

Claims of a ‘new intergovernmentalism’ in European integration have been overstated

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Several authors have argued that European integration is becoming characterised by a form of ‘new intergovernmentalism’, with increasing numbers of decisions made through intergovernmental forms of decision-making such as those in the European Council. [Frank Schimmelfennig](#) assesses how accurate this perspective is. He argues that intergovernmental policy coordination of the kind described by these authors is a far from novel phenomenon and originated in its present form during the 1970s. As such the ‘new intergovernmentalism’ appears to be more about a specific set of policies rather than European integration as a whole.



In a [forthcoming article](#) and [edited volume](#) on the EU, Christopher Bickerton, Dermot Hodson, and Uwe Puetter argue in favour of a ‘[new intergovernmentalism](#)’, which characterises the essence of ‘European integration in the Post-Maastricht Era’. I agree that the ‘new intergovernmentalism’ captures important aspects of institution-building and decision-making in the EU but I disagree with the claim that it is the defining – or even a novel – feature of the post-Maastricht era. Actually, what they describe as the ‘new intergovernmentalism’ is more associated with the nature of the integrated policies rather than the historical phases of European integration.

Is the post-Maastricht EU really predominantly intergovernmental or at least more intergovernmental than the pre-Maastricht era? To some extent, Bickerton et al.’s positive answer depends on their peculiar definitions of intergovernmentalism. First, they argue that deliberation and consensus-seeking have become characteristic of intergovernmental relations and decision-making in the post-Maastricht era. It is debatable how deliberative EU decision-making is, but deliberation and consensus-seeking have traditionally been attributes of supranationalism.

Second, Bickerton et al. limit supranationalism arbitrarily to the “traditional supranational bodies”, the Commission and the Court, and the traditional Community method. They exclude the European Parliament from the class of supranational bodies, and invent the category “*de novo* bodies” to capture the ECB, the ESM, the External Action Service, and the plethora of agencies created since Maastricht. It is true that governments have been reluctant to empower the Commission in the policy areas integrated since Maastricht. They delegated power to other supranational institutions, however, that are not generally less autonomous than the Commission.

In fact, the “*de novo* bodies” display a wide variation of intergovernmental and supranational features, which makes this term meaningless for an analysis of intergovernmentalism vs. supranationalism. The finding that a new policy like banking supervision has been delegated to the ECB rather than the Commission is certainly not a finding against supranationalism. Even the Commission has gained additional competences over time in justice and home affairs, foreign policy, and economic policy.



Donald Tusk, Credit: European Council President (CC-BY-SA-ND-NC-3.0)

Moreover, Qualified Majority Voting – an attribute of supranationalism – is now the formal decision-making rule of the Council in all but a few policy areas. In a concomitant development, the Parliament, hardly an intergovernmental institution, has gained codecision rights in most areas of EU legislation and on the budget, and it has attained strong influence on the appointment of the Commission and its President: i.e. in areas that have traditionally been the domains of exclusive or predominant intergovernmental decision-making.

Intergovernmentalism is hardly new to the post-Maastricht era. Bickerton et al.'s claim that, "with the constitutional framework unchanged, integration since Maastricht has been pursued via an intensification of policy co-ordination between Member States" could easily have been made by observers of the EC at the beginning of the 1980s – they only would have needed to exchange "Maastricht" with "Rome". The constitutional framework established by the Treaties of Rome remained largely intact until the Single European Act; new policies have often been introduced through intergovernmental policy coordination and cooperation.

Prime examples are the European Political Cooperation (1970), various forms of monetary policy cooperation from the Monetary Committee (1958) and the "snake" of 1972 to the European Monetary System (1979), the TREVI anti-terrorist intergovernmental network (1975), the beginnings of the regional policy (1975), and the Schengen Agreement (1985) – all dominated by intensifying intergovernmental policy coordination both within and outside the Treaty framework. The most intergovernmental of the EU institutions, the European Council, was established in 1974. Thus, intergovernmental policy coordination is not a phenomenon of the post-Maastricht era but originated in the 1970s and was tied to the broadening of the scope of integration beyond commercial and regulatory policies into core state powers, redistributive, and security-related areas.

Incidentally, most of these policies became institutionalised through the Treaty of Maastricht and afterwards (Economic and Monetary Union, Common Foreign and Security Policy, Justice and Home Affairs). While Bickerton et al. rightly point out that member states did not fully transpose the traditional Community method to these new areas, they are all governed less intergovernmentally now than in the pre-Maastricht era. And many policies that are still comparatively intergovernmental (e.g. foreign and security policy, taxation policy, justice policy) have been established before Maastricht. In sum, what is new in the post-Maastricht era is not the establishment of intergovernmental policy coordination but its widespread communitarisation and supranationalisation.

It appears that the 'new intergovernmentalism' is about a specific set of policies rather than the EU as such or historical phases of its development. Bickerton et al. refer to "new areas of EU activity" throughout the article but do not theorise what distinguishes them from the "old areas". A promising way forward is to conceptualise these "new areas" by their strong relationship with "core state powers" closely linked to state sovereignty and national identity (such as the national currency, the control of the external border, defence, internal security, the justice system, public administration, taxation, welfare redistribution, and fiscal policy).

Similarly to Bickerton et al., the contributions to a [recent volume](#) edited by Philipp Genschel and Markus Jachtenfuchs show that while European integration has come to encompass core state powers, the processes and outcomes partly diverge from the integration of non-core state powers. Core state powers are [likely to produce](#) sovereignty and identity costs for member state governments and societies, distributional conflict, and identity politics in the domestic arena of member states. It is for these reasons that governments seek to limit supranational centralisation and retain intergovernmental control at the EU level.

For a longer discussion of this topic, see the author's article in the [Journal of Common Market Studies](#)

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Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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