priorities the reform of the inefficient voting system used by European institutions – something which was arguably a vital issue to the continued efficacy and even viability of the Union as an institutional framework – ended up with no significant progress. Its one unexpectedly relevant outcome was the agreement to adopt, without reservations but not without opt-outs, the EU Charter of Fundamental Rights. Even this highly symbolic achievement was marred by the lack of any legal value to the document upon its first adoption.

In the wake of the Treaty of Maastricht, the governments of the States had begun taking ownership of the process of European integration, all but declaring the era of integration driven by the Commission and the opinions of the Court of Justice to be over. It had seemed to work, with Maastricht: but Amsterdam and Nice showed how far the national executives were from any kind of coherent vision of Europe. After the dismal failure of the Nice Treaty, the debate on further integration and reform still raged, its many sore points left unresolved for half a decade and two Treaty rounds.

At a European Council summit held in December of 2001, in the Belgian royal palace at Laeken in Brussels, the heads of the EU15 took their last major joint decision before the now-looming 2004 enlargement, adopting the Laeken Declaration on the Future of Europe. Through the Declaration, the Council appointed French President Valéry Giscard d'Estaing to lead a Convention on the Future of Europe, tasked with elaborating a draft of what would become the Treaty establishing a Constitution for Europe. This Convention and its lacking results would be the end of any ambitions to bring back European integration to the exclusive purview of national governments. Romano Prodi, President of the European Commission in that same period, took the initiative in proposing the "Penelope" project – a constitutional design, crafted by a committee operating in near-secrecy, designed to clarify "who did what in Europe" despite the fact that its own existence, in addition to creating an open conflict between D'Estaing and the President of the Commission, defied any precedent on the powers and legitimacy of the Commission. "Penelope" was nevertheless accepted as the basis for the draft Treaty establishing a Constitution for Europe.

The failure of this latter Treaty was, in many ways, an outcome made predictable by the context and the way in which the would-be constitutional document was presented. The years leading up to the historic failed referenda not only exposed in full the limits of integration driven by national governments, but also the failures of a Union-driven model perceived as structurally lacking in accountability or transparency. To even consider the proposition of a constitution initiated and drafted by a semi-secret committee was, in more than one way, a betrayal of the European project of a supranational democracy as articulated in Article 10 TEU. The failure of either approach in adopting a constitution would complete the shift away from "creeping integration" that had begun at Maastricht in 1992. But the shift would not, as the leaders who gathered in the southern Netherlands a year after the end of the Cold War hoped, led to a restoration of Member States' control over the process, but rather to a new model, which would recognize the Union's role in shaping itself while also asserting the Member State's continued role as the ultimate source of its legitimacy. The 2007 Treaty of Lisbon would finally lay to rest many of the ghosts of the "Amsterdam leftovers" list in addition to giving legal force to the EU Charter of Fundamental Rights not by introducing it in the Treaty, but by mentioning it in its text as a separate and independent document (with two opt-outs designed to satisfy the United Kingdom and Poland).

With these issues settled – to varying degrees of completeness and with varying effectiveness – the Treaty of Lisbon allowed the beginning of the contemporary phase of European integration: constitutionalism, without a constitution. The Treaty of Lisbon removed all references and symbols of federalism contained in the draft Constitutional Treaty, salvaging only the strictly functional – perhaps to the detriment of the overall political process and image of European integration.

Under the system inaugurated in 2007, both visions have been, in a way, defeated. The Member States maintain prominence in the system and the European Council has given them a role in directing executive action, but the politicization of the Commission and the increased role of the European Parliament remain undeniable facts of the political life of the modern European Union. The prospect of a constitution that could legitimize and define the active political role of the Union has been for now dispelled, while the Member States, having failed in retaking full control and finding themselves increasingly unable or unwilling to resist sovereigntist pressures, have been forced to accept the indispensable and expanded role of the Union in policymaking. In this new phase, the Union has retained an important role in setting the agenda and building compromise for joint action, but a renewed emphasis has emerged in defining the limits of its sphere of competence. This defeat was, however, felt far more harshly by the Union. Lacking in public appeal and legitimacy in the first place, the collapse of the Penelope project and the failure of the referendum, the wording of the Treaty of Lisbon and the tone of public debate all contributed to highlight the weakness of the central institutions – not simply an institutional weakness, but most importantly a political fragility the causes of which remain the center of much academic and political discourse.

In this climate, a trend marked by the EU to become more inter-governmental in its decision-making, while retaining a tendency to create new Union-level tools and instruments, has emerged. With an often-paralytic Council of the EU and the Commission becoming more of a manager in occasional contrast with an increasingly assertive Parliament, the historical phase stretching from the forced resignation of the Santer Commission in 1999 to the Juncker Commission and the accession of his successor has been marked by the role of the European Council as the key author of the EU's policy direction. The idea or the spectre of an “ever closer Union” built not in the democratic spirit of its federalist advocates, but rather dominated by the executives of its Member States, using it to ram through unpopular policies and abdicate their political responsibilities emerged (Mény 2014). In this phase, the underlying tension between

federalism, intergovernmentalism and the nebulous compromise of the “ever closer” but ill-defined Union flared to a record, in both vehemence and publicity, culminating in the rise of openly “Eurosceptic” governments placing “resistance” against the Union at the centre of their agenda. It would take a decade for the Commission to have a chance to reassert itself against its increasingly divergent national backers.

The Treaty of Lisbon entered into force at about the same time as the world was rocked by the worst financial crisis and recession in decades. The new structures and procedures were almost immediately put to the test. In 2009, the Greek sovereign debt crisis began what soon became known as the “Eurozone crisis”.

The Eurozone crisis had its roots in the global recession that sprung from the Lehman Brothers’ failure in 2008. Financial markets, lulled into a sense of security by the “Great Moderation” - a period of stable growth between the late 90s and early 2000s contemporary and connected to the deepening of European economic integration - returned to the tactics that had been commonplace in European bond markets, charging higher interest rates for lending to economically weaker nations as they no longer trusted in the apparently endless ability of the “stronger” countries to avoid recessions and keep inflation in check.

Interest rates began diverging significantly between countries such as, to give the most obvious example, Germany and Greece. This in turn lit the fuse of a different crisis, one born in the Eurozone’s financial markets. The crisis originated from two flashpoints: the failure by the Irish government to save a major bank after an emergency nationalization in January 2009, which converted said bank’s debt into Irish government’s one; and the disclosure in October of the same year by the newly elected Greek Prime Minister that his country had been “cooking the books” for years, hiding from the EU the true size of its national debt. The Irish banking shock and the Greek scandal pushed the markets to view both governments - but especially Greece - as being much riskier. Consequently, borrowing rates for both governments rose. In a self-fuelling cycle, doubts on the two countries’ solvency led to investors demanding higher interest rates, and these higher rates fuelled those same fears that led to their rise.

Worsening matters further, financial markets feared that the afflicted countries might drop out of the Euro and adopt inflationary policies. This fear added to the overall likelihood of a debt meltdown and thus pushed long-term interest values even higher.

To stop this avalanche effect, Ireland and Greece applied for emergency loans from other EU Member States and the International Monetary Fund (IMF). The Eurozone crisis,

which began at this moment, would last until 2018 and reach its lowest point between 2011 and 2012, as the spectre of a Greek exit from the Euro (“Grexit”) cast for the first time seriously into doubt the survivability of the Euro.

The crisis was talked up by several pundits, and many believed that it could serve as a new impulse towards European integration. This sense of urgency and the light it shone on the defects of the Union (and the EMU in particular) as they were organized all contributed to make such a perspective far from unreasonable. But the Union was not, ultimately, able to capitalize on the occasion. There was no great drive for reform, no tying in the (then) current crisis into the broader issues of the Union, and in the end the tools that existed proved insufficient – or the Union proved unwilling to use them. The exact responsibility is hard to place: the national central banks, the precursors of the contemporary “Frugal Four”, the fear of the “moral hazard” relating to debt monetization and other such practices, all of these issues and more besides piled to obstacle a Union-driven resolution. The solution, then, would have to come from the States.

Over the course of the harshest phase of the crisis (2012-2015) the States of the Eurozone in particular were heavily involved in negotiating new instruments to perfect and adapt the governance of the monetary union to the realities of the crisis. Absent a European fiscal policy, the now-infamous 2012 Fiscal Compact was an intergovernmental, markedly neoliberal instrument to “protect” what stability the Union still retained. It worked by setting up what was essentially a debt brake with binding provisions on fiscal and economic policy – therefore, instead of creating new facilities, tools or resources, it further restricted the freedom of action of the ones that did exist. Rather than create new European instruments or expanding the remit of EU institutions to meet new challenges, the Member States of the most highly integrated regional organization on earth chose to meet their greatest challenge in nearly half a century through a rigid, inflexible intergovernmental agreement.

Ratified by all Eurozone States plus Romania and Bulgaria, albeit the latter partially, it therefore represented the quintessence of the “intergovernmentalist” and anti-fiscal union governments’ approach to reform. Highly unpopular, the Compact would however be presented as a European instrument – divorcing the governments that negotiated it from their political responsibility on the issue. It is the most emblematic case of European governments taking the leadership of the integration process in the most painful phase of its existence, and drive unpopular policies, at least in part due to national pressures, while laying the blame squarely at the Union’s door. Such a behavior is or was

inevitable, at least in those years. The EU lacked, at least in the eyes of the general public, the legitimacy to intervene – and this perception paralyzed its will to act.

Concerning this latter question, several perspectives exist on how “delegitimated” or “illegitimate” the Union really is or has become. Keeping the real composition and degree of responsibility and transparency of the European institutions separate from the rhetoric and narrative surrounding them is pivotal. The idea of the “democratic deficit”, agitated by the press and some intellectual circles across the Union, was always a fear accompanying each step of the integration process. It has, however, very little basis in reality. In fact, this perception has largely to do with the Union’s general policy of accommodating as much as possible the sovereigntist anxieties of its Member States, trying to project an image of benevolent, technocratic neutrality in its early years (Majone, 1998), then adopting the guise of a democracy based on a vast, cross-party coalition existing at both the European and national level to different extents (emblematic of this is the power-sharing arrangement between the European People’s Party and the Party of European Socialists in the European Parliament). The relative immobility of European Parliament politics, and the progressive decrease in voter turnout (which is anyway still comparable to that of US presidential elections) over the years are all part of an attempt to continue economic integration without pushing on political integration – something which can only be achieved by artificially separating two compartments that have never really been watertight with respect to each other. This tendency, however, is backed at the EU and national level by the continued voter support to the very same parties that encouraged or at least tolerated it for so long. Beyond any questions of comprehension of what are after all complex issues, it can be said that any “depoliticization” (if one wants to equate this with democratic deficit) is “democratically justified” (Majone, 1998).

But beyond even the results of the vain hope held by some that an economic and monetary union can avoid fiscal and political unification in the long term and stay intact – a notion defeated by history (McNamara, 2015) – there is also the combination of this tendency to reduce popular input with EU “constitutionalism”. That is to say, lower input is summed to a rising number of highly political decisions due to the increasing constitutionalization of the Union itself and a progressive expansion of the Union’s role in

protecting fundamental rights, tendencies buttressed by highly sophisticated and developed forms of constitutionalism⁵ and legal protection (Mény, 2002).

In spite of these facts, however, the dominant public perception was still that of a distant bureaucracy on which there was no form of popular control, and which cared for little but its econometric indexes and models. This view, and the way it made interventions in the struggling Member States politically hazardous, had a considerable part in the hesitation by the Union to move independently (where it could) or to request the delegation to act (where it might have needed to). But its choice in partners – large national governments and international organizations such as the IMF – earned it little favors in a political scene dominated by anti-élite, anti-establishment sentiment.

It has to be noted that, as dire as the situation was, the Union was not entirely paralyzed during this period. For example, the Single Resolution Fund was created through a Resolution (806/2014) of the European Union in order to advance the banking union, an ambitious and politically radioactive topic in the wake of the global banking crisis. The bitter legacy of the troubled Juncker Commission and the challenges it faced during its lifetime shaped the program and approach of the new von der Leyen Commission, an entity born in a time of momentous change for Europe and the Western world.

2.10 Developments in the Time of Crisis: the Emerging Transnational Cleavage

The compromise brought about by the Treaty of Lisbon created a European Union in which the two visions of European integration – the federalist and the intergovernmental – coexisted, in a manner of speaking, as the direct consequence of the “mutilation” of the European Constitution in the Lisbon text. This coexistence was however neither recognized or addressed by the founding treaties or the Lisbon Treaty in particular; it remains a *de facto* state of things that none of the parties accepts. They are described (Fabbrini, 2017) as “reciprocally unilateral” in their approach to governance, an image which seems to find confirmation in recent conflicts produced by the collision between more active – on the liberal side – and more sovereigntist national governments and a more assertive Commission, which began its term with an open and public vision of its political

⁵ The systems and Treaties backing the functioning of the EU can and often are referred to as a constitutional system even if no official Constitution, backed by an elected constituent assembly in the European tradition, exists as of yet.

role (the famous expression “geopolitical Commission” was emblematic of this change). This contrast has erupted, more recently, in the Hungarian crisis and the even more dire – at least in terms of the institutional challenge leveled at the EU – Polish constitutional court ruling crisis, which piggybacked on a German legal opinion, by the Federal Constitutional Court, defending constitutional pluralism to instead assert de facto supremacy of national legislation and jurisprudence over European legislation.

The case brought by the Polish court, and the debate that has been flourishing around it, are not the manifestation of a new and unprecedented phenomenon, but the emergence in public of this conflict. Federalism and intergovernmentalism have been opposing fronts on the European debate well before the Federalist Congress at the end of the Second World War. The noble examples of Victor Hugo’s 1871 Senate speech or the Geneva Conference and the Paneuropean Society on one side, and the French parliamentary committees of the Interbellum and the Stresemann-Briand note on the other, give an insight into the ancient origin of the debate on the concept of a federal Europe – something that was present in an embryonal form at least since the French Revolution and the revolutionary movements of the first half of the 19th century.

In the end, it should be noted that post-functionalism - one of the theories mentioned in Chapter 1 - can be interpreted as a warning against assigning too much weight to the formal distinction between the varied perspectives which accept or endorse supranationalism and European federalism “proper”. In practice, the emerging cleavage between “Europe” and nationalism lumps these two on one side, and opposes to it the advocates of dis-integration; thus in effect the future direction of the European Union looks increasingly set to be a binary choice between supranational integration, driven in the political sphere by federalists (whether of the Verhofstadt or Jospin variants), and outright dis-integration at the behest of new nationalist movements.

Today, what the public discourse effectively considers federalism is not much more widespread as a viewpoint, and sovereignty in its purest form, while louder in its expression, is on the retreat. Even within sovereigntist parties, dissenter factions maintain that Europe as an economic unit is a fundamental pillar of the prosperity of contemporary Europe, and indeed of the economic model underpinning this prosperity. Brexit Britain, beyond the Channel, provides a stark admonition to the more radical preachers of sovereignty. While the centrifuge forces wishing to dissolve the Union outright are far from defeated, the odds of their victory have become lower, not higher, with time – more so as the Union proves itself fundamental to the post-COVID recovery and the green

transition and becomes the recipient of appeals for a socially just approach to economic restructuring.

The conflict, the one that will survive the populist storm of this early 21st century, is still the one between a supranational perspective that is, in the practice of political discourse, federalist and its intergovernmental, dis-integrative opposite. This phase of heightened tension, which has evidenced the still very much present differences between EU-15 and post-Eastern enlargement members in terms of social and political culture, has led to the advocacy of “intermediate” forms such as a approach to integration taking the form of a confederal union of States – something advocated even before the enlargement had actually taken place (Majone, 2005) – or “multi-speed integration”, with proposals for a separate and more integrated governance of the Eurozone being prominent (Hennette et al., 2017) and the potential of enhanced cooperation being evidenced as proof that a multiform European construct might prove more palatable than a unified, institutionalized form of European unity.

2.11 Conclusions: Federalism, Intergovernmentalism, and the Reality of “Failing Forward”

The history and future of the European Union has been described, so far, as a struggle between a federalist and an intergovernmental vision; one dreaming of a cosmopolitan federation straddling a formerly war-torn continent (or, in less aulic terms, a more capable and independent federal union up to the task of protecting the “European way of life”), the other sceptical of the compatibility of the earlier vision with basic principles of democracy, accountability and transparency. It has been described in almost eerily detached terms as a contrast between liberal autocracies – protecting rights against the opinion of their own citizenry – and illiberal democracies – dismantling basic rights while riding on the wave of majority support (Zakaria, 1997) or in a more classical “Cold Warrior” viewpoint as the struggle of a besieged “Fortress Europe” or “Fortress West” against the rising tide of democratic backsliding, a newly empowered and still totalitarian China, and a resurgent Russia bringing a vast arsenal of asymmetric tactics to win a war in which it no longer weighs in at the same level as its adversaries.

Almost all of these accounts fail to recognize that neither faction has ever been truly and completely in control of the integration process. Some steps undertaken even in

a relatively recent past, can be traced to one philosophy more than another, but the most common pattern for integration (Jones et al., 2021) is one of “failing forward”, a process which can be summed up as a two phases: a first in which an issue or crisis is confronted through lowest common denominator intergovernmental bargains which inevitably produce incomplete institutions, temporary non-fixes and rigid instruments unable to keep up with evolving circumstances (External Action Service, Next Generation EU in the conception of the “frugals”, the Fiscal Compact) which set the stage for new future crises, or a metastasis of the present crises. These are confronted by amending and perfecting the incomplete instruments, but never through a meaningful reform, a full transfer of powers or responsibilities or anything approaching the definitive nature of the solutions advocated by federalists. This process, manifesting the tension between the two traditions, federal and intergovernmental (institutionalist and neo-functionalist), can essentially go on indefinitely, carrying integration on as a shambling, ill-defined and self-contradictory accumulation of aims, responsibilities, limitations, and partial solutions. Its end result is the *sui generis* European Union, confederal and intergovernmental and yet in some aspects more closely knit than Canada’s provinces.

Complex, lacking in transparency and apparently all-powerful and at the same time ineffective and uninfluential, the EU is trapped in a cycle of solving problems and creating new ones in the same breath, carrying integration forward and at the same time chipping away at its own legitimacy and credibility. Yet it already has many characteristics of a federal system, built in by the Treaties and clarified or established by the legal work of its Court of Justice. The frustration of the Eurozone crisis and the solutions presented may have damaged the Union’s reputation, but its successes – some far from guaranteed – are self-evident. From the successful economic recovery of Eastern Europe to important commitments in the fight against climate change, the EU has demonstrated its potential and an ability to direct Member States surpassing in some aspects the presidential administration in Washington D.C., especially where it concerns redistributive policies among the States through *in primis* its Regional Cohesion Policy.

But for all these positives, Europe must strive to do more and to be more.

CHAPTER 3 - REGIONAL INTEGRATION IN AFRICA

3.1 Introduction

The history of African integration is interwoven with the history of the anti-colonialist movement, especially in light of its political aspects, but it also intersects with imperial colonialism in many of its practical forms. The African Union (AU) of today, established in 2003 and recently admitted to the G20, becoming its 21st full member, is a continental union consisting of 55 sovereign States, and according to its Agenda 2063 it aims to establish a form of supranational polity with an elected Parliament and Head of State by the 100th anniversary of the preceding Organization for African Unity (OAU). This would in and of itself present any observer with an immense wealth of material for analysis: from the performance of the AU to the effective depth of its Member States' commitment, to its further empowerment and development.

However, the reality of Africa is such that the African Union itself is merely one of many, and in some cases more developed, regional integration projects. African regionalism began in the form of imposed, imperial institutions for the cooperative governance of adjacent colonial territories, but pan-Africanism was the banner of the chief political philosophers of both the African diaspora and of occupied Africa. Much like in Europe the European Union is significantly divorced from any formal "pan-European" identitarian commitment, it can be easily seen how the African Union can be the object of a projection of pan-African sentiment and the functional vehicle of existing State and non-State interests.

At the same time, it is important not to concede to the "fallacy of transposition" (Goldstein, 2002), that is to say a tendency by earlier theorists to attempt an analysis of the African integration process, or sub-continental integration processes in Africa, on the basis of the same models used to explain European integration. While comparative studies are fundamental in determining how regionalism affects the broader "world order" and what its perspectives are as a system and a form of organization, rather than a collection of case studies, the specificity of the African case demands a separate study. There are in Africa a single continental Union, eight Regional Economic Communities recognized by it as part

of its own broader continental project, and hundreds of specialized regional organizations. Of this latter group, some are part of the broader AU framework, and some are wholly independent; some have overlapping memberships, whereas others are not; some have broad mandates and others are extremely specific in their purpose and functions.

The origins of regionalism in Africa are, in formal terms, rooted in colonial administration. Overseeing large territories and caring little for the substantive autonomy of states under protectorate, British administrators created the world's first customs union in Southern Africa (the South African Customs Union or SACU) in 1910 and the East Africa High Commission constituted in 1947 represented an inter-territorial organization whose acts had direct effect across the territories of Kenya, Uganda and Tanganyika. Each of these would have represented a groundbreaking moment for the study of international organizations had their members not been the colonial subjects of a single power.

In parallel to these developments, Africans in Africa and abroad advocated for different forms of pan-African unity, all of them rooted in the vision of some kind of political union of the African continent, with different further implications depending on the particular vision being considered. When decolonization did come, it was in Africa that some of the most ambitious regionalist projects were conceived by the leaders of newly independent countries, or later in the revolutions that overthrew many post-colonial regimes. With such premises, it could be assumed that Africa would be ideally placed to take part in the wave of regionalist projects which sought to shield countries of the Global South from the ill effects of ungoverned globalization, or to give it some form of governance on an at least regional basis. But the reality observed at the turn of the millennium (Bach, 2005) is that in Africa both regional integration and globalization have failed to produce the transformative changes hoped for by the advocates of both. It did not help that many of the more visionary projects, such as Kwame Nkrumah's Union of African States (1961-1963), not only did not address many concrete aspects of economic governance but often failed to materialize, or materialized in forms that were not conducive to regional integration, but rather to regime survival. This tendency was compounded and reinforced by the neocolonial influence exerted on the economic policies of Africa, by the adverse effects of the "development trap" and by the resulting tendency to jealously guard what effective power African governments could materially exercise. Indeed, if regionalism is interpreted with Hettne (see Chapter 1) as a form of "neomercantilism", or a logic of control prevailing over the logic of the market, it is easy to see how in Africa the

hoarding of control typical of mercantilism would take place at the national level rather than the regional one.

The entities recognized by the African Union as being its “regional communities” vary in terms of achievement from the Arab Maghreb Union, the development of which appears to have come to a standstill, to the East African Community, presently in the process of drafting a federal or confederal constitution for an “East African Federation”. Several of these entities have, with some success, carried out long-term military and peacebuilding missions under the aegis of the United Nations Security Council (UNSC) and of the African Union’s Peace and Security Council (PSC). However, given that such organizations can act as arms of the AU or as flags of convenience for purely intergovernmental coalitions without actually accomplishing integration, these examples should not be overstated.

For all of these obstacles (and more besides), African integration has not been without its important achievements, which as the following sections explain have been shaped by the unique conditions of the African continent much more than by the ambitions of its first leaders.

The chapter is organized as follows: in the next section, the general benefits of regional integration and the constraints which it can face are discussed. The third section presents the origins of modern pan-Africanism as a practice, rather than a pure theory, in the late stages of decolonization. This overview is followed in the subsequent fourth section by a general discussion of the three most significant sub-continental African integration projects. The fifth section, finally, describes the path of continental African integration as has been implemented since 1963 and how the Agenda 2063 plan seeks to revolutionize it.

3.2 The Purposes and Constraints of Regional Integration

There are several basic and generally applicable reasons for the attractiveness of the prospect of regional integration, which can be summarized in the widespread expectation that the institutional structures and political strategies implied by the process of regional

integration can result in a more robust and, if the appropriate common policies are adopted and implemented, more equitable economic growth.

According to traditional theories of regional trade integration (Viner, 1950) its main benefit consists of “trade creation”, that is to say the substitution of domestic exchanges in each country with intra-regional trade; this is accompanied by a second, negative, effect which occurs when intra-regional trade replaces exchanges with more efficient third countries (trade diversion); an agreement is held to be beneficial when trade creation exceeds trade diversion, but in Africa there are fears that the opposite may have happened in several cases (World Bank, 2000).

Additional benefits of regional integration have been highlighted by modern trade theories (Helpman and Krugman, 1985; 1989) and can be grouped under two main headings: gaining access to a larger regional market (scale effect) and reducing the market power of domestic producers (competition effect). In the short term, these effects improve economic well-being by promoting a healthier economy and a better allocation of existing resources. Under the first heading, the increase in market size resulting from the abolition of barriers allows enterprises to grow, thereby better exploiting economies of scale and differentiating the range of products they can offer, a phenomenon known as “economies of scope”. Furthermore, regional trade liberalization results in an increase in competition, which exerts a downward pressure on mark-ups and prices and picks up the better performing enterprises. In turn, this leads to a further improvement of their productivity and competitiveness, which makes it easier for them to tap into global markets and value chains.

This competitive selection process paves the way for the long-run dynamic effects of trade integration, including the acceleration of domestic capital accumulation, the attraction of foreign investment, and the greater circulation of technology and know-how, which stimulate innovation and productivity, directly impacting the growth rate of the countries involved (Baldwin, 1989).

However, the other side of the coin is that regional integration can lead to the concentration of certain productions in individual places (Krugman, 1991), and therefore make richer countries richer and poorer countries poorer, unless appropriate counterbalancing policies are enacted. An example of such policies can be found in the European Union, with its multiple structural and regional cohesion funds, the activity of the European Investment Bank and other cohesion instruments. These policies can require

significant resources and imply a strong commitment to the overall project by the participating States.

In the case of Africa, the above analysis, based on purely economic arguments, could cast some doubts about the appropriateness of a regional integration strategy, as opposed to a gradual process of multilateral trade and investment liberalization (Bhagwati, 1992). As already underlined, the trade diversion effects generated by discriminatory trade preferences can be particularly strong in the case of ‘South-South’ regional agreements (World Bank, 2000). Moreover, the concentration of investment in the relatively more favorable locations may generate polarization and divergence across participating countries. It has been argued, for example, that this polarization contributed to the fall of the EAC (Schiff, 2000).

Anyway, even when economic conditions may not be judged to be advantageous, regional integration can also be chosen in spite of this, due to valid political and security reasons. Any economic analysis of the downsides of integration must take into account the possibility that a deliberate political choice was made to incur in certain economic costs in order to pursue a higher political or security objective.

This was clearly the case in Europe, after the Second World War, and remains valid whenever the increasing interdependence generated by regional integration makes conflicts more costly, an argument echoing the idea of ‘perpetual peace’ made famous by Immanuel Kant (1795). However, depending on the agreement, security concerns can be external or internal, and it is precisely the potential for an agreement to disproportionately benefit one or some countries over others in such matters that can lead to the break-up of a security-driven regional integration architecture.

The second category of political benefits involves the increase in bargaining power for the members of a regional integration organization; the bargaining power of a bloc is greater than the sum of its members (Whalley, 1996). A related benefit is the possibility to “be noticed”, which happens whenever cooperation for joint policies allows for either greater confidence or, in the regulatory sphere, a greater footprint and therefore greater influence, than what would be possible with national policies. However, regional cooperation requires the adoption of common positions and policies by the participating governments, and, absent a supranational authority, it will only work so long as all parties see the cost of compromise as lower than the cost of breaking the agreement.

A third important political argument in favor of regional integration is based on the idea that common economic institutions can assist with policy dialogue in other fields. An important example is offered by the dialogue aimed at improving the infrastructure needed to facilitate intra-regional trade. This is clearly a case in which the provision of important public goods is more efficient at the regional level, thanks to the economies of scale generated by pooling resources and projects, than at the national level. More generally, the stimulus to further cooperation created by any initial decision to cooperate at a regional level will create “spillovers” in related fields with the consequent benefits.

The fourth and final category of political benefits of regional integration is also the most contentious: policy lock-in or “external discipline” (Fernandez and Portes, 1998). Regional integration can act as a mechanism to commit to democratic institutions and difficult policy reforms, which are also more difficult to erode. However, domestic pressure can weaken this, especially if it arises in multiple countries. A prominent example of this would be the Southern African Development Coordination Conference, which resisted the Frontline States’ reliance on the South African economy to more effectively isolate and combat the Apartheid regime.

3.3 The Beginning of African Integration: An Independent Africa or an Africa of Independent Nations?

The Organization for African Unity set its birthdate, and therefore the beginning of the process of African integration, as the 25th of May, 1963 (Harris, 1994). That date was itself the point of arrival of a process that arguably began as early as the late 1950s and which marked the birth of modern pan-Africanism. With the first wave of decolonisation washing over the continent, cooperation was on the mind of African leaders seeking solutions to their manifold problems, but also on the minds of those European leaders who wished to maintain some level of influence and control over their former subjects.

The question of pan-Africanism, long pondered by all those scholars and leaders who participated in or concerned themselves with African politics and the politics of colonialism in Africa, was paramount to many of the prospective new heads of State and soon-to-be-evicted colonial powers, and it made for at times unpredictable positions

(Williams, 2022). For example, in the late 50s, some of the independence leaders, which included Marxist and radically anti-imperialist figures, openly considered delaying their countries' independence to allow for the formation of larger groupings or regional federations, wishing to avoid the rise in divisive nationalism and facilitate the development of a pan-African unity. On the opposite front among the independentists, leaders such as Felix Houphouet-Boigny advocated for continued ties to the various European empires. The "Group of French-Speaking African States" (Brazzaville Group), based on a meeting held in Brazzaville, was animated by a spirit of cooperation with the former colonial metropole which had been upheld before formal independence by leaders such as Houphouet-Boigny but also, and perhaps most ardently, by the Premier of the Central African Republic, Barthélemy Boganda. Boganda had advocated for the establishment of a "Central African Republic" covering the entire French Equatorial Africa and part of the French Community, France's attempt at creating a permanent and overtly imperial political association of its colonies. This was to in turn serve as the basis of a United States of Latin Africa, whose flag Boganda designed with a mind to representing continuing ties to France. Central Africa would gain independence only after his death and the failure of all of these schemes, but Houphouet-Boigny and others readily backed a combination of national independence and loose inter-African and Euro-African cooperation.

The Brazzaville Group remained intent on constructing a loose association of Francophone states maintaining a special relationship with the French Republic, and about a year after an inaugural meeting in December 1960, they established with French support the African and Malagasy Union (UAM) (Arnold, 2001). The UAM was an intergovernmental organization for economic cooperation, which in spite of its neocolonial nature only ceased operating in 1985 and grew in membership throughout its history. It did not, however, result in a significant degree of integration - which obviously was not its primary goal - and was immediately overshadowed by two different groups.

In 1961, Morocco's nationalist monarch, Mohammad V, invited the leaders of six other countries to a conference in Casablanca. This informal group, known simply as the Casablanca Group, included some of the most prominent socialist leaders on the African continent, including Gamal Abdel Nasser and Kwame Nkrumah (Mohammed, 2015). These leaders developed a shared vision on what African integration should look like, advocating for deep integration with a federal or quasi-federal bent which would have included the transfer of many and significant powers to a single supranational continental

authority, having the mission to defeat colonialism, rebuild Africa in its wake and preserve its future peace. Nkrumah himself had already in 1958 proposed to some of his fellow leaders such a union, the Union of African States, but it never materialized beyond a degree of informal coordination at the highest leadership levels between Nkrumah's Ghana and the newly independent Guinea and Mali.

In contrast with the Casablanca Group, and only partly as a development of the efforts of the Brazzaville Group, an organization of countries emerged adopting the position that whereas cooperation and harmony between the newly independent states was an important goal, preserving the sovereignty of African states and allowing them to determine their paths individually was paramount. This group first met in May 1961 in Monrovia, and gave itself a formal identity in the shape of the Conference of Independent African States, advocating and exemplifying a loose, intergovernmental form of African unity that remained open to cooperation with the Western powers. With Egypt embarking on the road of pan-Arabism, however, the Casablanca Group lost some steam, and its advocacy of African socialism and closeness with the Eastern Bloc created uncertainty about the feasibility of its ideas.

Preliminary talks on a new, unifying solution to the problem of organizing African integration began in Sanniquellie in Liberia - on the "turf" of the Monrovia Group. On May 1st, 1963, the two groups and other African leaders - representing in total 32 independent nations - came together for an intergovernmental conference hosted by the Emperor of Ethiopia, Haile Selassie, in Addis Ababa. It was this conference which would bury the hatchet between the two groups of African states and, on the 25th of May, 1963, adopt the Charter of the Organization for African Unity (OAU).

The Charter was formally based on a neutral proposal of the Ethiopian government, therefore salvaging the dignity of the disputing groups, but in adopting a Charter based on that of the Organization of American States the Emperor had in essence given in fully to the Monrovia Group, and set African integration - at least in its first 40 years - on a path based on intergovernmental cooperation through an organization which essentially followed the logic of classic functionalism. The policy of non-intervention in Member State affairs hampered the effectiveness of the OAU, which remained closer to the nationalist ideas of the Monrovia Group throughout its existence, outright rejecting the federal vision of the pan-Africanists.

3.4 Regionalism within Africa

As already stated, however, African regionalism is not limited to the pan-African or continental level: within Africa multiple regional organizations have emerged and, whereas many have proven ineffective or have extremely specialized and functionalistic roles (the still-operating African Groundnut Council, to mention but one), others have been established with broader goals of regional integration and cooperation. In particular during the second decade of African independence there was a great proliferation of regional integration schemes (Hartzenberg, 2011). Three of the most noteworthy African regional communities are the Economic Community of West African States (ECOWAS), the East African Community (EAC) and the Southern African Development Community (SADC).

3.4.1 The Economic Community of West African States (ECOWAS)

The origins of ECOWAS, the youngest of the three, lay in the aftermath of the Biafra War, a conflict during which several African countries gave support to Biafran secessionists in their armed fight against the Nigerian government. Following the conflict, Nigeria sought to reinforce its position in the region and pushed for an international partnership capable of securing the stability and prosperity that the OAU had failed to ensure. The ECOWAS was therefore established by the 1975 Treaty of Lagos, aiming at establishing an economic and monetary union of West African countries (Ajulo, 1989). It gradually took on roles including peacekeeping and mutual defense, causes particularly dear to Nigeria, and the promotion of democratic development in the region. Hampered by political crises and fear of Nigerian hegemony among its members, it has developed in a region (Western Africa) where multiple and at times competing projects were being advanced at the same time, proving nonetheless capable of absorbing or superseding them in importance and legal precedence. Most notable among the pre-existing regional blocs subsumed by ECOWAS is the West African Economic and Monetary Union (UEMOA), a monetary union of former French West African colonies sharing the Western CFA franc as their Euro-pegged currency. In one of the foremost examples of African integration seeking to both challenge and instrumentalize residual colonial legacies, six ECOWAS States announced in 2000 the

formation of the West African Monetary Zone, which plans to establish a stable regional currency known as the “eco”, which would eventually merge with and replace the CFA franc. The mixedness of results in ECOWAS integration is then again well documented (Aniche, 2020), as the organization has succeeded in implementing a mutual defence pact including the establishment of a multinational ECOWAS military force capable of intervening in Member States, apparently a very ambitious goal for sovereignty-conscious regimes, but also failed a self-appointed 2007 deadline to create a single ECOWAS customs union, in part due to the remaining overlapping regional schemes of which its members remain part. The trend of multiple organizations having overlapping memberships and thereby representing obstacles to each other’s integration is common throughout Africa. More recently, ECOWAS has been shaken by the events of the so-called “coup belt”, which have resulted in the withdrawal of three countries (Mali, Niger and Burkina Faso) which, having fallen under military dictatorships, have been suspended by both ECOWAS and the African Union, and have reacted by declaring their own Alliance of Sahel States.

3.4.2 The East African Community (EAC)

The East African Community (EAC), on the other hand, grew out of the inter-territorial institutions bequeathed to the newly independent Kenya, Tanzania and Uganda by the collapsing British Empire. The East African High Commission had been set up in 1947 as an inter-territorial organization in charge of coordinating policies and specialized cooperative structures involving the three British territories (Hazlewood, 1988). Its aims and component elements included the coordination of external policies, a customs union, a monetary union (the East African Currency Board or EACB, which issued the East African shilling) and other structures aiming to provide for inter-territorial cooperation in education, research, communications and transportation. While the independence of the East African states resulted in the dissolution of the EACB, the High Commission was judged to be useful and it was decided to transfer its duties to a new East African Common Services Organization (EACSO). This organization in turn after a series of crises due to the lack of coordination and increasing political divergence following independence was transformed in 1967 into the East African Community. While the “new” EAC upheld a nominally ambitious course for regional integration including the ambitious goals of a

customs union, full internal freedom of movement and the provision of certain public services, it also suffered from several crises early on. Demands by Kenya for greater representation than either Tanzania or Uganda, the incompatibility of the socialist economic system in Tanzania with the capitalist one in Kenya, as well as the destabilizing influence of Idi Amin's Ugandan government resulted in an increasingly tense partnership which, coupled with a weak overall support for the organization, resulted in its effective termination in 1977. The participating States lost effectively the material benefits of 60 years of cooperation, but Kenya could now return to an unconstrained pursuit of regional primacy, which many in its government of the time felt had been stifled by the EAC. However, the region remained divided and multiple centers of power emerged, with Rwanda and Uganda later going on to assert themselves as powers in their own right during the Congo Wars (1996-1997 and 1998-2003). In 1984, an agreement was reached between the three countries to study possible ways to resume regional cooperation, which was followed in 1993 by the establishment of a series of "tripartite programmes" for sectoral cooperation. It was in this context that the Community was revived by a Treaty signed in 1999 by the heads of State of the three countries. In 2006 and 2007 respectively, Burundi and Rwanda acceded, bringing the most important actors of the region into the organization. In 2016, they were joined by the recently independent South Sudan, and in 2022 the Democratic Republic of the Congo (DRC) - already a member of several Central and Southern African integration projects - joined the Community, in spite of the alleged involvement of Rwanda and Burundi in supporting the paramilitary March 23 Movement in the ongoing Kivu conflict. The EAC has already intervened in the conflict through its own regional peacekeeping force, and the DRC's accession sparked talks of a massive expansion in the geographic scope of the organization across sub-Saharan Africa. The Federal Republic of Somalia has also requested to accede. Nonetheless, the remaining tensions between the Member States result in a low level of support for the Community, which has repeatedly missed self-appointed deadlines on further integration.

3.4.3 The Southern African Development Community (SADC)

The Southern African Development Community (SADC) differs from both of the former examples due to the strong levels of internal and external support it has enjoyed (Goldstein, 2002). The modern SADC is based on two pillars: a political and security cooperation pillar

and an economic cooperation pillar. In both, the Republic of South Africa is a centrally important player, and in the latter the South African Customs Union (SACU), established by the British colonial Empire in 1910 and still operational with an expanded membership, represents an area of reinforced economic integration. However, it was not always so. The political and security cooperation of SADC was born from the informal cooperation of the Frontline States, a group of independent African countries seeking to oppose the overwhelmingly powerful, minority-ruled Republic of South Africa and Rhodesia before the fall of the Apartheid regime (van Nieuwkerk, 2014). This group consisted of Angola, Zambia, Tanzania and Mozambique, all of whom opposed the regimes in Cape Town and Salisbury but suffered from the effects of close proximity and a significant degree of economic dependence on them. In parallel, a Southern African Development Coordination Conference (SADCC) was established in 1980 with the Lusaka Declaration by nine majority-ruled countries, including Lesotho, with the intention to reduce their reliance on South Africa and establish cooperative programmes to enhance their economic perspectives. In 1992 this arrangement was formally superseded by the Southern African Development Community, which already at its inception had both a social and economic cooperation element and a political and security cooperation element. However, due to the ongoing threat presented by a still minority-ruled South Africa, security cooperation through the Frontline States format went on until the dissolution of the regime in 1994. The SADC was founded with the participation of newly independent States and States which had only recently transitioned to majority rule, who signed the founding Declaration in Windhoek, the capital of a newly independent Namibia which had been freed from South African rule in 1990 through a mix of guerrilla and international intervention. These developments and the atmosphere of a continued struggle against the National Party regime in South Africa, and against colonialism in Africa more broadly, granted the SADC a degree of legitimacy and support, not only internal but also external, which was not matched in either ECOWAS or EAC. After the end of minority rule in South Africa, the Republic immediately sought to accede to the organization, bringing its considerable resources and economic prowess into an organization originally constituted to resist the influence they brought. The accession of South Africa in 1994 massively expanded the SADC's market size, and was followed between 1995 and 2017 by the admissions of Mauritius, the Democratic Republic of the Congo, Madagascar and the Comoros. However, in spite of these successes, SADC integration has faced not just roadblocks but outright setbacks. The SADC Tribunal, established in Windhoek, began operating only in

2005, and initially heard cases brought by citizens, companies and States. After a series of cases began building in which the Tribunal ruled against Member State governments on behalf of citizens, including a particularly high-profile case in 2008 lost by the government of Zimbabwe, the organization began turning against its own highest court. Zimbabwe withdrew its participation in 2010, and in 2012 the SADC Summit decided the Tribunal would only be allowed to hear cases between Member States - which were generally not brought even before this decision - only to later that year dissolve the Tribunal outright.

3.5 Pan-African Regionalism

The idealization of Africa as a single region, and a single entity possessing its own political agency and personality, has been a key part in the struggle for African independence since its initial phase. It has been argued that the distant origins of the concept of a united Africa could be traced as far back as the Arab colonization of the continent, which spread Islam throughout much of its territory (Mazrui, 2005). In a more conscious form, it certainly first emerged among the African diaspora in the Americas and the Caribbean before spreading to pro-independence leaders on the continent. Pan-Africanism, even as it became the subject of a growing body of scholarship and political theory, remained an exceptionally broad movement, and even subsets of it (such as its politically dominant socialist current) presented significant internal differences, perhaps best exemplified by the contrast between the militant anti-colonialism of Kwame Nkrumah and the contrasting openness of Léopold Sédar Senghor to the idea of an *Eurafrique* or some other form of African participation in a broader community. Both were socialists, and heads of State of newly independent African countries. Both had led the struggle for independence peacefully and achieved it in the earliest stage of African decolonization. The diversity of their attitudes is therefore all the more striking. Much like in Europe, continental unity was conceived in different ways by different thinkers and leaders - never mind individual citizens and bearers of this idea - and much like in Europe the federalist perspective, originally advocated with passion by capable political actors such as Nkrumah himself but also Nasser and the other Casablanca leaders, failed to materialize even in a partial form. The fear, manifested by Kayizzi-Mugerwa et al. (2014), that the “temptations of nationhood” would prevail over African unity, revealed itself to be at least in part founded as the earliest manifestation of

an African continental organization, the Organization for African Unity, took on the form of a functionalist, strictly intergovernmental body, that did not advance a unitary integration project but rather concerned itself with cooperation and support with smaller regional groupings. The situation was compounded by the fact that until 1994 South Africa, the foremost African economy, was under white minority rule and that Egypt, an early backer of the cause, devoted itself more and more to the pan-Arab cause as time went on. Across sub-Saharan Africa, where the dualism of African and Arab identity did not represent a significant factor, there remained a reluctance to fully commit to regional integration, resulting in multiple overlapping entities with limited development outside of a few exceptional cases.

The OAU mostly concerned itself with the overall political coordination of the newly independent African states in a struggle to rid Africa of colonialism and, most importantly, of white minority rule. These goals were spelled out in its founding Charter and would form the main focus of its activities from the very first day of its functioning. Thus, while its organization was closer to that envisioned by the Monrovia Group, its aims resonated with the African socialists and the Casablanca Group. Over the course of the following 31 years, until the toppling of the South African National Party in 1994, the Organization would maintain that coordination and that struggle as its highest goal, with economic considerations and integrationist perspectives taking a secondary role - especially as integration was found difficult even at a sub-continental scale.

The 1991 Treaty of Abuja, which sought to enact a gradual merger of African economic communities into a continental African Economic Community was only a partial departure from this trend, as it *de facto* only gave recognition to existing organizations and encouraged their coordination. The fall of Apartheid with the election of Nelson Mandela as the first black President of South Africa would be the catalyst necessary for a change in the nature, if not necessarily the pace, of integration. After this historic moment, however, the organization - which now fully encompassed all of sub-Saharan Africa - could consider its original task accomplished. On September 9, 1999, at an OAU summit in Sirte, a Solemn Declaration was adopted stating that, having the OAU achieved its goals, the pan-African project could move to a new stage and a new institutional architecture, embodied in an African Union (AU). The move from the OAU to the African Union was completed with the 2002 Lomé conference, which resulted in the adoption of the Constituent Act of the African Union by 53 attending States. Morocco had left the OAU, due to a 1984 split

with the organization over the recognition of the Sahrawi Arab Democratic Republic, and did not participate; it would later apply and finally be admitted in 2017. South Sudan, upon independence, would bring the number of Member States to 55. The new Constituent Act stated that the new goal of pan-Africanism and of pan-African institutions was to be the creation of an “integrated, prosperous and peaceful Africa, driven by its citizens and representing a dynamic force in the global arena”, setting out the main avenues by which the Union would pursue this goal and establishing an institutional architecture with seven institutions, mostly still intergovernmental in nature. Notably, and in recognition of the lack of continent-wide economic integration, the AU recognized among the regional structures established in the OAU years eight “Regional Economic Communities” (RECs) which were to be developed and mutually integrated as the building blocks of the future united Africa. These were the Arab Maghreb Union (AMU), the Common Market for Eastern and Southern Africa (COMESA), the Community of Sahel-Saharan States (CEN-SAD), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Intergovernmental Authority on Development (IGAD) and the Southern African Development Community (SADC), all of which have partially overlapping memberships.

For a time, the development of a uniform, rationalized and institutionalized relationship between the African Union and the RECs was one of the main tasks of the AU institutions, which ultimately resulted in a relatively loose Protocol adopted in the context of the 2007 Accra AU Assembly of Heads of State and Government (AU-AHSG). The difficulty in easing the RECs into the role of components of a broader organization was made all the greater by the considerable differences in development and capabilities between them and the existence of several additional regional integration schemes which were not recognized as RECs (sometimes in spite of their greater level of integration). The plan to create a set of interlocking economic communities and merge them into an “African Economic Community” (AEC) with a single market, a monetary union and a supranational Parliament by 2028 as had been envisaged in the OAU-backed 1991 Abuja Treaty was no longer seen as feasible by the early 2010s, especially due to the continued difficulties of the individual blocs, and in spite of a degree of progress in other areas, mostly advanced through AU-wide treaties and conventions.

This lack of progress - both at the continental and the regional level - can be largely attributed to the fact that African countries, being almost exclusively developing or least

developed countries, benefit less than more developed nations from integration measures which prioritize the removal of barriers, and remain largely outside of the global economy (de Melo and Tsikata, 2015). The “linear model” of economic integration, adopted by both individual RECs and the Abuja Treaty for the AEC as a whole, foresees a series of consequential steps with market integration as one of the last ones; however, mere trade liberalization does not, in least developed countries, produce the effects it does elsewhere due to a structural deficiency of supply which could only be ameliorated by so-called “behind-the-border” measures, primarily forms of regulatory and policy alignment on issues ranging from labour to competition law, which have mostly eluded the RECs (Hartzenberg, 2011).

In 2013 the then-53 heads of State and government met for the 21st Ordinary Assembly of the Heads of State and Government of the African Union, held in Addis Ababa and dedicated to the “Golden Jubilee” - the 50th anniversary of the Organization of African Unity - and to the themes of pan-Africanism and African renaissance. On this occasion, the Agenda 2063 was adopted, marking a third shift in strategy after the OAU and the initial establishment of the African Union. The AU moved from a comparatively organic and spontaneous, intergovernmental model of cooperation and integration to a vast programme of structural reform, setting seven key “aspirations”, fifteen “flagship projects”, a number of “continental frameworks” as well as other goals and policy structures set to shape the path of African integration throughout the remainder of its first century. While the “aspirations” set the vision of Africa which the Agenda seeks to establish over 50 years and the “flagship projects” represent initial tangible steps on that path, each of the “continental frameworks” is a policy coordination programme which seeks to pursue a harmonized, Africa-wide development strategy by prioritizing key sectors defined by the Agenda.

Goals set under the “aspirations” include, among others, an African Continental Free Trade Area (AfCFTA) to be established by 2021 as the prerequisite for a future African economic and monetary union and the overtly declared end-goal of achieving the political unity of Africa, on a federal or confederal basis, by 2063 through the establishment of a directly elected supranational Parliament and an African Head of State. Moreover, and in a further departure from the previous *modus operandi* of the African Union, the Agenda is to be enacted through five successive and institutionally monitored 10-year implementation plans, the first of which was closed and reported on in 2023. While

several of the more ambitious projects, such as an African Space Agency, have been delayed or impeded by the lack of funding and enduring structural issues both at the level of the Member States and of the AU itself, the AfCFTA has made significant steps, including the establishment of a combined payments system for its 44 signatories in 2022.

This new impetus of integration has also led to a re-evaluation of the African Union's own organization. In 2016, pursuant to the goals of the first 10-year plan, the AU-AHSG appointed Rwandan President Paul Kagame to lead a committee on the institutional reform of the African Union. The outcome of the reform process remains as of this writing uncertain, but the key areas of reform indicated by the committee point to a more structured and focused view of the Union as a functional organization rather than an all-purpose vessel of general cooperation. In addition to re-emphasizing the need for a more uniform relationship with Regional Economic Communities, other "regional mechanisms" and the Member States themselves, the committee has recommended focusing its organizational agenda on five areas of continental significance, delegating other issues in accordance with the principle of subsidiarity. These areas have been defined as political cooperation, peacekeeping, economic integration and promoting a singular voice for Africa in global forums - the latter goal having been advanced recently by the African Union's admission to the G20, now G21, as a full member, joining the EU as the sole non-State member of the Group. The third of the four main institutional reform goals are a switch to "sustainable financing", which is to say reforming its funding model by drawing more on its own Member States, in part to reduce reliance on development partners. The fourth and final main goal of AU institutional reform is at last concerned with the functioning of the Union, and in it the Kagame committee places emphasis on efficiency in decision-making, which is to be achieved by altering the procedural functioning and, in some cases, organizational structure of the existing institutions. However, there are not at this stage any signs of a revision of the AU Constituent Act, suggesting that no reforms requiring anything more than the consent of existing institutions are presently under consideration.

In spite of this, some substantial progress has been reported as of 2023 at an extraordinary retreat on the subject of institutional reforms and the second ten-year plan held in Kigali: the African Union Commission's departmental structure has undergone an overhaul, the New Partnership for Development (a 2001 initiative) has been absorbed into the Union as its Development Agency, the expansion of the self-monitoring mechanism for reforms known as the African Peer Review Mechanism (APRM) to all Member States of

the Union, and the implementation of a budgeting and funding reform in line with the goals of the Kagame committee. Nonetheless, as highlighted by the governments participating in the Kigali meeting, the goal of “sustainable financing” remains out of immediate reach⁶. Thus entering 2024 and the second cycle of its ambitious Agenda 2063, the African Union appears to be growing into the structure it had given itself at the time of its founding, rather than changing into something new. This means that, whereas the African Union is increasing its capabilities and its global presence, no major departure from the 2002 intergovernmental architecture appears forthcoming and the Union will, for the foreseeable future, continue to operate in a manner closer to a more cohesive and focused version of the old OAU than the “federal or confederal” united Africa it envisions for its future. Clarity in the division of labour between the AU, the RECs, other regional bodies and the Member States remains for now an essential but elusive goal.

⁶ See <https://au.int/en/pressreleases/20230609/african-union-retreat-institutional-reforms-and-second-decade-agenda-2063>

CHAPTER 4 - REGIONAL INTEGRATION IN AFRICA AND EUROPE: A COMPARATIVE PERSPECTIVE

4.1 Introduction

The risk in a comparative analysis of the European Union and the African Union is self-evidently that of adopting the more developed organization as a model for the less developed one to aspire to, and to simply conduct a comparison of institutional structures and competences between the two entities. But regionalism, and comparative regionalism in particular, have developed significantly since the end of the Cold War and with the increasing relevance of the concept (De Lombaerde and Söderbaum, 2013). While it may be hyperbolic to talk about an “age of continental states” (Rivarola Puntigliano, 2017), a phenomenon predicted as early as the first decades of the 20th century by adherents of geopolitical theory, it is certain that in the 21st century the global competition appears to be no longer between large blocs of nation-States, but between large (“continental”) nation-States such as the United States, India or China and regional blocs of smaller States such as the EU, AU, Mercosur or ASEAN. Coalescence into progressively larger and more capable units has been the theorized trajectory of humanity for some time, if for no reason other than functional needs (Schiff and Winters, 2003).

Due to these tendencies, as the regionalist model grows in influence and regional integration projects increasingly tend towards consolidation and a more central role in world affairs, it is worth considering the question of whether and to which extent it is appropriate to compare different integration projects. For however self-evident the similarities and differences between the African and European Unions may be at a surface level, there are also further and less obvious differences between the two continental experiences. In the following sections, the distinctions between the European Union and the African Union will be discussed through an examination of seven key aspects of regional integration.

4.2 The Analytical Framework of Comparative Regionalism

Ever since the study of regionalism was consolidated as a discipline in the aftermath of the Second World War, its practice has been dogged by persistent accusations of Eurocentrism. While the early theorists of regionalism were mostly aware of this tendency, they nevertheless continued to operate by first trying to discern general patterns on the basis of their study of the European experience, and then trying to find them reproduced elsewhere by projects which were assumed to be essentially imitators (Hettne, 2003).

One of the most important debates in the study of regionalism has been, for a long time, the debate concerning the role of the European case in the discipline and its supposed uniqueness. The question was, in essence, whether the EU represented an example of a category that was sufficiently general to be applied more broadly or whether it was to be understood as a completely unique, *sui generis* entity (Caporaso, 1997). Early studies, including those of foundational scholars such as Haas (1958) and Nye (1968), acknowledged the uniqueness of the European Communities compared with other regional processes throughout the world, but did not reject comparative analysis outright as other, later, scholars instead would do. Haas in particular reflected that whereas regional processes were becoming widespread across the world, regional integration as was happening in Europe was absent or almost absent outside of Western Europe, and sought to understand why.

A notable observation made by Haas (1961) was that in countries where political pluralism was lacking, integration had little impact on society beyond the level of policy-making élites even when the government did nominally commit to it: this was applicable to the failed pan-African and pan-Arab projects of the period, but also and perhaps more so to the Moscow-backed Council for Mutual Economic Assistance (COMECON) operating throughout Eurasia and chiefly in Eastern Europe as an economic bloc of Soviet-aligned States and an economic counterpart to the Warsaw Pact Organization (WPO). Nye (1970), in turn, sought to develop a distinct neofunctionalist framework to study regional integration outside of Europe. In this early stage, European integration and comparative regional integration were still understood as part of a singular discipline.

However, in later years, the study of Europe was gradually separated from the broader field of regional studies. The European Communities - from 1993 the European Union - were increasingly seen and studied as an unorthodox, emerging polity combining

a variety of models in a structure defined by multiple levels of governance and the facilitation of transnational policy networks; more and more, comparisons were being drawn not with COMECON or the West and Central African economic communities, but rather with federal States and in particular the United States of America (Burley and Mattli, 1993).

More recent scholarship (Warleigh-Lack and Rosamond, 2010) has asserted on the other hand that the tendency to decouple European studies from comparative studies, whether due to a belief in the noxious influence of Eurocentrism or in the unique nature of the EU, is symptomatic of a form of “parochialism” which, in denying the possibility of comparing other regional experiences to the EU, also downplays the ways in which the EU itself borrows from or resembles to other regional or federal entities.

In this view, what characterizes EU studies is that whereas there is an abundance - or perhaps overabundance - of theoretical “exports” (De Lombaerde and Söderbaum, 2013) from the EU to other regions, there is almost no movement in the opposite direction. That is to say, the EU is often held up as a standard to aspire to rather than an object of comparison. The (already mentioned) mid-1990s trend to explicitly compare the EU to advanced federal systems has further compounded the issue by highlighting the hybrid nature of the EU and noting how the deepening of an institutionalized integration project beyond a certain point results in it acquiring at least some of the properties of statehood, thereby further widening the gap between EU studies and the comparative study of regionalism.

Similarly to what had begun happening already in the 1960s and 1970s, some elements of 21st century scholarship has begun drawing a distinction of nature rather than degree: Europe is conducting regional integration, whereas the rest of the world is at best engaged in regional cooperation (Christiansen *et al.*, 2001). Others have gone in the opposite direction (Hettne, 2005) and argue that regional integration and regional cooperation both belong to an earlier epoch, and the phenomena observed today represent a new, multidimensional regionalism or regionalization, involving a variety of actors operating in formal and informal settings and with the support of diverse institutions.

The proliferation of Europe-centered generalizations, whether Eurocentric or oppositional to Eurocentrism, have remained a prominent element of the field (De Lombaerde and Söderbaum, 2013) and have hindered the development of genuinely global and generally applicable theoretical frameworks while also limiting the ability of scholars

to use comparative analysis to better understand European integration or European regionalism.

Recent developments in the field have cleared some of the obstacles: among these are the introduction of the social constructivist perspective to European integration studies, which has greatly reduced the salience of the Union's institutional "uniqueness" (Spandler and Söderbaum, 2023). The growing self-awareness by scholars that research centered on a singular area will tend to produce the conclusion that the area of study is *sui generis*, as noted with the case of East Asian integration driven by State-private partnerships and informal consensus-building mechanisms, with minimal institutionalization, upheld Europe as a "unique" case. This "area-centricity" (Thompson, 1973) of regional integration studies can result both in a "reverse Eurocentrism", whereby the EU is presented as an "anti-model" (Warleigh-Lack and Rosamond, 2010) and difference from it is praised as a good in its own right, or an Eurocentric distortion in which the integration of other regions is described in terms of how closely it has managed to mimic the European model.

However, the value of a comparative perspective in this field of studies lies precisely in the need to more clearly understand regionalism as a global phenomenon and individual regional integration experiences - and the institutions representing them, where present - as processes and entities endowed with their own personality, with characteristics stemming from their historic, economic, political and social context, which are not be judged but studied while resisting, insofar as possible, the lure of ideal models and false universalisms, whether area-centric or not.

So, whereas neither the African Union or the European Union can be compared as different iterations of the same architecture, or different "units" of a same "model", it is certainly possible to make a comparison for the purpose of understanding their differences and their reasons. A first risk in this comparison is that of 'institutional isomorphism': as highlighted by Fioramonti and Mattheis (2016), a surface-level similarity in organizational structure cannot be assumed to mean a true identity in terms of functioning or purpose. In practice, the European Council and the African Union Assembly of Heads of State and Government, while superficially very similar organs, do not necessarily behave identically. At the same time, avoiding institutional isomorphism or transposition does not preclude a comparison between two such organs or other institutional structures, so long as the goal is not to determine which is more advanced or effective but rather why each has developed in the way that it has. As a final note, it has to be said that Africa and Europe, by reason of

proximity and of mutual dependence and influence, are perhaps more comparable than many other regions.

As already mentioned in Chapter 1, there is a distinction between “traditional” regional integration and the “new wave” of the 1990s and post-2000 years: this is significant, as the EU belongs to the first group, and the AU to the second. While the European Union developed in continuity from the European Communities established between 1951 and 1957, and indeed until 2007 represented an umbrella organization for those Communities and other forms of regional cooperation, the establishment of the African Union was meant to represent a re-thinking of the way Africa approached a process that it defined as a unification rather than integration. Its purpose, scope and organization all differ meaningfully from the earlier Organization for African Unity.

There are, according to the noteworthy study by Fioramonti and Mattheis (2016), seven core areas in which traditional and new regionalism differ: these are the character of the process of integration, the nature of its institutional structure, the leadership both institutional and of the process itself, the nature of membership, the economic and social drivers of integration, and the nature of the integration process as either a pooling of sovereignty or a form of cooperation. This analytical framework will be used in the following sub-sections to compare the processes of regional integration in Africa and Europe.

4.2.1 The process

With regards to process, it can be observed that in Europe the initial drive towards a federalist project did not produce results, and that European integration in practice has consisted of a gradualist process in which sequential economic integration and the resulting economic incentives played a leading role. This model, however interpreted by theorists, has resulted in a pooling of sovereignty around certain common institutions which have assumed a supranational role over many key policy areas. It has also resulted in a singular organization, which has attracted countries away from its main competitor (the European Free Trade Association, EFTA).

The African integration project began in 1963 with the Organization for African Unity, which from the beginning was very different from the European Communities - it

was founded as an intergovernmental organization that prioritized gathering all independent African countries under one political “umbrella” and had no plan whatsoever to pursue deep integration, a task which was from the beginning left to smaller regional groupings. While the OAU was in principle a compromise between the very different positions of the Casablanca and Monrovia groups, in practice the only thing it borrowed from the former was a political commitment to Pan-Africanism (Farmer, 2012).

Regional integration, understood both as a pooling of sovereignty and as the emergence of non-State actors, mostly occurred at the sub-continental level in the multiple and at times overlapping or competing blocs later recognized as ‘regional economic communities’. Even here, much institutional integration was inherited rather than built from the ground up: the two surviving African monetary unions are leftovers from the French colonial empire, and the Southern African Customs Union is a legacy of the British one.

There have been African leaders, including a stable group of 20 countries led until 2011 by Muammar Gaddafi, who have argued for deep political integration inspired by the principles of Pan-Africanism, but in spite of this drive and of an institutional architecture superficially reminiscent of the European Union, no political or economic mechanisms comparable to even the old European Coal and Steel Community have emerged.

Economic integration at the continental scale continues to be delayed, with the latest plans envisioning the African Economic Community coming into being by 2028 but without laying out any intermediate steps for its establishment. Therefore, whereas in Europe integration has been defined by a smaller, though gradually growing, and largely uniform membership achieving consequential leaps in integration, in Africa the process has taken the form of a joint commitment upheld at the continental level by participation in a politically charged but institutionally weak organization and enacted in practice in a loosely coordinated (or wholly uncoordinated) manner by nation-States within it.

This contrast between a uniformly defined, gradual and open-ended process in Europe and a “fuzzy” African process, which has however a strongly supported and defined goal - the implementation of Pan-Africanist ideals - is a stark one, but not as simple as it might at first appear. For all of the apparent difficulty of establishing a single, uniform process of substantive integration, Pan-Africanism is no less popular in Africa than Pro-Europeanism is in Europe, both at the popular and leadership levels. African countries have managed to preserve those forms of substantive cooperation in which they do engage

against pressures never faced by the EU - and in some cases, such as the East African Community, they have even revived processes that had been abandoned earlier.

As already mentioned, it is not so much a question of whether African institutions can conform to the European model of integration - even if the latter has objectively advanced further - but of whether any other method other than the one currently practiced would be possible or even desirable for Africa.

4.2.2 Institutional design

The area of institutional design is one in which there has been some comparatively recent argument (Draper, 2012) that African regionalism, both at the sub-continental and pan-African levels, has mimicked to a degree its European counterpart. Institutional design is the structure, role and composition of the institutions governing an integration process, and in this Europe offers a particularly tempting term of comparison: during its history it has set for itself the goal of establishing the first supranational institutions, but the practical course of integration has led to the establishment of a hybrid system in which intergovernmental and supranational institutions coexist and two of the most relevant supranational institutions, the Commission and the Court of Justice, have prominent intergovernmental elements, most notably the method by which their members are appointed (Bickerton et al., 2015).

In Africa, the move from an “Organization” to a Union has been presented as a qualitative change in the nature of African integration: from the coordination of nations in fighting colonialism to the construction of a new Africa. The African Union has institutions that are nominally, and notably also in terms of nomenclature, great similarities with the EU: it has a Commission, a Pan-African Parliament and its Assembly of Heads of State and Government is similar in structure and purpose to the European Council, just as its Executive Council resembles the Council of the European Union, as a ministerial forum acting both as a deliberative institution and a preparatory body for the gathering of heads of State and government. However, unlike the EU, the African Union has no independent supranational institutions: its Parliament consists of identical national delegations, and its Commission does not have the supranational authority or broad autonomy of initiative enjoyed by the European Commission. The same is true for sub-continental regional

entities, which in the case of the two CFA franc monetary unions are beholden not just to African governments but also to the French one.

Another item of note is how, while both the EU and the AU seek to make use of the experience of national leaders, the AU has entrusted the work of drafting a reform programme to a sitting President, Paul Kagame, in contrast with the EU which has sought the experience of leaders who were not in office in comparable circumstances.

All of these point to an African institutional architecture where the evident need for a capable and sufficiently sophisticated institutional structure to govern integration is accompanied by a determination by national leaders and national policy élites not to relinquish or pool more power than is strictly necessary. In fact, whereas in the EU a directly elected parliament was established in 1979, the African Union considers this development to be part of its ultimate goal of a federal or confederal unified Africa.

4.2.3 Leadership

The leadership of the European integration process is very diffused. All Member States have an important right of veto in major decisions and a possibility to shape the agenda through the rotating Presidency of the Council of the EU; and even though larger countries, such as France and Germany but also to a lesser extent Great Britain, Spain, Italy and Poland, are often the loudest voices in the room, the Union's institutional architecture and openness to intra-Union cooperation has given opportunities to smaller countries or groups of smaller countries - such as the Benelux Union or the Visegrad Group - to take a leading role in governing the process.

Additionally, the European institutions themselves have taken on a role of leadership, and their comparatively open decision-making process has allowed a variety of non-governmental and non-institutional actors to exercise a significant role in shaping European integration (Hooghe and Marks, 2001).

But although there is a multitude of actors capable of exercising leadership, there are also very defined mechanisms by which it is exercised, whether it be the "cooperative hegemony" of the major States, and particularly the "Franco-German engine" (Cooley and

Spruyt, 2009), or the Treaty-regulated functioning of the institutions and the platform they can offer to non-governmental actors.

In Africa, the situation is more ambiguous. The most ambitious pan-African leaders, such as Nkrumah, Gaddafi and Sankara, all hailed from comparatively small or poor countries which had little material contributions to offer to the unification effort. The most powerful African countries such as Nigeria and South Africa, which could have taken on a role comparable to France and Germany, have in fact chosen not to exercise this role and have in fact resisted some of the more ambitious efforts made so far, including the AfCFTA project. For South Africa, this was originally a natural consequence of the minority rule, but it is telling that a post-Apartheid South Africa has not chosen to step up either. Nigeria has involved itself in the deepening of ECOWAS and the reinforcement of its autonomy, but presently faces the rebellion of the Sahelian dictatorships. Nonetheless ECOWAS is by far one of the most advanced regional projects in Africa, whereas the South African-led SADC remains one of the least developed and has relatively recently dissolved its independent Tribunal.

But while there are different levels of region-building ambition at the sub-continental level, the two potential African “leading nations” have been uniformly unambitious at the pan-African level, involving themselves in the founding of the AU more out of a desire to use it for their own foreign policy ends than due to Pan-African ambitions. This is partly visible in South African pressures to introduce in official AU discourse, side by side with Pan-Africanism, its own ideal of “African renaissance”, formulated by South African President Thabo Mbeki (Tieku, 2004).

It is a testament to the scope and enduring nature of the influences and internal division which the Organization for African Unity had sought to expunge from the continent that the main actors leading African integration can be States and powers from outside of Africa. In particular, France and the European Union have been in various ways assisting and even shaping African integration processes at the sub-continental level: the EU mandated the merger of two overlapping organizations as a condition for a significant aid package, and developed new funding instruments to assist the African Union in developing peacekeeping capabilities, while France backs two monetary unions - in Western Africa and Central Africa - and provides military assistance to several countries throughout the continent in a manifestation of the often lopsided “special relationship” for which Félix Houphouët-Boigny coined the term “Françafrique”.

Furthermore, Nigerian and South African companies have an extensive continental reach: being especially involved in African retail, finance and communications, these have in some occasions created forms of “privatized” integration.

In sharp contrast to the European experience, Africa therefore does not have obvious “leading countries” driving the integration process forward, and its institutions cannot in most cases carry the burden on their own (Pedersen, 2002). In the African Union political direction, if not leadership, for the process of integration is therefore not a product of consolidated national positions or institutional drivers but rather the result of a mediation between different positions taking place through leadership summits organized in-between and around the meetings of the Assembly of Heads of State and Government.

4.2.4 Membership

The membership structures of the African Union and the European Union are similarly reflective of their particular differences but also of the diversity between the traditional and “new” regionalisms. In the European Union, membership is a fairly uniform status - with limited “opt-outs” accrued by some countries in case of a Treaty renegotiation - that is based on an extensive, shared *acquis communautaire* of regulations, directives, conventions, judicial decisions and agreements. While there are some significant differences in the depth of integration, for example with regards to Schengen, these are comparatively rare. The most significant form of “differentiated integration” in the EU is certainly membership of the Euro monetary union, which as of 2024 only includes 20 of the Union’s 27 Member States; however, all Member States except Denmark (with an explicit opt-out) and Sweden (with a *de facto* one) are obliged to eventually join, with Bulgaria having recently set its target to do so by 2025.

EU membership is therefore selective and based on a tendential equality of rights and responsibilities, an extensive common legal framework under the judicial authority of a supranational Court, and is to a degree exclusive - given the depth of EU integration, it is impossible to be involved in other comparable organizations. NATO and the Council of Europe complement the Union’s activities, but their own competences are firmly circumscribed. It is also noteworthy that in Europe, barring the exception of an EFTA that

is largely inside of the EU's regulatory orbit through the European Economic Area, there are no real alternatives to the European Union.

The African Union, necessarily in keeping with the OAU's approach, has instead opted for a more open type of membership, reducing to the bare minimum the obligations and responsibilities of membership but also reducing the corresponding incentives (Zank, 2007). All African States are entitled to join, and Member States can only be suspended in the event of an unconstitutional change in government, as has indeed happened since 2020 throughout the so-called "Coup Belt" (Burkina Faso, Chad, Gabon, Guinea, Mali, Niger and Sudan).

It is debatable whether those who agitated for the African Union to replace the OAU were in favor of maintaining this membership structure; Pan-Africanist integrationism often takes the form of outright federalism, or at least a strong supranationalism entirely unafraid of claiming for itself a broad economic, political and even military mandate.

It is also relevant to note that most if not all sub-continental African integration organizations have opted for this type of membership, thereby explaining the many overlapping organizations with competing regional scopes and responsibilities that have emerged throughout the years. Under this system, the same State may integrate more closely with different regions in different sectors, and States have also made major changes in their collocation within the layered African system in response to domestic or regional events. Whether the goal is to maintain as free a hand as possible for the national governments, or to start multiple projects and choose the most promising ones for a more serious commitment - for example by elevating them to recognized RECs - is questionable.

4.2.5 Sovereignty

One of the most important questions in the comparison between the African and European models is the issue of sovereignty, from both a political-constitutional and narrative perspective. As integration is essentially the result of the act of pooling sovereignty across a region, or at least requires the willingness of multiple States to do so, understanding how the States involved perceive and speak of sovereignty is essential to understand not only

the difference between integration models, but also the motive for many of the choices made during a given integration process.

Sovereignty can be understood differently at a political and constitutional level: three examples from “Europe” (or, more appropriately, the European integration area) are telling: the Federal Republic of Germany and the Italian Republic both “accept limitations” to their sovereignty, in their constitutional texts, in the interest of establishing a more peaceful international order; the Republic of Türkiye vests sovereignty “unconditionally in the people”, who exercise it through their representatives in an unicameral Grand National Assembly; the United Kingdom - which does not have a written Constitution - governs itself and, by some accounts, has conducted its separation from the European Union on the basis of a narrative of *parliamentary sovereignty*, whereby it is the institution of the UK Parliament which both holds and exercises sovereignty, with no Parliament being able to bind its successor. Of course, while the latter case does not have the legal certainty of the three before, it represents a small sample of how sovereignty can be different even within a region - let alone between regions, across cultural barriers and civilizations.

But by all accounts, even more important than the merely legal aspects - which can be amended - is how a country shapes its narrative of what sovereignty is. Broadly speaking, there are three main “narrative models” on sovereignty, which shape States’ interactions with each other and, where present, with regional integration systems (Spandler and Söderbaum, 2023). These models are instrumental, principled and status-based sovereignty.

Broadly speaking, a believer or advocate of instrumental sovereignty sees the State as a provider for its people, responsible for providing “public goods” and for applying governance to challenges, and therefore views integration through the lens of solving cross-border issues and exploiting economies of scale to better serve its people.

Principled sovereignty, on the other hand, implies the position that the State serves as the protector of the nation, understood as a single and defined entity with a character distinct from its composition at any given point, with the deterrence of external threats as the highest calling of State institutions, and therefore cooperation is viewed as a means to reinforce the ability of the apparatus of State to perform these duties; the sovereignty of the nation, more than that of the State, is the highest public good.

Status-based sovereignty, in turn is based on the perception of the State as a member of an international community, in which its primary role is establish and maintain relationships with its peers; if the primary role of the State is to act in conjunction with its peers in the international community, then integration can be understood as a way to build legitimacy both external and domestic by giving a defined form to this activity, with tangible benefits having equal importance to the promotion of the country's status in the international community.

It is easy to see how in the case of European integration, the first crucial steps could not have been taken in the absence of the instrumental or at least *de facto* instrumental views of the Christian Democratic and Social Democratic leaders of the Founding Six, and the decidedly instrumental views of those who first promoted and led supranational institutions, such as Jean Monnet or Walter Hallstein. European integration has in fact effectively transformed how European States exercise their sovereignty and, in a case that has no precedents and so far no equivalents, it has created a form of non-State sovereignty in the form of the EU's supranational institutions, which are increasingly characterized, narratively, in the same terms as a State.

On the other hand, in Africa, institutions have been established with a view to preserving national sovereignty, and the lofty commitment to Pan-Africanism has in practice been watered down, time and time again, by the attachment to power of State-centric élites who, at least in the case of several of the protagonists of African politics, have struggled violently to seize power. This is today the case of such longstanding and influential leaders as President Yoweri Museveni of Uganda or, in the past, of committed Pan-Africanists such as Burkinabé President Thomas Sankara).

In the face of frequent domestic challenges, infrequent peaceful domestic transitions of power and the lack of institutional stability, major "cessions" or pooling of sovereignty in favor of supranational institutions appear unlikely, and a principled form of sovereignty tends to accompany even the nominally supranationalist Pan-African political discourse. This is also a frequent contradiction in Pan-Arabism, an ideology and movement which shares some protagonists (such as Gaddafi and Nasser) with Pan-Africanism.

Nonetheless, whereas there is a greater reluctance to hand over sovereignty regained as the ultimate prize of anti-colonial struggles, and more prosaically power obtained through armed struggle, the shift from the OAU's strict intergovernmentalism and non-interference to the African Union's promotion of peaceful constitutional transition of

power has been accompanied by a broader trend to revise the absolutist view of sovereignty that prevailed before 2002, especially at the level of RECs.

However, in practical terms, ECOWAS has been almost alone in fully upholding its defence of constitutional practice within its Member States. In general, African integration belongs to the “sovereignty-boosting” pattern which comes with principled perceptions of sovereignty. It is interesting to note that elements of “sovereignty-boosting” and intergovernmentalist integration have been reinforced in the EU since the Treaty of Lisbon, a Treaty made with the participation of former Soviet puppet States from Central and Eastern Europe.

4.2.6 Drivers

The most schematic interpretation of the economic drivers of integration foresees the gradual construction in steps of a full economic union, starting from a basic free trade regime and following the thread of increasing its benefits and reducing its costs. However, in practice, neither Europe nor Africa followed this path.

In Europe, the decision to create a supranational regulator for strategic industries (coal and steel) was supposed to be followed by a common defence and a supranational, general-purpose political organization. In practice, it was followed by the gradual establishment of a single market and atomic energy cooperation, which developed into the modern supranational union that is the EU through multiple rounds of negotiations in which everything from labour policy to public health and foreign policy cooperation came to be added to the structure.

It was Jacques Delors, the President of the European Commission (1985-1995), who coined the expression “European Social Model” to describe a system of integration in which the integration of markets is accompanied by parallel efforts to promote social and regional cohesion (Jepsen, 2005). However many crises may have shaken it since the time of Delors, the EU has remained far more than an integrated market, and the open-endedness of its overall “project” has left and still leaves abundant scope for further integration in multiple fields. Most recent and relevant are talks of a Defence Union to consolidate and make more efficient Europe’s militaries.

In Africa, the pattern is again different from the “expected model”. For starters, customs unions are comparatively common - indeed, the oldest still active customs union is the colonial-era SACU - and the West African Economic and Monetary Union, a subset of ECOWAS, had accomplished full monetary integration long before the Euro came into being. Furthermore, and as mentioned in Chapter 3, due to a relative lack of supply, trade is not the foremost measure of the depth of African integration. The ECOWAS and EAC free travel areas are two other examples of an advanced level of social integration at the regional scale, and authoritative sources (Asante, 1991) have noted that cooperation on infrastructure is a much more pressing priority for the continent than the removal of border barriers to trade.

The African Union and its RECs have also been much more involved than the EU in security and peacekeeping, although often with EU assistance and partly due to the absence of an African equivalent of NATO. African integration at the continental level, since the days of the OAU, has concerned itself with foreign policy, defence and regional security much more than on economics, and the trend endures to this day. In this, it has taken remarkably bold steps by setting up its own Peace and Security Council, overseeing a Peace and Security Architecture which has enabled the AU to cultivate the ambition of relieving the UN of peacekeeping duties in Africa.

4.2.7 Identity

The way in which regional identity emerges and is elaborated is another meaningful difference between the European and African cases. In the case of Europe, a “European identity” has neither emerged spontaneously nor seen an effort to establish it, with European institutions rather focusing their activities on creating a form of social convergence or consensus around values, the institution of free movement and the European project itself, distinct and not in competition with national identities.

On the opposite, in Africa and across the many countries where the African diaspora is present, Pan-Africanism has existed for decades as a crucible of different strains and ideologies having in common the advocacy or agitation for the emancipation and unification of Africa and its diaspora. In fact, Pan-Africanism was born among the diaspora, in the colonial-era Caribbean and in the United States of America, before making

its way back to the continent. All over Africa, and including in the Arab nations of North Africa, the African Union remains a central point of reference for all regional politics. The combination of the influence of this thought on early independence leaders (Geiss, 1974) and the existence of common, cross-border linguistic groups and migratory groups, as well as the experience of a common struggle against the holdouts and invisible influences of colonialism, have given Africa and Africans a sense of continental identity and belonging that can scarcely be matched by any other part of the world.

If the European Union often appears to struggle to connect with its citizens, the African Union is chiefly held back by structural problems and the reluctance of its leaders to allow the pooling of sovereignty and the emergence of independent institutions.

CONCLUSIONS

The African Union and the European Union share many superficial but also substantial similarities, especially with regards to their goals, but remain very different in their functioning and worldviews. The African Union is propelled by a strong Pan-Africanist popular sentiment that in some quarters predates the independence of nation-States from colonial empires; it is a sentiment that embraces not only “territorial” Africa as a continent which is projected to grow to over 4 billion people by the end of the century, but also the vast African diaspora inhabiting most of the Americas, Western Europe and parts of Asia - the Constitutive Act of the AU in fact defines the diaspora as having a role in the future construction of the African Union. Its ruling classes often have a vision of sovereignty tending towards the absolutist, with the State as both the guardian and, in the post-colonial African context, the builder of the nation. Nonetheless, the ideal of Pan-Africanism remains all-encompassing and colors the policies and initiatives of even the most realist regional powers, such as South Africa and Nigeria, who have continued to participate in and shape African integration even while formally resisting intergovernmental integration in their respective sub-continental regions.

Institutionally, the AU is an intergovernmental organization without significant supranational elements, but unlike the European Union its explicit aim is the creation of a politically unified Africa on a “federal or confederal basis”. Where the European Union’s integration project is open-ended and often tormented by questions on its *finalité politique*, the African Union has chosen to frame its integration process into a 50-year agenda subdivided in 10-year implementation plans, an act by which it appears to have attempted to bind its national leaders to the integration project formally, going beyond the commitment of their countries’ membership in the African Union as-is. This linear approach, with a clear end goal, is a characteristic of the African Union and its predecessor organization, the Organization for African Union (OAU). The latter sought to coordinate the African countries engaged in an anti-colonial, anti-minority rule struggle, and the former was founded after the accomplishment of that goal to pursue continental unity. In both cases, a comparatively “weak” continental organ pursues a clearly defined end goal according to a common strategy. Whereas the OAU was often subject to criticism on account of the authoritarian practices of its leaders and its relative weakness in terms of serving and protecting ordinary Africans, it did in the end achieve its stated goal, for

example by coordinating support for the Frontline States in the prolonged struggle with South Africa. In transitioning to the goal of a united Africa, the AU has set as one of its most pressing goals the rationalization of sub-continental integration processes and their assimilation into the broader continental project.

In many ways on the opposite end of the scale, the European Union is a supranational polity operating as a hybrid of intergovernmental deliberative institutions and directly representative parliamentary democracy, with the two halves being bound and often coordinated by a supranational but nationally-appointed Commission. Its leadership is therefore centralized in the institutions and its membership is exclusive to those European States matching the Union's "accession criteria" and willing to sign up to the entire *acquis communautaire*; rather than an umbrella overseeing multiple integration projects with a common aim, the EU holds a near-monopoly on European regional integration. This different leadership and membership structure has allowed the Union not to commit to a precise vision of its future, beyond the vague but oft-repeated concept of building an "ever closer Union" between the peoples and States of Europe. This is not due to a lack of clarity in the vision of its founders, but rather to the fact that - again in contrast with the fairly linear process through which the AU envisions its future development - the European integration process has changed its nature and conduct multiple times: the passage from the federalist perspective to what will be called the neo-functionalist perspective in 1955 with the Messina process, the centralization of the Communities with the Merger Treaty in 1967, the Treaty on European Union which in 1993 fused most cooperative initiatives with the Communities and the 2007 Treaty of Lisbon which created a singular organization and formalized intergovernmental organs in both the "legislative" and "executive" branches of the Union's institutional system. While Pan-Africanism remains the exceptionally broad but also substantially unitary theoretical framework for African unity, the European integration process has resulted in numerous theoretical frameworks and political approaches to European integration.

Both organizations, of course, remain eminently similar if for no other reason than their shared goal of upholding peace, unity and certain values and principles across their region: this fundamental drive towards unity as an instrument of the diverse goals of the two project's different stakeholders might provide the strongest narrative bridge between two processes born at the opposite ends of the collapse of empire: the AU, among the former colonies, and the EU among the former metropolises.

As the political dialogue on international trade and cooperation has, over the last decades, shifted towards self-sufficiency in strategic sectors, defined in an increasingly broad manner, and growing confrontation between established and emerging powers, AU-EU cooperation has emerged as an area in which interdependence remains *de facto* accepted. While the African Union remains committed to eventually achieving sustainable and autonomous streams of funding, the European Union and its Member States have been the largest non-African contributors to its initiatives since the AU's inception, surpassing the contributions of China and the United States, and funding strategically important initiatives such as the AU peacekeeping headquarters through the EU Peace Facility. This was once at least in part because the process of diversifying development assistance partners, while always a goal, has been in fact hobbled by the smaller budgets devoted to development cooperation by actors other than the EU and its Member States.

The last decade has seen marked shifts as the increasingly multipolar order has allowed Africa not only to diversify its sources of assistance, but also to move away from the Reagan-era consensus on free trade and towards a reassertion of the old demand of the global South: a new international economic order (NIEO), allowing African countries (and other Southern nations) to develop without relying on foreign aid. This call has been echoed as recently as 2018 in a UN resolution, and it increasingly shapes the practices of trade.

The EU's approach to Africa has been relatively quick to adapt; a recent agreement signed with Kenya, for example, reflects many of the priorities of the NIEO agenda by focusing on conditions that are equitable for the "weaker" party, in contrast with the strict reciprocity of "older generation" trade deals.

However, there remains a delay or hesitance in the responsiveness of European institutions to the growing assertiveness of their African partners, further hobbled by the rise of far-right populism and the centrality of migration in the policies of many governments with respect to the global South. The recent diplomatic difficulties of the Italian government in presenting itself as a credible partner for the African Union go a long way to demonstrating how domestic European concerns can easily "spill-over" into troubles or even regression for the broader Africa-Europe partnership; something which is even more dramatically echoed on the African side as emerging actors from outside Africa seek to replace European powers in their traditional, and sometimes complacently held, position as privileged partners.

BIBLIOGRAPHY

Ajulo, S. B. (1989). The Economic Community of West African States and International Law. *The Journal of Modern African Studies*, vol. 27, pp. 233–250.

Anheier, H. (2009), “Third Sector Independence and the Subsidiarity Principle: A Comparative Historical Essay”, in M. Smerdon (ed.), *The First Principle of Voluntary Action*, The Baring Foundation, Working paper No. 3, pp. 51-66.

Arnold, G. (2001), *Guide to African Political and Economic Development*, Routledge.

Bach, D. C. (1999), “Revisiting a Paradigm”, in D. C. Bach (ed.), *Regionalization in Africa: Integration and Disintegration*, Indiana University Press, pp. 1-13.

Bach, D. C. (2005), *The Global Politics of Regionalism: Africa*, in M. Farrell, B. Hettne and L. Van Langenhove (eds.), *Global Politics of Regionalism: Theory and Practice*, Pluto Press, pp. 171-186.

Baldwin, R. (1989), “The Growth Effects of 1992”. *Economic Policy*, vol. 9, pp. 247-282.

Baldwin, R. and Wyplosz, C. (2022), *The Economics of European Integration*, seventh edition, McGraw-Hill.

Berend, I.T. (2021), *The Economics and Politics of European Integration. Populism, Nationalism and the History of the EU*, Routledge.

Bhagwati, J. (1992), “Regionalism versus Multilateralism”, *The World Economy*, vol. 15, pp. 535-678.

Bickerton, C., Hodson, D. and Puetter, U. (2015) “The New Intergovernmentalism: European Integration in the Post-Maastricht Era”, *Journal of Common Market Studies*, vol. 53, pp. 703-722.

Bulmer, S. (1994), “The Governance of the European Union: A New Institutional Approach”, *Journal of Public Policy*, vol. 13, pp. 351-380.

Burley, A.-M. and Mattli W. (1993), “Europe Before the Court: A Political Theory of Legal Integration”, *International Organization*, vol. 47, pp. 41–76.

Caporaso, J.A. (1997), “Does the European Union Represent an n of 1?”, *ECSA Review*, vol. X, pp. 1-2.

Castaldi, R. (2007), *A Federalist Framework Theory of European Integration*, Centro Studi sul Federalismo, Research Paper.

CEPR (1993), *Making Sense of Subsidiarity: How Much Centralization for Europe?*, Monitoring European Integration 4, A CEPR Annual Report, Centre for Economic Policy Research.

Christiansen, T., Jørgensen K.E. and Wiener A. (eds.) (2001), *The Social Construction of Europe*, Sage.

Cooley, A. and Spruyt, H. (2009), *Contracting States: Sovereign Transfers in International Relations*, Princeton University Press.

Dahl, R. (1961), *Who Governs?: Democracy and Power in an American City*, Yale University Press.

Dalton, R.J. (2018), *Political Realignment: Economics, Culture and Electoral Change*, Oxford University Press.

De Lombaerde, P. and Saucedo Acosta E. J. (2017), *Indicator-Based Monitoring of Regional Economic Integration: Fourth World Report on Regional Integration*, Springer.

De Lombaerde, P. and Söderbaum F. (2013), “Editors’ Introduction: Reading the Intellectual History of Regionalism”, in P. De Lombaerde and F. Söderbaum (eds.), *Regionalism, Volume I - Classical Regional Integration (1945-1970)*, Sage Publications, pp. xvii-xlvi.

de Melo, J. and Tsikata, Y. (2015), *Regional Integration in Africa: Challenges and Prospects*, CEPR Discussion Paper No. DP10598.

Delors, J. (1989), *Speech at the Opening Session of the 40th Academic Year of the College of Europe* (Bruges: European Commission, October 17, 1989),

https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_89_73,

page consulted on 8th February 2024.

Draper, P. (2012), “Breaking Free from Europe: Why African Needs Another Model of Integration”, in L. Fioramonti (ed.) *Regionalism in a Changing World: Comparative Perspectives in the New Global Order*, Routledge.

EC (1970), *Rapport au Conseil et à la Commission concernant la réalisation par étapes de l’Union Économique et Monétaire dans la Communauté. “Rapport Werner”*, text final, Supplément au Bulletin 11 — 1970 des Communautés européennes.

EC (1989), Committee for the Study of Economic and Monetary Union. *Report on economic and monetary union in the European Community*, Office for Official Publications of the European Communities.

Fabbrini, S. (2015), *Which European Union? Europe after the Euro Crisis*, Cambridge University Press.

Fabbrini, S. (2017), “Intergovernmentalism in the European Union. A comparative federalism perspective”, *Journal of European Public Policy*, vol. 24, pp. 580-597.

- Farmer, L.J. (2012), "Sovereignty and the African Union". *Journal of Pan African Studies*, vol. 4, pp. 93-105.
- Fernandez, R. and Portes, J. (1998), "Returns to Regionalism: An Analysis of Nontraditional Gains from Regional Trade Agreements", *World Bank Economic Review*, vol. 12, pp. 197-220.
- Finke, D., König, T., Proksch, S. O. and Tsebelis, G. (2012), *Reforming the European Union: Realizing the Impossible*, Princeton University Press.
- Fioramonti, L. and Mattheis, F. (2016), "Is Africa Really Following Europe? An Integrated Framework for Comparative Regionalism", *Journal of Common Market Studies*, vol. 54, pp. 674-690.
- Freund, C. and Ornelas, E. (2010), *Regional Trade Agreements*, Policy Research Working Paper Series 5314, World Bank.
- Fukuyama, F. (1992), *The End of History and the Last Man*, The Free Press.
- Fursdon, E. (1980), *The European Defence Community: A History*, Springer.
- Geiss, I. (1974), *The Pan-African Movement*, Methuen.
- Goldstein, A. (2002), *The New Regionalism in Sub-Saharan Africa: More than Meets the Eye?*, OECD Development Centre, Policy Brief No. 20.
- Guerrieri, S. (2014), "From the Hague Congress to the Council of Europe: hopes, achievements and disappointments in the parliamentary way to European integration (1948–51)", *Parliaments, Estates and Representation*, vol. 34, pp. 216-227.
- Haas, E. B. (1958), *The Uniting of Europe: Political, Social and Economic Forces 1950-57*, Stanford University Press.
- Haas, E. B. (1961), "International Integration: the European and the Universal Process", *International Organization*, vol. 15, pp. 366–392.
- Harris, G. (1994), *The Organization of African Unity*, Abc-Clio.
- Hartzenberg, T. (2011), *Regional Integration in Africa*, Staff Working Paper ERSD-2011-14, World Trade Organization.
- Hazlewood, A. (1988), "The East African Community", in El-Agraa, A.M. (ed.) *International Economic Integration*, Palgrave Macmillan.
- Helpman, E. and Krugman, P. (1985), *Market Structure and Foreign Trade: Increasing Returns, Imperfect Competition and the International Economy*, MIT Press.
- Helpman, E. and Krugman, P. (1989), *Trade Policy and Market Structure*, MIT Press.

- Hennette, S., Piketty, T., Sacriste, G. and Vauchez, A. (2017), *Pour un traité de démocratisation de l'Europe*, Editions du Seuil.
- Hettne, B. (1993), "Neo-mercantilism: the pursuit of regionness", *Cooperation and Conflict*, vol. 28, pp. 211-232.
- Hettne, B. (2003), "The New Regionalism Revisited", in F. Söderbaum and T. M. Shaw (eds.), *Theories of New Regionalism: A Palgrave Reader*, Palgrave Macmillan, pp. 22–42.
- Hettne, B. (2005), "Beyond the 'New Regionalism'", *New Political Economy*, vol. 10, pp. 543–571.
- Hogan, M. J. (1987), *The Marshall Plan: America, Britain, and the Reconstruction of Western Europe, 1947–1952*, Cambridge University Press.
- Hooghe, L. and Marks, G. (2001), *Multi-level Governance and European Integration*, Rowman & Littlefield Publishers.
- Hooghe, L. and Marks G. (2009), "A Post-Functionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus", *British Journal of Political Science*, vol. 39, pp. 1-23.
- Hooghe, L. and Marks G. (2019), "Grand Theories of European Integration in the Twenty-First Century", *Journal of European Public Policy*, vol. 26, pp. 1113-1133.
- Hooghe, L., Lenz T. and Marks G. (2019), *A Theory of International Organization*, Oxford University Press.
- Jepsen, M. (2005), "The European Social Model: An Exercise in Deconstruction", *Journal of European Social Policy*, vol. 15, pp. 231–45.
- Jones, E. (2018), "Towards a Theory of Disintegration", *Journal of European Public Policy*, vol. 25, pp. 440-451.
- Jones, E., Kelemen, R.D. and Meunier, S. (2021), "Failing Forward? Crises and Patterns of European Integration", *Journal of European Public Policy*, vol. 28 (10).
- Judt, T. (2005), *Postwar: A History of Europe since 1945*, The Penguin Press.
- Kant, I. (1795), *Perpetual Peace. A Philosophic Essay*, translated by B. F. Trueblood, The American Peace Society, 1897.
- Kayizzi-Mugerwa, S., Anyanwu, J: C. and Conceição, P. (2014), "Regional Integration in Africa: An Introduction", *African Development Review*, vol. 26, pp. 1–6.
- Keohane, R. O. (1982), "The Demand for International Regimes", *International Organizations*, vol. 36, pp. 325-355.
- Keohane, R. O. and J. Nye (1977), *Power and Interdependence: World Politics in Transition*, Little Brown.

- Klabbers, J. (2015), *Advanced Introduction to the Law of International Organizations*, Elgar.
- Krugman, P. (1991), *Geography and Trade*, MIT Press.
- Lindberg, L. N. (1963), *The Political Dynamics of European Economic Integration*, Oxford University Press.
- Lipset, S. M. and S. Rokkan (eds.) (1967), *Party Systems and Voter Alignments: Cross-National Perspectives*, Free Press.
- Loth, W. (2017), “60 years ago: The foundation of EEC and EAEC as crisis management”, *Journal of European Integration History*, vol. 23, pp. 9-28.
- Marks, G. (2012), “Europe and Its Empires: From Rome to the European Union”, *Journal of Common Market Studies*, vol. 50, pp. 1-20.
- Mason, H. L. (2013), *The European Coal and Steel Community: Experiment in Supranationalism*, Springer.
- Mattli, W. (1999), *The Logic of Regional Integration: Europe and Beyond*, Cambridge University Press.
- Majone, G. (1998), “Europe’s ‘Democratic Deficit’: The Question of Standards”, *European Law Journal*, vol. 4, pp. 5-28.
- Majone, G. (2005), *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth*, Oxford University Press.
- Mazrui, A. A. (2005), “The Re-Invention of Africa: Edward Said, V. Y. Mudimbe, and beyond”, *Research in African Literatures*, vol. 36, pp. 68-82.
- McNamara, K. (2015), “History Lessons: What can past Currency Unions tell us about the Future of the Euro?”, in M. Matthijs and M. Blyth (eds.), *The Future of the Euro*, Oxford University Press.
- Mény, Y. (2002), “De la démocratie en Europe: Old Concepts and New Challenges”, *Journal of Common Market Studies*, vol. 41 pp. 1-13.
- Mény, Y. (2014), “Managing the EU Crises: Another Way of Integration by Stealth?” *West European Politics*, vol. 37, pp. 1336-1353.
- Mény, Y. (2015), “It’s politics, stupid!: The hollowing out of politics in Europe - and its return, with a vengeance”, *Stato e Mercato*, n. 103, pp. 3-28.
- Milward, A. S. (1992), *The European Rescue of the Nation-State*, Routledge.
- Mohammed, S. A. (2015), “Organization of African Unity and the African Diplomacy”, in *Izmir Review of Social Sciences*, vol. 3, pp. 95-108.

- Moravcsik, A. (1993), "Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach", *Journal of Common Market Studies*, vol. 31, pp. 474-524.
- Moravcsik, A. (1998), *The Choice for Europe*, Cornell.
- Moravcsik, A. and F. Schimmelfennig (2009), "Liberal Intergovernmentalism", in A. Wiener and T. Diez (eds.), *European Integration Theory*, Oxford University Press, pp. 67-87.
- Mueller, W. (2010), "The Soviet Union and Early West European Integration, 1947-1957: From the Brussels Treaty to the ECSC and the EEC", *Journal of European Integration History*, vol. 15, pp. 67-86.
- NATO (1997), *Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation signed in Paris, France*
https://www.nato.int/cps/en/natolive/official_texts_25468.htm, page consulted on 9th February 2024.
- Nugent, N. (2017), *The Government and Politics of the European Union*, 8th Edition, Palgrave.
- Nye, J.S. (1968), "Comparative Regional Integration: Concept and Measurement", *International Organization*, vol. 22, pp. 855-880.
- Nye, J.S. (1970), "Comparing Common Markets: A Revised Neo-Functionalist Model", *International Organization*, vol. 24, pp. 796-835.
- Paris, D. (2018), "Limiting the Counter-Limits. National Constitutional Courts and the Scope of the Primacy of EU Law", *Italian Journal of Public Law*, vol. 10 (2).
- Pedersen, T. (2002), "Cooperative Hegemony: Power, Ideas and Institutions in Regional Integration", *Review of International Studies*, vol. 28, pp. 677-96.
- Pierson, P. (1996), "The Path to European Integration: A Historical Institutional Analysis", *Comparative Political Studies*, vol. 29, pp. 123-163.
- Polanyi, K. (1945), "Universal Capitalism or Regional Planning?", *The London Quarterly of World Affairs*, January 1945, pp. 86-91.
- Pollack, M. A. (2006), "Rational Choice and EU Politics", in K. E. Jørgenson, M. A. Pollack and B. Rosamond (eds.), *Handbook of European Union Politics*, Sage, pp. 312-355.
- Rivarola Puntigliano, A. (2017), "21st century geopolitics: integration and development in the age of 'continental states'", *Territory, Politics, Governance*, vol. 5, pp. 478-494.
- Rohan, S. (2014), *The Western European Union: International Politics Between Alliance and Integration*, Routledge.

- Sauvé, P. and Stern, R.M. (2000) (eds.), *GATS 2000. New Directions in Services Trade Liberalization*, Centre for Business and Government, Harvard University and Brookings Institution Press.
- Schiff, M. (2000), *Multilateral Trade Liberalization, Political Disintegration, and the Choice of Free Trade Areas versus Customs Unions*, Policy Research Working Paper Series, No. 2501, World Bank.
- Schiff, M. and Winters, A. (2003), *Regional Integration and Development*, World Bank and Oxford University Press.
- Schütze, R. (2012), “Federalism as Constitutional Pluralism: Letter from America”, in J. Kommarek and M. Avbelj (eds.), *Constitutional Pluralism in the European Union and Beyond*, Hart.
- Schütze, R. (2018), *European Union Law*, second edition, Cambridge University Press.
- Scully, R. (2006), “Rational Institutionalism and Liberal Intergovernmentalism”, in M. Cini and A. K. Bourne (eds.), *Palgrave Advances in European Union Studies*, Palgrave MacMillan, pp. 19-34.
- Shaw, T. M., Grant J. A. and Cornelissen S. (2011), “Introduction and Overview: The Study of New Regionalism(s) at the Start of the Second Decade of the Twenty-First Century”, in T. M. Shaw and J. A. Grant (eds.), *The Ashgate Research Companion to Regionalisms*, Ashgate, pp. 3-30.
- Spandler, K. and Söderbaum, F. (2023), *Sovereignty and Regionalism: A New Framework*, UNU-CRIS Working Paper, No. 5, United Nations University Institute on Comparative Regional Integration Studies.
- Thompson, W.R. (1973), “The Regional Subsystem: A Conceptual Explication and a Propositional Inventory”, *International Studies Quarterly*, vol. 17, pp. 89–117.
- Tieku, T.K. (2004), “Explaining the Clash and Accommodation of Interests of Major Actors in the Creation of the African Union”, *African Affairs*, vol. 103, pp. 249–67.
- Tranholm-Mikkelsen, J. (1991), “Neofunctionalism: Obstinate or Obsolete? A Reappraisal in the Light of the New Dynamism of the EC”, *Millennium: Journal of International Studies*, vol. 20, pp. 1-22.
- Urwin, D. (1995), *The Community of Europe A History of European Integration Since 1945*, 2nd edition, Routledge.
- van Nieuwkerk, A. (2014), “The Strategic Culture of Foreign and Security Policymaking: Examining the Southern African Development Community”, *African Security*, vol. 7, pp. 45-69.
- Viner, J. (1950), *The Customs Union Issue*, Carnegie Endowment for International Peace.

- Walker, N. (2002), “The Idea of Constitutional Pluralism”, *The Modern Law Review*, vol. 65 (3).
- Walker, N. (2016), “Constitutional Pluralism Revisited”, *European Law Journal*, vol. 22 (3).
- Wallace, W. (1994), *Regional Integration: The West European Experience*, The Brookings Institution.
- Warleigh-Lack, A. and Rosamond B. (2010), “Across the EU Studies-New Regionalism Frontier: Invitation to a Dialogue”, *Journal of Common Market Studies*, vol. 48, pp. 993-1013.
- Whalley, J. (1996), “Why Do Countries Seek Regional Trade Agreements?”, in J. Frankel (ed.), *The Regionalization of the World Economy*, Chicago University Press.
- Williams, M. (2022), *The Pan-African Imperative. Revisiting Kwame Nkrumah's Vision for African Development*, Routledge.
- World Bank (2000), *Trade Blocs*, World Bank Policy Research Report, Oxford University Press.
- Zakaria, F. (1997), “The Rise of Illiberal Democracy”, *Foreign Affairs*, vol. 76 (6).
- Zank, W. (2007), *A Comparative European View on African Integration: Why It Has Been Much More Difficult in Africa Than in Europe*, Working Paper 4, CCIS Research Series, Aalborg University.