

§ 1 Introduction

I. The world order of states

1) The principle of the territorial state

- Neither our planet nor mankind constitute a legal unity. Numerous distinct communities (*peoples*) form independent (*sovereign*) governing entities (*states*). Each state is allocated a delimited portion of the earth's surface (*state territory*), over which it has exclusive power to rule (*state power*), but to which its authority is generally restricted (*territorial principle*). In this system, rule by virtue of higher law (*sovereign/public power*) is the rule of the state over the territory over which it has control (state territory). Only states can obtain a sovereign public power which is not derived nor dependent.

2) Public internal law as rudimentary legal world order

- There is not one comprehensive global legal order but a plurality of coexisting heterogeneous legal orders of the individual states. However, public international law (the law of the states) serves as a universally recognized rudimentary legal world order.

3) The prominent role of the sovereign territorial state

- Each state enjoys *sovereignty*: the basically *unlimited, underived and independent legal capacity to act in internal and external affairs* (only few restrictions under public intern. law). It includes
 - the (quasi-) unlimited public power of the state
 - the control of the state over all other public power exercised on its territory
 - a (quasi-) unlimited constituent power within the state
 - recognised restrictions: prohibition of war, genocide, slavery and other huge-scale extreme human rights violations
- Sovereignty is absolute. It cannot be shared, divided, in transition or in suspense.

II. International cooperation, supranational cooperation and integration in the world order of states

- see Diagram 1

III. The history of European integration (overview)

- 1946 WINSTON CHURCHILL speaks at the University of Zürich
- 1949 foundation of the Council of Europea
- 1952 start of the *European Coal and Steel Community* (ECSC)
- 1958 start of the *European Economic Community* (EEC) and the *European Atomic Energy Community* (EURATOM)
- 1967 connection of the three *European Communities* to one acting unit with common institutions
- 1968 completion of the Customs Union
- 1978 establishment of a European Monetary System (EMS)
- 1987 entry into force of the *Single European Act* (SEA)
- first major reform; in particular agreement to establish a European internal market
- 1992 establishment of the *internal market* almost completed
- 1993 entry into force of the *Treaty of Maastricht* (EU Treaty)
- second major reform
- emergence of the *European Union* (EU), which comprises the European Communities
- "EEC" renamed "EC"
- introduction of a Common Foreign and Security Policy (CFSP) and a cooperation in the field of justice and home affairs
- binding agreement to introduce a common currency
- 1999 introduction of the *euro* (€); entry into force of the *Treaty of Amsterdam*
- third major reform
- 2000 proclamation of the *Charter of Fundamental Rights of the European Union* (as non-binding soft law)
- 2002 introduction of euro coins and notes; ECSC Treaty expires (missions taken over by EC)
- 2002/03 preparation of a Draft constitution by the European Convention
- 2003 entry into force of the *Treaty of Nice*
- fourth major reform
- 2004 signing of the *Treaty establishing a Constitution for Europe*
- 2004/07 Eastern enlargement of the European Union (10 + 2 new member states)
- 2005 Failure of the Treaty establishing a Constitution for Europe
- 2009 entry into force of the *Treaty of Lisbon*
- last major reform
- simplification of the structure of the EU; liquidation of the EC
- Charter of Fundamental Rights becomes binding primary law
- 2010-13 Fight against the financial crisis in some euro area member states
- 2012: entry into force of the Treaty establishing the European Stability Mechanism
- 2013: entry into force of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (Fiscal Pact)
- 2013 Accession of Croatia to the EU (last enlargement)
- Since 2013 Stagnation of the integration process