

1. Introduction: what makes the Juncker Commission interesting?

1.1 THE CONTEXT: THE EUROPEAN COMMISSION IN NEW AREAS OF EUROPEAN UNION ACTIVITY

The topic of this book is the ambition of the European Commission during the mandate of President Jean-Claude Juncker (2014–19). Specifically, the domains of Justice and Home Affairs (JHA) and Economic and Monetary Union (EMU) are taken as high-profile cases to arrive at conclusions regarding the level and focus of ambition of the Juncker Commission. These policy areas touch upon essential aspects of state sovereignty such as borders or national budgets, and cover value-driven political issues such as immigration or fiscal solidarity. Thus, they are particularly challenging areas for European Union (EU) integration. Rising euroscepticism and populism only add to what was described in theory as a context of post-functionalism (Hooghe and Marks, 2009) in which political obstacles to supranationalism outweigh the potential functional benefits of common European policies. Since the Maastricht Treaty came into force, these new areas of EU activity have gradually become more integrated, but without giving new powers to the traditional supranational bodies such as the Commission (Bickerton et al., 2015a). Ever since the early 1990s, it appeared like the Commission was moving towards a slow and steady decline, as the traditional type of EU integration seemed to have reached its natural limits. The Commission itself focused more on consolidating its own ranks after the Santer Commission's resignation and the big bang enlargement of 2004 (see Ellinas and Suleiman, 2012; Wille, 2013).

However, the initial puzzle for this research project came from the fact that President Juncker, in such a restrictive environment, came into office with a seemingly high level of ambition. He wanted the Commission to be more political, to be “big on big things and small on small things” (Juncker, 2014: 1). His Commission published ten political priorities which aimed to reform taxation policies, economic governance, migration, and other. It is important to note that President Juncker had already been a veteran of EU politics before becoming Commission President, as Prime Minister of Luxembourg

(1995–2013) and President of Eurogroup (2005 – 13). He knew EU governance and politics inside out. Bringing a high level of energy, knowledge and experience of the EU, he raised some hopes in the pro-EU circles that he could lead the Commission in a way that was different than his recent predecessors (see Hayward, 2008) and perhaps more similar to ex-Commission President Jaques Delors. This intention was, of course, seen as a red flag in eurosceptic circles (The Telegraph, 2017a).

As the Juncker Commission recently finished its mandate, it is prime time for an assessment of not only its results, but also of its ambitions. Specifically, what was the Juncker Commission’s ambition in migration and economic policy, how high was its ambition to push for integration (with or without supranationalization), where did this ambition come from and how did it develop over time? These are the main research questions of this book for which an analytical framework of the Commission’s ambition is developed. Through the concept of ambition, this book offers a theory-informed comprehensive assessment of the Juncker Commission in two critical policy areas.

1.2 WHY FOCUS ON THE COMMISSION’S AMBITION?

Focusing specifically on the ambition, instead of outcomes of policymaking or EU integration, is a novel approach developed in the book which opens a different set of questions from traditional theoretical approaches to the Commission and its role in the EU’s polycentric system of governance (see Pollack, 2003). These questions are particularly important for the Commission in new areas of activity such as the EMU and the JHA. These areas are not fully supranationalized; the power in them is still mostly in the hands of the Member States. Does the Commission seek to make these areas more supranational, in the long term leading to a federal Europe? Does it want to play a political role within these areas, pushing the continent as a whole towards more left-leaning or right-leaning policies? Indeed, alleged ambitions of the Commission are already used for political purposes by a variety of actors who claim that it always seeks to expand its roles and further EU integration. One can think of Hungarian Prime Minister Victor Orban who initiated an anti-Commission government-sponsored billboard campaign in Hungary (Euronews, 2019a). The face of Jean-Claude Juncker and the text “stop Brussels” suggested that the Commission was an institution with an ambition to impose Europe-wide liberal migration policies behind the backs of some more conservative EU Member States. Similarly, a power-hungry Commission was used as a reason for Brexit by some of its main advocates, such as Boris Johnson (The Telegraph, 2016).

These questions or concerns are entirely about the assumed ambition of the Commission, not the outcomes themselves or the process through which the decisions are made, yet they are increasingly relevant. It is important to investigate them because the results may suggest that the Commission is a different body in these areas than expected by both the Commission-friendly pro-Europeans and the eurosceptics who see the model of a self-enforcing integration with the Commission at its centre as a sign of Europe's demise. As it will be shown, it is also important for more theoretical reasons, as the ambition of the Commission has become a topic of debate since the proliferation of new types of governance in the new areas of EU activity and the theories that sought to explain this.

Moreover, a high ambition of the Commission does not guarantee success. In fact, a high level of ambition can lead to undesirable effects. Given that many of the Commission's most wanted reform proposals in this period ended with a deadlock or a watering down, investigating the reform ambition themselves or the reasons for failure to negotiate deals is what remains to be studied from these cases. The reforms of the Common European Asylum System (CEAS) and the aim to complete the Banking Union (BU) with a common European Deposit Insurance Scheme (EDIS) are just a few examples. In fact, it could be that its ambition to play a larger role in these debates, and to push them far above the Member State preferences, hurt the EU's chances to arrive at a viable agreement than a more moderate proposal would have brought. Hence, the Commission's high ambition is not necessarily a positive thing, if the end goal you want to see is more integration. There is a possibility that a more strategic or less political approach could have been more fruitful (see Blok, 2019). There were also many situations in which the Commission's initial high ambition was moderated, which has led to some success. For example, the European Border and Coast Guard (formerly known as Frontex), under the Commission's reform leadership, saw a full operationalization and a significant empowerment of the things it can do on the ground.

Regardless of whether it leads to success or deadlock, the Commission's ambition is an important aspect of the EU decision-making process to look into. By investigating the Commission's ambition and how it developed, this study answers questions regarding the Commission's agenda setting in new areas of EU activity, which is especially relevant given the important role that the European Council has in this area. This was very clearly elaborated by the authors of the new intergovernmentalism (Bickerton et al., 2015a; Fabbrini and Puetter, 2016; Puetter, 2016), a theory developed to explain EU integration in the new areas of EU activity. According to this theoretical approach, areas of EU activity such as JHA and EMU have integrated since the Maastricht Treaty with mostly intergovernmental and hybrid modes of governance. It will be elaborated later on how this book builds on this theoretical approach. Given its

confirmed high role in managing the euro crisis, focusing on the Commission’s ambition in the case of JHA during the refugee crisis allows for checking whether the European Council had control over what the Commission should or should not propose. Simply put, a highly ambitious Commission does not wait for instructions (be it from the European Council or not), it acts. The same will be investigated in the case of EMU, a post-crisis policy area for which President Juncker had big reform ideas as well.

1.3 THE CONCEPT OF AMBITION

This study makes use of the concept of ambition, borrowed from the literature on political leadership (see Elgie, 1995) and developed into a framework for analysing the Commission’s role in the new areas of EU activity. There are two other concepts which could have been used instead for this analysis but for different reasons they have not, and these are policy entrepreneurship and preference formation.

The European Commission is not only a policy manager, but it is also a policy entrepreneur, and this is a well-established finding in the literature (e.g. Batory and Lindstrom, 2011; Cram, 1994; Kaunert, 2010; Laffan, 1997; Matlby, 2013; Rhinard, 2010). What this means in practice is that the Commission was found to be using strategies of policy entrepreneurship (Baumgartner and Jones, 1991), called issue framing and venue shopping, to bring issues to the EU agenda and influence outcomes.

The policy entrepreneurship framework itself was often applied in cases where the ambition of these actors was pretty clear and did not warrant a more detailed inquiry. For example, when researching the role of the public health organizations as policy entrepreneurs in tobacco regulation reforms, there is no need to present any special evidence proving the premise that their ambition was to regulate public smoking (see Spill et al., 2001). There is of course variation in the frames these actors will use, but they will always be in line with their overall ambition. However, with the Commission, as a special mix of a bureaucratic and political organization (Peterson, 2017a; Wille, 2013), in the challenging environment of the new areas of EU activity, investigating the focus of its ambitions is certainly a worthwhile effort, as it may for example shift from supranational-focused to more political-oriented ambitions (see Hodson, 2013). These outcomes are often in conflict with each other and the Commission has to make a choice between them. This is one of the things that make the Commission’s role as a policy entrepreneur particularly complex.

For example, the hypotheses of new intergovernmentalism that will be presented in the next chapter ask this very question, speculating that the Commission has moved away from “ever closer union” to other types of institutional or policy reforms. The approach of policy entrepreneurship does

not give the right analytical tools to deal with such a situation. Mintrom and Luetjens (2017: 1375–7) also emphasized the lack of research on various motivations of policy entrepreneurs and proposed it as a future avenue for research in this field. By bringing forward the concept of ambition from political leadership literature, the aim is to answer this call and thus contribute also to the growing literature on policy entrepreneurs as reasons for policy change.

Seemingly similar to ambition is the concept of preference, but there are important differences that led to the choice of the former for this book. In the theory of liberal intergovernmentalism preferences are central concepts. Member States arrive at them through domestic preference formation process, and then they clash and bargain at the EU level in order to find common solutions. This is how EU integration moves forward according to the theory. The concept of domestic preference comes from the idea that a government's preference can be calculated by measuring the levels of influence (and interests) of domestic interest groups. Moravcsik (1993, 1998: 24) called a domestic preference an “ordered and weighted set of values placed on future substantive outcomes” that are “not simply a particular set of policy goals but a set of underlying national objectives independent of any particular international negotiation”. While this understanding of domestic preference is not without its problems in the domestic setting (see e.g. Crespy and Schmidt, 2014; Csehi and Puetter, 2020), it is argued here that it also cannot be simply transferred to the Commission and used as an analytical tool for investigating the Commission's aims. In the past it was used as a premise for structural approaches like the principal-agent model that offered analyses of the bargaining processes while keeping the Commission's preference fixed to pro-supranationalism, based on its hard-wire to the idea of ever closer union (Pollack, 2003). However, the claim here is that the Commission's position is not that fixed and cannot be inferred from structural factors. It may also change between different political contexts, policy areas, different proposals, and especially between different Commission Presidents. A change in government in one of the Member States can also trigger a change in the Commission's ambition. It is proposed here to use the analytical concept of ambition, instead of the theoretically heavy concept of preference, to distinguish the approach applied in this study from the structuralist traditions that have this concept as their main building block.

For these reasons, a turn is made to the concept of ambition which, although already discussed in political science literature, has not yet received the proper theoretical attention it deserves. For example, Robert Elgie in his classic book *Political Leadership in Liberal Democracies* (1995) mentioned ambition as an important measure of leadership. There are two important aspects which characterize political leaders according to Elgie: their ambitions and their leadership styles. Both of these are highly influenced by the leadership environment

comprised of institutions, political and other forces or demands. This is an important distinction as, indeed, ambition itself can be a factor that leads to positive or negative outcomes, just like leadership style can in some situations be crucial for striking a deal in complicated negotiations. Positive outcomes of high ambition can be about starting a wider debate, bringing a potential new solution to a policy problem on the agenda, or providing much-needed leadership in moments of crisis. If high ambition leads to inability to come up with an actually viable outcome, that can be seen as a suboptimal outcome caused by high ambition (Dryzek and Ripley, 1988; Schout et al., 2019).

Leaders also differ in the focus and level of the ambitions they have or show (Elgie, 1995: 10). By focus, it is primarily meant that there are different policy solutions or institutional reforms that an actor can choose to propose. Moreover, an actor in the process can also have an ambition to act politically, or an ambition to build credibility, and this goes beyond the concept of preference that is limited to the potential reform outcomes. Finally, ambition is a useful word to use because it is also an adjective, thus encapsulating not only the focus but also the level of ambition within it. An actor can put forward a highly (or less highly) ambitious proposal, and this is, simply put, what is meant by the level of ambition. This multifaceted aspect of ambition is a strong reason for which it was chosen in the research project, as the aim is to investigate both the focus and level of ambition in the Commission’s proposals. This will allow for drawing conclusions that cut across the two aspects. For example, when the Commission’s proposal is political in nature, is it also more likely to be strategically moderated? Or, if the proposal involves delegation to other EU bodies, is the Commission more likely to allow itself a higher level of ambition?

1.4 THE QUESTIONS OF FOCUS AND LEVEL OF THE COMMISSION’S AMBITION

It is clear that by investigating the ambition itself, a series of interesting new questions for analysis of the Commission opens up. As mentioned, final outcomes of post-Maastricht EU integration processes in new areas of activity have not led to the spread of the Community method¹ in them. This was also the case post-Lisbon, including during President Juncker’s mandate. In JHA and EMU, integration mainly followed through the creation of new and the expansion of competences of existing EU agencies as well as developing soft methods of policy coordination. For example, the expansion of the size and mandate of the European Border and Coast Guard (formerly Frontex) featured as perhaps the most notable of all policy responses to the refugee crisis (Niemann and Speyer, 2018). Similarly, an agency called the Single Resolution Board (SRB) was bestowed important monitoring duties in the

Banking Union. The European Stability Mechanism (ESM), Europe's bailout fund, was established through an intergovernmental treaty as a new type of institution outside the EU law that Member States can keep under their watchful eyes. Also, other institutional responses such as the establishment of hot-spots as a way to manage the migratory influx and the foundation and gradual expansion of the European Semester, the EU's system for economic policy coordination, suggest that soft coordination mechanisms are still on the rise.

These integration efforts do not include an expansion of Community method as a whole or its elements into the new areas of EU activity. Still, the puzzle that will be addressed in the book is the Commission's ambition in such reforms. An idea that the Commission, a traditional supranational actor, may have a strong role in arriving at non-supranational governance solutions is an interesting thought. Why would the Commission do this, if found true? The hunch is that the Commission is struggling to remain relevant in the challenging environment and seeks to shift its ambitions to such projects in order to portray itself as a useful and politically relevant actor. The Commission increasingly needs to, as the title of the book suggests, find new ideas for Europe that go beyond the concept of ever closer union.

Moreover, a recent empirical phenomenon that also inspired this research project is the Commission's open ambition to act politically. The Juncker Commission's ambition to be political was already introduced above. The question that will be answered using the concept of ambition is whether and when did the Commission act politically in its proposed policy reforms.

1.5 SUMMARY AND OUTLINE

The role that the Commission plays in the process of European integration is one of the most researched areas within EU studies, from its very beginnings (see Haas, 1958). As many authors showed, it can remain resilient and preserve its influence even in tougher or sceptical environments (see Becker et al., 2016; Nugent and Rhinard, 2016). Its influence was defined as, for example, spillover facilitating (see Haas, 1964), policy entrepreneurship (see Kaunert, 2010), purposeful entrepreneurship (see Cram, 1994), strategic entrepreneurship (see Hodson, 2013), policy activism (see Howarth and Roos, 2017), presidential leadership (see Ross, 1995). This extensive literature on the role of the Commission in EU integration, or the EU institutional architecture in general, is where this study is primarily situated. The aim is to create a space for novel and original research of the Commission and its role in the EU as a polity that is increasingly complex, by connecting this rich area of research with the recent findings and expectations of the theory of new intergovernmentalism (Bickerton et al., 2015a) by using the concept of ambition. Hence, the aim is to open new possibilities for research by specifically focusing on the ambition

of the Commission, hence not limiting the research to the end results of policy initiatives.

An important scope condition of the book and its findings is that it is limited to the developments in the new areas of EU activity. These areas developed after the Maastricht Treaty came into force: JHA, EMU, security, foreign and defence policy, as well as social and employment policy (Puetter, 2014b: 2). These are chosen not only because of their high importance and prioritization by the Juncker Commission, but also because of the link to the theory of new intergovernmentalism, which has the same scope condition.

Before the hypotheses are developed and introduced in Chapter 2, the most relevant theoretical and analytical approaches to the Commission are reviewed. The literature review presents what different theoretical approaches to EU integration hypothesized about the ambition of the Commission both as an assumed unitary actor and as a group of ideologically diverse political officials and bureaucrats. The approaches – neo-functionalism, liberal intergovernmentalism, principal-agent theory, policy entrepreneurship and leadership studies – are also critically assessed and the need for a new approach for the areas where the new intergovernmentalism applies is justified. The literature review is followed by a section that selects the different possible ambitions in terms of focus and makes claims with regards to the changing level of the Commission’s ambition. Especially important is the new intergovernmentalism’s hypothesis that the Commission’s ambition, due to a changing context, has moved away from the concept of ever closer union. It is this claim that is further developed and ultimately put to the test in this book (focus of ambition), along with a claim that the Commission can find enough space to be highly ambitious within this context (level of ambition).

NOTE

1. The Community method is the EU’s ordinary decision-making procedure in which the Commission proposes legislation, the Council of Minister adopts decisions by qualified majority voting (QMV), while the European Court of Justice rules in cases of non-compliance.