

ABSTRACTS

Peter-Christian Müller-Graff

Brexit – The Legal Dimension

Brexit is new territory in European Union law. The article elaborates its different dimensions. It distinguishes three groups of issues. Firstly it explores the legal situation between the referendum and the notification of Britain's withdrawal from its (already specifically reduced) membership in the European Union in the light of the principle of sincere co-operation. Secondly it ponders on the consequences for Union law if the British government and/or Parliament would ignore the result of the referendum. Thirdly it assesses the legal consequences of the notification of withdrawal for the time between the notification and the termination of the applicability of Union law to Britain as well as the possible content of an agreement on the arrangements of the withdrawal and of a future Treaty between Britain and the European Union.

Julia Klein

Europepopulism – a Genuine Phenomenon in the Context of European Crises?

In the past years, the eurosceptical and populist potential experienced a sharp growth throughout Europe. With the British referendum to leave the EU in June 2016, eurosceptic parties and movements were able to achieve a success without precedent. The article at hand tackles the ideological and strategical characteristics of eurosceptic parties and asks the question whether there is a genuine “europepopulism” in the European party system. Despite contextual differences and fragmentation phenomena, the similarities between euroscepticism and populism can be identified as extreme ideological positions, anti-establishment-campaigns, a narrative critical of the system, political emotionalisation, a flexibility regarding political content, and a tactical approach towards elections.

Robert Kaiser and Heiko Prange-Gstöhl

Why the EU Fails to Provide a Strong Focus on Future-oriented Growth Policy in its Multiannual Financial Framework

The current Multiannual Financial Framework of the European Union (2014-2020) is the first budget in the history of European integration that is characterized by a decline of the overall financial resources compared to its predecessor. Notably, it still fails to provide a strong focus on a future-oriented growth policy. Against this background, the article analyses why a substantial reform of the EU budget did not take place and what leeway for change exists in view of the upcoming mid-term review of the Financial Framework. We argue that under the situation of a shift from “normal” to “crisis politics” both old and new institutional obstacles had an impact on the outcome of the negotiation process, and those obstacles are likely to be effective in the foreseeable future.

Christian Baldus

Narratives of Integration: Private Law in Times of Security Concerns

Initially, peace and later on welfare were key narratives of European integration. Private law became an essential instrument for that. However, as these bases of the integration experience faded into oblivion, some states entered the Union as if it just served to promote welfare and security. Tensions resulting from this abuse now become evident. Rethinking the private factor can provide a necessary counterpoint to present-day security discourses. Private law discourses can help to reveal which member states want to open the chances and risks of a non-statal integration project like the EU to their citizens and businesses. The map of an “intégration à la carte” could be essentially a private law map, to wit, beyond reductive security discourses.