

Max Planck Institute for Social Law and Social Policy

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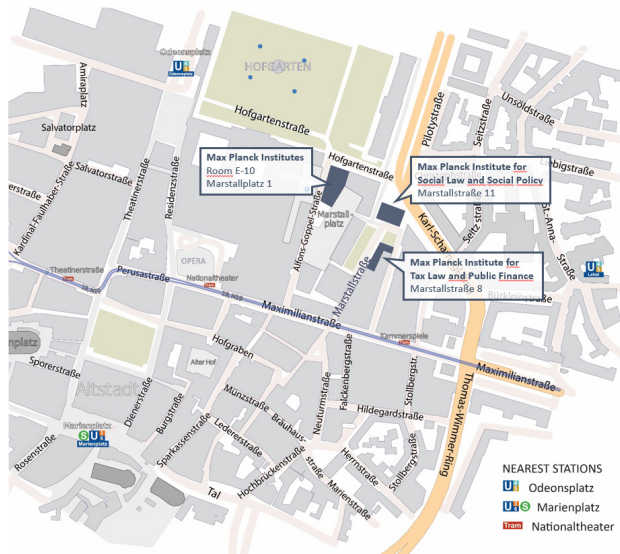
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Max Planck Institute for Tax Law and Public Finance

Max Planck Hub Fiscal and Social State

The EU Excludes Non-European Countries from Accession: Is it Right to Do so?

Prof. Andrea Sangiovanni
King's College,
London

16 September 2024, 6:15 p.m.

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The Topic

In 1987, Morocco was denied entry into the European Union (EU, or EEC as it was then called) on the basis that it was not European. Discussions are underway on whether to make Ukraine a full member of NATO (and the EU). Kosovo (like Taiwan) is only recognized as a state by a handful of states; until it does so it cannot be a member of the UN. For many years prior to its accession in 2001, China was denied entry to the WTO. Switzerland and Spain are not in the G20 despite demanding to be included, and only one African country, South Africa, is a member. These, and many other similar cases, raise a general question: When and why is it permissible for a club of states (such as the EU) to exclude another state from acceding to the club?

In this lecture, I will argue that the non-European state exclusion rule is illegitimate. In the first part of the lecture, I place the question in a broader framework regarding exclusion from international and regional organizations. In the second, I explore the idea of freedom of association on which the exclusion is based. In the third, I argue that freedom of association, as in domestic contexts, has limits, especially when policies are either directly or indirectly discriminatory. In the last section, I show that the non-European exclusion rule falls afoul of standard anti-discrimination norms.

About the Lecture Series

The lecture series on the Future of the 'Fiscal State and the Social State in the European Union' has been set up in order to address major issues of the future framework of the European Union dealing with taxation, social security, fiscal transfers, multi-level fiscal and social governance and the concept of solidarity within Europe. This involves both the division of labour between the Member States and the European Union as well as the interaction between the different European Institutions and their inner workings.

About the Speaker

Andrea Sangiovanni is Professor of Philosophy at King's College London (KCL). From 2018-2020, he was Professor of Social and Political Theory at the European University Institute, Fiesole. He received his BA and PhD from Harvard University. Before joining KCL, he was a Randall Dillard Research Fellow at Pembroke College, University of Cambridge (2005-2007).



Prof. Sangiovanni published *Solidarity: Nature, Grounds, and Value* (with responses from five commentators) in 2023 with Manchester University Press. This research is supported by a 5-year ERC Consolidator Grant entitled "Solidarity in Europe" (EUSOL). He is also the author of *Humanity without Dignity: Moral Equality, Respect, and Human Rights* (Harvard University Press, 2017), and numerous articles in journals such as *Philosophy & Public Affairs*, *Journal of Political Philosophy*, and *Oxford Journal of Legal Studies*.

16 September 2024 at 6:15 p.m.

Room E 10, Marstallplatz 1, 80539 Munich

Lecture language: English

Please register by 12 September @ beckersek@mpisoc.mpg.de