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The European Union in the World: Essay in Honour of Marc
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Larik, J.

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Publication Review

The European Union in the World: Essays in Honour of Marc Maresceau

Inge Govaere, Erwan Lannon, Peter van Elsuwege, Stanislas Adam (eds)

Reviewed by Joris Larik

Subject: European Union

***E.L. Rev. 293** The theme of the EU's role on the international stage continues to enjoy an unabated amount of attention from scholars, not least in the legal field. This is rightly so, given that the Lisbon Treaty represented by no means a sort of "end of history" of EU external relations law, answering all remaining questions through one comprehensive, sweeping constitutional settlement. While addressing a number of conundrums, the Lisbon reform certainly raised others pertaining to the EU's complex system of external relations. Moreover, events, crises and developments have stopped neither within the Union nor in the world around it. While internally still coping with the effects of the euro crisis and growing euroscepticism, and anticipating the role of the now "politicized" Commission and strengthened Parliament, the Union faces a heavily strained international environment, rife with challenges ranging from climate change to violent conflict. As the past years have made abundantly clear, such crises do not occur in remote countries only, but right at the Union's doorstep, with the continuing refugee crisis in the Mediterranean and the violence in Eastern Ukraine as the most evident examples.

It is in this troubled environment that the edited volume *The European Union in the World: Essays in Honour of Marc Maresceau*, edited by Inge Govaere, Erwan Lannon, Peter van Elsuwege and Stanislas Adam, makes a rich and timely contribution, especially due to its emphasis on the rule of law and the EU's neighbourhood. Described by its editors as "a mark of respect for a remarkable person and a successful legal scholar whose activities inspired and influenced generations of students, academic and practitioners alike", its stated aim is to honour Professor Maresceau's "pioneering work on the study of EU external relations law in general, and on EU enlargement and neighbourhood studies in particular" (p.xxiv). More than 600 pages long, the volume is subdivided into an introductory section followed by six thematic parts.

The four forewords, written respectively by Hubert Bocken, the former Rector of the College of Europe Paul Demaret, Jean Raux and Guy Schrans, attest not only to Maresceau's extraordinary career and achievements, but also give a glimpse of his impressive orbit of friends, colleagues and "academic offspring" (p.xxiv). His "international approach to academic life" (p.xxiv) is also evident in the list of contributors, which reads as a veritable who's-who in European law.

Part I focuses on "General Principles of EU External Action" with chapters by Alan Dashwoon, Allan Rosas, Koen Lenaerts, Stanislas Adam, Piet Eeckhout and Christine Kaddous. It tackles "evergreen" issues of EU external relations law such as the schism between the Common Foreign and Security Policy (CFSP) and the other external Union policies, competence and legal basis questions, direct applicability and the ***E.L. Rev. 294** direct effect of international law, including the European Convention on Human Rights, and fair and equitable trading within the internal market and with the rest of the world. While these are certainly not new topics, these chapters all represent useful and thorough updates and reflections on the latest state of affairs in both case law and practice.

Part II subsequently homes in on the "Institutional Framework of EU External Action", featuring, among others, Peter-Christian Müller-Graff, Ramses Wessel and Youri Devuyst. The chapters tackle issues of both horizontal and vertical institutional relations, including the European External Action Service (EEAS) and the very topical but still too often neglected issue of the euro zone's relations with the Multilateral Financial Institutions.

Part III contains a somewhat eclectic collection of "Contemporary Issues" of the practice of EU external action, with contributions from, inter alia, Jan Wouters, Inge Govaere, Francis Jacobs and Paolo Mengozzi. These issues range from the EU's relations with the United Nations and other international organisations, to the proposed Unified Patent Court, CFSP decisions and the

inter-judicial dynamics regarding third-country residents in the EU as well as the *Costa Concordia* maritime disaster. While diverse and mostly rather focused, all these chapters speak to wider legal and policy issues in EU external relations.

Part IV turns to "The External Dimension of EU Competition Policy", which links two of Professor Maresceau's specialities. Contributors here include Anne-Marie van den Bossche, Jacques Bourgeois and Piet Jan Slot, covering competition rules and their treatment in free trade agreements, bilateral treaties and state aid in the European Economic Area, and illustrating very well the external dimension and implications of any internal EU policy.

Part V addresses "The EU's Bilateral Relations with Third Countries", or rather a selection of three key partners. These are Russia (Peter van Elsuwege), the US (Ambassador Günter Burghardt) and South Korea (Philippe Vlaeminck), with the latter evidently not being a great power, but nonetheless relevant owing to the trade agreement which it concluded with the EU and which entered into force in 2011.

Lastly, Part VI addresses the area to which Professor Maresceau has devoted most of his academic endeavours, namely "The Enlargement and Proximity Policies of the European Union". Among the contributors to this part we find Erwan Lannon, Dimitry Kochenov, Christophe Hillion and Jenö Czuczai. Topics covered here include differentiated integration, enlargement conditionality, fundamental rights protection, the impact of the evolving European Monetary Union on the *acquis* from an enlargement perspective, as well as a geopolitical take on regionalism.

An appraisal of this book, while highlighting some of its many merits, also gives rise to a number of critical reflections. Among its foremost assets is certainly the high profile of its contributors, which results in an overall very high quality of the content, as well as the wide range of topics covered. Any scholar of EU external relations law is highly likely to find in this tome relevant in-depth scholarship for his or her particular area of specialisation, and in addition may even be inspired to look into new areas by virtue of the many thought-provoking pieces contained herein. Coherence of the volume is maintained through focusing on Professor Maresceau's areas of expertise and specialisation, those being the external relations of the EU in general and its "proximity" policies in particular.

Furthermore, looking beyond the content alone, it is certainly to be welcomed that an extensive collection like this one on legal aspects of EU external relations did not turn into another exercise in monoglotism. Just as the EU is not a monolingual entity, but has 24 official languages, it is not an "Anglomonophone" power on the international stage either. Instead, it always has been able to draw on the manifold linguistic, historical and cultural ties of its Member States with different parts of the world near and far. Hence, the quest for "speaking with one voice" internationally must not be mistaken for "speaking in one language only". It is therefore only fitting that among the 34 chapters of this book dedicated to this subject, seven are written in French, covering at least what have come to be known as the "CFSP languages". At the same time, it highlights the decline of other languages in EU legal scholarship. For instance, while Professor *E.L. Rev. 295* Maresceau has published widely in Dutch throughout his career (see pp.xiii-xix), no article appears in that language. Even the foreword by Guy Schrans, following three other forewords in English and French, was translated to English (p.xliii, fn.1). However, expectations for multilingual scholarship in Europe being generally low, this volume should be lauded for breaking with this trend.

Another merit of this book is its commitment to "law in context". This was emphasised in the forewords as something particularly close to Professor Maresceau's heart and scholarship, and is also well reflected throughout the volume. This can be achieved in two ways: either by juxtaposing scholarly legal assessments with practitioners' perspectives from a more political angle, or integrating both into a single piece. This volume includes good examples of both. However, one may not go as far as concluding that this is a truly interdisciplinary book. That would require a mutual problematisation of theoretical frameworks and methodologies from different disciplines. In this regard, the present volume is not an interdisciplinary exercise, as neither political science/international relations nor other disciplines are strongly represented at a theoretical level throughout, but this does not diminish the value and usefulness of this book for politically astute lawyers as well as political scientists and practitioners with an interest in legal issues alike.

Lastly, the considerable price of the volume is difficult to ignore. In times of economic austerity and cost-saving measures, its price tag of €213 is likely to inhibit many otherwise interested scholars from acquiring this book. It adds further to the impression of Martinus Nijhoff/Brill as a publisher of high quality at a high price—for the enthusiast who can afford it. It is to be hoped that a paperback edition

might decrease the cost of enjoying this volume in the future.

In sum, this *Festschrift* is a formidable homage to Marc Maresceau as a cartographer of the "salient features" of the ever-changing landscape of EU external relations, and as a prospector of good neighbourliness in and around Europe. As a side note, moreover, high-quality edited volumes such as this one serve to contradict the misplaced disesteem that certain national academic research assessment frameworks have come to exhibit vis-à-vis this publication format.

The relevance of the topics covered in this book could not be more evident in view of current events. One could even say that the crises and tragedies on both the southern and eastern borders of the EU serve as stark examples of law *without* context. Instead of a peaceful and smooth approximation of Ukraine to the Union's *acquis* and values by virtue of an association agreement, widely perceived as mostly technical in nature, the EU witnessed—with "grave concern", of course—the forceful annexation of Crimea by Putin's Russia, as well as the eruption of violent conflict on European soil. In contrast to the pompous lead-up to the "Union for the Mediterranean", to be based on a common vision and spurred on by the Arab Spring, the Mediterranean today captures the headlines predominantly as a scene of refugee tragedies—at the risk of turning this shared space into a "vast cemetery", to use the drastic words of Pope Francis delivered in his address to the European Parliament on 25 November 2014.

In conclusion, *The European Union in the World: Essays in Honour of Marc Maresceau*, represents an impressive collection of essays in honour of an equally impressive figure of European law and EU external relations. It combines a wide range of leading scholars with the coverage of an equally wide range of perspicaciously contextualised legal issues. 2014 was not a good year for global governance and the rule of law in the world, especially in the EU's neighbourhood. This 2014 volume helps us to retain a sense of optimism and continued faith in the transformative power of law, both for Europe and through Europe in its relations with the wider world. In the same speech by the Pope in Strasbourg mentioned above, he concluded by evoking a "Europe which bestrides the earth surely and securely, a precious point of reference for all humanity". For EU external relations scholarship, this book, reflective of its honouree's **E.L. Rev. 296* work, will doubtlessly remain a precious point of reference in these times of crisis and for many years to come.

Joris Larik

Leiden University and The Hague Institute for Global Justice

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