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# The EU's current crisis and its policy effects: research design and comparative findings

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## ABSTRACT

The paper summarises a collaborative international research project comparing the impact of the ongoing conglomerate of crises in nine EU policies. All of them saw significant crisis-induced pressures and challenges. Beyond changes in discourse, the crisis-induced pressures have, in many areas, also triggered a rather sizable amount of policy change. Considering EU competences, no single example of re-nationalisation was found, but many new EU-level tasks. The governments were of prime importance in immediate crisis management but supranational institutions and processes continue to matter.

## KEYWORDS

EU competences;  
Community method;  
intergovernmentalism; joint-  
decision trap; policy change;  
crisis

## 1. Introduction

Europe will be forged in crises, and will be the sum of the solutions adopted for those crises.  
(Monnet 1978, 417)

A crisis is 'a state of affairs in which a decisive change for better or worse is imminent' (Oxford English Dictionary Online 2013), a 'situation that has reached an extremely difficult or dangerous point' (Cambridge English dictionary<sup>1</sup>). A political crisis is hence a situation in which politicians are confronted with significant need for action, on the one hand, and limited time to accomplish reforms, on the other. It seems that the EU came to such a point at several times in the recent past and has not yet found a way back to secure stability, at least by the time of writing in 2015.

While a final overall account of the crisis and its implications for the evolution of the European integration process therefore cannot yet be given, we can and should know about the *development of the EU's crucial policies in times of crisis*. More specifically, this study asks:

- When confronted with such severe challenges, was the EU *able to act*, or did it get caught in stalemate? After all, blockage is often thought to be the EU's trademark even in 'normal' times, so it might prevail even more in times of crisis. Where the crisis has led to *changes in EU policies*, how significant are they?

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- Additionally, when the EU acted under the great and multiple pressures of the recent crisis, did it fall into a pattern of '*New Intergovernmentalism*' (Bickerton *et al.* 2014; Bickerton *et al.* 2015b; Bickerton *et al.* 2015a; Schimmelfennig 2015a)? Or was the institutional identity of the EU kept intact with supranational actors such as the Commission and the EP, the manifold committees and expert groups, and finally the European Central Bank, all playing their role?

These issues will be analysed with evidence from *nine different policy areas*, covering top Europeanised ones (e.g. competition policy, specifically state aid control) as well as others that were even recently still 'no go' areas for the EU (e.g. health systems and health care). There is no reason to expect that the specific governance mechanisms existing in a given policy area (from supranational regulation on the one side of the continuum to non-binding coordination, on the other) should actually determine the crisis' impact in the field. Hence, we opted for a broad approach that also covers areas hardly looked at such as trade and climate protection policy. In a nutshell: This study looks at the broad range of EU policies and compares the effects the recent crisis has so far had and may trigger, in the future. In doing so, this project will go beyond the few systematic and in-depth accounts of the EU's recent crisis<sup>2</sup> that exist to date, which have usually laid their focus predominantly on economic issues (Chang *et al.* 2013; DeBardeleben and Viju 2013; Enderlein and Verdun 2010) and/or cross-cutting topics (Ioannou *et al.* 2015; Tosun *et al.* 2015) but not a broad range of policies.

At the outset, a number of *conceptual clarifications* are in place: What is our understanding of 'the crisis' (2 below) and its potential impact on EU policies (3); can we hypothesise when a crisis may rather lead to policy innovation or not (4); and how can we compare policy-specific developments (5)? Subsequently, Sections 6–9 will discuss the major findings of our study.

## 2. What is 'the crisis'?

Viewed analytically, there is a *conglomerate of specific but interconnected crises* impacting the EU. Historically, the collapse of the investment bank Lehman Brothers in 2008 was at the outset of the conglomerate of troubling developments, triggered by downward pressures in the US 'subprime' markets for complex housing bonds. This engendered an international 'financial crisis': originally, a banking crisis with states 'saving' banks at high costs, which in turn soon led to a sovereign debt crisis. In the euro zone, centrifugal economic developments had already challenged economic cohesion when this financial crisis came down on the EU. In addition, the global financial markets speculated against individual countries' bonds and the euro (often called the euro-crisis), which triggered multiple short-term actions and a high engagement of public finance. Detrimental effects on national and EU budgets as well as mutual distrust of states and banks contributed to a serious economic crisis, particularly in the countries of the euro zone with lower levels of competitiveness. Meanwhile, to make things worse, the financial and economic crises have coincided with dramatic changes in the EU's neighbourhood ('Arab spring', Russian annexation of the Crimea in Ukraine) and an insecurity about Europe's role in the world based on recent problems in the EU's transatlantic relations with, e.g. the NSA spying scandal, a decline in terms of global economic importance. These developments also put pressure on the EU's capacities and hence, for the purpose of our project, need concomitant consideration with the above-mentioned main focuses of our research.

**Table 1.** The main parts of the EU’s ‘conglomerate of crises’.

Kind of crisis	Main elements	Threats
Financial crisis	A banking crisis triggered sovereign debt crisis and speculations against the euro	Bank runs; after bank rescues: looming bankruptcy of states; speculations against individual countries’ bonds, insolvency of states, heightened divergence within EMU, breakdown of euro area Exploding budget deficits, non-compliance with EMU and stability and growth pact criteria, tensions in euro area Instability in the EU’s immediate neighbourhood, potential inflow of insecurity into the EU, decline of Europe in the world
Economic crisis	Contraction of production, mounting unemployment, fiscal resources decrease	
External relations crisis	Arab spring and ensuing migration flows <sup>a</sup> , war in Ukraine, change of global distribution of power	

<sup>a</sup>Since mid-2015, many speak of a ‘migration crisis’ in its own right.

Each element listed in Table 1 is a crisis in its own and the contributions will discuss them in a disaggregated manner. However, we will for the sake of briefness at times use ‘the crisis’, as a shorthand for the entire conglomerate of crises. Reacting to all these developments has posed a formidable and hitherto unseen challenge to the EU.

3. The crises as a trigger of change

Pressures of exogenous events outside the control of policy-makers, like war or recession, have usually been specified as one important driver of policy change (Jones and Baumgartner 2002, 293). We know that shocks have a de-stabilising effect since they redistribute critical political resources and unsettle policy beliefs. For example, in the terminology of the advocacy coalition framework, that will, with a high probability, work at the expense of the dominant coalition and confirm policy core beliefs of the minority advocacy coalition (Sabatier and Weible 2007, 204–205). Since the interconnected crises discussed here could equal a shock on the EU, it seems plausible to reckon that changes on the level of policies may result or, at least, pressures to that effect.

Since the crisis is both profound and multifaceted, it can be expected to impact, at least to some extent, every single EU policy domain. However, in contrast to economic effects such as decreased growth rates and shrinking fiscal incomes that are often immediate, other crisis effects are usually mediated. Particularly when it comes to public policies, they are far from automatic. Table 2 below outlines the basic analytical approach of our investigation.

Since pressures play a great role in how we expect the crisis to matter, the above graphic at first sight reminds of a neofunctionalist approach (e.g. Schmitter 1970). In fact, crises have played an important role in neofunctionalist thinking since they are expected to overcome

**Table 2.** The crisis as an independent variable impinging the EU’s policy process and output.

Independent variable	THE CRISIS increases functional pressures for policy innovation and time pressures, hence may impact on
Intervening variable	↓ EU DECISION-MAKING PROCESS (including actors with their interests + perceptions, and rules) which determines
Dependent variable	↓ EU POLICY OUTPUT

the entropy otherwise typical for regional integration organisations and lead to spillover processes that enhance either the scope or the level of integration. Even the present crisis has been said to present a ‘near perfect example of how causal complexity and unanticipated consequences can impact the process of regional integration’ (Lefkofridi and Schmitter 2015, 5). In any case, no automatic spillover is expected in our study (we clearly specify counter-vailing factors, see below) and we do not necessarily expect the results to be supranational in terms of competence distribution between governments and supranational actors. We treat as a purely empirical matter if the crisis actually leads to policy innovation or not, and if the relevant processes resemble a kind of ‘Community method’ (with, most importantly, the Commission and the EP also playing their traditional roles as policy initiator and executer, and co-legislator, respectively) or the recently much quoted ‘new intergovernmentalism’ (with the governments and a style of deliberation dominating unilaterally; see below).

Furthermore, it should be mentioned that the crisis could actually bring about contradictory pressures, e.g. some of them pushing for policy reform but others supporting the status quo. While our concept assumes no unidirectional crisis pressures, each chapter will discuss that with regard to the specific field at stake. Regarding specific policies set in place to counter the crisis-induced pressures, it needs mentioning that they can either be invented on the spot or originate in earlier policy learning<sup>3</sup> and policy transfer from the national or global level (cf. Table 4, further down).<sup>4</sup>

4. Hypotheses

Per definition (see the introductory paragraph), a crisis will bring about a need to act (functional problem pressure) and a sense of urgency<sup>5</sup> since things might without counter-steering reach a tipping point (time pressures). For sure, both problem-solving needs and the time horizon for doing so may have different degrees, so our authors will discuss the major or minor character of such pressures in their policy. For reasons of parsimony, I apply a twofold table to differentiate between extreme and other cases.

It seems plausible to hypothesise that *the more urgent and the more sizable – in terms of degree and spread – pressures for policy change are, the more likely it will be that a crisis will actually lead to a policy reform being adopted.*

However, this applies under *ceteris paribus* conditions. In real life, there are crucial intervening factors. Within each policy, the outcomes of crisis-induced pressures will be mediated by the policy-specific decision-making system as well as various framework conditions. The latter are situated on different levels and include, most importantly, changes in related national policies and relevant external factors such as global developments. The present study will pay attention to all of these levels, but the focus will be on the different EU policies and their decision-making systems (see Table 4).

Table 3. Crisis-induced pressures for policy reform (operationalisation).

		Time pressures	
Functional pressures: ‘systemic threat’ affecting all or most member states	Yes	With relevant deadline (in near future, affecting politicians currently in office) Pressure for change: HIGH	No deadline (or distant one, affecting only later generations of politicians) Pressure for change: MEDIUM
	No	Pressure for change: MEDIUM	Pressure for change: LOW

Since stalemate has been considered an eminent feature of European integration and blockage has in fact characterised the EU as much as incremental progress (Falkner 2011b; Scharpf 1988), our approach looks at the basic features of the *joint-decision trap* model to learn what could possibly hinder crisis-induced pressures to actually lead to reforms, in practice.<sup>6</sup>

Each of the factors listed in the middle row of Table 5 represents a hurdle for the crisis to actually bring about reforms in a given policy area. We can therefore hypothesise that

**Table 4.** Focus of analysis, overview.

Crisis effects on	Degree of attention
<i>EU level</i> <i>Policies + their specific decision-making system</i> Economy, legitimacy, etc.	<i>Prime focus of analysis</i>  Secondary focus: shall be discussed where particularly relevant for a policy and in interactions with the crisis effects on the decision-making system
National level	Secondary focus: shall be discussed where it seems particularly relevant and in interaction with the crisis effects on the decision-making system
Global level	Secondary focus: shall be discussed where it seems particularly relevant and in interaction with the crisis effects on the decision-making system

**Table 5.** Conditions of the joint-decision trap and of potential 'exits'.<sup>a</sup>

Factor	Conditions of the joint-decision trap	Conditions of exit from the trap <sup>b</sup>
Decision rule	Requirement for (nearly) unanimous decision-taking	Alternative rule of decision-taking, most importantly (qualified) majority voting, be it <i>de jure</i> or <i>de facto</i>
Mode of representation	EU decisions depend on agreement of constituent governments	The governments are side-lined by intervening actors, e.g. <ul style="list-style-type: none"> <li>• circumvented via '<i>agency decision</i>' (by the ECJ, the Commission under competition law powers, the ECB or expert committees in the field of delegated powers);<sup>c</sup></li> <li>• <i>de facto</i> it may be bureaucrats and/or experts who decide on lower levels;</li> <li>• they are influenced by the <i>EU Commission</i> acting as a process manager and/or by the EP's positions.</li> </ul>
Political preferences	Fixed and divergent interests are imported from the domestic level	The positions negotiated in the Council may be altered by e.g. <ul style="list-style-type: none"> <li>• <i>integrative effects of cooperation</i> that bridge former cleavages via learning or socialisation.<sup>c</sup></li> <li>• <i>changed general conditions</i> affecting the national interests expressed in the Council:</li> <li>• changes in government or changes in EU membership;</li> <li>• external shocks or crises (see Table 3 above: 'high pressure for change')</li> </ul>

<sup>a</sup>This table is adapted from Falkner (2011a, 7).

<sup>b</sup>An 'exit', in the narrow sense, is when unlocking the pitfall is possible within the model's pre-condition of fixed governmental preferences. By contrast, 'dissolution' is when a change in the environment or in the substance of the negotiations 'unlocks' the situation, but the joint-decision trap model in the strictest sense is no longer applicable. For the purpose of simplicity, exit is at times used as *pars pro toto*.

<sup>c</sup>'Socialisation' involves changes in world views and hence the basic evaluative criteria of policy-making actors. In other words, socialisation is a kind of 'normative learning', whereas simple 'learning' concerns causal effects only, not perceptions of self-interest.

the stronger the conditions of the joint-decision trap<sup>7</sup> in a policy, the less probable breakthrough will be.<sup>8</sup>

Learning from Scharpf's model, we should expect that the pressures induced by the crisis will rather be blocked from making a real impact in terms of the policy output where (a) (near) unanimity requirements prevail, (b) the governments actually decide themselves in the EU Council rather than supranational institutions or experts, and (c) preferences stay divergent even under crisis conditions.

By contrast, the presence of any factor listed in the right-hand row can be expected to facilitate policy innovation. More specifically, if a blockage existed before the crisis, each of these factors could act as a sufficient condition for a crisis-induced exit.

## 5. Crisis-induced policy transformation: how to take stock and compare?

Where the crisis has not led to more standstill but triggered policy reforms, how significant are they? From the large number of available conceptualisations, we collect the most useful ones, for our purpose. This study cannot do without a small couple of them since each single one has specific strengths but also blind spots.

Neofunctionalist theory<sup>9</sup> has offered *two basic dimensions* to capture different qualities of 'spillover processes' (see already Schmitter 1970). The more 'qualitative' kind of policy-level development concerns a 'build-up', that is, a higher *level of authority*<sup>10</sup> for the EU instead of the member states, in the issue areas already covered. The rather 'quantitative' kind concerns the *scope of themes* encompassed: a 'muddle-about' is a broader coverage of topics than before. Spillover in the narrow sense is when both higher scope of themes and higher level of authority result from reforms. This is a helpful differentiation that draws our attention to the content or the procedural aspects of policy evolution.<sup>11</sup>

However, since in this study we are also interested in the character of the decision-making process, we need to differentiate further: if there is a higher degree of authority for the EU level (de iure or de facto), who can actually exercise this authority? Is it the governments and the (European) Council in a deliberative mode, as expected by the 'new intergovernmentalism' (Bickerton *et al.* 2014; Puetter 2011, 2014) and/or is it supranational institutions such as e.g. the Commission, the ECB, or the EP, either under the so-called *Community method* (Dehousse 2011a) or even in a form of unilateral steering?

Finally, since our ambition is not primarily to find and classify spillover processes for the sake of theory refinement, but to understand the changes the EU's crisis may bring about in different policy areas, we need – in addition – a concept that is better geared towards the *overall importance of potential reforms* if compared not only to the previous status quo but also the earlier reforms of that policy. Peter Hall's (1993) concept of different 'orders of change' seems most fruitful here, the least significant one being a change in settings to adjust already existing instruments (1st order change). 2nd order change refers to innovations regarding the character of instruments or techniques. There was a significant amount of misunderstanding and academic dispute because Hall's third category actually referred to both the level of the policy itself and the level of overarching policy ideas). As most recently also argued by Daigneault (2014), it makes sense to differentiate between the two.<sup>12</sup> We will therefore look for 3rd order change in the policy output, looking for new goals or an altered hierarchy of priorities, but for 4th order change (or 'paradigmatic change') on the level of the discourse<sup>13</sup> – i.e. communication about the policy. For that sake, policy paradigms are



**Table 6.** Main conceptual building blocks to compare crisis-induced policy change.

Dimension	Concept	Operationalisation
ORDER of change	1st order	Change in settings to adjust existing instruments (policy level)
	2nd order	Change in instruments or techniques (policy level)
	3rd order	New goals or altered hierarchy of priorities (policy level)
	4th order	Paradigmatic change (level of overarching ideas)
WINNERS of change	New Intergovernmentalism	Governments and (European) Council
	Supranationalism/neofunctionalism	Decisive (co-)involvement of other actors: Community method, unilateral steering by supranational institutions, etc.

understood to possess ‘four fundamental dimensions’, as specified by Daigneault,<sup>14</sup> but we relate them to the specific level of individual EU policies as studied in this special issue. Most importantly, therefore, what matters are assumptions about the nature of reality and the appropriate role of the EU; a conception of the problem that requires EU intervention; and ideas about which objectives should be pursued and with which appropriate policy ‘means’. In essence, the basic principles about the role of the EU and its policies as opposed to the member states’ tend towards paradigmatic significance. For example, in the one policy that has already attracted a great amount of scholarly attention with regards to crisis-induced developments (and which is therefore not covered in this issue), EU monetary policy, the question of the powers of the ECB and, in particular, its new crucial *de facto* role as a kind of lender of last resort, can be seen as such a paradigmatic issue (see also Laffan and Schlosser, 2016).

Another concept that may capture some even more specific characteristics of policy output change are the historical institutionalists’ forms of change, i.e. ‘modal types of institutional change’ (Hacker *et al.* 2013, 6; Mahoney and Thelen 2010a, 15–16): displacement (removal of existing rules and introduction of new ones), layering (new rules on top of or alongside existing ones), conversion (no new rules but strategic redeployment of existing rules and changed enactment), and drift (the framework conditions of a policy are altered and change the effective policy or institutional outcomes, but this happens without a change in formal policy or institutional rules).

Table 6 will summarise the two key dimensions of our analytical approach to answer the two major research questions outlined in the introduction.

To learn if and how the effects of the EU’s crisis actually play out in practice, empirical studies are indispensable. They alone allow us to draw conclusions regarding today’s status quo after some years of crisis, as well as regarding probable or possible long-term developments based on preliminary changes that are already visible today. To make educated guesses regarding the latter, our authors of this special issue include in their analyses the level of the relevant actor’s preferences and coalitions, as well as the policy discourse, in order to see if the crisis has possibly brought about changes there that might later develop into reforms of the policy output.<sup>15</sup>

## 6. Findings I: sorting the conglomerate of crises and the pressures induced

The policy analyses executed for this special issue have confirmed the educated guess that each of the major parts of the ongoing crisis affects one or more of the major EU policies



rather directly and harshly – and the related changes in discourse and/or policy shall be discussed in the subsequent sections.

Via destabilising global and European financial markets and subsequently the euro, the *financial crisis* (as the initial shock wave in the conglomerate of crises) brought about great pressures towards more regulation and joint action in three policies studied here. It is true that the EU has been a political system particularly prone to stalemate and decision traps but, nevertheless, it managed to act and calm the markets. It is highly uncertain if the chosen policies will do the job of finally stabilising the common currency and stopping further waves of speculation in the long run, but they have done so at least for the moment. The academic and media discourses have focussed on the relevant policies set in place by the European Central Bank. Our study outlines in-depth how the EU was also able to react to challenges in the lesser studied fields of financial market regulation and competition policy (Kudrna, 2016; Botta, 2016) as well as in economic policy coordination (Laffan and Schlosser, 2016).

The *economic crisis* that followed the immediate financial crisis is special because most, if not all, EU policies must live with its consequences: austerity requirements overshadow all contemporary public policy-making which needs fiscal means. The *restrictive consequences on public budgets induced by the economic crisis were felt most strongly in the fields of EU trade, migration, health, and energy and climate policies*. Fiscal pressures were used as an argument against policy innovation, most effectively so in EU migration and climate protection policies. On the level of EU expenses, the economic crisis made a multiannual budgetary framework contract for the first time in history. This affected almost all EU policies with constraining consequences. However, the chapter by Inga Ulnicane on research and innovation policy reveals that exceptions are possible in terms of both EU spending and policy development if a specific field of activity is expected to deliver growth. In trade policy (see Bollen, De Ville and Orbie, 2016), the economic crisis triggered quicker policy development in the sub-field of trade liberalisation agreements while it brought – quite surprisingly at first sight – trade protection policy development to a halt.

Finally, the crisis in the EU's neighbourhood and the recently renewed global challenges with new superpowers rising outside Europe (i.e. the EU's *external relations crisis*) have resulted in direct pressures on those EU policies that specifically deal with relevant aspects such as the common foreign, security + defence policy, and EU migration policy (see Müller, and Trauner, 2016). It has also made the EU spend more in the field of research and innovation (see Ulnicane, 2016).

The above indicates that none of the studied policies went without significant crisis-induced pressures; however, the pressures happened to be all but equally distributed. Notwithstanding manifold debates about problematic developments and needs for reform everywhere, three areas have experienced threats of systemic breakdown that would have affected all (or almost all) member states very negatively. In financial market regulation, competition policy (state aid for banks) and economic governance, the EU's politicians at specific moments had to convince the financial markets of their capacity to find a viable solution in a rather short and quite specific period of time. The rest of the studied policies fall outside the category of 'high' crisis-induced pressures (see Table 3) and, as expected, the policy-specific decision systems continued to play a more significant role.

**Table 7.** The conglomerate of crises and their effects on EU policies

<i>KIND OF CRISIS</i>	<i>EU POLICIES most affected</i>
<i>Financial crisis</i>	
With its destabilisation of financial markets and subsequently the euro	<ul style="list-style-type: none"> <li>• financial market regulation (due to greatly increased needs for trouble shooting)</li> <li>• competition policy (due to frequent state aids for banks)</li> <li>• economic governance coordination (due to fears that governments might spend excessively and endanger the euro)</li> </ul>
<i>Economic crisis</i>	
with its consequence of tighter public budgets	<ul style="list-style-type: none"> <li>• Health policy</li> <li>• Energy + climate policy</li> <li>• Foreign + neighbourhood policy</li> <li>• Migration policy</li> <li>• Research + innovation policy (but here, downward fiscal pressures reversed since such investments are hoped to promote growth)</li> <li>• Trade policy (indirect effect: further trade liberalisation is hoped to promote growth)</li> </ul>
<i>External relations crisis</i>	
with its threat of importing instability into the EU and diminishing its global role	<ul style="list-style-type: none"> <li>• Foreign + neighbourhood policy</li> <li>• Migration policy</li> <li>• Research + innovation policy</li> </ul>

## 7. Findings II: effects on policy development

As expected in our analytical framework, the authors frequently hinted at problems of decision blockage especially in those areas with remaining unanimity requirements and with protracted cleavages between coalitions of actors. In particular, foreign and asylum policies as well as the financial regulation area should be mentioned (see Müller, Trauner, and Kudrna, all 2016). The EU's decision modes indeed seem to play their role as an intervening variable. However, if the crisis imposes high pressures, this tends to make a large number of actors reconsider their preferences (Kudrna; Laffan and Schlosser, 2016). Where pressures are lower (e.g. because there is no deadline or because only a small number of member states has to bear the burden of non-action), blockage may continue as too few actors are – as yet – willing to reconsider their positions. If the repeated calls for policy reform have not enabled the EU to effectively meet the growing problem-solving needs (see Müller, and Trauner, 2016), either in the foreign policy dimension or in migration issues (particularly in asylum matters), this may change in the future in the case that a more generalised threat for all or most member states and impending deadlines come about. Hence, the significant diversity between the policies studied may – but need not – change.

From a problem-solving perspective, all other policies show expectations-capabilities gaps (Hill 1993) that are decidedly smaller than in migration and foreign policy. As our experts discuss in-depth, this is not to say that severe limitations to both the EU's ambitions and its practical capacities no longer exist. One interesting detail about continued blockage: we learned that a joint-decision trap situation can at times protect EU-level, rather than national, prerogatives, as happened with state-aid control as a supranational Commission competence during the financial crisis (Botta, 2016).

Turning towards a classification of the diverse policy developments, two policies (finance and-although less clearly-economic governance) stand out since the shift of competences to the EU level was very significant and could be called a *4th order change* in the light of the concept discussed in section 5 above. In financial market regulation, the banking union has

shifted supervisory and resolution powers to the ECB, hence ‘the EU has crossed the Rubicon that separates the ever-closer cooperation of national authorities from the supranational regime’ (Kudrna, 2016). Additionally, some new policy priorities run counter to pre-crisis orientations – for example, additional capital surcharges for large and complex banks, i.e. firms that had rather been favoured before the crisis. Laffan and Schlosser (2016) argue that the tumult of the crisis and the fragilities exposed in the currency union not only further enhanced the salience of a pre-existing goal, i.e. sound public finances, but that ‘the balance between the member states and the EU in relation to domestic public finances’ was fundamentally shifted. It may not yet have been realised by all those affected in the member states, but the political leaders have indeed agreed ‘by stealth’ (Laffan and Schlosser 2016) on what may in the future be seen as a paradigmatic change in the field of economic governance. They considered it appropriate to involve the EU deeply and profoundly in previously domestic budgetary decisions. It has been conceived that credible EU intervention is indispensable to reach sound national spending policies and that a stronger mandate for the Commission is an appropriate means to secure that goal. This crucial development (like the banking union) seems ultimately founded in recently changed perceptions about the EU’s and all euro states’ dependency on the rather volatile financial markets (which created the high pressure causing this change, see Table 3) and, consequently, on each other’s national policies. Laffan and Schlosser (2016) classify the macro-economic imbalance procedure, with its focus on competitiveness and country-level recommendations even in areas that do not fall within the remit of EU level competence, as a key development that will furthermore bear hefty consequences in terms of legitimacy.

Beyond financial market regulation and economic governance, the highest order of change our authors found is the 3rd. In a number of areas, the crisis induced either a shift in priorities or an introduction of new goals. Examples are the stabilisation of banks via state subsidies under EU state aid control in competition policy (Botta, 2016), the reinforced and almost exclusive focus on liberalisation in trade policy (and the failure to introduce measures to facilitate protection against unfair competition; Bollen, De Ville, Orbie 2016), and finally the changes in the hierarchy of priorities with a now much stronger leaning towards economic concerns and – often – fiscal containment in energy (Slominski, 2016), health (Földes, 2016), and research and innovation policies (Ulnicane, 2016).

In EU migration policy, the crisis also created significant pressures towards 3rd and 4th order change, but a significant breakthrough in the new EU goal to support member states that are overburdened by migratory flows and/or a shift of competences for asylum policy overall has so far been prevented by the countries with countervailing self-interests. By the time of writing, only 2nd order change has come about through a new fund to cater to the immediate needs of newly arriving refugees and less wealthy member states. Similarly, in foreign policy, only 2nd order change was effectuated by a rapid reaction fund to speedily follow up on fresh security challenges in the EU’s neighbourhood. This result can be explained by the lower, less widely spread or diluted pressures and compared to other areas still rather high consensus requirements.

To conclude, the crisis has brought about not only changes in discourse (see, in particular, the energy policy chapter by Slominski) but also a *rather big amount of policy change in the nine policies* studied. The highest order of change reached in each policy, is charted in Table 8. The differential crisis-induced pressures and policy-specific decision modes (see Sections 1–5) explain these differences, as the authors in this special issue will outline in more detail.

**Table 8.** Crisis-induced changes in policies

ORDER of change (highest in policy)	POLICY
1st order (settings)	All
2nd order (instruments)	Migration; foreign + security + defence policy (2 fields)
3rd order (goals, priorities)	Competition; trade; energy + climate; health; research + innovation policies (5 fields)
4th order (overarching ideas)	Financial market regulation; less clearly: economic governance <sup>a</sup> (2 fields)

<sup>a</sup>However, that is a less clear-cut case (Laffan and Schlosser, 2016).

## 8. Findings III: supranationalisation of competences, and new intergovernmentalism vs. community method

Policy development, as discussed in the previous section, includes normal policy execution, i.e. the use of existing competences and procedures to adopt fresh policies and, within the same realm, priorities, and their shifting can be discussed. In this section, we focus on the qualitatively more demanding and specific level of ‘spillover’ (at large) of additional competences and authorities to the EU.<sup>16</sup> In times of Euroscepticism and much discussion about re-nationalisation, it is striking that the authors did not find a single example of downward-shifted competences in the nine policies studied (by the time of proof reading, however, re-nationalization of border controls in the Schengen zone and asylum practices seems on the agenda). What is more, in five out of nine policies, the EU actually saw new themes moved to its realm. In four of these five policies, the additional problems tackled at the EU level are now also executed with a higher degree of authority. Table 9 below gives an overview.

As Table 9 indicates, recent times of crisis have actually brought an even greater role to the EU in terms of topics where a level higher than the national tries to solve the upcoming problems. However, not all policy developments actually do amount to a kind of spillover. Therefore, the lower right cell of Table 9 has four entries. These policies have also developed, as discussed in the relevant articles in this special issue, but the themes tackled were not new ones in the frame of the policy and the modes of doing so were not invigorated as a consequence of the crisis.

Outright spillover can be seen in the fields of economic governance, financial market integration, health, and research and innovation policies (see the relevant articles, this issue). In the latter two areas, this concerns the country-specific recommendations under the European semester process which were either new topics under EU oversight or are after the secondary law innovations of the Two Pack and Six Pack now managed with significantly more EU-level thrive.<sup>17</sup> That such spillover occurred (and that spillback was prevented, see immediately below) can be explained by the indirect importance of those areas in terms of national expenditures. The latter are significant for the financial stability of the EU and were hence fenced in via the European semester process. In that sense, the crisis’ high pressure (see Table 3) on the economic governance area had a secondary effect. Spillback, by contrast, has been successfully prevented by the EU Commission in the area of competition policy, where some governments had wanted to bring back decisions regarding the emergency funding of banks by the state into their domestic arena (Botta, 2016).

**Table 9.** Are times of crisis times of spillover?

		LEVEL of authority	
		Higher	Not higher
SCOPE of themes	Higher	<b>SPILLOVER:</b> <ul style="list-style-type: none"><li>• Economic governance</li><li>• Financial market regulation</li><li>• Health</li><li>• Research + innovation</li></ul>	<b>MUDDLE ABOUT:</b> <ul style="list-style-type: none"><li>• Migration policy</li></ul>
	Not higher	<b>BUILD UP</b>	<b>ENCAPSULATION:</b> <ul style="list-style-type: none"><li>• Competition policy</li><li>• Trade policy</li><li>• Energy + climate policy</li><li>• Foreign + defence + neighbourhood</li></ul>

Turning now to the dimension of how new topics are actually processed at the EU level, we find a pronounced *mix of modes*. It is true there was a lot of high-level summitry to perform the immediate trouble-shooting during the height of the EU’s crisis and to strike the essential deals touching what were previously national prerogatives. When spillover occurred, the most contested parts were at times kept in the intergovernmental realm (such as the Single Resolution Fund’s mutualisation and backstop), as highlighted by the proponents of the ‘new intergovernmentalism’ (Bickerton *et al.* 2014). This is most visible in the fields of financial market regulation and economic governance, but Kudrna and Laffan/Schlosser stress in their articles that, even in their fields, they by no means see only ‘new intergovernmentalism’. The solutions found by the Heads of State and Government are later ‘digested’ in more standard EU procedures, often even under the classic ‘Community method’ involving the Commission as motor of legislation and both the Council and the EP as co-legislators (consider how the Two Pack and Six Pack were adopted in a dense cooperation between all EU-level legislative actors; see Laffan and Schlosser, 2016). The Commission, the ECB or other EU-level actors now play additional roles in most, if not all, of the studied policies. Consider the important new delegation of powers<sup>18</sup> to the ECB in the realm of the banking union and the Commission’s control over the single resolution mechanism (Kudrna, 2016). At times, the Commission has even become a major actor regarding national policies, e.g. in the national restructuring of banks in the aftermath of state subsidies (Botta, 2016) and via the country-specific recommendations under the European Semester process (Földes, and Ulnicane, 2016).

The findings of this issue will hardly put an end to the debates about ‘new intergovernmentalism’ as the potential new dominant mode of EU integration, one reason being that it is effectively a debate about glasses half full or half empty. Against this background, in any case, the amount of influence for supranational institutions beyond the (European) Council unearthed by our authors is certainly surprising.<sup>19</sup> In fact, a ‘new supranationalism’ may well also be in the making (Dehousse 2015), notwithstanding the crucial role of the European Council and the governments in recent crisis management. Our focus was on explaining policy change, not the dominance of specific actors or styles, but historical institutionalist ‘stickiness’ and functional pressures towards delegation seem to explain convincingly that outside immediate peaks of crisis, a distribution of labour between EU institutions seems to survive (e.g. Schimmelfennig 2014).

When considering new and old elements in EU policies, it is striking that basically all innovations found by our authors were introduced in the form of ‘layering’ (Mahoney and Thelen 2010b): they come in addition to older elements that are kept, not discarded (for a similar result regarding the euro area financial crisis, see Verdun 2015). It is interesting to speculate if the specific character of the EU as a supranational polity that is largely based on consensual cooperation actually disfavours the more heroic form of bringing down one policy to introduce another (displacement). It is conceivably easier to bring about agreement when the innovative element is an add-on, not an alternative, to what is left of earlier compromises. It stands to reason, however, that there must have been cases of ‘drift’, i.e. changes in the effective policy outcomes caused not by political decision but by altered framework conditions that are not effectively counter-steered. This quite plausibly occurred in some issue areas within the two policies with hardly any formal changes despite extreme challenges (i.e. foreign and migration policies). In any case, further studies would be needed to explore this phenomenon in some detail since our study had its focus more on the policy changes or their absence, but not specifically on the effects of continuities (which would have been too vast a task considering the amount of issues forming any of the EU policies inspected). Moreover, a known feature of EU politics is to stretch Treaty bases and other mandates, although this was no striking feature in the nine policies covered. However, we know for sure that such ‘conversion’ has characterised recent EU monetary policy as the ECB significantly extended its mandate in the time of crisis. Finally, one reason for the dominance of the layering process of policy innovation in our study will be the time horizon: It may simply be too soon to see some of the instances of policy change that are more covert than ‘layering’, particularly policy drift.<sup>20</sup>

## 9. Outlook

This special issue displays the crisis’ workings since the collapse of the bank Lehman Brothers in 2008 in nine major domains of European integration, based on a coherent framework to understand the crucial EU policy developments and EU non-decisions.

The most relevant finding is that the crisis-induced pressures frequently made earlier preferences change and new compromise solutions possible, including exits from joint-decision traps (such as in the case of the banking union). Unfortunately, most experts’ impression is that the solutions found – while often still being impressive examples of policy reform – may not necessarily be far-reaching enough to functionally meet the problem-solving requirements for long-term stability.

Overall, blockage mainly dominated two fields (foreign policy and migration) while many others are characterised by neither protracted stalemate nor particularly decisive breakthrough (e.g. energy and climate policy) and a few witnessed crisis-related reforms that are fundamental. In financial market regulation, one can even speak of a paradigmatic, 4th order change with the banking union’s shift of key competences from the national to the EU level. Crucial changes also happened in the economic governance area. The true importance of these developments (and their possibly critical impact on democratic legitimacy in the EU’s multilevel system) will only be visible in the long run.



## Notes

1. Citation from Webber (2014, 2).
2. For scenarios how EMU might actually evolve in the future, see Rodrigues (2014).
3. On ideas, policies, and politics see e.g. Abdelal *et al.* (2010) and Béland and Cox (2011), on reconciling the role of ideas and institutions see Schmidt (2011).
4. Policy learning and transfer can also occur unrelated to the crisis as alternative causes of change, to be discussed in the policy studies.
5. On normative aspects of 'supreme emergency', see Dyson (2013).
6. Note that the joint-decision trap model in the narrow sense is only applicable under the 'joint-decision mode' but our policies include different modes of decision-making. Therefore, I will speak of EU decision traps to cover all those situations (compare Falkner 2011a).
7. Or of similar situations under different EU decision modes.
8. We hold this assumption even under crisis conditions in principle, but a situation of 'high pressure' is assumed to reshape the preferences of all or many governments (as indicated above in Table 3).
9. For a neofunctionalist account of the crisis and its policy outcomes, see e.g. Niemann and Ioannou (2015); Schimmelfennig (2014), for an intergovernmentalist account of the crisis management see e.g. Schimmelfennig (2015b).
10. Either in terms of formal competences or in terms of actual output – our authors will specify that with the empirics at hand since both categories are of interest (and often times, a new potential may not yet have been used to date).
11. An alternative choice of concept could have been the slightly less specific approach to differentiate between a core and a periphery of each policy as suggested by Sabatier (see, for example, Sabatier and Weible 2007, 194–5). Additionally, the policy termination approach by Bauer and Knill (2012, 2014) – based on the density (more policies and instruments) or intensity (a change in the settings of instruments or procedural/administrative enforcement) of changes – should be mentioned which, however, did not seem ideally suited due to the decidedly qualitative approach of our study.
12. For sure, ideas are omnipresent and crucial at the intermediate levels as well, e.g. in finding new instruments and defining new goals.
13. On discourse and policy change, see Schmidt and Radaelli (2004). For a cultural political economy perspective on EU reactions to the crisis that draws on critical discourse analysis, see Heinrich (2015).
14. '(i) values, assumptions and principles about the nature of reality, social justice and the appropriate role of the State; (ii) a conception of the problem that requires public intervention; (iii) ideas about which policy ends and objectives should be pursued; and (iv) ideas about appropriate policy 'means' to achieve those ends (i.e. implementation principles, type of instruments and their settings)' (Daigneault 2014, 461).
15. That will play a comparatively greater role in areas where little or no change in policy output has (yet) occurred.
16. Corresponding findings speak about more communitarisation (Menz and Smith 2013, 11) or 'continuous but incremental changes' (Tosun *et al.* 2014, 14).
17. The sovereign debt crisis' effects on welfare state reform in the EU is studied in-depth in the special issue by de la Porte and Heins (2015).
18. For a recent debate of the legitimacy of delegation, see Torres (2013).
19. This confirms similar conclusions by Bauer and Becker (2014); Tosun *et al.* (2014) and Dehousse's findings that partly predate the crisis (2011b, 199). It also fits the insights that (liberal) intergovernmentalism as a theory of negotiation between governments may best be embedded 'in a supranationalist theory of long-term, path-dependent development of integration' (Schimmelfennig 2015b, 16) and that 'new intergovernmentalism' is 'well-equipped to shed further light' on specific dynamics such as e.g. intergovernmental fora of decision-making (Christiansen 2015, 107) but that other policy-making practices have not disappeared but 'simply slipped down the research agenda' (Bulmer 2015, 293).
20. Thanks to Kathleen Thelen for this argument.



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