

“The State of the European Union” (Abstract/Paper auf Englisch, Vortrag auf Deutsch)

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The European integration process is confronted with massive challenges in the years to follow. Next to the urgent question of how to accommodate asylum seekers from Syria and other countries confronted with war and international terrorism, the European Union has yet to overcome its ongoing financial and economic crisis. Especially southern and peripheral member states still have to face multiple endeavors: firstly, to overcome their state debt and fulfill the conditions of the Memoranda of Understandings agreed upon within the European Stability Mechanism; secondly, to ameliorate the situation of refugees and asylum seekers, staying or crossing their borders; thirdly, to solve the social burdens societies have to face in the wake of housing evictions, joblessness, and growing poverty. All of these challenges are toppled by a growing number of right wing sentiments, attacks on asylum quarters and right wing parties gaining momentum across European societies.

The above mentioned issues pose serious problems not only for some member states of the European Union, but for the European Union as a whole, since solutions can only be found if the member states agree on a further common agenda of how to tackle these issues. What we experience though in recent policies is quite the contrary: instead of agreeing on quotas for asylum seekers and a fair distribution of these within member states, some member states have refused to take up refugees or have massively restricted the amount of refugees or asylum seekers allowed to enter their country or to seek asylum at all. Other member states, such as Hungary and Poland, have meanwhile also changed policies in favor of a more presidential or executive lead democracy, cutting back the rights of the Supreme Courts and restricting the freedom of the press, as well as public and cultural broadcasting by changing advisory boards in favor of the governing party. This has happened, among other issues, also in the wake of closed borders and discourses of the respective government not to support a common European refugee agenda. The British meanwhile will vote on staying in or leaving the European Union in summer 2016, questioning at least the power and sovereignty of the European Union as a polity. In times of economic turmoil, right wing populism and unsolved social problems this is not only a discursive rupture in public European debates, but a question surrounding the future of the European Union as a whole.

It raises the question once again, if the European Union is more than just an entity of single member states, each only responsible for their own good and with specific national interests, or if the European Union will be strong enough to face the challenges mentioned above to overcome its recent political and economic state of affairs and to act as a sovereign legislator? As evidenced by recent events, neither the Schengen freedom of movement without border controls within the

European Union, nor the Dublin II Procedure can be upheld, provoking the question if the European Union has ever been (more than) an economic free market? The problems that have been discussed in this context of economic freedoms for a longer time now, such as a Europe of “multiple speed” or “core” (Schäuble and Lammerts in the 1990s and again in wake of the financial crisis 2014) and/or “concentric”, do not seem to grasp fully the problems the EU has to face today.

As we can see in the discussion on e.g. Hungary and Poland after elections in 2015, the EU can start a procedure following Article 7 of the Treaty of the European Union on treaty violation proceedings against member states that do not concur with basic rights and start a structured dialogue, as is the case with Poland now. But if no solution is found via dialogue, and if the Council has made a claim with 4/5 of its members and in agreement with the European Parliament, no further restricting steps can be taken actually, since the European Council has to decide unanimously if so on them, meaning that Poland would also have to agree on any envisaged sanctions, which would be highly improbable.

As we can see by these examples, the European Union is facing multiple challenges for which it has no solutions yet. What is more, in some questions like those concerning state debt, member states have in the past only been able to agree on terms and conditions surpassing existing supranational treaties, as e.g. with the Fiscal Compact Treaty or including external institutions like the International Monetary Fund, but are not necessarily able to do so on questions concerning asylum because they have quite different effects due to regionalism and adjunct borders.

In the paper, we aim to highlight some of these pressing problems and discuss in more detail some of the above mentioned policy fields from different perspectives: political and socio-economic, focusing explicitly on how power is shifted between the member states and the supranational level.