

# European union peril or panacea research paper

[Law](#), [Evidence](#)



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## **European Union: Peril or Panacea?**

The European Union (EU) is a collective of twenty-seven countries who came together at the end of the Second World War in the pursuit of peace and cooperation. Since joining together, the European Union has helped to bring about just over half a century of “ peace, stability and prosperity.” (Europa, 2011). The Union’s main focus is to unify Europe and to “ make war unthinkable and materially impossible” (Schuman, 1949) as discussed by the then French Foreign Minister, Robert Schuman in his proposal to form a ‘ supranational’ community which became the EU. Following the horrors of the First and Second World Wars in quite quick succession, it became apparent that Europe needed a governing body which would prevent such terrible events happening again. The European Union was established at a time when Europe was in desperate need of a panacea – a cure to its troubles. However, whilst the EU is obviously providing an effective ‘ management’ of its states, it is unfair to burden it with such a heady responsibility as providing a cure for all. Ultimately, Europe is still populated and run by human beings whose decisions and behaviours are as unpredictable as ever – whether regulated or not. To this end, the EU is neither a peril nor a panacea as much as it is a safeguard which endeavours to protect Europe’s best interests to its fullest extent.

Following this, in December 2007 (coming into effect in December 2009), the Lisbon Treaty was signed which amended the foundations of the European Union to update the agreement. The treaty had to be ratified by all 27 members of the Union and meant a number of changes including: the

election of a president of the European Council; the creation of a role entitled the High Representative to give the EU more status on the world stage; the maintenance of a full 27-member commission; the redistribution of voting weights; extra power for the European Commission, European Parliament and the European Court of Justice; the parliament and the council would not be on an equal footing in terms of legislation; the removal of national vetoes concerned with a number of areas of policy (BBC, 2011). The Lisbon Treaty was met with some criticism, largely concerned with how it “strips member nations of too much power” (CNN, 2007) implying that the European Union was now becoming bigger and more important than its individual members combined. However, in effect, this was largely the reason for forming such a union in the first place: a removal of power in the hope that it would ‘harmonise’ Europe and unify the states in such a way that one cannot nationalistically enforce its will upon anyone else.

On paper, the European Union does appear to be something of a panacea-style solution to the problems of nationalism and war in Europe. Since the end of the World War Two and the consequent formation of the European Union, there have been no further wars between European countries but that does not mean that there have not be controversies or conflicts within Europe. Most notably, the division of Eastern and Western Germany after the Second World War, with the divide running through the centre of Berlin. This divided a nation who became ruled by the Communist Soviet Union in the East and the West was divided in three further sections ruled by the British, the French and the Americans respectively. People from the East chose to move to the West in order to secure a more comfortable way of life and to

prevent this from happening, the East Germans built a wall that ran through Berlin in 1961. The wall became a symbol of division and served as a reminder, somewhat, of Germany's chequered history. Tired of this division, the Germans tore the Berlin wall down on 10 November 1989 – the scenes that unfolded were spectacular with the public rebelling against these conditions with holes appearing in the wall and guards laying down their guns in support of the public's actions (Williams, 2003, p13-14). The events of that day served to remind Europe that Germany had moved on from its nationalist actions of the earlier part of the twentieth century and were keen to have that recognised. It was a turning point for both history and politics and served to act as proof that the unification of Europe was having the desired effect. As a result of the fall of the Berlin wall, the European Union's relationship with the former USSR changed and brought the matter of Energy Charter firmly on the table – the aim of which was to “integrate the energy sector of the former USSR into European and world markets.” (Mérand, 2011, p110).

Equally, the growth of the European Union is testament to its success and status. Originally it only had six states involved, today in 2011; the EU consists of 27 states with the number having gradually crept up over the last few decades. Its most recent members include Cyprus and Malta in 2008, Slovakia in 2009 and an application to join by Iceland in July 2009. The obvious implication of this is that the European Union continues to be as relevant today as it did sixty years ago. The European Union has also grown in strength and significance with the advent of the unifying 'Euro' currency which a large number of European countries now use – Great Britain being

one of the only exceptions to this. Whilst Europe's conflicts have been relatively minor since 1945, the fact that European countries are still applying to join, demonstrates its necessity and the security it offers to its members. Whilst arguing that the European Union is a panacea is clearly riddled with issues, it is fair to argue the EU most certainly has a strong position on the world stage and that its relevance today is as prevalent as ever – whilst it may not be a cure to all issues, it certainly isn't perilous – although, it is not without fault.

The European Union has received a significant amount of criticism over the years – much like the majority of political bodies do. One such instance of this is the European Court's ability to issue a warrant without evidence. According to EUR-Lex, the European Arrest Warrant (EAW) allows for the arrest of an individual in any member of the European states under the circumstances of a criminal prosecution or the enforcement of a custodial sentence (2002, 1. 1). This has been met with a significant amount of contention as it arguably contravenes with the human rights convention but, the EU will act in accordance with its original founding *raison d'être* which is to defend the peace of its members. If an individual is committing international crimes that can threaten that peace and so the EU will act. The obvious complain here is that if a person is later found to be innocent, this action does contravene their human rights and the EU can be found to be at fault. Presumably, on this note, the EU acts in this way in only an absolutely necessary scenario. Another issue of warrants that the European Union has received some criticism for is the evidence warrant which, when issues, requires one member state to provide evidence to another state. Franco

Frattini, the EU Justice Commissioner, claimed that it was “ a key step towards ‘ completing the European space to fight terrorism and organised crime’.” (BBC, 2006). The evidence that is shared will be recognised in other member states – enforcing the union of European justice also. However, this warrant does not cover witness statements which form a large amount of judicial evidence and so the critics claim that it does not go far enough in terms of providing evidence whereas others complain that the warrant does not go far enough – citing that it is an “ attack on national sovereignty” and that “ They are particularly alarmed by the fact that countries such as Bulgaria and Romania - criticised by the European Commission for judicial corruption” are able to issue evidence warrants since their induction in 2007 and 2008 (BBC, 2006). However, the actions taken are done so to best preserve the European Union’s security by human rights campaigners complain that the EU is not doing enough to improve civil liberties (BBC, 2006). This indicates the focus of the EU as being on ‘ the greater good’ for the majority as opposed to individuals.

The fundamental problem with the European Union is that it exists on a basis of trust solely. Although there are numerous bits of paper with signatures on them from the 27 heads of state, this does not necessarily stop any one of those states from breaking their agreement – human history is littered with individuals not keeping their promises and breaking their bonds. A signature does not mean anything if a state chooses to act outside of the EU agreement. However, in practice, this has not happened yet and it would seem that the various treaties have limited the availability of resources that would enable the starting of a war easily. Human nature is such that

disagreements over the most minor of details, however, can cause conflicts. In 2003, the EU council failed to reach a final result as they could not agree over to what extent states will have voting rights as it was due to expand from fifteen to twenty-five members. The Italian prime minister was quoted as saying that there was a “ total disagreement” on voting powers (BBC, 2003). The significance of this incident is to demonstrate how ultimately, the European Union is still only just a collection of people and people tend to be fundamentally flawed – this could potentially be the EU’s ultimate downfall. The question of whether the European Union is a peril or a panacea is an unfair one because as with anything in life, nothing is ever perfect. Its initial establishment was set about to diminish the potential for war following the horrors of the First and Second World Wars and, in that respect, the EU does appear to have been something of a panacea since Europe has lived in relative peace (albeit for one or two minor discrepancies – usually civil ones, at that) since its inception. However, in practice, the concept of a panacea is an impractical one with the suggestion being that there is no ‘ cure for all’ since everything has its own qualities and requirements but it would seem that in terms of European harmony, the European Union is doing an excellent job of plugging up the hole of European nationalist tendencies. It would be extremely unfair to describe the EU as a peril, in this sense and as such, it sits neatly between the two ends of the spectrum – both brilliantly poised for success and fragile with its potential for human error.

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