

Governance and Politics in the Post-Crisis European Union

The European Union of today cannot be studied as it once was. This original new textbook provides a much-needed update on how the EU's policies and institutions have changed in light of the multiple crises and transformations since 2010. An international team of leading scholars offer systematic accounts of the EU's institutional regime, policies and community of people and states. Each chapter is structured to explain the relevant historical developments and institutional framework, presenting the key actors and current controversies, and discussing a paradigmatic case study. Each chapter also provides ideas for group discussions and individual research topics. Moving away from the typical neutral account of the functioning of the EU, this textbook will stimulate readers' critical thinking towards the EU as it is today. It will serve as a core text for undergraduate and graduate students of politics and European studies taking courses on the politics of the EU, and those taking courses in comparative politics and international organisations including the EU.

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Foreword

This book was written in times of great turmoil in the European Union. The financial crisis of 2008, which turned into a debt crisis destabilizing the eurozone, the crisis of the EU migration and border policies in the face of increased inflows of migrants since 2014, recurring disputes around violations of democracy and the rule of law, and the Brexit referendum in 2017 have all profoundly tarnished the EU. While its *raison d'être*, forged in the second half of the twentieth century, was rooted in peace, liberal democracy and welfare capitalism in a bipolar world, the EU has been increasingly regarded as unable to secure these values in the world of the twenty-first century. The past decade, we argue, constitutes a critical juncture, with particularly profound implications for how we understand the EU. Unlike many academics belonging to earlier generations of EU scholars, we do not take for granted a teleological vision of EU integration, whereby an 'ever closer Union' is the ineluctable goal of EU politics. Contemporary politics show us how contingent and fragile the very existence of the Union is. In the same vein, we do not necessarily consider the deepening of integration in given policy areas as a positive development *per se*. The question that researchers and citizens alike face today is the following: more Europe to do what? Thus, we believe that only a critical analysis of the problematic aspects of integration can help reform the EU in a meaningful way that enables it to tackle the challenges of our era, namely inefficient collective responses to global warming, the rise of social inequalities, unmanaged migrations, the rise of nativist sentiment, the securitization of societies and militarization and the unravelling of democracy.

We, as editors of this volume, therefore believe that the EU can no longer be taught as it once was. Our first endeavour is to provide an up-to-date account of the transformations of the EU since the 2008 financial crisis while also moving away from the typical, seemingly neutral, account of the functioning of the EU which usually characterizes textbooks. The structure of this book reflects the multiple facets of these transformations. The first part demonstrates that the crises have profoundly altered the EU political regime as it was designed by the Lisbon Treaty. It has also made some of our concepts and theories (for instance the opposition between supranationalism and intergovernmentalism) less and less effective in understanding the emerging paradoxical forms of integration which involve, in different ways, both more and less Europe. The second part deals extensively with how EU policies have been reshaped in response to the crises and their limited success in tackling deficits of effectiveness and democratic accountability. The

third part of this volume addresses overarching existential issues that are often absent from textbooks but are crucial to the present and future of the EU, namely socio-economic disparities, conflicting values and centrifugal tendencies towards disintegration linked to a deficit of democracy.

More importantly perhaps, this textbook aims at stimulating the readers' critical thinking towards the EU. The contributors to the volume are all leading scholars in European studies or/and cognate disciplines such as history, comparative politics, international relations or international political economy, and they reassess recent developments in the EU from a critical perspective. Our purpose is to provide undergraduate and graduate students with the necessary knowledge to understand not only how the EU works, but also what the political and social implications of integration are. For this purpose, the textbook includes a number of original pedagogical features which may help instructors emphasize problematic issues, contradictions and trade-offs. Every chapter can thus be used separately to focus on a given issue. While the boxes (including key dates, key actors, legal basis and key concepts) provide some systematic basic knowledge about the various topics, the chapters are framed as thought-provoking questions providing a thread for explaining a particular aspect of EU integration. Paradigmatic case studies at the end of each chapter are there to deepen a more specific aspect and illustrate an especially salient dimension of the past decade's multiple crises. Moreover, every chapter ends not only with references for further readings, but also with two types of questions to be used by instructors for in-class debates (questions for group discussion) and/or written assignments (topics for individual research). Understanding the complex workings of the EU (e.g. legal and institutional aspects, policy reforms) and how it relates to broader political developments at the national and global levels is challenging for students. In other words, they often find it difficult to connect the 'EU from the textbooks' and the 'EU from the news'. The perspectives provided by the authors, combined with the pedagogical features described above, aim to help students bridge this gap and strengthen their knowledge and opinions both as students and as citizens.

Ramona Coman, Amandine Crespy and Vivien A. Schmidt

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Chronology

Historical Milestones of EU Integration

- 1951 The European Coal and Steel Community (ECSC) is set up by the six countries (Belgium, Germany and France).
- 1957 The six founding members sign the Treaties of Rome, which creates the European Economic Community (EEC) and the European Atomic Energy Community (Euratom).
- 1973 The Communities expand to the north with three new members (Denmark, Ireland and the UK).
- 1979 The first direct elections to the European Parliament take place.
- 1981 Greece accedes to the Communities.
- 1986 The Communities enlarge further to the south (Spain and Portugal).
- 1992 The Treaty of Maastricht is signed. It introduces European citizenship, foresees the creation of a monetary union, establishes the European Parliament as a co-legislator and transforms the European Communities into the European Union.
- 1998 The European Central Bank is created. The French–British summit of Saint-Malo launches the European Security and Defence Policy.
- 2001 The Laeken Declaration sets up a Convention on the Future of Europe (composed of members from national governments and parliaments and from the EU institutions), entrusted with the task of drafting a constitution for the EU.
- 2002 The euro becomes the currency of twelve EU countries.
- 2004 The EU expands to ten new member states in Central and Eastern Europe (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia).
- 2007 The eastern enlargement is completed with the accession of two new members (Bulgaria and Romania).
- 2005 The European Constitutional Treaty is rejected by referendum in France and the Netherlands.
- 2007 The Treaty of Lisbon is signed. The Treaty establishing the European Community is renamed the ‘Treaty on the Functioning of the European Union’. Essentially based on the innovations proposed in the European Constitutional Treaty, it rationalizes the functioning of the EU institutions,

gives the EU full legal personality and grants the Charter of Fundamental Rights binding character.

- 2010** Due to skyrocketing debt levels in the aftermath of the global financial crisis, bailout packages are adopted for Greece and Ireland. Memorandums of Understanding between the EU, the International Monetary Fund and national governments impose conditionality, making loans dependent on drastic fiscal and social reforms. Portugal and Spain soon follow.
- 2012** The European Stability Fund is created as an international institution to grant financial assistance through loans to indebted Eurozone member countries.
- 2013** Croatia becomes a member of the EU.
- 2016** A majority of British citizens vote in favour of an exit of the UK from the EU (Brexit).
- 2020** The United Kingdom leaves the European Union. The withdrawal agreement entered into force upon the UK's exit from the EU on 31 January 2020. The UK is no longer an EU member state and is considered a third country.

Glossary

- Absolute majority (in the European Parliament)** An absolute majority is the majority of all members of the European Parliament (including those absent or not voting). In its present configuration with ~~751~~ MEPs, the threshold for an absolute majority is ~~376~~ votes.
- Citizens' initiative** The citizens' initiative allows one million citizens from at least a quarter of EU member states to ask the European Commission to come up with proposals for new laws in fields in which it has competence.
- Co-decision** Term previously used for what is now the ordinary legislative procedure. Still widely used unofficially.
- College of Commissioners** The College is composed of twenty-eight European commissioners.
- Commissioner** The European Commission is made up of commissioners, each of whom is assigned responsibility for a specific policy field by the president of the Commission. Currently, there are twenty-eight, one from each member state.
- Committee in the European Parliament** The European Parliament's (EP) twenty permanent committees draw up, amend and adopt legislative proposals, which are then voted on by the EP as a whole during plenary sessions. The political make-up of the committees reflects that of the EP. The EP can set up sub-committees, special temporary committees and formal committees of inquiry.
- Conciliation** Conciliation is the third and final phase of the ordinary legislative procedure. It takes place when the EP and Council can't reach agreement on a legislative proposal during the first two readings. Delegations from the Council and the EP look for a compromise acceptable to both.
- Conciliation Committee** The Conciliation Committee sits during the conciliation phase of the ordinary legislative procedure. It is composed of the same number of member state representatives and MEPs (~~currently 28/28~~). The committee is responsible for drawing up a joint text, which is put to the Council and EP for approval at third reading.
- Conference of Committee Chairs** The EP's Conference of Committee Chairs is composed of the chairs of all standing and temporary committees. Its task is to improve cooperation between EP committees.
- COREPER** A Council committee made up of the permanent representatives of the member states, which prepares the work of the Council. COREPER I includes deputy ambassadors and COREPER II is made up of ambassadors.

Decision A ‘decision’ is binding on those to whom it is addressed (e.g. an EU country or an individual company) and is directly applicable.

Directive A ‘directive’ is a legislative act setting a goal to be achieved by all EU countries, but leaving the method to each member state.

EU law EU law is divided into ‘primary’ and ‘secondary’ legislation. The treaties (primary legislation) are the basis for all EU action. Secondary legislation, which includes regulations, directives and decisions, are derived from the principles and objectives set out in the treaties.

Member of the European Parliament

Members of the European Parliament (MEPs) are directly elected for a five-year period. The ~~751~~ MEPs represent EU citizens.

Official Journal The *Official Journal of the European Union* (OJ) contains EU legislation, information, notices and preliminary legislative work. It is published each working day in all of EU official languages. Only legal acts published in the OJ are binding.

Official language There are twenty-four official EU languages: Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish. All EU law is published in all official languages.

Ordinary legislative procedure Under the ordinary legislative procedure (formerly co-decision) the European

Parliament and the Council of the European Union decide jointly on Commission proposals on a wide range of areas (for example, economic governance, immigration, energy, transport, the environment and consumer protection). Most EU law is now adopted in this way.

Plenary Parliament’s plenary sessions take place twelve times a year in Strasbourg, with shorter plenaries in Brussels. Plenary brings together all ~~751~~ MEPs to debate and vote on EU legislation and adopt a position on political issues.

Political group MEPs are organised not by nationality, but by political affiliation. There are currently seven political groups in the EP. Members may belong to only one political group. Some MEPs do not belong to a political group and are known as non-attached members.

Proportionality According to the principle of proportionality, the involvement of EU institutions must be limited to what is necessary to achieve the objectives of the Treaties.

Public consultation In public consultations the European Commission asks different stakeholders, such as public authorities, member state authorities, enterprises, (private) organisations, industry associations and citizens, to submit their views on intended legislation. It usually takes the form of a questionnaire with open and closed questions.

Qualified majority in the Council A qualified majority in the Council corresponds to at least 55 per cent of

the Council members (member states), comprising a minimum of ~~sixteen~~ ~~countries~~, representing at least 65 per cent of the EU population. A blocking minority may be formed by at least four Council members.

Rapporteur An MEP, appointed by the parliamentary committee responsible for handling a legislative proposal, who will steer the proposal through the EP and will prepare a report on it.

Regulation A 'regulation' is a directly applicable form of EU law, which has binding legal force in all member states. National governments do not have to take action to implement EU regulations.

Right of initiative The Commission's right of initiative empowers it to make proposals either because the Treaties explicitly provide for it or because the Commission considers it necessary. The Council and EP may also ask the Commission to come up with proposals.

Secretary general of the Council The head of the General Secretariat of the Council, which assists the Council and the European Council. With the president of the Council, they sign all acts adopted jointly by Parliament and Council.

Secretary general of the European Parliament The EP's most senior official, responsible for its administration. They ensure the smooth running of parliamentary business under the leadership of the president and the Bureau. With the president, they verify and sign all acts adopted jointly by the EP and Council.

Simple majority (in the EP) A proposal adopted by simple majority is approved if the number of 'yes' is higher than number of 'no' votes.

Subsidiarity According to the subsidiarity principle, the EU should not act (except in areas that fall within its exclusive competence), unless EU action is more effective than action taken at national, regional or local level. Constant checks are made to verify that EU-level action is justified.

Treaties A treaty is a binding agreement between EU member countries. It sets out EU objectives, rules for EU institutions, how decisions are made and the relationship between the EU and its member countries.

Treaty of Amsterdam The Treaty of Amsterdam came into force 1 May 1999. Its purpose was to reform the EU institutions in preparation for the arrival of future member countries. It amended, renumbered and consolidated the EU and EEC treaties and increased the use of co-decision.

Treaty of Lisbon The Lisbon Treaty entered into force on 1 December 2009. It comprises the Treaty on European Union (TEU) and the Treaty on the Functioning of the EU (TFEU). The Lisbon Treaty gave more power to the EP, changed voting procedures in the Council, introduced the citizens' initiative, created a permanent president of the European Council, a new High Representative for Foreign Affairs and a new EU diplomatic service, and clarified which powers belong to the EU, which to EU member states and which are shared.

It changed the name of co-decision to the ordinary legislative procedure and increased the number of areas to which ordinary legislative procedure is applied.

Treaty of Maastricht The Treaty of Maastricht, or the Treaty on ~~the~~ European Union, entered in force on 1 November 1993. It established the EU (previously the European Communities), and introduced co-decision and cooperation between EU governments on defence and justice and home affairs. It paved the way for Economic and Monetary Union and introduced elements of a political union (citizenship, a common foreign and internal affairs policy).

Treaty of Nice The Treaty of Nice entered into force on 1 February 2003. Its purpose was to reform the institutions so that the EU could function efficiently after reaching twenty-five member countries. It introduced methods for changing the composition of the Commission and redefining the voting system in the Council.

Treaty on ~~the~~ European Union The Maastricht Treaty, in force since 1993, was amended and renamed the Treaty

on ~~the~~ European Union by the Lisbon Treaty. It establishes the EU as legal entity, and defines its values, aims, institutions and competences. It is one of the two principal treaties on which the EU is now based.

Treaty on the Functioning of the European Union The Treaty on the Functioning of the European Union (TFEU), started life as the Treaty of Rome in 1958, but has since been much amended. It sets out the organisational and functional details of the EU. It is one of the two principal treaties on which the EU is now based.

Trilogue Informal meetings attended by the EP, Council and Commission. Their purpose is to get an agreement (on a package of amendments or on the wording of laws) acceptable to the Council and EP.

Unanimity (in the Council) Unanimity requires all member states meeting within the Council to agree on a proposal before it can be adopted. Since the Lisbon Treaty only a restricted number of policies judged to be sensitive remain subject to unanimity voting.

Abbreviations

AFSJ	Area of Freedom, Security and Justice
BGs	Battle Groups
CAP	Common Agricultural Policy
CETA	Comprehensive Economic and Trade Agreement
CF	Cohesion Fund
CFSP	Common Foreign and Security Policy
CISA	Convention of 19 June 1990 implementing the Schengen Agreement
CJEU	Court of Justice of the European Union
CSDP	Common Security and Defense Policy
CSOs	civil society organizations
CSRs	Country-Specific Recommendations
DG ECFIN	Directorate-General Economy and Finance
DG EMPL	Directorate General Employment, Social Affairs and Inclusion
EBCG	European Border and Coast Guard Agency
EBRD	European Bank of Reconstruction and Development
EC	European Communities
ECB	European Central Bank
ECSC	European Coal and Steel Community
EEAS	European External Action Service
EEC	European Economic Community
EFSF	European Financial Stability Facility
EIB	European Investment Bank
EMU	Economic and Monetary Union
EP	European Parliament
ERDF	European Regional Development Fund
ESF	European Social Fund
ESM	European Stability Mechanism
EU	European Union
FDI	foreign direct investment
GATT	General Agreement on Tariffs and Trade
IMF	International Monetary Fund
NATO	North Atlantic Treaty Organisation
OECD	Organisation for Economic Co-operation and Development

SEA	Single European Act
SGP	Stability and Growth Pact
TCNs	third-country nationals
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
TTIP	Transatlantic Trade and Investment Partnership

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