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EUROPEAN INTEGRATION: BEYOND 1992

LLOYD BONFIELD*

The following articles are a selection from presentations made at the Eason-Weinmann Colloquium entitled "European Integration: Beyond 1992" held in Helsinki, Finland, in June, 1992, in conjunction with the Faculty of Law of the University of Helsinki.¹ Three sessions were convened there to explore the ongoing and vibrant process of European integration in diverse theoretical and practical contexts.

The opening session explored in broad, and often abstract terms the concept of "federalism" as a structure for organizing and governing modern societies. This foray was indeed multidisciplinary: political science, philosophy, anthropology and history were represented. How authority is, was and should be layered or distributed amongst various levels of government, local, state and national, was its focus. Particular attention was dedicated to the effects, both political and cultural, of moving from a Europe of nation-states to a European "community."

The second session was devoted to Eastern Europe and to the three Nordic states (Finland, Norway and Sweden) that were at the time of our meeting in the throes of considering whether to apply for Community membership. Eight scholars from Eastern Europe² explored two issues: first, the movement towards a market economy in their countries and the effect of these

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1. This Eason-Weinmann conference owes a double debt of gratitude to our benefactors, Mr. and Mrs. John Giffen Weinmann. For more than a decade, Comparative Law at Tulane University's School of Law has been underwritten through the generosity of the Eason and Weinmann families through the Eason-Weinmann Center for Comparative Law. But in the context of our Helsinki meeting, their munificence exceeded merely the pecuniary. Our presence in Helsinki was due largely to the efforts of Mr. Weinmann in the course of his tenure as Ambassador to Finland. While Ambassador Weinmann was busy forging a variety of economic, political, and social relationships between the United States and Finland, the educational was not ignored. Our Conference and a summer school with the University of Helsinki was his vision, and for it the participants and students are most grateful. I am also grateful to Professor Kirsti Rissanen of the University of Helsinki Faculty of Law who bore the far larger half of the burdens of conference organization.

2. Dr. Lajos Vékás of Hungary, Dr. Ernest M. Ametistov of Russia, Professor Oskaras Jusys of Lithuania, Dr. Jur Nevenko Misita of Yugoslavia, Professor Jerzy Rajska of Poland, Professor Dragos-Alexandru Sitaru of Rumania, Professor Jiri Svestka of Czechoslovakia, and Assistant Professor Paul Varul of Estonia.

important transitions upon the legal order; and second, the emerging economic relations between the European Economic Community and individual Eastern European states.

The Nordic states, of course, find themselves in different circumstances from their Eastern European neighbors, having experienced a generation of economic prosperity and political democracy. But the spectre of a "fortress Europe" comprised of the European Community states likewise confronts even powerful western economies. To ponder the problems smaller nations face in co-existing (comfortably or otherwise) with a more powerful neighbor in a broader perspective, representatives from the Ministry of Justice of Canada and of Finland³ discussed the effect that living beside a larger and more powerful economy has on their nation's legal and economic order.

The final session, and the segment from which most of the papers in this issue are drawn, was devoted to developments in the substantive law of the European Economic Community. Even by American standards, the production of European law in its various forms is staggering in quantity. Areas of particular interest were Obligations, Securities, Telecommunications, Environmental Regulation and Monetary Policy, because it is in these areas that Community action appears to be most vibrant. The articles that follow were calculated to illuminate the directions that Community Law is moving in individual spheres.

Conveners of academic colloquia often overestimate the importance of the subject under consideration and the intellectual studies undertaken under their guidance. Perhaps we suffer from similar illusions (or delusions). But the Eason-Weinmann Center hopes that its first foray into European Community Law will be judged successful and offers the collection that follows as evidence to support this view.

3. Mark Jewett, Q.C., Assistant Deputy Minister and Council to Department of Finance, Canada, and Leif Sevón, Supreme Court of Justice, Helsinki.