

## BOOK REVIEW

### QUO VADIS EU

Gordana Gasmi, *QUO VADIS EU – Relevant legal and institutional factors*. Belgrade: Institute of Comparative Law, 2016. pp. 319.

The monograph “Quo Vadis EU - Relevant legal and institutional factors” focuses on answers to the question of where does the European Union go, seen from the legal and institutional aspects. It also contains the author’s concluding observations in which she argued in favor of a further evolution of the European Union as a permanent negotiation system and the process, which brings institutional solutions adapted to the contemporary moment of crisis. The mentioned monograph consists of three main parts: Legal evolution and Legal system of the European Union, Institutional system of the European union and Where does the European Union go?

In the first part of the monograph, Prof. Dr. Gordana Gasmi exposes in the systemic and systematic manner a comparative chronological analysis of the European Union through its history and in the contemporary conditions. In a separate chapter, she analyzes the legal evolution of the European Community, main characteristics of its legal system and examines the institutional achievements of the current constitutive act of the EU, the Lisbon Treaty on reform of the EU, which entered into force on 1 December 2009.

The second part of monograph consists of the analysis of the relevant institutional factors, which includes the jurisdiction, roles and organizational structures of the key institutions of the Union. Consequently, the author concludes that the answer to the question of the future EU path represents a story without end, which means that the institutional system of European Union will not disappear despite its economic crisis. There is also a rich EU’s legal system composed of primary and secondary sources, so called *Acquis communautaire*, together with the jurisprudence of the European Court of Justice and a numerous „soft law“ documents, such as declarations, recommendations, and foreign policy guidelines.

By applying the theoretical approach of neo-institutionalism and historical method of explaining the evolutionary transformation of the European Communities into the European Union, the author puts in the primary analytical focus presentation of the power levers in the EU, i.e. explicit decision-making powers, through the analysis of the competencies of the key EU institutions.

Emphasis is set on the relevant provisions of the constitutional treaties and their amendments. History of the European integration is not a quick process, nor an easy one. However, during the synchronization of the various economic and political interests of the Member States and while establishing of the common rules, the functionalist conception or sectoral unification prevailed, but preserving the full sovereignty of the Member States. It is quite in the spirit of the ideas of Jean Monnet, who had foreseen that the unification of Europe will be carried out step by step, creating *de facto* solidarity among its Member States.

The author successfully provides a valuable scientific contribution to the theory of European integration. Starting from the latest developments of European integration, the author emphasizes the key position of the European Parliament, showing the evolution in the primary legislation of the European Union, ie. its founding treaties. Such a development confirms some contemporary theories that the author quotes in the book, suggesting the notion of the EU as a distinctive “parliamentary model.” Exactly this parliamentary model is a remedy for the resulting democratic deficit in the European Union, ie. for too big distance between ordinary citizens and decision-makers at the EU level. The democratic deficit is the reason why the development of the legal and institutional system of the European Union has been slow, since each institutional change requires an explicit unanimity of all Member States in ratifying the EU constitutional treaty and its amendments. However, the development of institutions and of the legal system of the European Union is still dynamic, because it is a process that is not fully legally shaped nor the institutions got empirically final features. We are witnesses of the crisis of the EU, „Fatigue de l’Europe“. It is, *inter alia*, the consequence of the successive enlargements of the EU, which Prof. Dr. Gordana Gasmi is analyzing from the legal point of view, including bilateral Stabilization and Association Agreement, accession criteria and the procedure.

The momentum of the publication of this book is very important, bearing in mind that the author evaluates recent BREXIT phenomenon, primarily its possible legal scenarios. The author defends the attitude that there is no failure of the Union, which is a wishful thinking of majority Eurosceptics, because the EU had existed even before the Great Britain accession (1973) and it will continue to function even after Brexit, although in a reformed manner.

In the third part of the monograph, Prof. Dr. Gasmi also gave detailed insight on the contemporary migrant crisis, as well as on the institutional limits of the EU common foreign policy. Concluding remarks on the future EU development accentuate that there is a strong need for legal and institutional reforms of the Union, more than ever, for the sake of its survival and prosperity.

„Quo vadis EU – relevant legal and institutional factors” is essential reading not only for experts but also for the wider readership. It is published with the

support of the Ministry of science and education of the Republic of Serbia. The monograph is based on the consultation of numerous foreign and domestic relevant literature. Prof. Dr. Gordana Gasmi is also the author of many published books, essays and studies on the EU in Serbian and English. In the era of the high politicization of these issues of European integration processes, it is necessary to read a book which, in a clear and transparent way, exposes the conditions of functioning of the EU and provides the answers to the questions of its further development. It is certainly of special importance for Serbia and its professional community, which is preparing for future membership in the European Union.

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