Federal Dynamics, Solidarity, and European Union Crisis Politics

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May 30, 2019

Author's preprint; accepted for publication in the Journal of European Public Policy conditional on minor revisions

Abstract

In this article, I analyse solidarity between regions during times of crisis. To begin with, I define two types of solidarity preferences. *Negative solidarity* means that territories will regard solidarity only as appropriate in the limits of intergovernmental contracts and consider the fiscal consequences of solidarity to be more important than the social consequences. *Positive solidarity* implies that regions consider solidarity even if it goes beyond existing intergovernmental contracts as they regard social consequences to be more important than fiscal consequences. I argue that the combination of regional collective identities, the relative importance of intergovernmental over parliamentary decision-making, and the complexity of policy problems impact on preferences for solidarity. To illustrate my argument empirically, I use the European Union (EU) and federal states as examples. More generally, I make a theoretical contribution to understanding the politics of solidarity concerning identities, decision-making rules, and policy problems.

Time and again, the European Union (EU) passes crisis periods. In the wake of the housing market crash after 2007, the Euro crisis unfolded and has remained on the political agenda of EU policymakers since then. Furthermore, refugees coming to Europe have posed a significant challenge for policymakers. Both, the Euro crisis and the refugee crisis, developed from difficult policy challenges into political crises, in which some member states openly questioned the EU and its governance model. Severe conflicts amongst EU and European Monetary Union (EMU) countries' governments shattered the union, euro-scepticism and eurosceptics parties (re)gained political strength, and the UK population voted to leave the EU, in 2016. Why did policy conflicts about the management of specific crises turn into a deep political crisis of the EU and how is this linked to the politics of solidarity? I analyse this research question by examining EU crisis politics through the lens of research on federal dynamics.

European integration has taken above all a path of economic and differentiated political integration (Leuffen, Rittberger & Schimmelfennig 2012, Schimmelfennig, Leuffen & Rittberger 2015), which clearly distinguishes the EU from federal states. Researchers have already pointed out how the crisis changed the EU and EU politics (Tosun, Wetzel & Zapryanova 2014, Degner 2017, Genschel & Jachtenfuchs 2018) and debated how existing theories of EU integration contribute to our understanding of the EU against the background of its current policy challenges (Börzel & Risse 2018, Moravcsik 2018, Schimmelfennig 2018, Hix 2018*b*). I am not questioning this perspective. I seek to complement existing studies by assessing intergovernmental politics in the EU and EMU by using insights from comparative federalism research. There is consensus that the EU is no federal state because important elements of state sovereignty, such as the control over the military, taxation, and redistribution remain locked in almost entirely at member state level (Burgess 2000, Hooghe & Marks 2003, Trechsel 2005, Kelemen 2009, Costa Cabral 2016, Bolleyer 2017, Jachtenfuchs & Kasack 2017, Niesen 2017, Genschel & Jachtenfuchs 2018).[1]

I contribute to this literature in examining the politics of intergovernmental solidarity in the EU and EMU (Ferrera & Burelli 2019) by comparing it to the politics of solidarity in federal states. Therefore, this article profits from political scientists' renewed interest in Durkheim's work on solidarity (Herzog 2018). In harkening back to Durkheim (Durkheim 1984 [1893], MacCannell 1977), I distinguish *negative solidarity* and *positive solidarity.* Furthermore, I refer to March and Olsen' work on the logics of appropriateness and consequences (March & Olsen 1998, March & Olsen 2004) to conceptualize politics of solidarity in intergovernmental relations. In short, negative solidarity entails that governments consider solidarity only appropriate in the strict sense of existing intergovernmental contracts and that fiscal consequences should have priority over social consequences. Positive solidarity means that actors regard solidarity morally appropriate, even if it goes beyond existing intergovernmental contracts, and give priority of social consequences over fiscal consequences.

I argue that negative solidarity is most likely to appear in a configuration of heterogenous regional identities (Hooghe & Marks 2009), a dominance of intergovernmentalism over parliamentary decision-making (Braun & Trein 2014), and a complex policy problem that requires a long-standing

[1] For a detailed literature overview read also: (Fossum & Jachtenfuchs 2017).

fiscal commitment (Hoornbeek & Peters 2017). To illustrate this argument empirically, I discuss solidarity in anti-crisis policy and the politics of solidarity, in federal states and the EU. In the Euro- and the refugee crises, actors had to solve complex policy problems against a background of heterogeneous regional identities and a dominant intergovernmental arena. Although EU anti-crisis policies increased solidarity amongst member states and Euro-zone members, for example through the European Financial Stabilization Mechanism (EFSM) and the European Financial Stability Facility (EFSF), in the Euro crisis preferences for negative solidarity dominated. Solidarity was – above all – solidarity in the limitations of existing intergovernmental contracts and neglected the social consequences of these policies, in debtor countries of the Euro crisis as well as in countries where many refugees arrived.

The main contribution of this paper is conceptual as it untangles different logics of solidarity. The concepts of negative and positive solidarity allow researchers to untangle preferences on solidarity from a perspective emphasising the appropriateness and the consequences of solidarity, for example between territorial actors. Future research can use these terms to analyse solidarity preferences between different groups and constituencies more generally.

Theoretical Priors

In the following sub-sections, I will discuss the theoretical priors for this article. Firstly, I will distinguish two forms of solidarity: negative and positive solidarity. After that, I will assess three factors that potentially explain why negative or positive solidarity are present: the relationship of intergovernmental and parliamentary decision-making, different collective identities in the union, and the quality of policy problems.

Positive and Negative Solidarity

Territorial solidarity is an essential problem for federal states, and even more so for the European Union, as heterogenous constituent units and member states need to cooperate, to deal with shared problems. To analyse the politics of solidarity in federal states and the EU, I use the work on solidarity by Emile Durkheim. Durkheim is famous for the distinction between mechanical and organic solidarity. The author deploys these two concepts to differentiate solidarity in traditional and modern societies. In traditional societies, a mechanical form of solidarity keeps individuals together because they have a similar language, education, and are perhaps related to one another. In modern societies, we find an organic form of solidarity. This means that individuals show solidarity with each another because they need to rely on one another due to the separation of tasks in modern societal specialisation and differentiation (Durkheim 1984 [1893], Herzog 2018).

Durkheim's work also contains a distinction between negative and positive solidarity. Durkheim (Durkheim 1984 [1893]) does not develop the distinction between the two concepts very much. Mechanical and organic forms of solidarity are two positive forms of solidarity because they produce societal integration – either in traditional or in modern societies (Barnes 1966). Positive solidarity "links individuals directly to society without any intermediary", and thereby it produces either mechanical or organic solidarity (Durkheim 1984 [1893], 83). On the contrary, negative solidarity is a particular group of rules that refer to the right to have private property in society. These rules do not require individuals to interact (Barnes 1966, 164-165) whereby they would reproduce solidarity in society. According to Durkheim, negative solidarity is not sufficient to keep a society together (Durkheim 1984 [1893], 76). Interestingly, Durkheim points out that European societies are on a path towards more integration and increasing cohesiveness, but without mentioning solidarity between countries (Durkheim 1984 [1893], 76-77) and the challenges for solidarity between European states.

Table 1: Negative and positive solidarity in intergovernmental relations

	Appropriateness of solidarity	*Consequences of solidarity*	*Hypothetical link to integration*
Negative solidarity	Solidarity is only appropriate in the limits of existing intergovernmental contracts	Fiscal consequences have priority over social consequences	May result in disintegration; avoids further political integration
Positive solidarity	Solidarity is appropriate morally and can go beyond existing intergovernmental contracts	Social consequences have priority over fiscal consequences	May be required to keep union together; difficult without more political integration

In harkening back to Durkheim's work on solidarity (Durkheim 1984 [1893], MacCannell 1977, Herzog 2018), as well as the research on institutional logics by March and Olsen (March & Olsen 1983, March & Olsen 1998), I distinguish different preferences for solidarity based on actors' preference calculations about the appropriateness and the consequences of solidarity (March & Olsen 1998, 952) between donating/paying territories and regions on the one hand, and receiving ones on the other. As I focus on the politics of intergovernmental relations in the EU with a background comparison to federal states, I will focus on fiscal and moral appropriateness as well as the fiscal and social consequences of solidarity. Analysing the relationship of fiscal and moral questions is essential to understand solidarity in the European Union (Ferrera & Burelli 2019, 99-100).

Firstly, I define *negative solidarity* as reasoning according to which solidarity, i.e., financial or other policy support, should only be provided to the extent that it is appropriate legally in the context of existing intergovernmental contracts (March & Olsen 2004, 490). Particularly those territories who are negatively affected by solidarity in the short term (e.g., "net-payers" or receivers of refugee redistribution) will only agree to territorial solidarity if it protects their property rights and privileges. This logic of action entails that donor territories receive guarantees ensuring that their acts of solidarity will be repaid in the future. In the logic of negative solidarity, territories consider the fiscal consequences of solidarity to be more important than the social consequences of solidarity. Negative solidarity is unlikely to increase political and social integration because it protects the privilege and sovereignty of union members against the delegation of competencies to a higher level of government. Potentially, negative solidarity might result in desolidarisation and disintegration (Durkheim 1984 [1893], 76) of the union because territories will exit as they consider that they are better off on their own (Table 1)(Jachtenfuchs & Kasack 2017).

Secondly, *positive solidarity* differs from negative solidarity as it considers the moral appropriateness of solidarity to be more important than the limitations imposed by intergovernmental contracts. Rather than insisting on the limitations of intergovernmental support, territories would make sure to produce mutual support and adjust intergovernmental contracts as necessary. For example, more prosperous territories and regions that are less affected by the crisis will agree to solidarity without insisting too much on their privileges and property rights. According to this logic, social consequences trump the fiscal consequences of solidarity. In other words, governments and territories will consider helping other territories from a logic of social consequences (March & Olsen 2004, 490) and regard such action as an investment in the future. According to the Durkheimian perspective, positive solidarity is likely to produce more political and social integration (Durkheim 1984 [1893]). Furthermore, it might produce more social integration, such as by strengthening a collective identity.

Collective Identities

In times of crisis, existing identities and the heterogeneity between them impact on preferences for solidarity. Concerning the subject I am interested in this paper, the link between the regional and the "superordinate" identity should affect on how regional actors consider solidarity between territories, in times of crisis. Hooghe and Marks contend that "The more exclusively an individual identifies with an ingroup, the less that individual is predisposed to support a jurisdiction encompassing outgroups" (Hooghe & Marks 2009, 12). In other words, exclusive identification with regions decreases the support for the federal or supranational jurisdiction. This logic implies for the case of the EU that individuals who identify themselves exclusively as national citizens express less support for European economic governance (Bechtel, Hainmueller & Margalit 2014, Kuhn & Stoeckel 2014, Kuhn, Solaz & van Elsas 2017). In pluri-national federal states, regional governments want to keep policy competencies that allow them to demonstrate to voters that they are meaningful, such as social assistance (Bonoli, Natili & Trein 2019).

On the other hand, the co-existence of parallel collective identities is possible. Thomas Risse has shown that a relevant European identity exists alongside different national identities (Risse 2010, Risse 2014). He argues that "The more people identify with Europe, the more they are prepared to support economic governance with redistributive consequences. [...] Interestingly enough, there are no differences between northern and southern Europeans (except for the United Kingdom, once again), while east Europeans are less prepared to show solidarity." Nevertheless, the support for solidarity is conditional. For example, German citizens support solidarity for southern European countries as long as it comes along with budgetary discipline (Risse 2014, 1210).

Against this background, I hypothesize that heterogenous collective identities in a union result in support for negative solidarity. If citizens identify mostly with the regional – in case of the EU the national – level of government, they will support solidarity only in the limits of existing intergovernmental contracts and insist that fiscal consequences have priority over the social consequences of solidarity. This is especially true for territories that are net-payers or donors in the case of solidarity. On the other hand, if collective identities are homogenous, there is more support for positive solidarity and citizens will support solidarity to be appropriate on moral grounds, even if it goes beyond existing intergovernmental contracts.

Intergovernmentalism and Parlamentarization

The second explanatory factor for solidarity preferences is the relative importance of intergovernmental negotiations over parliamentary majority voting. Empirical research on federal states shows that in case of a crisis event the central government takes action to deal with the crisis-induced policy challenges. In case of the financial and economic crisis, federal governments responded with economic stimulus programs that entailed measures such as financial transfers to subnational governments (Braun & Trein 2013*b*, 351) as well as financial bail-outs of member states of the federations and actions to enforce budgetary discipline in the future. These policies entailed a temporary centralization of discretion to the federal government, i.e., the central government had more policy competencies during crisis (Braun, Ruiz-Palmero & Schnabel 2017) (Braun & Trein 2013*a*, 144-151) and were backed by national parliaments. For the most part, subnational governments accepted central government policies and implemented them. Regional opportunism (Braun & Trein 2013*b*, 351)(Braun & Trein 2014, 811), i.e., regions attempting to implement the national anti-crisis policies in a way that served their interests and different than intended by the federal government, did not dominate anti-crisis policies. Likewise, *desolidarization* amongst regions, such as territories requesting reforms of the fiscal equalisation system or threatening to leave the federal union remained limited (Braun & Trein 2014, 811).[2]

Against this context, I hypothesise that preferences for positive solidarity dominate if the parliamentary decision-making process is the decisive arena for such anti-crisis policies. In other words, if majority voting legitimises solidarity between regions from the input side (Scharpf 2003), positive solidarity is more likely. In this case, concerns about the sustainability of fiscal equalisation programs or bailouts are no significant obstacle to designing anti-crisis policies. Admittedly, in federal states, solidarity is possible because intergovernmental contracts allow for more encompassing solidarity between regions anyhow and the federal government has a higher capacity to decide and to act. Nevertheless, in many federations, there was regional opportunism despite the parliamentary decision-making process, and it is plausible to assume that solidarity would have been politicised differently if anti-crisis policies would have been decided through intergovernmental bargaining.

[2]An exception to this finding is the case of Catalonia, which I will discuss below.

Policy Problems

The quality of policy problems is another factor that ought to influence the type of solidarity between territories. Scholars have pointed out that policy problems differ according to their solubility, complexity, scale (of the problem), divisibility, monetarization, scope (of activity contributing to the problem), and interdependence (Peters 2005, Hoornbeek & Peters 2017) as well as uncertainty and tractability (Author 2019). According to Peters, "The first, and perhaps most basic, issue to be addressed in looking at policy problems is whether they can be 'solved' or not. That is no simple question, given both the number of problems that are addressed by government and the difficulty of some of those problems" (Peters 2005, 352). In a more recent paper, Peters and Hoornbeek add that "High 'solubility' suggests that one time interventions may be able to address the problem, while low solubility suggests that ongoing efforts should be expected" (Hoornbeek & Peters 2017, 367). For example, if it is possible to solve the problem through better regulation and the limited use of funds, such as in the case of the BSE (bovine spongiform encephalopathy) public health crisis (Degner 2017), it is easier to extend solidarity, than in a case requiring substantial prospective fiscal commitments from members of the territorial union.

Against this background, I hypothesise that a readily soluble problem should result in preferences for positive solidarity. In other words, the easier the problem can be solved, the fewer territories should oppose solidarity – even if it formally transgresses existing intergovernmental contracts – and support policies aiming to alleviate the social consequences of no solidarity. Avowedly, the difference between policy problems is a complex topic. At this point and for this article, it suffices to point out generally that differences between policy problems ought to matter for solidarity.

Differences and Similarities between the EU and Federal States

To further outline my argument, I will compare solidarity in anti-crisis policies in the EU and federal states. In comparison to federal states: the EU has a much higher diversity between member states' median household income (Vandenbroucke 2017); the "EU's material constitution is highly malleable" (Jachtenfuchs & Kasack 2017, 601); the EU has no centralized party system (Jachtenfuchs & Kasack 2017, 600), and the link between citizens and the representatives at the

European level is rather weak (Hueglin & Fenna 2015, Benz 2017). Therefore intergovernmental coordination of member states remains the most important mode of decision making, in the EU (Scharpf 1999, Majone 2009). On the other, the EU is similar to federal states: concerning some policy competencies, the EU is even more centralized than decentralized federal states (Hix 2018*a*); the EU is a "regulatory state" (Majone 1994), respectively a "regulatory federation" (Kelemen 2009, 1-2) with strong regulatory competencies but limited taxation, redistribution, and "securitization" (police and military) powers (Wasserfallen 2014, Costa Cabral 2016, Jachtenfuchs & Kasack 2017, Genschel & Jachtenfuchs 2018), although the EU imposes regulatory control over the taxation of its member states (Genschel & Jachtenfuchs 2011).

Thus, the Europeanization literature has coined the term *differentiated integration* (Leuffen, Rittberger & Schimmelfennig 2012, Schimmelfennig & Winzen 2014, Hvidsten & Hovi 2015) to denote the process of European integration. This concept points to the integration of specific national policy competencies at the European level of government, notably regarding the common market in a wider sense but also concerning monetary policy in the European Monetary Union (EMU) (Schimmelfennig, Leuffen & Rittberger 2015, 768)(Börzel 2005, 221). According to Fossum, the EU is a case of "contested federalization in a non-state setting" (Fossum 2017, 487), in which the central government lacks legitimacy and the fiscal policy capacity to respond to crises in the way national governments in federal states do. Nevertheless, in the EU, economic and regulatory federalisation has created policy problems similar to federal states:

1. Monetary integration in the EMU is designed as an optimal currency area, in which – at least in theory – the integration of monetary policy should not come along with asymmetric effects but should instead augment economic growth throughout the union. Nevertheless, due to its inflexible design, EMU produced different growth effects in its member states (De Grauwe 2016)(Costa Cabral 2016, 1281) because politico-economic institutional varieties come along with different growth strategies (Hassel & Palier 2015). The results are fiscal and social problems, such as high budget imbalances and unemployment rates, especially in peripheral countries with vulnerable economies (Hancké 2013).

2. The institutionalisation of the single market came along with the establishment of free movement (especially the Schengen-Agreement) between many EU member states and some non-EU

countries, such as Norway and Switzerland. Furthermore, EU states harmonised refugee policy (Dublin agreements) and agreed on cooperating in the policies of police and internal security (Kasparek 2016) but the main policy responsibilities remained with the member state countries.

In the Euro and the refugee crises, the two mentioned dimensions of European integration produced policy challenges similar to those that federal states faced. Both policy problems are challenging to solve, and solidarity requires long-term policy commitments.

Anti-crisis Policy and Solidarity

I will now turn to a more in-depth analysis of anti-crisis policy and the politics of solidarity, in federal states and above all in the EU. This section relies on secondary literature dealing with the economic and financial crisis in federal states and the EU as well as on newspaper reports on EU anti-crisis policy and politics during the financial and economic crisis and during the refugee crisis. I start with a discussion of anti-crisis policies in federal states and turn to anti-crisis policies in the EU after that.

Federal States

The example of federal states shows that, if federations have to deal with a crisis that produces an asymmetric shock, such as in the Euro crisis, the central government takes the lead with the support of the national parliament. In the wake of economic and financial crisis 2007-2008, federal governments intervened to counteract the crisis with countrywide policy measures, for example in using temporary tax relieves and conditional grants that obliged subnational governments to invest in particular policies. These policies temporarily reduced the discretion of the member states because they should implement the policies of the federal government, which, in turn, redistributed funds amongst the members of the federation. It was beyond question that constituent units of the federation needed to resolve their problems on their own. In other words, central government policy measures pooled sovereignty at the centre temporarily, but constituent units received compensation in terms of direct and indirect transfers and were bailed out financially if necessary (Braun & Trein 2013*b*, 351)(Braun & Trein 2013*a*, 144-151). Central governments covered over-borrowing of regions, for example in Argentina, Germany, or India. In the U.S., the federal government did not bail-out subnational governments, however, the states received support, notably through the ARRA (American Recovery and Reinvestment Act) (Posner 2016, 197) but not all of them used the money (Braun & Trein 2014).

Although the support for subnational governments was often conditional in some way or another, for example through conditional grants, solidarity can be regarded as positive solidarity because intergovernmental conflicts about the general legal appropriateness of solidarity did not dominate the debate about the design of anti-crisis policies (Braun & Trein 2014). Resolving the fiscal consequences was treated as a separate problem (Braun, Ruiz-Palmero & Schnabel 2017). For example, in Switzerland, the federal government and the regions discussed the fiscal consequences of the anti-crisis policies only after the implementation of the policies. Notably, "It was the federal austerity plans in 2010 that led to discussions and objections on the part of the constituent units [in Switzerland], as the federal government wanted to consolidate its budget, which had been affected by the stimulus programmes" (Trein & Braun 2016, 209).

Overall, subnational governments perceived the temporary reduction of their discretion as legitimate. As a consequence, different regions did not express fundamental opposition against solidarity. Both – the federal government concerning the subnational governments and the subnational governments between them remained committed to positive and cooperative relationships and did not call into questions their membership in the federation; neither did the central government or the majority of member states question the membership of some constituent units in the federal states. Fiscal solidarity between subnational governments and compliance with the federal government's policies remained mostly uncontested because the social consequence of non-solidarity would have been negative for everyone. Empirically, there is little evidence for a broad and fundamental erosion of solidarity amongst the members of the developed (e.g., Australia, Germany, Switzerland, U.S.) as well as developing federations (e.g., Argentina, India) and none of these federations experienced a systemic crisis as a consequence of anti-crisis policies (Braun, Ruiz-Palmero & Schnabel 2017, Trein & Braun 2016).

Federal countries also experienced negative solidarity, especially countries with heterogeneous collective territorial identities. For example, in Spain, the policies against the economic and financial crisis fueled the Catalonian secession crisis, although the federal government helped in times of crisis (Braun & Trein 2014). The conflict about the Catalan independence movement began before the economic and financial crisis of 2007 (Colino 2008), but during the crisis, the policies of the federal government reinforced the pre-existing secessionist agenda. Amongst others, the independence movement demanded more fiscal autonomy and less solidarity with other regions (Martí 2013, 508). Conflicts about fiscal solidarity are not uncommon in federal states (Peterson & Nadler 2014), yet in Spain, they happened in a situation with heterogeneous territorial identities (Lastra-Anadón 2013). In the case of Catalonia, the co-existence of Spanish and national identities fueled the support for independence and limitations to solidarity (Serrano 2013).

European Union

In the EU, the solidarity aspects of anti-crisis policies were different than in most federal states. In the Euro crisis, (Euro-member) states with a budgetary surplus and an export-led growth strategy had policy preferences opposed to the countries with a budget deficit and an import-led growth strategy (Hancké 2013, Hassel & Palier 2015). Germany and other export-oriented economies insisted that deficit countries, such as Portugal, Spain, and especially Greece, should solve their problems on their own and under the Stability and Growth Pact (SGP), which has been in place since 1998. This position was in line with the pre-crisis arguments of the German government, which had been the main driving force between the design of the SGP and the excessive deficit procedure (Koehler & König 2015, 6).

At the European level intergovernmental negotiations in the European Council were crucial for deciding about anti-crisis policies. The creditor countries insisted that deficit countries need to deal with their problem on their own.[3] Support for the creditor countries should only occur in a restrictive way with clear limitations, for example through the European Financial Stabilization Mechanism (EFSM), which the European Council established (EC 407/2010) at the EU level to support deficit countries temporarily. In the same year (2010), the Eurozone members founded the European Financial Stability Facility (EFSF) to assist Euro countries temporarily.[4] In 2012, Euro-countries established the European Stability Mechanisms (ESM) to have a more permanent support mechanism against financial instabilities in the Eurozone.[5] The mentioned policies entail

[3] The Guardian, June 26, 2015: `https://tinyurl.com/y7lx5hmv`, last accessed on November 13, 2017.
[4] EU-Commission `https://tinyurl.com/yaw8rmw4`, last accessed on November 13, 2017.
[5] ESM `https://tinyurl.com/yc528b4t`, last accessed on November 13, 2017.

mechanisms to lend money to the member states but not unconditional or conditional grants, such as in federal states.

The member states (in the Council of the European Union) and the European Commission were the most important actors of EU crisis politics, along with the European Central Bank (ECB), and the IMF (International Monetary Fund). The direct involvement of the European and national parliaments remained weak, notably regarding the Euro crisis (Rittberger 2014, 1181). The anti-crisis policy solutions followed preferences for negative solidarity as fiscal consequences had priority over social consequences. Intergovernmental negotiations dominated the decision-making process, and the compromise reflected the opposed interests of the various EU and EMU member states (Schimmelfennig 2018). Despite a formally consensual decision in the Euro group (Tsebelis & Hahm 2014) with some bargaining successes for debtor countries (Lundgren, Bailer, Dellmuth, Tallberg & Târlea 2019), the anti-crisis policies required deficit countries, above all Greece, to adjust internally at their expenses (Walter 2016). Although the European Stabilization Mechanism and the Fiscal Pact were, "Ad-hoc and partly out-of-Treaty solutions ..." (Falkner 2016, 963), overall, the compliance with EU Treaties, and thus solidarity that was appropriate according to the principles of intergovernmental arrangements were the only politically feasible options. Demands for more unconditional solidarity on moral grounds, for example to bailing-out debtor countries to avoid some of the social consequences of the Euro-crisis did not stand a chance int the intergovernmental arena (Verdun 2015, Schimmelfennig 2015, Lundgren et al. 2019).

To be sure, EU anti-crisis policies increased solidarity between EU and EMU countries for example through the EFSM and the EFSF, but these are conditional and indirect forms of redistribution. Solidarity from other countries was highly conditional upon debt payment. Non-compliance could – at least in principle – result in exclusion from the club of Euro members; for example, a Grexit was discussed seriously amongst the Euro-states (Schimmelfennig 2015, 182). Eventually, creditor countries agreed to payments and guarantees for the deposits in the stabilisation mechanisms. The ECB decided to buy government bonds from Eurozone countries, in 2015, which is a more unconditional form of solidarity.[6] Actually, it was the ECB that took the role equivalent to the central government in federal states and engaged in "monetary solidarity" (Matthijs & Blyth 2017, Schelkle 2017). The

[6]The Guardian, January 22, 2015: `https://tinyurl.com/ycudjb99`, last accessed on November 14, 2017.; The Guardian, October 26, 2017: `https://tinyurl.com/y9omspw3`, last accessed on November 13, 2017.

politicisation of the issue happened only after the policy was put in place, notably in the German Federal Constitutional Court.

The refugee crisis is an issue where the EU had considerably less political competencies than in the financial and economic crisis, notably as there was no central instance equivalent to the ECB. Nevertheless, the crisis showed similar political dynamics about solidarity. EU member states where many refugees arrived preferred redistribution whereas countries where fewer refugees arrived did not want an equal redistribution of refugees (Geddes & Scholten 2016, 237-244). Initially, countries with many arrivals received rather little support regarding the redistribution of migrants who entered the EU during the refugee crisis, in 2015 (Carrera & Guild 2015). Nevertheless, to deal with a large number of refugees, the EU voted a deal that imposed the relocation of refugees across European countries against the opposition of the Czech Republic, Hungary, Romania and Slovakia. These countries opposed the deal as they regarded the majoritarian decision a transgression on their sovereignty.[7] Although the EU countries agreed on the resettlement of refugees, the start of the program was not very successful. Particularly countries with many refugees, such as Greece and Italy received little support eventually.[8] Again, as in the case of the Euro crisis, solidarity policies focused on what was appropriate according to legal constraints, and there was no central instance equivalent to the ECB that could have intervened. Policies following purely moral grounds, such as that the humanitarian crisis, would require extraordinary measures, received little support. This time, European leaders put again the fiscal and political consequences in their own countries over the social consequences for refugees and the countries where they arrived. Furthermore, the EU's efforts to put into place a coordinated effort to deal with the refugee crisis at the supranational level failed, and member states pursued with their measures to deal with the problem (Börzel & Risse 2018, 90-91).

The Politics of Positive and Negative Solidarity

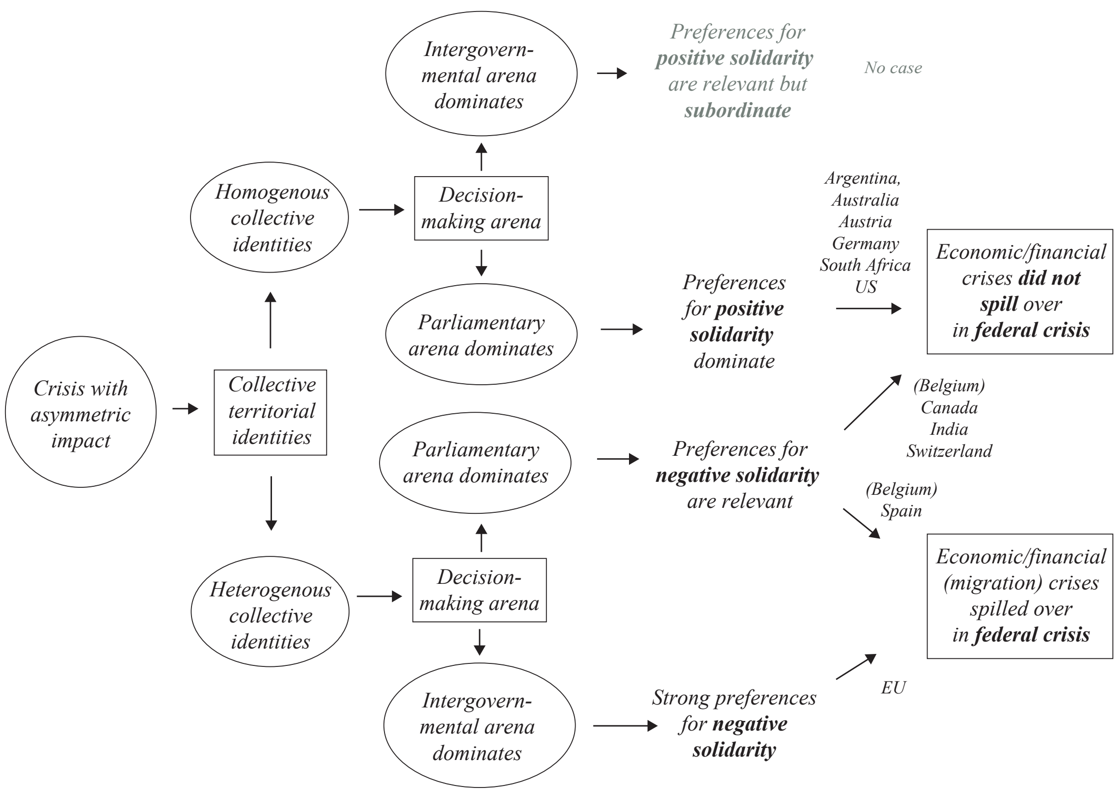
My discussion of anti-crisis policy and solidarity suggests that collective territorial identities and the type of decision-making rules matter for solidarity-related preferences. Precisely, the analy-

[7]The Guardian, September 22, 2015: `https://tinyurl.com/yampbncw`, last accessed on November 13, 2017. Eastern European countries even went to the European Court of Justice and lost (Reuters World News, September 6, 2018 (`http://tinyurl.com/y2j8jn64`)).

[8]The Guardian, December 8, 2016: `https://tinyurl.com/zhtdoq8`, last accessed on November 13, 2017.

sis reveals three points. Firstly, if a crisis with asymmetric impact hits a territorial union with homogenous collective identities and parliamentary decision-making is more important than intergovernmental decision-making, preferences for positive solidarity dominate and it is unlikely that anti-crisis policymaking spills over into a crisis of federal relations (Figure 1). The analysis of crisis policies and politics in different federal countries, such as Argentina, Australia, Austria, Germany, South Africa, and the U.S., demonstrates this relationship (Braun & Trein 2014). Although in these countries territorial solidarity was limited, for example, the States in the U.S. could not count on bailouts from the federal government, the politics of anti-crisis policies did not result in a crisis of federal relations. I argue that this was the case since there were no territorial rifts between the collective identities in these countries, and the parliamentary decision legitimised anti-crisis policies across various territories.

Figure 1: Anti-crisis Policy and Solidarity Politics in Federations and the EU



Secondly, in countries with various territorial identities and a dominance of parliamentary majority voting over intergovernmental negotiations, preferences for negative solidarity are relevant

(Figure 1). This context can turn the process of anti-crisis policymaking into a federal crisis, such as in the Spanish case (cf. above), but this is not necessarily the case. Other countries with various collective identities, notably Canada, India, Switzerland, did not experience a federal crisis due to the policy issues raised by anti-crisis policies (Braun & Trein 2014). Belgium experienced a federal crisis about regional solidarity, but the link to the economic and financial crisis is less clear. For most of the years 2010 and 2011, a caretaker government was in power, since parties from the Dutch-and French-speaking regions could not agree on a regular government. A new government was formed, in July 2011, and agreed on changes in regional solidarity (Béland & Lecours 2017). Notably, "the transfers to the poor regions indeed would be limited, but with a very long transition period that would allow these poor regions to fight unemployment" (Hooghe 2012, 136). The origins of the Belgian crisis are the different regional identities, and the country's party and electoral system, which only allowed to hold the own language group accountable. The economic and financial crisis obviously enhanced regional distributive conflicts but it did not cause them (Hooghe 2012, 136-37)(Braun & Trein 2014).

Thirdly, in contexts with heterogenous territorial identities and dominance of intergovernmental negotiations over parliamentary majority voting, anti-crisis policymaking is very likely to turn into federal crises. The EU clearly illustrates this mechanism (Figure 1). Anti-crisis policies concerning the economic and financial as well as the migration crisis emphasised the limits of fiscal solidarity between EMU members (Risse 2014, Scipioni 2017). Preferences for negative solidarity dominated as governments accentuated the limitations for mutual support according to existing intergovernmental contracts and the preference of fiscal over social consequences. Reform proposals that would have increased discretion at the European level to deal with the crisis and that would have increased solidarity, such as a common budget for the Eurozone, Eurobonds, or a European Finance Minister were subject to long-standing political debates and conflicts. For example, the German government was very sceptical about specific steps to increase the centralisation of competencies at the European level as it feared unconditional payments to deficit countries.[9] The policy of monetary solidarity (Schelkle 2017) increased solidarity between regions but its decision remained hidden from the public and decoupled from the parliamentary processes. The co-existence of monetary solidarity policy

[9] The Guardian, May 15, 2017: `https://tinyurl.com/kh5uejm`, last accessed on November 14, 2017; Frankfurter Allgemeine Zeitung (F.A.Z), September 13, 2017: `https://tinyurl.com/ybe7mnm4`, last accessed on November 14, 2017; Spiegel Online, October 7, 2017: `https://tinyurl.com/y92jtwnt`, last accessed on November, 2017.

and dominant preferences for negative solidarity amongst many governments and the public in the Eurozone was grist on the mills of anti-Euro and anti-EU parties and those who pursued an agenda of disintegration. For example, in Germany and Nordic countries, euro-sceptic parties criticised their national governments for not being strict enough with debtor countries. The refugee crisis and the unilateral step towards solidarity by the German government, again, fueled an agenda of disintegration (Treib 2014, Arzheimer 2015, Meijers 2015, De Vries 2018, Niemann & Zaun 2018). The vote for Brexit (Hobolt 2016) translated the politics of negative solidarity into political facts, deepened the federal crisis of the European Union, and dominated the political agenda of the EU until the beginning of 2019.

Conclusion

In this article, I analyse the politics of solidarity, in the EU and federal states. Therefore, I distinguish two forms of solidarity. Firstly, *negative solidarity* are preferences that regard solidarity appropriate in the limits of existing intergovernmental contracts. Fiscal consequences should have priority over the social consequences of solidarity. Negative solidarity avoids further integration to solve particular policy problems and may, therefore, result in disintegration. Secondly, *positive solidarity* entails preferences that consider solidarity between territories appropriate on moral grounds and can, therefore, go beyond existing intergovernmental contracts. In this situation, social consequences have priority over the fiscal consequences of solidarity. Positive solidarity may require further political integration to be implemented and might be necessary to keep the union together.

I argue that the configuration of regional identities, the relation of intergovernmentalism and parliamentary decision making, as well as the type of policy problems explain preferences for solidarity. I illustrate the argument using examples from federal states and the European Union. EU anti-crisis policies responding to the financial and the economic crisis as well as the migration crisis increased solidarity amongst territories, but this happened at the cost of a fully fledged federal crisis. The policy measures that were put in place to augment solidarity reflect preferences for "negative solidarity" and put the cost of the crisis largely on particular countries. Although anti-crisis policies contributed to solving the policy problems at stake, they have fueled the anti-European agenda and contributed to the EU's current political crisis. My arguments also imply that the "negative" integration through legal instruments in the EU (Scharpf 1999) comes along with "negative solidarity" between territories, which is conducive to federal crises.

The contribution of this article is above all theoretical and aims at opening new avenues for research on solidarity within different regions of nation-states but also between EU member states. Future research should test and develop these arguments against the background of in-depth empirical analyses, especially for policy problems that can be easily solved, which I do not empirically illustrate, in this paper. Another avenue for future research is the question if and how EU anti-crisis policies consist of a critical juncture (Capoccia & Kelemen 2007) towards further political integration and disintegration, or if the EU polity remains mostly similar to the pre-crisis period. Currently, it seems that the EU is at a crossroads with the UK likely to leave in one way or another. Nevertheless, what remains even less clear is to what extent EU anti-crisis policymaking will impact on the political integration of the remaining EU member states and the solidarity between them.

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