



Crises in the European Union

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Background

The European Union has been confronted with a series of crises over the past decade. Traditionally, crises have been regarded as a driver towards further EU integration. However, developments over the past decade point to considerable strain. Crisis responses, whether they are relating to the financial or the refugee crisis, for example, have been criticised for putting strain on the European Union and relationships with and between member states.

The conclusion of the two Horizon 2020 projects, ENLIGHTEN and TransCrisis, offers a pertinent moment to showcase the research findings by placing them in wider cross-cutting debates that are central for the worlds of research and practice in the context of European Union. Three cross-cutting themes underpin our interest in shared discussions:

First, what are the **institutional capacities** for effective and legitimate crisis management among EU institutions? How has political leadership during crises been exercised and has it been perceived as legitimate? There has been much interest in the rise of the EU as a crisis manager and in the capacities of particular modes of governance to address domains in crisis. This has given rise to an interest in 'executive supranationalism'. Others have talked about the rise of a 'new intergovernmentalism' in response to the financial crisis. In other areas, other modes of governance, such as the 'European Semester' have continued. Moments of crisis and post-crisis offer critical insights into the diversity of modes of governance (and crisis responses) so as to understand better the relationships between different actors and changing emphases in terms of governance mechanisms.

Second, what has been the policy trajectory since the economic and financial crisis?

Increasingly, there have been, especially in the academic literature, and interest in concerns about '**policy dismantling**', namely the reduction in regulatory standards in certain (particular environmental and social) policy domains as concerns about 'competitiveness' and austerity have become more prominent. Equally, there has been growing attention towards member state



'backsliding' on constitutional conventions associated with EU membership. In view of the central interest in the theme of dismantling and backsliding, this workshop will offer insights into actual patterns and consider to what extent diagnosed patterns represent a crisis for the European Union at large.

Third, while there has been a considerable interest in the development of crisis responses by the European Union during the financial crisis (and the migration/refugee crisis), it is now time to take the agenda further by considering the intended and potential unintended **consequences** of these emerging regimes. After all, any discussion regarding the readiness of EU institutions needs to consider potential '**blind-spots**' and other unintended consequences that might inhibit effective and legitimate crisis responses.

Defining and Distinguishing Crises

Both ENLIGHTEN and TransCrisis start from the premise that there are crises. What is a crisis? Building on a common definition of crisis - associated with threat, urgency and uncertainty - a number of different types of crises need to be distinguished:

- different degrees of urgency and their impact on decision-making: the distinction between fast- and slow-burning crises has been introduced so as to consider not just the way in which different issues have been perceived and understood, but also to consider how crisis definitions impact on decision-making styles.
- transboundary crises and their particular challenge for crisis management: crises are not just transboundary in the sense that member states have lost boundary control over crises, they are also transboundary in that crisis management involves working across boundaries of government, organisations, legal frameworks, and of different professions. The problem however is that most crisis management is constrained by boundaries and decision-making is siloed. Such an approach might be appropriate for the 'one-off' crisis, but is challenged in the context of more systematic and unexpected crises (such as 'rude surprises').
- arenas for crisis decision-making: early work on the EU as crisis manager has concentrated on the traditional domains of crisis management, namely civil protection-related activities within and outside of the EU. Since the financial crisis, the notion of crisis management has also become increasingly prevalent for domains associated the Single Market, such as in relation to the banking crisis. But we find crisis management also in other critical



infrastructure domains (energy networks, cyber) and in environmental and food safety domains. Finally, crisis in the context of the EU also relates to constitutional crisis, less so in the traditional sense of conflicts among member states ('empty chair crisis'), but more so as member state solidarity is found lacking and commitments to constitutional conventions of liberal democracy have weakened.

Crisis has been a central feature of EU policy-making over the past decade, whether in terms of the emergence of the EU as 'crisis manager' in terms of 'civil defence' activities or the rise of 'crisis' as a central theme for the development of policy and the use of diverse modes of governing (such as the European Semester). More generally, questions have been asked about whether the European Union and its member states are 'trapped' in the widely-discussed contradiction between technocracy and democracy: the reforms needed to maintain a particular form of monetary union cannot be accommodated in the context of democracy. The contradiction between 'responsible', managerial-technocratic governance and the calls for 'responsive' governance has become increasingly problematic.

In this context, it is therefore important to differentiate a number of critical aspects. One is to focus on institutional capacities: What capacities and resources do European institutions have to deal with crisis. Such capacities relate to some of the critical tasks of crisis management (in the broad sense), such as detection, sense-making, coordination, decision-making, meaning-making and actual 'execution'. A second question involves leadership in an individual and organizational sense. Leadership is not just about ensuring responses to crises, but can also be understood in 'boundary-expanding ways', such as questions about how EU agencies have used crises to expand their jurisdictional scope.

The third component relates to accountability and legitimacy. Research on the EU as well as elsewhere has highlighted that perceptions of what is regarded as legitimate varies across different audiences and discussions have highlighted how epistemic communities responded to, or even emerged, to potential and acute crises. Different understandings of legitimacy have also be utilized in order to consider how different actors seek to legitimize their actions, whether this is in output/outcome, input or procedural ('throughput') ways.

Finally, it is also worth to consider definitions of crisis. Crisis is inherently associated with uncertainty and also the notion that a higher level of government needs to intervene as the 'normal' governing arrangements lack capacity to effectively address a policy problem. However, given the experience of 'Europe in crisis', questions need to be asked about whether such crisis definitions need to be broadened. For example, different policy communities have



different understandings as to what constitutes a 'crisis' in their particular domain, and debates about how the European Union should address crises are frequently characterized by opposite perspectives on the ends and means of managing a crisis, and whether a crisis situation is present in the first place.

The consequences of crisis

While there has been considerable interest in management of different crises, there has also been a growing interest in the consequences of crises on the European Union and its member states.

One particular interest relates to the consequences of the economic crisis and the 'age of austerity' on the way in which EU and member states develop and reform policies. In particular, this has given rise to the hypothesis that in an age of austerity particular actors would be tempted to 'dismantle' certain policies that are seen as 'burdensome' and 'inhibiting' economic growth. These debates have been witnessed in questions about social and environmental policy in particular. Measuring 'dismantling' is notoriously tricky. Moreover, there are also questions about interpretation. Debates about youth unemployment and, in particular, the Youth Guarantee, have highlighted diversity of opinions: for some, the Youth Guarantee is a limited response in view of the considerable social problem of youth unemployment in certain member states and it highlights how 'economic' considerations outweigh social –redistributive ones. For others, the Youth Guarantee represents a remarkable achievement in representing the first ever 'social right' in the context of the EU. More generally, therefore, questions regarding policy dismantling highlight questions about whether and how the consequences of economic integration are accompanied by social, environmental or other measures.

A second major concern has been the diagnosed rise in 'backsliding' on constitutional commitments by member states. Over the past decade, the prominence of 'backsliding' in the context of the EU has been particularly prominent in certain member states that have advanced the concept of 'illiberal democracy'. Backsliding constitutes a particular transboundary crisis for the European Union as it not just undermines the internal commitment towards liberal democracy, but also reduces the external normative power of the EU. There is also uncertainty, apart from disagreement among and within member states, about the appropriate ways of addressing backsliding are.



The third and related concern points to questions of member state solidarity. Managing crises requires cooperation. The European Union, regardless of its supranational authority, depends on the cooperation and administration of its member states. The different crises affecting the European Union over the past decade have highlighted a set of cleavages over the direction of EU policy, whether it is in redistributive terms in the context of the financial crisis (a 'north-south cleavage') or in the context of the refugee crises (particularly a 'east-west crisis'). Backsliding is also widely regarded as an 'east-west cleavage'. In this context, the question is how European institutions can maintain and ensure solidarity. One response has been to draw on the 'shadow of hierarchy' in terms of initiating proceedings (such as Art 7) or in introducing proposals to add greater legal obligations on member states. However, neither of these measures might be said to be effective: they accentuate conflict rather than reinforce solidarity. In other words, the consequences of crises raise questions for the European Union about facilitating greater solidarity among member states so as to provide for effective management of crises in the future.

The intended and unintended consequences of crisis management

A third major focus is on the consequences of crisis management or responses. There has been an interest in the 'crisisfication' of policy-making in the European institutions. In other words, what is the effect of introducing 'crisis' into European policy-making. Do issues become increasingly associated with crisis and crisis mechanisms so as to ensure that they are being 'processed' or that particular constituencies receive 'redress' rather than others? Does decision-making in crisis mode also lead to a different type of decision-making style that is far removed from what is considered as participatory and reflective?

The diffusion and growing application of the c-word in policy-making might also have its own unintended effects in the sense that the adoption of particular crisis tools and terms introduces its own unintended effects. For example, it is widely said that the existing tools of crisis management are inappropriate in a context of transboundary crisis management. However, research suggests that it is exactly these terms and tools that are being applied to contexts that are characterized by transboundary crisis.

At the same time, the consequences of crisis management relate to questions of inter-institutional relations and also to relationships between the EU and its member states, as well as between state and non-state actors. One particular pronounced polylemma is how to deal with questions of integrated and liberalized European markets, political decision-making at various levels of government and a dependence on local or national administration. Such governance



questions also relate to wider questions of values in public management, namely how to devise crisis and risk management systems that deal with questions of resilience, efficiency and fairness. In particular, the consequences of crisis management may highlight the redistributive effects of the regulatory state, and therefore, trigger legitimacy problems in their own right.