

European disintegration: a new feature of EU politics

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Executive Summary

- > In the past few years, and particularly in the context of a number of crises shaking the foundations of the European Union, the number of academic publications and political debates on European 'disintegration' has grown considerably. However, a standard definition, let alone a theory, of 'disintegration' is still lacking.
- > Among the most obvious manifestations of disintegration were several crisis-affected policy fields. Whilst disintegration ultimately hardly unfolded during the Eurozone crisis, the Schengen crisis displayed considerable disintegrative features. Brexit, however, can be regarded as the clearest sign of European disintegration.
- > Disintegration entails high political risks and poses a threat to the overall process of European integration, as it contains many unknown and potentially uncontrollable dynamics. Pro-European integration policy-makers should therefore try to regain control over the political process, for instance via a more courageous use of 'differentiated integration'.

In recent years, the European Union (EU) has been facing a large number of crises – from the Eurozone crisis to the Schengen and Brexit crises, to a rule-of-law crisis in several member states. Some scholars have argued that the EU is undergoing the most difficult period of its existence due to the longevity and severity of this 'multiple crisis' (e.g. Schimmelfennig 2017). In the context of the controversies about these crises, the concept of 'European disintegration' has gained particular attention in EU studies and political debates. It seems that crises and disintegration are linked in such a way that a crisis often precedes and eventually triggers disintegration. Until now, however, a theory of European disintegration remains lacking. Even more problematic is that only few scholars operate with an explicit definition of disintegration.

This policy brief systematically reviews and assesses the recent and mainly academic literature on European disintegration, providing an overview of the major findings on this novel subject. It starts by outlining why the phenomenon of European disintegration has recently caught so much attention, and it discusses what European disintegration implies. It then points to manifestations of disintegration and presents possible drivers of and barriers to European disintegration before arguing that a more reflective use of 'differentiated integration' may be a way forward for pro-European integration policy-makers to regain control of the political process.

European disintegration: why does it matter?

Since the beginning of the European integration project, scholars have offered theoretical arguments for why and how European integration occurs. One could argue that theories claiming to explain regional integration should also be able to account for regional *disintegration*. To date, this is however not the case.

From an empirical point of view, various scholars have argued that we see manifestations of a European disintegration in several policy fields nowadays (see below). If they agree on the emergence of such a new empirical phenomenon, they should also have the ambition to conceptualize and theorize it. So far, European integration has been regarded as a unidirectional process (Webber 2019: 2), characterized by a continuous increase both in the number of member states and the EU's authority over policy fields (Genschel and Jachtenfuchs 2014: 16). Disintegration, if detectable, would thus be a new feature of the integration process and a new object for EU studies.

Several scholars have therefore recently tried to turn established theories of International Relations and European integration on their head and asked when and how the EU disintegrates. In doing so, they investigated if and how concepts used by existing theories – seeking to explain European integration – might also help to account for European disintegration. However, as Webber (2019: 22-34) notes, the existing frameworks are unable to explain the different levels of disintegration in some of the EU's most recent crises (Eurozone, Ukraine, Schengen and Brexit crises).

Towards a definition of European disintegration

Put simply, European disintegration can be seen as the reverse process of European integration. It has been argued that European integration takes place in three different forms (Schimmelfennig 2017; Webber 2019: 13f.): first, *deepening* is when policy competences are transferred from the national to the European level; second, *broadening* depicts EU competence gains in new policy fields; and third, *widening* is when the number of EU member states increases through enlargement. This conceptualization follows a political-institutional understanding of European integration, which to date has dominated EU scholarship. It differs from broader understandings of European integration, which also include economic and societal factors that are more challenging to clearly ‘measure’.

The political-institutional understanding allows for both European integration and disintegration to be considered as multi-dimensional and two-directional phenomena. Defined in this way, political disintegration takes place when supranational EU institutions (e.g., the European Commission, European Court of Justice, European Central Bank) lose power or authority, when formerly common policy fields are renationalized, and/or when a member state withdraws from the EU (Webber 2019: 14). At the same time, European integration/disintegration becomes a continuous rather than a dichotomous concept, placed on a continuum with two extreme ends: full-scale integration at the one end and full-scale disintegration at the other end (Börzel 2018: 478). Others have argued that disintegration is best understood as a process rather than an outcome (Vollaard 2018: 1). This, however, makes it difficult to establish a benchmark for the actual materialization of disintegration.

In the light of these remarks, I suggest applying a rather simple definition of European disintegration, which is guided by the political-institutional understanding of European integration. *European disintegration involves the reverse process of at least one of the three dimensions of European integration (deepening, broadening, widening)*. This conceptualization allows thinking of European integration/disintegration as a multi-dimensional and two-directional process. Moreover, it conceptualizes European integration and disintegration as continuous – not dichotomous, mutually exclusive – phenomena. For comparative reasons, it is important that European integration/disintegration are measured with the help of the same indicators. Lastly, and again with regards to measurability, integration/disintegration should be thought of as outcomes rather than ongoing processes.

European disintegration: manifestations, drivers, barriers

In the following paragraphs, I illustrate manifestations of European disintegration by referring to recent developments in different policy fields. I also point out drivers of

and barriers to disintegration, which help explain why it occurs in some, but not in other policy fields. The examples all form part of the EU’s ‘multiple crisis’.

Eurozone crisis

The Eurozone crisis (2009-2015) threatened the existence of the EU’s Economic and Monetary Union (EMU). While some policy-makers demanded the exclusion of certain member states (notably Greece), others called for their own country (e.g., Germany) to leave the Eurozone. Some scholars argued that a disintegration of the Eurozone would contain significant benefits, especially the restoration of national macro-economic control.

At the same time, a disintegration of the Eurozone was widely seen as economically and politically highly costly. In addition, the member states most affected by the crisis – ‘the South’ – depended on the fiscal support of the richer member states – ‘the North’ – and were ultimately willing to agree on and to undergo structural adjustment programmes. More importantly, however, the Eurozone had a powerful supranational institution – in the form of the European Central Bank –, which through its monetary policy facilitated the refinancing of member states and the bailout of important national banks. In the end, notably the supposedly extremely high costs and a powerful supranational institution were thus significant barriers to a disintegration of the EMU.

Schengen crisis

In the mid-2010s, a high influx of refugees and migrants into the EU posed threats to the Schengen ‘no border’ area. The resulting Schengen crisis (2015-2016) led to a partial breakdown of the Common European Asylum System in such a way that the Dublin rules – which determine the member state responsible for the assessment of an asylum application – were ignored by several member states at the EU’s external borders, such as Greece, Italy and Hungary. The Schengen area also witnessed the reintroduction of controls at some of its internal borders. Finally, some member states openly opposed European law by refusing to accept the legally binding EU-wide relocation of refugees.

Compared to the Eurozone crisis, there was no powerful supranational institution that could have facilitated or just ‘bought time’ for policy compromises. More importantly, the burdens in terms of arriving refugees and migrants were divided very unequally among member states: Whereas the few countries receiving the largest share asked for more burden-sharing, most member states were hardly affected at all and had little incentives to contribute to EU-wide solutions. As a result, asylum and internal security policies in the EU have been to a significant extent renationalized, while EU institutions – namely the Commission and the Court of Justice – have partially lost authority. Although the Schengen area has also witnessed some minor steps of further integration – e.g., a rise in staff of Frontex, the EU border and coast guard agency –, altogether, this

crisis has led to a partial disintegration of the Schengen area both in terms of level ('deepening') and scope ('broadening').

Brexit

The third crisis relates to a member state desirous to withdraw from EU membership and hence affects the 'widening' dimension of European political integration. It was triggered by a national referendum in June 2016, where a majority of British people voted for 'Leave'. Brexit has not only led to a domestic political crisis in the United Kingdom, but also constitutes a crisis of European integration: if eventually implemented, Brexit would be a clear manifestation of European disintegration.

However, the ultimate outcome of the Brexit crisis is unclear. The procedural difficulties which the British government has been experiencing during the negotiations illustrate how complex (and costly) it is to withdraw from EU membership. This points to the status-quo bias in European integration, which has repeatedly been highlighted by EU scholars and which might prevent the EU from (fully) disintegrating. Indeed, it is more difficult to properly dissolve or fundamentally restructure an organization, institution or policy regime than to establish it in the first place.

This short examination of the EU's main recent crises highlights three points: First, disintegration can be both a *temporary* and a *permanent* phenomenon: if the reintroduction of national border controls within the Schengen area is reversed again in the near future, this would be an example for the former; if, conversely, the Brexit negotiations ultimately lead to the United Kingdom fully withdrawing from EU membership, this would illustrate the latter. Second, disintegration and integration can happen *at the same time*: whereas the reintroduction of national border controls stand for the former, the upgrade of Frontex is a sign of the latter. Third, as the comparison between the Eurozone crisis and the Schengen crisis illustrates, the *distribution* of burdens and relevant power resources among member states as well as the *potential costs* of a partial or fully dissolution of the respective policy regime determine the likelihood of disintegration.

Differentiated integration as a counter-strategy to disintegration?

Another important concept that has caught considerable attention in recent years is that of differentiated integration (Schimmelfennig et al. 2015). It refers to cases in which not all EU member states participate in a certain policy field ('horizontal' differentiation) or to policy fields that are integrated to different levels of centralization ('vertical' differentiation). Examples are the Eurozone, the Schengen area, and the EU's Common Security and Defence Policy.

Interestingly, the European Commission's 2017 White Paper on the Future of Europe lists five scenarios, two of which entail proposals including differentiated integration. More specifically, in scenario 3 ('Those who want more do

more') some willing member states emerge to work together in specific policy fields like defence or taxation (European Commission 2017: 20). In scenario 4 ('Doing less more efficiently'), conversely, the EU for some policies is given stronger tools to implement and enforce common decisions (ibid.: 22).

For pro-European integration policy-makers – both at the EU and the national levels –, (actively) pursuing differentiated integration instead of (passively) fighting off disintegration might be a way to remain in, or regain, control of the political process. Differentiated integration, as opposed to disintegration, is a concept with a more positive connotation, among both the electorate and the academic community. Advocates of further European integration could use the potential (and threat) of moving on with differentiated integration in order to circumvent certain obstacles, e.g., EU-sceptical governments in some member states. Differentiated integration, thus, might allow policy-makers to frame European integration again in more positive and pragmatic ways.

Three policy fields appear particularly suited for such initiatives: First, a 'core' of EU member states – notably France and Germany, the Benelux and Scandinavian countries – could seek to link the rule-of-law problems in some member states (Hungary, Poland, Romania) to EU-wide redistribution instruments, e.g., the regional and cohesion funds in the EU's next multiannual financial framework. Irrespective of the possible legal barriers of such a linkage, this core of member states can in this way remind their peers that EU membership goes along with certain non-negotiable rules and obligations. The systematic undermining of the independence of the judiciary and the media represents an attack on essential EU principles and a partial disintegration of the EU's *acquis communautaire*. As the countries concerned depend heavily on EU financial means, a number of member states could establish new forms of redistribution that would only be available to a circle of countries fulfilling certain criteria.

Second, the Schengen crisis has led to a disintegration of the Common European Asylum System and to a re-establishment of national border controls inside the Schengen area. The major problem remains that the EU's external borders are not adequately secured and that EU law – notably the Dublin rules – is not fully applied. Recently, French President Macron has suggested to create a fully functional 'mini-Schengen'. The prospect (and threat) of restoring the free travelling of citizens only within a smaller number of countries could incentivise reluctant member states to agree on greater burden-sharing efforts and on new competences for EU institutions.

Third, the EU's most powerful countries – Germany and France – should revitalize initiatives which have almost fallen into oblivion during recent years, such as a European-wide financial transaction tax. An aggressive tax competition between EU member states threatens the proper functioning of the single market and contains disintegrative risks, notably in a highly institutionalized and interdependent policy regime

like the Eurozone. Furthermore, such a European tax would provide important re-distributional means at the EU level, whose spending then could help preventing disintegrative tendencies inside the Eurozone and other policy regimes from unfolding.

In order for differentiated integration to replace at least partly the prospect of (uncontrolled) disintegration, there is a need for EU institutions to commonly identify the major risks to the European integration process and to agree on adequate measures to tackle those risks. The new terms of the Commission, the Parliament and the European Council President provide the opportunity for such an evaluation.

The idea (and threat) of establishing a fully working ‘mini-Schengen’ may have the biggest potential for a new form of differentiated integration, which might then also have disciplinary effects on so-far reluctant member states. At the same time, it will be important that countries at the core of differentiated integration make sure that member states in the EU’s periphery which are willing and able to participate in such an enterprise will not be left behind.

Further Reading

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