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# A purposeful opportunist? The Juncker Commission and EMU reform

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## **Abstract**

This paper explores the Juncker Commission's entrepreneurship when proposing the reform of the Economic and Monetary Union, asking whether the Juncker Commission was more entrepreneurial than the Barroso Commission and, if so, why. Drawing from discursive institutionalism and process tracing, I test the new intergovernmentalist thesis on the 'decline of the Commission' with its new supranationalist counterpart. The results show that the Juncker Commission has indeed proceeded in a much more supranationalist way than the Barroso Commission did, as a genuine 'purposeful opportunist' when it comes to the reform of the EMU. These changes are not due to structural reasons, as new intergovernmentalists would argue. Instead, it is found here that the causes lie within the process of the presidentialisation of the Commission and the deep pro-European convictions of Jean-Claude Juncker. Building from these results, a call is made to introduce (or to further emphasise) presidential agency as a determinant factor in explaining the Commission's preference formation and to beware of an overreliance on an abstract conception of the Commission. In this sense, it may well be said that the Commission is a 's/he', not an 'it'.





## **Introduction**

This paper explores the Juncker Commission's entrepreneurship regarding the reform of the Economic and Monetary Union (EMU). Under the Barroso Commission, the Euro crisis was dealt with by the national heads of state and government gathered at the European Council; they took the lead role over the European Commission and proceeded often through means other than the community method. As Schmidt puts it, there was an obsession from European leaders with intergovernmental rules, numbers, and pacts.<sup>1</sup> Under the Juncker Commission, however, while no major reforms of the EMU have taken place (yet), a significant number of proposals to supranationalise the governance of the EMU have been put forward. This puzzle, which has received no attention in the literature so far, deserves to be explored: has the Commission become increasingly entrepreneurial? If so, why?

In order to provide answers to these questions, I draw from the debate about the impact of the Eurozone crisis on the EU's institutional balance. New intergovernmentalism has recently emerged and rapidly gained a large number of adherents, hypothesising that the European Commission acts as a run-down 'strategic entrepreneur'. On the other hand, new supranationalists portray the Commission as a proactive 'purposeful opportunist'.

The analysis provided here, making use of discursive institutionalism and permeated by process tracing, tests these hypotheses when it comes to the ideational and advocacy roles of the Juncker Commission regarding the reform of the EMU. This paper does not pretend to settle the debate between new intergovernmentalists and new supranationalists but provides a new insight into it by covering the gap that exists regarding the Juncker Commission in the current literature. Therefore, I recognize that the observations made here are contingent upon the specificities of the case under analysis.

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<sup>1</sup> V. A. Schmidt, 'Forgotten Democratic Legitimacy: "Governing by the Rules" and "Ruling by the Numbers"', in M. Blyth and M. Matthijs (eds.), *The Future of the Euro*, New York, Oxford University Press, 2015, p. 123.

## 1. Literature review

The long-standing debate on who is the driver of European integration, which traditionally had pitted neofunctionalists (supranationalists) against intergovernmentalists, has been taken over in the last years by a more updated version between new intergovernmentalists and new supranationalists. Nowadays, both sides only agree on the fact that the European Parliament and the community method are losing significance in favour of more intergovernmental proceedings.<sup>2,3</sup> Apart from that, while in the old debate both contending parts agreed that integration implied the delegation of powers to supranational institutions, new intergovernmentalism has challenged this view.

### New Intergovernmentalism

While not claiming “to be a new grand theory of regional integration”,<sup>4</sup> new intergovernmentalism relies on a coherent set of assumptions and has been able to produce a useful ensemble of testable hypotheses, providing valuable insights on the role of the Commission in recent times. The main tenet of new intergovernmentalism is that, since the Maastricht treaty, Member States remain supportive of common solutions but refuse to delegate powers to supranational actors following the Community method.<sup>5</sup> This integration paradox witnesses a delegation of powers to the so-called *de novo* bodies instead of traditional supranational institutions, such as the Commission or the ECJ, which could have fulfilled the functions delegated to the former. A paradigmatic example of this type of institutions is the

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<sup>2</sup> V. A. Schmidt, ‘The New EU Governance: New Intergovernmentalism, New Supranationalism, and New Parliamentarism’, IAI WORKING PAPERS 16 | 11 - MAY 2016.

<sup>3</sup> The community method refers to the ordinary legislative procedure, whereby the Commission initiates legislation and the Council (using qualified majority voting) and the European Parliament act as co-legislators and are subject to the judgment of the European Court of Justice (ECJ).

<sup>4</sup> C. Bickerton, D. Hodson, and U. Puetter (eds), *The New Intergovernmentalism: States and Supranational Actors in the Post-Maastricht Era*, Oxford: Oxford University Press, 2015, p. 45.

<sup>5</sup> C. J. Bickerton, D. Hodson and U. Puetter, ‘The New Intergovernmentalism: European Integration in the Post-Maastricht Era’, *Journal of Common Market Studies*, 2015, Vol. 53, No 4. p. 705.

European Stability Mechanism (ESM), which provides financial assistance once countries have adhered to the (also intergovernmental) Fiscal Compact.

When it comes to the role of the Commission, new intergovernmentalism argues that it has been side-lined by the European Council, which now takes “lead roles at all stages of the policy process, including agenda-setting, decision-making and, finally, the adoption and implementation of EU policies at all relevant levels of governance”.<sup>6</sup> The main hypothesis here is that, contrary to what was previously believed, “supranational institutions [such as the Commission] are not hard-wired to seek ever-closer union”.<sup>7</sup>

This is not to say, however, that supranational institutions have no role to play. The point of new intergovernmentalists “is not to deny the role of supranational actors, but rather to acknowledge the fact that their relative importance in determining the character and direction of the integration process has been in question ever since Maastricht”.<sup>8</sup> Far from opposing this trend, they argue, supranational institutions have often showed predilections towards it.

In turn, they offer two possible explanations for this apparently contradictory behaviour. First, it is argued that supranational institutions act in a strategic way, which means that they will only engage in policy entrepreneurship that could benefit them when they think that the context is favourable enough as to expect an easy approval of their proposals. Hodson has argued that “the [Barroso] Commission acted strategically by steering clear of integrationist initiatives that were opposed by member states”.<sup>9</sup> A second explanation can be found in the transformations that the institutions have undergone in the last decades. In the case of the

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<sup>6</sup> S. Fabrini and U. Puetter, ‘Integration without supranationalisation: studying the lead roles of the European Council and the Council in post-Lisbon EU politics’, *Journal of European Integration*, vol. 38, no. 5, 2016, p. 482.

<sup>7</sup> Bickerton, Puetter and Hodson, *The New Intergovernmentalism: European Integration in the Post-Maastricht Era*, *op. cit.*, p. 712.

<sup>8</sup> *Ibid.*, p. 706.

<sup>9</sup> D. Hodson, ‘The Little Engine that Wouldn’t: Supranational Entrepreneurship and the Barroso Commission’, *Journal of European Integration*, vol. 35, no. 3, 2013, p. 303.

Commission, the fact that its President is elected from the members of the European Council (Barroso and Juncker) could explain the preference of the Commission to find solutions in intergovernmental decision-making.

Warren, Holden and Howell illustrate these hypotheses with the case study of the Barroso Commission and fiscal governance reform. Adopting a discursive institutionalist approach and carrying out an in-depth framing analysis of the Commission's crisis discourse, they argue that the Commission acted strategically during the crisis by framing it around intergovernmental fiscal discipline. They conclude that, although the Barroso Commission argued in favour of a supranational reform of EMU governance in the long-term, it only did so as "a discursive strategy to mask a crisis response that at its heart is concerned with implementing intergovernmental fiscal discipline".<sup>10</sup> In their view, the Commission is not hard-wired towards supranationalism and, drawing from historical institutionalism, argue that a discursive shift will only come in the face of a 'critical juncture'.

### **New Supranationalism**

Against this theoretical backdrop, new supranationalism can be best assessed not as a comprehensive theory, but rather as an array of responses to the defiant claims made by new intergovernmentalist scholars. Unlike new intergovernmentalism, the new supranationalist literature has so far not produced a set of testable hypotheses regarding the nature and the drivers of European integration and often rely on previous literature. Although new supranationalists mostly agree on the fact that supranational leadership from the Commission and the ECJ has diminished, they vigorously reject the claim that integration does not imply the transfer of powers to supranational actors anymore, as can be seen with the Commission

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<sup>10</sup> T. Warren, P. Holden and K. E. Howell, 'The European Commission and fiscal governance reform: a strategic actor?', *West European Politics*, vol. 40, no. 6, 2017, pp. 1326.<sup>11</sup> R. Dehousse, 'Why has EU macroeconomic governance become more supranational?', *Journal of European Integration*, vol. 38, no. 5, 2016, p. 617.

and the ECB's roles in "strategic areas, such as macroeconomic policy or banking regulation".<sup>11</sup>

New supranationalist authors often resort to the interpretation of supranational entrepreneurship put forward by Laura Cram in the 1990s, who saw the Commission as a 'purposeful opportunist'. In her view, it is ultimately "the Commission as an executive body which is responsible for the final phrasing and timing of the publication of policy initiatives, for establishing the opportune moment for action, and for the final selection of the instruments with which policies should be implemented".<sup>12</sup> As a purposeful opportunist, the Commission is "an organisation which has a notion of its overall objectives and aims but is quite flexible as to the means of achieving them".<sup>13</sup> In effect, it can use several instruments and techniques to make its policy acceptable.

In this view, supranational institutions – especially the Commission – will try to expand the scope of their competences or that of supranational EU institutions in general, and will try to get their preferences reflected on the policy agenda. However, because of the normative set-up of the policy making-process, the Commission cannot impose its preferences and needs to take into account the preferences of the legislators: "The Commission has learned to respond to opportunities for action as they present themselves, and even to facilitate the emergence of these opportunities".<sup>14</sup> In this sense, new supranationalist literature on the entrepreneurial role of the Commission refer recurrently to the notion of 'windows of opportunity'. Moreover, even though the Commission might know its proposals will not gather enough support from other institutions or from the Member States, it may still push forward with concrete measures just to establish a precedent for future action.

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<sup>11</sup> R. Dehousse, 'Why has EU macroeconomic governance become more supranational?', *Journal of European Integration*, vol. 38, no. 5, 2016, p. 617.

<sup>12</sup> L. Cram, 'The European commission as a multi-organization: Social policy and IT policy in the EU', *Journal of European Public Policy*, vol. 1, no. 2, 1994, p. 198-199.

<sup>13</sup> *Ibid.*, p. 214.

<sup>14</sup> *Ibid.*

Finally, some recent contributions emphasise the importance of the Commission President in defining the institution's leadership and course of action. Becker et al. contend that "the crisis did not cause a Commission retreat but accelerated a process already underway that finds its origins in the presidentialisation of policy control".<sup>15</sup> Thus, "the downward trend in the Commission's decisional outputs was the result of concerted action on the part of its eleventh President, José Manuel Barroso, to strengthen presidential control over the Commission's policy activism, especially during his second term, not displacement of the Commission by the European Council".<sup>16</sup>

## **2. Theoretical and methodological framework**

This paper employs discursive institutionalism as the theoretical framework and discourse analysis and process tracing as methodologies. In the same way as Warren, Holden and Howell, part of this paper adopts a discursive institutionalist approach and builds on their conceptual framework to categorize the discourse delivered by the Juncker Commission. The choice for this theoretical framework and methodology relates to the nature of the information available (primary documentary sources and interviews) and to the intention of allowing for a comparison between both studies. I extend the time span under consideration (November 2014 to December 2017) and I evaluate the evolution of discourse through process tracing, the systematic examination of the unfolding events of a process over time.<sup>17</sup>

The data used consists of policy texts like Work Programmes, papers and reports, Commission communications and proposals, European Council notes and conclusions. In addition, selected public speeches from President Juncker and from Commissioners Moscovici

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<sup>15</sup> S. Becker, M. W. Bauer, S. Connolly and H. Kassim, 'The Commission: boxed in and constrained, but still an engine of integration', *West European Politics*, vol. 39, no. 5, 2016, p. 1011.

<sup>16</sup> *Ibid*, p. 1013.<sup>17</sup> D. Collier, 'Understanding Process Tracing', *Political Science and Politics*, vol. 44, no. 4, 2011, pp. 823-830.

<sup>17</sup> D. Collier, 'Understanding Process Tracing', *Political Science and Politics*, vol. 44, no. 4, 2011, pp. 823-830.

and Dombrovskis are also analysed. The analysis of written sources is complemented with two semi-structured interviews: one with a senior official of the Directorate General for Economic and Financial Affairs (DG ECFIN) who has been closely involved in the overall process of deliberation and in drafting some of the aforementioned documents; and another interview with a member of Cabinet at the College of Commissioners.<sup>18</sup>

Discursive institutionalism puts the focus on the role of ideas and discourse in politics. Ideas are “the substantive content of discourse” and discourse is “the interactive process of conveying ideas”.<sup>19</sup> Schmidt differentiates two types of discourse, coordinative and communicative. Coordinative discourse takes place in the policy sphere and is played out by “the individuals and groups at the center of policy construction who are involved in the creation, elaboration, and justification of policy and programmatic ideas”.<sup>20</sup> Communicative discourse is directed to the public, political sphere and consists on ideas about the necessity and appropriateness of a given policy or set of policies. Due to space constraints, I will focus on the communicative discourse.<sup>21</sup> It deals with the “presentation, deliberation, and legitimation of political ideas to the general public”.<sup>22</sup>

Warren, Holden and Howell provide a very useful and detailed typology of the two kinds of discourse to which the Commission could subscribe with regards to the response to the crisis and to EMU reform. They link individual policy frames to two different reform scenarios. The intergovernmental reform scenario frames the crisis as a problem of fiscal profligacy and suggests the “strengthening neoliberal fiscal discipline within EMU through the implementation of reforms building on the rules-based SGP framework”.<sup>23</sup> Regarding a

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<sup>18</sup> Due to privacy and professional reasons I was not given consent to reveal the identity of the interviewees. For this reason, references to their positions within the Commission remain fairly vague and the interviews are not included as annexes.

<sup>19</sup> V. A. Schmidt, ‘Discursive Institutionalism: The Explanatory Power of Ideas and Discourse’, *Annual Review of Political Science*, vol. 11, 2008, p. 303.

<sup>20</sup> *Ibid*, p. 310.

<sup>21</sup> For a complete version with an analysis of the coordinative discourse, please contact the author.

<sup>22</sup> Schmidt, *Ibid*.

<sup>23</sup> Warren, Holden and Howell, *op. cit.*, p. 1313.

fiscal and political union, this discourse supports the indirect channels of democratic legitimisation present in the Council of the EU and European Council, and only foresees a rule-based fiscal union. In contrast, the supranational reform model portrays the origins of the crisis as a balance-of-payments problems which originated through the accumulation of private debt and, due to bank-state interdependencies, spiralled to become a debt crisis. In this context, the necessary reforms imply a revamp of EMU's architecture towards a more supranationalised governance system and the implementation of "neo-Keynesian fiscal solidarity mechanisms through debt mutualisation and/or the development of an enlarged EU budget function".<sup>24</sup> In turn, such reforms would need new channels of democratic accountability and legitimacy, and therefore a full-blown political union becomes necessary.

Finally, I will also examine what Pollack calls "the problem of agenda-setting, or the role of the Commission in the legislative process".<sup>25</sup> I analyse the Commission's formal agenda-setting powers, which consists of the procedural capacities to draft and propose legislation. In addition, I consider informal agenda setting, "the ability of a 'policy entrepreneur' to set the *substantive* agenda of an organization, not through its formal powers but through its ability to define issues and present proposals that can rally consensus among the final decision makers".<sup>26</sup>

### **3. The Commission's discourse and agenda-setting**

This section looks at two aspects of the Commission's action. First, it delves into the communicative discourse presented by the Commission, its framing of specific issues, and its overall evolutionary process. Second, it refers to the conceptual divide introduced by Pollack between formal and informal agenda-setting. According to the European "institutional rule

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<sup>24</sup> *Ibid.*

<sup>25</sup> M. A. Pollack, 'Delegation, agency, and agenda-setting in the European Community', *International Organization*, vol. 51, no. 1, 1997, p. 101.

<sup>26</sup> *Ibid.*, p. 121.



governing the power to propose legislation and to control the agenda of a legislative body,” the Commission enjoys the role of formal agenda setter since it has the “monopoly of legislative initiative”.<sup>27</sup> Has the Juncker Commission made use of its formal agenda-setting power to comply with the plan it sets up in its communicative discourse? Informal agenda-setting is the ability to influence other decision-making organisations’ agendas by rallying consensus around a specific issue. For the Commission to attain such consensus, “a successful agenda needs to match and be securely rooted in the situative context of each presidential term”.<sup>28</sup> Has the European Council picked up on the discussion and the proposals emanating from the Commission?

### **The Five Presidents’ Report and Steps Towards Completing Economic and Monetary Union**

The beginning of the reflection process on EMU that characterized the Juncker Commission actually started with a request from the leaders gathered at Euro Summit who, on 24 October 2014, invited the President of the Commission to “prepare next steps on better economic governance in the euro area” under the premise that it was necessary “to develop concrete mechanisms for stronger economic policy coordination, convergence and solidarity”.<sup>29</sup> Interestingly enough, while in 2012 the *Four Presidents’ Report* had been tasked to Herman van Rompuy, President of the European Council, this second time the European Council called upon the President of the Commission and not on its own President to come up with an input to reform the Eurozone. The work was to be carried out in close cooperation with the Presidents of the Eurogroup, the European Council and the ECB, that is, not in an independent manner but together with the other European institutions except the European Parliament. The first outcome of this reflection process was an *Analytical Note* and the *Five*

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<sup>27</sup> Pollack, *Delegation, agency, and agenda-setting in the European Community, op. cit.*, p. 122.

<sup>28</sup> H. Müller, ‘Setting Europe’s agenda: the Commission presidents and political leadership’, *Journal of European Integration*, vol. 39, no. 2, 2017, p. 140.

<sup>29</sup> Euro Summit, *Statement*, Brussels, 24 October 2014.

*Presidents' Report*, which were presented as a base for discussion at the European Council. Regarding a supranational discourse, the *Analytical Note* represents a timid first step, given that a balance had to be struck between the visions of its many authors. In a conciliatory tone, it defines the Eurozone as a “*community of destiny... (that) requires both solidarity in times of crisis and respect by all for commonly agreed rules*”.<sup>30</sup>

Nevertheless, a major departure from the previous Commission can be observed, as it frames the Euro crisis in an unequivocal supranational way. Whereas Warren, Holden and Howell hold that the 2012 Commission’s *Blueprint for a deep and genuine Economic and Monetary Union* framed the crisis “as a problem of fiscal profligacy”,<sup>31</sup> the *Analytical Note* identifies the crisis as a financial one at the onset (originating in the US and an ensuing accumulation of private debt), which then developed into a sovereign debt crisis due to the negative feedback loop between banks and government sovereign debt. Moreover, it states that a differentiated policy making in the form of a centralized monetary policy and decentralized economic and fiscal policies can be a source of problems because the vulnerabilities of one country can spread to the whole Eurozone.

In an undeniably supranational gesture, President Juncker “indicated his intention to draw on input from the President of the European Parliament in his reflections during the preparation of the [following *Five Presidents’*] report”.<sup>32</sup> What was meant to be another *Four Presidents’ Report* thus ended up being a *Five Presidents’ Report* that now included the European Parliament. Building from the aforementioned supranational framing of the crisis, and despite the fact that it also had to be drafted in consultation with the Member States, the *Five Presidents’ Report* develops a more resolute and articulated discourse in favour of a supranational repair of the Eurozone. Delivered on 22 June 2015, the *Five Presidents’ Report*

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<sup>30</sup> J-C. Juncker et al., *Preparing for Next Steps on Better Economic Governance in the Euro Area*, Analytical Note, Brussels, 12 February 2015, p. 1.

<sup>31</sup> Warren, Holden and Howell, *op. cit.*, p. 1317.

<sup>32</sup> Juncker et al., *Preparing for Next Steps on Better Economic Governance in the Euro Area*, *op. cit.*, p. 8.

lays out a roadmap to progress on the completion of the EMU in three stages and underlines in a supranationalist normative manner that “it is clear that the quick fixes of recent years need to be turned into a lasting, fair and democratically legitimate basis for the future”.<sup>33</sup>

The first stage sets the short-term vision and is one where the status quo – composed of mainly intergovernmental measures – is to be maintained. Progressing in the Economic and Financial Unions is the top priority at this stage. Adopting a new-functionalist, spill-over logic, the Report calls for the completion of the Banking Union and the launch of a Capital Markets Union so that the monetary policy decisions can be transmitted uniformly across Member States. The completion of the Banking Union’s second pillar through the creation of a common backstop to the Single Resolution Fund (SRF) and the implementation of a European Deposit Insurance Scheme (EDIS) that would make for its third and last pillar are deemed crucial in this regard and constitute a strong supranationalist plea.

In its medium-term vision, the Commission aims at ‘completing the EMU architecture’ through far-reaching measures in the fiscal and political realms. The measures sketched out here are somewhat vague and the *Report* refers to their further development in Stage 2, which was set to start with the publication of a *Reflection Paper* in spring 2017. On the Fiscal Union side, the *Report* defends the idea that “public risk-sharing should be enhanced through a mechanism of fiscal stabilisation for the euro area as a whole”, which would be created under the community method and not be a mere instrument of crisis management.<sup>34</sup> When it comes to the issue of a Political Union, the *Five Presidents’ Report* adopts an unambiguous supranational frame and proposes an increased involvement of the European Parliament and national parliaments in the oversight of EMU governance.

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<sup>33</sup> J-C. Juncker et al., *The Five Presidents’ Report: Completing Europe’s Economic and Monetary Union*, Brussels, 22 June 2015, p. 4.

<sup>34</sup> *Ibid.*, p. 4.

Finally, the *Report* concludes in a clearly anti-intergovernmental fashion:

the world's second largest economy cannot be managed through rule-based cooperation alone [and that] a complete architecture (...) will inevitably involve sharing more sovereignty over time (...) within common institutions, most of which already exist and can progressively fulfil this task.<sup>35</sup>

As regards the Commission's formal agenda-setting, the Commission released in October 2015 its first package on 'Steps Towards Completing Economic and Monetary Union', which focuses on Stage 1 of the *Five Presidents' Report*. The most salient proposals fit well the ambitions of the Juncker Commission. For example, in order to provide institutional strengthening in the governance of the Euro Area, the Commission tabled a proposal for a unified representation of the euro area in the IMF (an idea that had appeared in the *Five Presidents' Report*), to be led by the President of the Eurogroup. Another relevant example is the Commission's proposal of November 2015 to complete the Banking Union by creating its third pillar in the form of an EDIS.

Looking at the Commission's informal agenda-setting, however, its proposals have proved largely fruitless. Already at the European Council of 15 October 2015, EU leaders decided not to pick up on the Banking Union issue as developed in the *Five Presidents' Report*. The case of EDIS, whose negotiations at the Council have been in a stalemate for years, is a another paradigmatic example. The derailed proposal for a unified seat at the IMF are also illustrative in this sense.

### **The Reflection Paper on the deepening of the EMU and Further Steps Towards Completing Europe's Economic and Monetary Union**

In order to inform the medium-to-long-term proposals included in the *Five Presidents' Report* and to prepare the transition from Stage 1 to Stage 2 of the *Report*, it was foreseen that the Commission would deliver a White Paper on EMU by spring 2017. However, instead of a single paper, the Commission released a *White Paper on the Future of Europe*, accompanied

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<sup>35</sup> *Ibid.*, p. 5.

by five more *Reflection Papers* focusing on specific issues: globalisation, social dimension of Europe, European defence, EU finances, and EMU.

This set of documents represents the Commission's strongest impulse to launch a debate on the direction of European integration. In its *White Paper*, the Juncker Commission considers that "the Lisbon Treaty, and the decade-long debate that preceded it, opened a new chapter of European integration that still holds unfulfilled potential".<sup>36</sup> The Commission sees the process of European integration in a clear neo-functionalist logic. It is indicative that it opens the *White Paper* with what is probably the neo-functionalist quote *par excellence*, a quote by Robert Schuman: "Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a *de facto* solidarity".

Overall, given that the *Reflection Paper on EMU* is the sole authorship of the Commission, it is much more assertive and offers a much more detailed supranational discourse than the *Five Presidents' Report*. It builds on the same interpretation of the crisis as the *Analytical Note* and the *Five Presidents' Report*, focusing on an accumulation of private debt, the so-called bank-sovereign doom-loop, and a mismatch between monetary and economic and fiscal policies in the Eurozone. It also takes stock of the measures adopted in Stage 1 but argues that there should be no complacency with the intergovernmental steps taken so far, since "far-reaching legacies from the crisis persist and challenges for the euro area remain".<sup>37</sup>

In order to break the links between banks' and sovereigns' debt risk, the Commission argues for increased risk-sharing by completing the Banking Union. Apart from pushing for the adoption of EDIS, the Commission urges the creation of a credible fiscal backstop to SRF,

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<sup>36</sup> European Commission, *White Paper on the Future of Europe*, COM(2017)2025, 1 March 2017, p. 7.

<sup>37</sup> European Commission, *Reflection Paper on the deepening of the EMU*, COM(2017) 291, Brussels, 31 May 2017, p. 12.

which would imply private risk-sharing in order to avoid costs for taxpayers, as happened with the intergovernmental measures taken during the crisis.

In the fiscal sphere, the main supranational proposal is a macroeconomic stabilisation function for the euro area, brought about under the community method, to complement the national budget stabilisers in the face of asymmetric shocks. In the political sphere, the Juncker Commission frames the weaknesses of EMU governance in a highly supranational way. Regarding the legitimacy, efficiency and transparency of EMU governance, the Commission decries a piecemeal design of the EMU architecture that lacks an overall plan from the outset and argues that “too often [it has] taken the onset of a crisis to build the collective awareness and political will needed to act together”.<sup>38</sup> For the Commission, the EMU’s institutional architecture is a mixed system composed of EU and intergovernmental institutions, “which is cumbersome and requires greater transparency and accountability”.<sup>39</sup> On top of that, it is argued, “the common interest of the euro area is still not sufficiently represented in public debate and decision-making”.<sup>40</sup>

With this framing of the EMU’s architecture, the fixes proposed are also framed in a supranational fashion. In the shorter term, the Commission suggests upgrading the ESM into a European Monetary Fund (EMF) that would also provide the last resort common backstop of the Banking Union. In the medium-term, in order to achieve greater democratic accountability, the Commission develops the idea of a permanent EU Finance Minister. This figure would thus strike a new balance between the Commission and the Eurogroup: while the Commission would remain the promoter of the European general interest, the Eurogroup could be given decision-making powers. Furthermore, in order to promote the general interest of the

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<sup>38</sup> *Ibid.*, p. 16.

<sup>39</sup> *Ibid.*, p. 17.

<sup>40</sup> *Ibid.*

Eurozone, the creation of this Minister should also be accompanied with an increasingly unified external representation of the Eurozone (such as in the IMF).

Finally, at a later stage, the Commission suggests the creation of a Euro Area Treasury entrusted with economic and fiscal surveillance (which currently is carried out by the Commission itself), coordinating the issuance of a European safe asset, and managing the macroeconomic stabilisation mechanism. Furthermore, it could also integrate the ESM once it is incorporated into the legal framework of the EU. The Commission proposes that the Euro Area Treasury be placed under the responsibility of the EU Finance Minister. However, the Commission is not blindly supranational when it comes to this Treasury and argues that, in order to ensure an adequate balance of powers between EU institutions and to allow for parliamentary accountability, decision-making would fall under the Eurogroup – composed of the Eurozone Finance Ministers accountable to their national parliaments. To sum up, in its *Reflection Paper on the deepening of the EMU*, the Commission propounds an array of reforms that would undoubtedly supranationalise the nature of the EMU governance to a large degree.

The Juncker Commission exercised its formal agenda-setting powers via the 6 December 2017 package on ‘Further Steps Towards Completing Europe's Economic and Monetary Union’. This package not only articulates the ideas set forth in the *Reflection Paper on the Deepening of EMU* but accelerates the release of some of them.

Thus, the Juncker Commission has put forward a proposal to establish an EMF that would be inscribed within the EU legal and institutional framework, in order to ensure democratic accountability and full judicial control at the supranational EU level. Such an EMF would be able to provide the common backstop to the SRF and thus complete the second pillar of the Banking Union. Moreover, while the governance system under this new EMF is to remain in the hands of the member States through the Eurogroup, the proposal includes the possibility of reinforced qualified majority voting on “decisions on stability support,

disbursements and the deployment of the backstop”,<sup>41</sup> which represents an additional supranationalisation of the institution.

In addition to this, the Commission has proposed to integrate the substance of the intergovernmental Fiscal Compact into EU law and thus make it subject to the community method. As a third supranational element, the Commission is calling for a dedicated Euro Area budget line within the EU budget which, among others, would provide for a Reform Support Programme and a European Investment Stabilisation Function.

Finally, the Juncker Commission has proposed the creation of a European Minister of Economy and Finance, which is geared to reduce the complexity and to increase the effectiveness and the democratic legitimacy and accountability of the EMU’s governance system. This new Minister, who would be a Vice-President of the Commission and chair de Eurogroup, would be accountable to the European Parliament, pursue the general interest EU and euro area economy (not of the Member States) and represent it at the global level. Furthermore, being responsible for pronouncing on the adequate fiscal policy for the Eurozone in support of the monetary policy of the ECB, this new Minister would help reduce the current structural imbalances of EMU architecture, namely a centralized monetary policy and decentralized fiscal policies.

To conclude with the formal agenda-setting efforts of the Juncker Commission, it is very important to notice the relevance of these proposals in terms of their legal nature. Even defenders of a new supranational assessment of the Commission argued that, during the crisis years (Barroso), while the Commission might not be in a general decline, “policy entrepreneurship in the classic sense – i.e. formulating and pushing for hard law – may be increasingly difficult in the current EU”.<sup>42</sup> Despite this unfavourable context, however, the

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<sup>41</sup> European Commission, *Proposal for a Council Regulation on the establishment of the European Monetary Fund*, COM(2017) 827 final, Brussels, 6 December 2017.

<sup>42</sup> Becker *et al.*, *op. cit.*, p. 1026.



Juncker Commission is not resorting to the use of soft policy instruments but to instruments of hard law, such as proposals for Council Directives and Regulations, when formulating its proposals. This is telling of the strong determination of the Commission to lead the legislative process and its engagement in far-reaching entrepreneurship.

As regards to its informal agenda-setting results, while the Juncker Commission has managed to instil EMU reform as one of the top priorities of the European Council, a closer look at the dynamics within the European Council belies any enthusiastic and hasty interpretation. The day before the December 2017 package was released, a top European government official argued that “no one understands really why the Commission is doing this, it will be useless”.<sup>43</sup> The European Council’s President Donald Tusk, in his remarks following the European Council meetings of 2018, repeatedly declared that the institution’s priorities regarding EMU reform consist on completing the Banking Union and enhancing Europe’s capacity to act by maybe transforming the ESM into an EMF.<sup>44</sup> These two elements make up for a rather small sample of the Commission’s proposals. Proposals on the European Minister of Economy and Finance or a macroeconomic stabilisation function have hit a wall in the European Council. Effectively, as the leaders gathered at the Euro Summit of December 2017 put it:

The Rome Declaration illustrates our strong commitment to working towards completing the EMU. The Five Presidents’ Report from June 2015 contains a comprehensive set of reform proposals. However, while there is consensus on the overall goal, Member States differ in their assessment of what needs to be done, as well as in the urgency they attach to this task. In the absence of market pressure, the collective political will to make further progress has weakened.<sup>45</sup>

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<sup>43</sup> P. Briançonni, ‘Juncker tries to get ahead of France, Germany on eurozone debate’, *POLITICO*, 5 December 2017.

<sup>44</sup> Council of the EU, *Remarks by President Donald Tusk following the European Council meetings on 14 and 15 December 2017*, 813/17, Brussels, 15 December 2017; Council of the EU, *Remarks by President Donald Tusk following the European Council meetings 22 and 23 March 2018*, 166/18, Brussels, 23 March 2018.

<sup>45</sup> Euro Summit, *Leaders’ Agenda note on the Economic and Monetary Union*, Brussels, December 2017.

In the previous quote, it is highly remarkable that it purposefully avoids mentioning the documents and proposals released by the Commission in 2017; it instead refers back to the *Five Presidents' Report*, which was much less ambitious as it did not exclusively depict the vision of the Commission. Moreover, after the Euro Summit of June 2018 it became clear that, while the ESM will provide the common backstop for the SRF, it will not be upgraded to an EMF under the community method as the Commission wishes.

In conclusion, while the Juncker Commission has not been lagging behind the European Council when exercising its formal agenda-setting powers, if we judge its informal agenda-setting as the capacity to provide “an idea around which bargaining can converge and in the absence of which no equilibrium position could be found”,<sup>46</sup> then we can rightfully argue that the Commission’s *Reflection Paper on the Deepening of the EMU* and the December package have largely failed to meet the expectations.

#### **4. *Strategic entrepreneur or purposeful opportunist: Revisiting the Commission’s entrepreneurship***

Bearing in mind that the Juncker Commission has firmly engaged in a supranational revamp of the EMU, the next step is to appraise the logic behind its entrepreneurial role – whether it fits more an intergovernmental or a supranational account. The commonality of both theories boils down to the shared recognition that the Commission’s entrepreneurship is dependent upon its environment. However, both theories have opposing views when it comes to the degree of external influence on the Commission’s choices and to the possibility of the Commission trying to shift its environment. For new intergovernmentalism, the Commission acts “as a strategic entrepreneur that supports integrationist initiatives only where they stand a

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<sup>46</sup> Pollack, *Delegation, agency, and agenda-setting in the European Community*, *op. cit.*, p. 125.

chance of success”.<sup>47</sup> For new supranationalism, the Commission is a purposeful opportunist with clear objectives and is flexible regarding the means to attain them.

As was shown in the previous section, most proposals released by the Commission have had a rather unenthusiastic reception, to put it mildly. It seems, nonetheless, that the likelihood of adoption was not the determining factor driving the Commission’s proposals. Announcing the 6 December package, Commissioner Moscovici argued that it was “THE package, obviously a cornerstone for this Commission”, and that, “even if some had preferred that the Commission does nothing (,) its duty was to act in a decisive manner”.<sup>48</sup> The interview with the DG ECFIN senior official confirms this approach:

That there was not enough support for a number of these proposals, that we knew, we expected it. I mean, if there was unanimity, it would have already been done ages ago, right? So, we are entering an area that is definitely controversial. But the fact that there is controversy does not mean that it is not the way to go, and you need to build up consensus.<sup>49</sup>

In a similar tone, the member of Cabinet disregards any ‘strategic’ considerations, which they would only table proposals when the chances of success were high:

Look at our proposal for the external representation of the Euro in the IMF. We proposed to unify the representation of the euro, and I am afraid the proposal has not progressed very much. So in a way, it is right to say that Member States keep their power, but this does not prevent the Commission from showing the way.<sup>50</sup>

When looking at the Barroso Commission, Hodson had pointed out that the reason why the Commission was not supportive of supranational solutions to the crisis was due to a lack of appetite among the Member States for such measures. He argued that “the EU executive’s reluctance to play its hand over Eurobonds and a more supranational ESM are illustrative in this regard”.<sup>51</sup> We have just seen, however, that the Juncker Commission has been very

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<sup>47</sup> Hodson, *The Little Engine that Wouldn’t*, *op. cit.*, p. 309.

<sup>48</sup> European Commission, *Commissioner Moscovici’s remarks at the press conference on the Economic and Monetary Union*, SPEECH/17/5152, Brussels, 6 December 2017.

<sup>49</sup> Interview with a senior official, *loc. cit.*

<sup>50</sup> Interview with a Member of Cabinet, European Commission, Brussels, 20 April 2018.

<sup>51</sup> Hodson, *The Little Engine that Wouldn’t*, *op. cit.*, p. 312.

proactive, especially in proposing an EMF and a European safe asset, even in the absence of major support from Member States.

The entrepreneurship of Juncker's Commission thus seems to better fit a new supranationalist depiction than a new intergovernmentalist one. In order to fully accept the new supranationalist hypothesis, other 'indicators' have nonetheless to be assessed. First of all, the Juncker Commission, as predicted by the literature on purposeful opportunism and as we saw in the previous sections, has put its efforts into expanding the competences of the supranational institutions in the field of EMU. This is especially notorious with the proposals on the creation of an EMF, a European Minister of Economy and Finance, and a Euro Area Treasury.

Secondly, the Juncker Commission has proven to be forward-looking. At the same time it recognizes the fact that although some of its proposals lack enough support at the current stage, the Commission attempts to set a precedent for future action. In this sense, the DG ECFIN senior official argued:

Controversy is not necessarily a bad sign. The point is whether one is making the proposal that hits there where it needs to hit, and if you move from there forward. For example, the proposal for the Minister of Finance. There has been almost unanimous indications from Member States that it is not relevant for now. Let's see, because it might become much more relevant before people realize, because at one point there might be an institutional political discussion on whether we have a legitimate governance structure, and this [proposal] might be the solution.<sup>52</sup>

Thirdly, the Juncker Commission's entrepreneurship on EMU reform dovetails with the vision of an organisation that has a clear notion of its overall objectives and pushes for them while picking the right instruments in accordance with its environment. Indeed, the Commission has been accommodative of its context to a certain degree by not proposing Treaty changes. As the member of Cabinet puts it:

(...) if you read through the Political Guidelines [Juncker's], there is a clear choice not to lose time, not to focus on Treaty changes or reviewing legislation. Why? Because it takes

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<sup>52</sup> Interview with a senior official, *loc. cit.*

ages, because it is not a priority, because the 6-Pack/2-Pack legislation was just starting in a way.<sup>53</sup>

The formula picked by the Commission to integrate the EMF into the EU institutional framework is the one enshrined in Article 352 of the Treaty on the Functioning of the EU (TFEU), the so-called ‘flexibility clause’, whereby no Treaty reform is needed. In so doing, the Commission has tried to shield itself against a potential backlash or an outright opposition to its proposals by Member States, who are currently reluctant to Treaty changes.

Fourthly, the Juncker Commission has relentlessly advocated for its vision on how to reform the EMU by both taking advantage of windows of opportunity and actively seeking to create political momentum. This intentionality is most evident when looking at the reflection papers put forward by the Commission, which need to be contextualized in a situation where, since the Lisbon Treaty, the European Council has become a driving force of European integration.

The Commission has rapidly managed to come to terms with, and even derive benefits from, this predominant agenda-setting role of the European Council: it has sought to push its strategic priorities through the European Council conclusions, via the endorsement of the reports/communications it regularly presents to the Heads of State or Government, corresponding to the initiatives that it plans to launch in the near future.<sup>54</sup>

In this sense, it is illustrative that, unlike the 2015 *Analytical Note* and *Five Presidents’ Report*, the 2017 *White Paper* and the ensuing *Reflection Papers* were not requested by the European Council but were released under the initiative of President Juncker. The change of course from what should have been one *Reflection Paper on the Deepening of EMU*, as envisaged by the *Five Presidents’ Report*, to several papers is attributable in its entirety to President Juncker who realized, following the European Council of June 2016, that there were also other vital concerns for the EU other than EMU reform, such as migration, *Brexit* or external relations.

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<sup>53</sup> Interview with a Member of Cabinet, *loc. cit.*

<sup>54</sup> M. Szapiro, *The European Commission: A Practical Guide*, London: John Harper Publishing, 2013.

On 29 June 2016, in an informal meeting between the 27 Heads of State and Government and the Presidents of the European Council and the European Commission, the leaders announced that they were “starting a political reflection to give an impulse to further reforms, in line with our Strategic Agenda”,<sup>55</sup> and pledged to come back to that issue at another informal meeting to be held in Bratislava in September that year. It was precisely between June and September that President Juncker came up with the idea of releasing a *White Paper*. Effectively, in his State of the Union address of September 2016, only two days before the Bratislava informal meeting, he urged for a ‘more determined leadership’ in Europe. After lamenting the existential crisis that an incomplete EU was undergoing, with a rooted paralysis and lack of ambition from many Member States, he declared: “(...) we need a vision for the long term. And the Commission will set out such a vision for the future in a White Paper in March 2017, in time for the 60th anniversary of the Treaties of Rome. We will address how to strengthen and reform our Economic and Monetary Union.”<sup>56</sup>

On the whole *White Paper* process, the interviewed ECFIN high official offered this insight:

The interesting point is that, in theory, there should have been a White Paper on EMU in March [2017] as a follow-up to the Five Presidents’ Report (...). Instead, it was decided to do one paper on the Future of Europe to cover not just economic issues. It became evident that the EMU was not the only priority in Europe (...). Certainly, the transformation of the debate from purely economic to a broader one has come from President Juncker.<sup>57</sup>

In order to promote its own ideas on EMU reform, the Juncker Commission approached this agenda-setting process in a very individualistic way. In late 2015 it was said that the *Reflection Paper* would be “prepared in consultation with the Presidents of the other EU

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<sup>55</sup> European Council, *Informal meeting at 27 Brussels*, Statement, 29 June 2016, p. 2.

<sup>56</sup> European Commission, *State of the Union Address 2016: Towards a better Europe - a Europe that protects, empowers and defends*, SPEECH/16/3043, Strasbourg, 14 September 2016.

<sup>57</sup> Interview with a senior official, *loc. cit.*

institutions”<sup>58</sup> and also in “a broad consultation, gathering ideas from across Europe”.<sup>59</sup> However, when asked about external consultation for the elaboration of the *Reflection Paper*, the DG ECFIN senior official pointed out that “input for us is very important...But then, OK, how to move forward?”<sup>60</sup> Instead, the authorship of the final document is purely the Commission’s.

Unsurprisingly, the *Reflection Paper* is more assertive in its supranational tone than the *Five Presidents’ Report*. Overall, it has been a game of identifying windows of opportunity and trying to create political momentum. Already in early June 2016, before the European Council informal meeting later that month, Vice-President Dombrovskis called for the Commission to provide such momentum<sup>61</sup>.

Indeed, the Juncker Commission repeatedly claimed to have created political momentum around its ideas. A clear example lies in its 2017 *Roadmap for a More United, Stronger and More Democratic Union*, where the Commission claims to have been entitled by the 27 national Heads of State and Government (gathered in Rome for the celebration of the 60<sup>th</sup> anniversary of the EU) to reify its preferred scenario of the *White Paper on the Future of Europe* – ‘doing much more together’ – by “affirming that ‘Europe’s future lies in our own hands’ and agreeing to ‘make the European Union stronger and more resilient, through even greater unity’”.<sup>62</sup>

The same justification underlies the *Reflection Paper on the Deepening of the EMU*, where the Commission argues:

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<sup>58</sup> European Commission, *Completing Europe's Economic and Monetary Union: Commission takes concrete steps to strengthen EMU*, *loc. cit.*

<sup>59</sup> European Commission, *EMU: press remarks by Vice-President Dombrovskis on steps to strengthen Europe's Economic and Monetary Union*, SPEECH/15/5888, Brussels, 21 October 2015.

<sup>60</sup> Interview with a senior official, *loc. cit.*

<sup>61</sup> European Commission, *Keynote speech by VP Dombrovskis at the Brussels Economic Forum on the EMU: restarting convergence and strengthening resilience*, SPEECH/16/2126, Brussels, 9 June 2016.

<sup>62</sup> European Commission, *Roadmap for a More United, Stronger and More Democratic Union*, Tallinn, 13 September 2017.

With the Rome Declaration signed on 25 March 2017, EU leaders committed to ‘working towards completing the Economic and Monetary Union; a Union where economies converge’. Now, this promise must be delivered. This requires political courage, a common vision and the determination to act in the common interest.<sup>63</sup>

As a matter of fact, however, and as we saw before, the *Reflection Paper* was not endorsed by the European Council, which allow us to rightfully ask whether the Juncker Commission has actually succeeded in creating such political momentum and consensus around its ideas.

The tabling of legislative proposals follows the same logic. The Commission launched its 6 December package under the argument that “the Eurozone is doing better economically and this offers an opportunity to prepare the future”, as Commissioner Moscovici put it.<sup>64</sup> In April 2017, Commissioner Moscovici employed the term ‘window of opportunity’ for the first time, and since then it has become a recurrent reference.

Indeed, after the second round of France’s Presidential elections of 7 May 2017, which saw the victory of Emmanuel Macron with a strong pro-Europeanist discourse, Moscovici, when releasing the *Reflection Paper on the Deepening of the EMU* argued that “a window of political opportunity is opening in Europe<sup>65</sup>. President Juncker used the same discourse in his 2017 State of the Union address: “In the last year, we saw all 27 leaders walk up the Capitoline Hill in Rome, one by one, to renew their vows to each other and to our Union. We now have a window of opportunity but it will not stay open forever. Let us make the most of the momentum, catch the wind in our sails. (...) We must complete the European House now that the sun is shining and whilst it still is”.<sup>66</sup>

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<sup>63</sup> European Commission, *Reflection Paper on the Deepening of the EMU*, *op. cit.*, p. 3.

<sup>64</sup> European Commission, SPEECH/17/5152, *loc. cit.*

<sup>65</sup> European Commission, *Commissioner Moscovici's remarks on deepening of Europe's Economic and Monetary Union*, SPEECH/17/1479, Brussels, 31 May 2017.

<sup>66</sup> European Commission, *President Jean-Claude Juncker's State of the Union Address 2017*, *loc. cit.*



In fact, it was during this speech that Juncker announced the preparation of the package to be released in December that year. Due to the assumed window of opportunity, the package actually takes a bolder stance than the *Reflection Paper* and sets out more ambitious proposals. In effect, when President Juncker declared “I believe the ESM should now progressively graduate into a European Monetary Fund”,<sup>67</sup> he was actually going further in his ambition than the *Reflection Paper*, where the creation of the EMF had been left for the period from 2020 onwards. Equally, when he affirmed that “we need a European Minister of Economy and Finance”,<sup>68</sup> he was accelerating the roadmap of the *Reflection Paper*, which did not explicitly foresee the creation of such a Minister in the 2017-2019 period.

For all this talk about a window of opportunity, the fact that the proposals put forward were not picked up by the European Council reveals that the Juncker Commission pushed for its agenda in trying to increase the momentum when the situation was not completely favourable. Indeed, the announcement to release the 6 December package was made 10 days before the uncertain German elections took place. The actual package came at a moment when French and German interests on the reform of the EMU, especially regarding the role to be performed by a revamped ESM, differed to a great extent. The situation was more problematic by the fact that there was no government in Berlin and that coalition talks between the CDU/CSU and the SPD were still taking place. Under these conditions, the European Council of 14-15 December 2017 was meant to focus energy on *Brexit* and not on EMU reform.<sup>69</sup> This hardly matches with a context where the Commission could expect Member States to be receptive to, let alone supportive of, its proposals. However, as a top Commission official put it at the time, they “chose continuity” because they “couldn’t shut down politics just because there [was] a political crisis in Berlin”.<sup>70</sup>

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<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*

<sup>69</sup> Briançoni, *loc. cit.*

<sup>70</sup> Briançoni, *loc. cit.*

When reflecting about windows of opportunity and the right time to deliver the package, the interviewed member of Cabinet provided a very useful insight to understand the approach of the Commission: “The Commission is very sensitive to national developments but of course it is not that there are elections all the time in all countries... So it is important for the Commission to play its role, which is kind of a driver of setting the agenda, expressing the general interest, putting options on the table, steering the discussion so that it progresses”<sup>71</sup>. Moreover, the interviewee noted the upcoming Euro Summit in December and the need for the Commission “to come with our proposals early, to shape the agenda for the coming 18 months”.<sup>72</sup>

To conclude, the Juncker Commission accurately fitted the portrayal of a ‘purposeful opportunist’ regarding the reform of the EMU. When a glimmer of opportunity could be felt, such as in the run-up to the Rome Summit of 2016 or after the French elections in 2017, the Commission purposefully acted to create momentum, using the very concept of window of opportunity as a discursive tactic to urge reforms, as a normative justification to stubbornly push for its supranational ambitions. The Juncker Commission has indeed not held back from presenting proposals that were lacking support or facing outright opposition since their inception. Moreover, this lack of support has not been regarded as a failure, but instead it has been considered as an effort to set the stage for the future.

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<sup>71</sup> Interview with a Member of Cabinet, *loc. cit.*

<sup>72</sup> *Ibid.*

## **5. Explaining the Commission's entrepreneurship: presidentialisation and the figure of Jean-Claude Juncker**

It should be clear by now that the Juncker Commission has undertaken an entrepreneurial role that confirms the new supranationalist hypothesis. With this in mind, it is time now to respond to the second question set out in the introduction, that is, to explain the reasons why the Juncker Commission has played such a role: where does this reformative ambition come from?

New intergovernmentalism puts forward various options for change regarding the entrepreneurial role of the Commission. Thus, Hodson has conceded:

There is nothing to say that the Commission might not yet emerge as a supranational entrepreneur if structural conditions allow and/or political priorities are reordered. Indeed, the intensification of the euro area sovereign debt crisis in mid-2012 suggests that such a shift might already be underway, with Jose Manuel Barroso (2012) talking openly about the possibility of fiscal union and euro area.<sup>73</sup>

While the Juncker Commission has emerged as a supranational entrepreneur, the pattern it has followed does not fit these indications. It was actually a few years after the crisis ended, when the waters were calm, that the Commission acted as a supranational entrepreneur precisely on the grounds that 'the roof should be fixed while the sun is shining'. But the Commission's political priorities and preferences are not the result of the economic situation, whether improved or worsened. As we saw before, the discourse on a window of opportunity was sometimes even more of a pretext to push its proposals than an actual enabling situation. Moreover, and as we saw with the December 2017 Euro Summit, the collective political will to make further progress had weakened among the Eurozone national leaders at the same time that the Commission emerged as a supranational entrepreneur. The Juncker Commission's entrepreneurship has not changed neither due to structural factors nor to a reordering of political priorities. Furthermore, contrary to Warren, Holden and Howell's historical

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<sup>73</sup> Hodson, *The Little Engine that Wouldn't*, *op. cit.*, p. 312.

institutionalist argument, there is no indication of a critical juncture that could have provoked a change in the Commission's discourse. The analysis provided here also rules out the tentative new intergovernmentalist explanation, whereby the fact that the President of the Commission used to sit in the European Council could imply a preference towards intergovernmental solutions over community method ones.

An alternative explanation put forward by new supranationalism lies in the process of presidentialisation of the Commission, which in turn highlights the importance of the Commission President's will and convictions in determining the outcomes of the institution. There is a growing literature on the transformation of the Commission's internal organisation and the reinforcement of its Presidency, a process that began to take place already under Barroso's first term. As Kassim put it at the time, the main change relates to the Secretariat General, which "metamorphosed at Barroso's instigation from a service of the College into a presidential service, thereby giving Commission Presidency a capacity for control over the policy process lacked by even the most powerful of his predecessors".<sup>74</sup>

The intra-organisational reinforcement of presidential control over policy activism has been further implemented by Juncker. The appointment of Juncker as Commission President following the *Spitzenkandidaten* process – whereby the political families of the European Parliament nominated their candidates to preside the Commission – instead of being appointed as a compromise candidate by the European Council, explains a great deal of his determination to increase control over the organisation. Indeed, this process legitimated Juncker to claim personal authority on the Commission.<sup>75</sup>

As soon as he was elected, Juncker started working on the transformation of the Commission to make it a top-down hierarchical organisation with a strong focus on vertical

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<sup>74</sup> H. Kassim, 'A new model presidency: Leadership of the European Commission under Barroso (2004–2014)', Berlin: PEU, 2013, p. 12.

<sup>75</sup> T. Christiansen, 'After the Spitzenkandidaten: fundamental change in the EU's political system?', *West European Politics*, vol. 39, no. 5, 2016, pp. 992-1010.

relations. In order to implement his views, he “created a *de facto* hierarchy by giving the task to Vice-Presidents to lead so-called ‘project teams’: a group of several Commissioners working together on a related theme falling under Juncker’s 10 priorities”.<sup>76</sup> Kassim *et al.* underline the importance of vertical relations within the College of Commissioners as a variable in explaining the President’s control over the Commission output, as well as the overall Commission’s policy activism. In their view, “horizontal factors, such as the distribution of preferences among individual Commissioners and bargaining between departments, have been secondary to this vertical dynamic”.<sup>77</sup>

The European Commission has thus become a useful instrument for the materialisation of the President’s preferences. Already as candidate for President of the European Commission, Juncker saw it as his “key task to rebuild bridges in Europe after the crisis (...) and to strengthen democratic legitimacy on the basis of the Community method”.<sup>78</sup> While he declared to believe in the virtues of intergovernmental response in certain moments of urgency, he claimed that the “democratic legitimacy suffered as many new instruments had to be created outside the legal framework of the European Union”.<sup>79</sup> In order to palliate this deficit on the economic side, one of his ten political priorities was to deliver on a “deeper and fairer Economic and Monetary Union”,<sup>80</sup> for example through the creation of a Eurozone budget and a unified representation in the IMF. As Kassim puts it, Juncker has undertaken a “radical overhaul of the Commission’s architecture (...) to create a political Commission that is capable of meeting the severe challenges that confront the EU”.<sup>81</sup>

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<sup>76</sup> M. Borchardt, ‘Political European Commission through a new organisation: “this time it’s different”. Really?’, Jacques Delors Institute Policy Paper, 180, 2016, p. 1.

<sup>77</sup> H. Kassim *et al.*, ‘Managing the house: the Presidency, agenda control and policy activism in the European Commission’, *Journal of European Public Policy*, vol. 24, no. 5, 2017, p. 654.

<sup>78</sup> J-C. Juncker, *Political Guidelines for the next European Commission*, 14 July 2014.

<sup>79</sup> *Ibid.*

<sup>80</sup> *Ibid.*

<sup>81</sup> H. Kassim, ‘What’s new? A first appraisal of the Juncker Commission’, *European Political Science*, vol. 16, no. 1, 2017, pp. 15.

We have just seen in a nutshell the arguments with which Juncker ran for President of the European Commission and pledged to transform the Commission's policy towards the EMU. But, was such a change foreseeable? I will resort to the concept of "lived experience" as developed by interpretativist scholars and historians in order to assess the importance of Juncker's trajectory in shaping his convictions about the EU. For Robert Prus, "the study of human behaviour is the study of human lived experience", and "human experience is rooted in people's meanings, interpretations, activities, and interactions".<sup>82</sup> By digging into Juncker's professional experiences and the interpretations and meanings he attributes to them, we can better apprehend the reasons why he has involved the Commission in the reform of the EMU.

Since the early 1980s, Jean-Claude Juncker has held numerous highly salient political positions both at the national and the European levels. After being Minister of Finance during the negotiations of the Maastricht Treaty, he has been Prime Minister of Luxembourg for almost nineteen years and the first permanent President of the Eurogroup for nine years, from 2004 to 2013. He has presided over the European Commission since November 2014.

A significant feature of Juncker is that he has been considered the continuation of Pierre Werner's vision on European integration, for whom he worked as State Secretary for Labour and Social Security for two years. It is a widely known fact that Werner, a committed federalist, "served as mentor and leadership trend-setter for [among other Luxembourgers] Jean-Claude Juncker".<sup>83</sup>

Werner had proposed in 1970 the first plan to create a European monetary union. While he adopted a neutral position during the elaboration of his report in order to attain consensus, Werner had previously adopted a "resolutely 'monetarist' approach",<sup>84</sup> which means that he

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<sup>82</sup> R. C. Prus, *Symbolic Interaction and Ethnographic Research: Intersubjectivity and the Study of Human Lived Experience*, State University of New York Press, 1995, p.9.

<sup>83</sup> E. Danescu, 'Pierre Werner: A Visionary European and Consensus Builder', in K. Dyson and I. Maes (eds.), *Architects of the Euro: Intellectuals in the Making of European Monetary Union*, Oxford, Oxford University Press, 2016, p. 115.

<sup>84</sup> *Ibid.*, p. 101.

had advocated for the creation of a common currency and institutions before economic convergence was attained. The so-called Werner Report was a very ambitious one set out a three-phased approach to the introduction of the common currency, which later inspired the run up to the euro as planned by the Maastricht Treaty. The end phase of monetary integration, according to the Werner Plan, would bring about political union. As Chang explains, “unlike the 1992 Maastricht Treaty that established monetary union, the Werner Plan incorporated fiscal union as part of its plans for monetary union”.<sup>85</sup> With regards to the current President of the Commission, Juncker has considered himself to be Werner’s “spiritual child” and declared that “he taught me, and I have stuck to his teaching, that Luxembourg should always be part of the leading group among those who want more Europe”.<sup>86</sup>

Juncker has throughout his career demonstrated several times his leanings towards increased European integration in a number of fields, and especially regarding economic and monetary integration. He has shown these ambitions even while being President of the Council or of the Eurogroup. The enlargement to the East, the largest enlargement ever in the EU, was launched during the Luxembourg European Council in December 1997, when Juncker was President of Luxembourg. In July 2009, he unsuccessfully attempted to create a unified European chair at the IMF. In September 2010, while prime minister of Luxembourg and President of the Eurogroup, he made the case for upgrading the temporary European Financial Stability Facility into a permanent EU-level mechanism to manage future crises. Likewise, he repeated his calls for a unified Eurozone seat before the IMF and other international financial institutions.<sup>87</sup>

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<sup>85</sup> M. Chang, *Economic and Monetary Union*, Palgrave, 2016, p. 10.

<sup>86</sup> Interview with Jean-Claude Juncker carried out by the Centre Virtuel de la Connaissance sur l’Europe (CVCE), 27 January 2011, p. 3.

<sup>87</sup> ‘Les origines, l’histoire, l’actualité et le futur de l’Europe économique et monétaire analysées par Philippe Maystadt et Jean-Claude Juncker’.

As Finance Minister of Luxembourg, Juncker had chaired the Council of Economic and Financial Affairs during the Maastricht intergovernmental conference that led to the creation of the single currency. Indeed, his role as an honest broker was indispensable in reaching an agreement for the establishment of the EMU. On the occasion of a public discourse in January 2011 he regretted the fact that the Treaty of Maastricht did not result in a political union, as the Werner Report had wished for, and argued that “the single currency would be in a better state if a political union were already in place”.<sup>88</sup> Already at that time, as President of the Eurogroup, he clearly argued in favour of solidarity measures within EMU:

Europeans have not learned how to manage the single currency collectively and in a spirit of solidarity, and still fall into the old knee-jerk national reactions whenever difficulties start accumulating on the horizon, as we see all too easily now, when it seems almost impossible for the President of the Eurogroup to reconcile these two expectations — that there should be solidity, and that there should be solidarity.<sup>89</sup>

In a similar vein in 2013, soon after the end of his term as President of the Eurogroup, he highlighted the need for a stronger democratic legitimacy in the EU, when referring to the euro crisis, claiming that “we are still far from a solidary and collective management of the euro to the extent that we have not yet gotten the real sense of our engagements”.<sup>90</sup>

Already as President of the Commission, and in line with the position he defended as President of the Eurogroup in 2005 when the SGP was reformed, Juncker has called – this time invited by the European Council – for applying the rules with flexibility instead of dogmatically pursuing fiscal discipline. In this sense, he has been very critical of some Member States: “Being political is also what allows us to implement the Stability and Growth Pact with common sense. The Pact's creation was influenced by theory. Its application has become a doctrine for many. And today, the Pact is a dogma for some”.<sup>91</sup>

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<sup>88</sup> J-C. Juncker, Jean-Claude, Discours à l'occasion d'une conférence sur le plan Werner organisée par le Centre virtuel de la connaissance sur l'Europe (CVCE), 27 January 2011, p. 5.

<sup>89</sup> *Ibid.*, p. 9.

<sup>90</sup> ‘Jean-Claude Juncker et Jean-Claude Trichet ont parlé de la crise et de l’ambition européenne lors d’une conférence du CVCE placée sous le signe du “rapport Werner”’.

<sup>91</sup> European Commission, *State of the Union Address 2016*, *loc. cit.*



In conclusion, looking at Juncker's extensive experience, it comes as no surprise that he has so strongly advocated for a supranationalist transformation of the EMU governance when presiding the Commission. His discourse on the reform of the EMU and the need for an increased democratic legitimacy is consistent with his lived experience and his convictions. In his 2017 State of the Union address before the European Parliament, where he presented, among others, his proposals to complete the architecture of the EMU, he declared: "this scenario is rooted in decades of first-hand experience. I have lived, fought and worked for the European project my entire life".<sup>92</sup>

## **Conclusion**

This work has reviewed the 'decline of the Commission' thesis as put forward by new intergovernmentalism, according to which "while the Commission has not been bereft of ambition since Maastricht (...), its energy has been directed at projects that involved few new transfers of powers to the supranational level".<sup>93</sup> Contrary to this view, when it comes to the reform of the EMU architecture the Juncker Commission has adopted a strong supranational discourse that has been accompanied by the corresponding legislative entrepreneurship, acting thus as a genuine 'purposeful opportunist' that is 'hard-wired to seek ever-closer union'.

Nevertheless, and while it still remains to be seen what decisions will be adopted by the European Council in Sibiu before the European Parliament elections of May 2019, it becomes increasingly evident that the Commission has largely failed to gather consensus on its proposals amongst the Heads of State and Government, who only foresee to complete the Banking Union and revamp a still intergovernmental ESM. This failure to gather support for its supranational ambitions, while not calling into question the 'purposeful opportunism' of

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<sup>92</sup> European Commission, *President Jean-Claude Juncker's State of the Union Address 2017*, *loc. cit.*

<sup>93</sup> Bickerton, Puetter and Hodson, *The New Intergovernmentalism: European Integration in the Post-Maastricht Era*, *op. cit.*, p. 712.

the Juncker Commission, could confirm the new intergovernmental hypothesis of an ‘integration paradox’ whereby Member States remain supportive of common solutions but refuse delegating powers to supranational actors.

The findings presented so far revert to the wider and unresolved debate on the EU’s institutional balance. This analysis, adopting a wider time span than previous articles on the topic of EMU reform, has revealed that absolute statements of the sort of ‘supranational institutions are not hard-wired to seek ever-closer union’ are too rigid to account for the Juncker Commission’s performance. This is not to say that the Commission has regained the central role it used to play in European integration and that new intergovernmentalists say it has lost. Pretending to make such a claim would even be futile because, in the end, and as new intergovernmentalists rightly point out, it will all depend on what Member States decide upon (as it always did), and it seems that for now they are not very keen on reforms that would entail a pooling of sovereignty and resources to the supranational level.

We should avoid nurturing what Schmidt calls the “drawback” of the debate between new intergovernmentalists and new supranationalists, according to which “they are naturally more focused on demonstrating the significance of their EU actor than on shedding light on the overall picture”.<sup>94</sup> What ought to be noted is that elevating the nature of institutions to the point where they become abstract entities upon which a unique behaviour and intentionality can be attributed, provides a misguided conceptual tool for understanding the behaviour of the Commission. It thus seems that the balance of powers between EU institutions and the behaviour of the Commission can be better explained by other factors that put less emphasis on the Commission as an abstract institution dependent upon an increasingly suffocating intergovernmental context.

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<sup>94</sup> Schmidt, *The New EU Governance*, *op. cit.* p. 2.

This paper has attempted to introduce such a missing factor to explain why the Juncker Commission has acted in a clearly supranationalist way when nothing in its context gave grounds to expect this. The response provided here builds on the process of presidentialisation of the Commission and the strong European convictions of Jean-Claude Juncker. I have picked up on the literature that argues that the transformation of the Commission Presidency under Barroso and Juncker “has centralized decision-making power in the Commission, granting the incumbent far-reaching power over its policy agenda and action across and at all levels within the organization”.<sup>95</sup> Looking at Juncker’s biography and electoral campaign promises along the *Spitzenkandidaten* process, there were reasons to expect that his Commission would not follow the patterns predicted under new intergovernmentalist hypotheses. The case of the Juncker Commission seems to confirm that “the Commission President’s political priorities and the State of the Union address increasingly set the agenda for the EU machinery”.<sup>96</sup>

Hodson has called upon students of supranational entrepreneurship to further reflect upon how supranational actors form their preferences.<sup>97</sup> A convincing response in this regard lies in the presidentialization of the Commission and the objectives of its President. Hodson is right in claiming that “[of course] Commission presidents do not make the political weather [and that] it remains to be seen whether Member States will support Juncker’s plans to reform euro-area governance”.<sup>98</sup> However, it may well be that Commission presidents increasingly make the institution’s preferences. As Shepsle correctly pointed out when reflecting about the US Congress, referring to any institution as a unitary, abstract entity dissociable of who seats at its Presidency would be an oxymoron, that is, an inconsistent expression.<sup>99</sup> Therefore, more than thinking of the Commission as an abstract actor in itself (as the new -isms often do), it

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<sup>95</sup> Kassim *et al. op. cit.* p. 669.

<sup>96</sup> *Ibid.*

<sup>97</sup> Hodson, *The Little Engine that Wouldn't, op. cit.*, p. 312.

<sup>98</sup> Hodson, *Eurozone Governance, op. cit.* p. 158.

<sup>99</sup> K. A. Shepsle, ‘Congress Is a “They,” Not an “It”: Legislative Intent as Oxymoron’, *International Review of Law and Economics*, vol. 12, 1992, pp. 239-256.

would be better to refer to the Juncker Commission or the Barroso Commission, as the case may be. It may be time to start thinking of the Commission as a 's/he', not as an 'it'.

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