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Introduction

The workshop ‘EU Crises and Emergencies: What’s in a Name?’, hosted at Maastricht University on 16 and 17 June 2025, brought together scholars of law, political science, and related disciplines to interrogate how the European Union (EU) defines, governs, and is transformed by crises and emergencies. Against the backdrop of the Eurozone crisis, the migration crisis, the COVID-19 pandemic, and Russia’s war in Ukraine, the EU has increasingly been confronted with extraordinary events that test its constitutional foundations, governance mechanisms, and legitimacy. Yet despite the relevance of these events in the institutional and academic discourse, there remains no settled understanding of what qualifies as a ‘crisis’ or ‘emergency’, nor of how such labels shape institutional responses and longer-term integration trajectories.

The workshop opened with a keynote lecture by Professor Bruno de Witte (Maastricht University), who situated the debate in the broader legal context of EU emergency law. He underlined that, unlike many national systems, the EU Treaties provide no general emergency clause. Instead, the Union has relied on a scattered set of emergency competences and flexible interpretations of ordinary Treaty bases. In his view, emergency responses have demonstrated the EU’s capacity to adapt *within* the constraints of its legal order. This framing provided a point of reference for the panels that followed, which explored how crises and emergencies are conceptualised, how they reshape governance structures, and how they are navigated in conditions of uncertainty.

The proceedings collected here reflect a vibrant interdisciplinary dialogue across four thematic panels. The first (‘How Many Shades of Crisis and Emergency? Towards a European Definitional Framework’) explored the definitional boundaries of ‘crisis’ and ‘emergency’, revealing both disciplinary divergences and shared efforts to construct

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conceptual frameworks. The second ('Crises and Emergencies Uniquely Shaping The EU's Internal and External Structures') examined how crises have reshaped the EU's internal structures and external orientation, highlighting tensions between security, autonomy, and democratic legitimacy. The third ('Multilevel Crisis Governance in the EU: Emergency Powers With(out) a Sovereign?') turned to multilevel governance and emergency powers, tracing how regulation, financial autonomy, procurement mechanisms, and tacit states of exception transform the EU's constitutional order. Finally, the fourth panel ('(Un)Known Unknowns: Crises and Emergencies From an Epistemic Perspective') brought an epistemic perspective, foregrounding the role of institutions, individuals, and knowledge in navigating uncertainty.

Panel 1 – How Many Shades of Crisis and Emergency? Towards a European Definitional Framework

This panel explored the definitional and conceptual boundaries of 'crisis' and 'emergency' in the European context, bringing together perspectives from both law and political science. The discussion highlighted how the two disciplines approach the subject differently while converging on the need for clearer frameworks to understand and categorise crises.

The political science contributions examined the relationship between crises and EU governance. Jan Hupkens (Maastricht University) analysed how crises, distinguished by severity, symmetry, and speed, reshape governance structures. His comparative study of the Euro and migration crises emphasised that existential crises are more likely to trigger lasting institutional change. Thijs de Boer and Lars Brummel (Leiden University) presented an extended framework for analysing transboundary crises, identifying six governance challenges and highlighting legitimacy questions, such as intergenerational solidarity, that arise when responses transcend temporal and institutional boundaries.

The legal contributions focused on how EU law frames and responds to emergencies. Anna Pau (University of Bologna) examined how threats to EU values are increasingly conceptualised as crises, raising questions about whether such framing requires rethinking the concept of crisis itself. Teresa Cabrita (UCLouvain Saint-Louis Brussels) addressed the place of natural disasters in EU emergency law, showing how

case-law relies on different interpretative methods depending on the legal instrument at stake, and underlining the risks of conflating natural disasters with emergencies in a legal sense.

The discussion revealed divergences between disciplines. Lawyers tend to prefer the term ‘emergency’, typically reflecting on how the law can serve to tame extraordinary threats to societal interests. Political scientists, in contrast, tend to focus on how ‘crises’ drive structural change, examining how extraordinary events impact EU governance. In other words, while in legal inquiries crises and emergencies are usually the object (how the law affects the threat), this relationship is often reversed in political science (how the threat affects governance structures and integration).

At the same time, common ground emerged. Both fields are engaged in developing definitional frameworks: what is (not) an emergency, what qualifies as a crisis, what types of crises and emergencies exist, and how subcategories such as transboundary crises can be distinguished. Yet the challenge of separating ontology (what a crisis or emergency is) from phenomenology (how it is addressed) remains. Participants stressed the need to disentangle categories carefully, for example by distinguishing natural disasters from emergencies or differentiating among governance challenges within transboundary crises.

Overall, the panel confirmed that ‘crisis’ and ‘emergency’ are fertile concepts but contested ones. Their definitions remain unsettled – and it is precisely this lack of clarity that opens a promising research agenda for law and political science alike.

Panel 2 – Crises and Emergencies Uniquely Shaping the EU’s Internal and External Structures

This panel investigated how crises shaped the EU’s constitutional foundations, geopolitical orientation, and institutional balance. The papers by Cristian Nitoiu (Loughborough University London), David Shakarishvili (Klaipeda University), Massimo Fichera (Maastricht University), and Dionyssis Dimitrakopoulos (Panteion University) collectively argued that emergencies were not isolated disruptions but recurring turning points that drove the EU’s transformation.

A first theme was the meta-constitutional role of security. Security was shown to have underpinned European constitutionalism as a political morality that both preserved the Union and enabled its empowerment. Crises have exposed tensions between self-preservation and self-empowerment, and between change and permanence. The papers highlighted how the EU's legal order drew simultaneously on rights discourses, empowering individuals, and security discourses, empowering the EU itself. In moments of crisis, these discourses collided, making contradictions visible. The contributions also showed that all six dimensions of security (spatial, temporal, popular, ontological, epistemic, reflexive) had been affected at once during the past decade of multiple crises, underscoring the existential character of the EU's current predicament.

The panel also demonstrated that crises produced a geopolitical awakening. The Russian invasion of Ukraine and uncertainty in transatlantic relations recast enlargement and strategic autonomy in geopolitical terms. Enlargement, once justified as a normative extension of integration, became a response to existential threats, granting candidate status to Ukraine, Moldova, and Georgia. Strategic autonomy, long subordinated to NATO, re-emerged as the EU sought to resemble a state able to provide for its own security. The concept of 'optimal distinctiveness' helped explain how the EU navigated the balance between conformity with established global security norms and differentiation through its distinctive integration model. The papers showed how crises shifted this balance, pushing the Union to blend classical geopolitics with its hybrid identity as a normative actor.

Finally, the panel explored emergency politics and institutional drift. The EU's handling of the Eurozone crisis and the COVID-19 pandemic illustrated how extraordinary circumstances justified the suspension of ordinary norms, producing what was called the 'temporal paradox': measures adopted under urgency but with long-lasting, sometimes quasi-permanent, effects. Executives and intergovernmental bodies such as the Eurogroup gained prominence, while parliaments and supranational institutions were often marginalised. The contributions revealed how the emergency discourse, framed around survival and necessity, narrowed debates, sidelined alternative responses, and concealed the ideological choices underlying policy. This resulted in an intergovernmental drift despite reforms that formally strengthened supranational actors.

Together, the panel contributions showed that crises simultaneously strengthened and weakened the Union. They reinforced the EU's ability to expand its reach, project authority, and redefine its global role, but they also exposed democratic vulnerabilities by concentrating power in executives, diminishing transparency, and elevating security over democratic legitimacy. The panel concluded that the long-term challenge for the EU is to ensure that crisis-driven transformations remain anchored in democratic and constitutional principles. Whether crises and emergencies function as sources of resilience or fragility will ultimately depend on how the EU reconciles the imperatives of security, autonomy, and legitimacy.

Panel 3 – Multilevel Crisis Governance in the EU: Emergency Powers With(out) a Sovereign?

First, Lydie Cabane (Leiden University) covered the role of Member States in EU crisis management. The presentation, based on a paper co-authored with Martin Lodge (London School of Economics), examined how the EU has increasingly used regulation to coordinate crisis management policies across member states, focusing on three case studies, namely invasive alien species, banking resolution, and electricity transmission networks - domains traditionally considered as 'core state powers'. The presentation argued that *ex ante* policy coordination through regulation serves two purposes: first, enhancing problem-solving capacity by creating convergence in crisis policies, fostering trust and knowledge-sharing among Member States; second, minimising politicisation by establishing regulatory frameworks that operate 'by stealth', paradoxically furthering integration while avoiding high-profile political conflicts.

The contribution reveals a notable trend toward increased regulation of Member States' crisis management policies despite significant variation in governance structures, crisis experiences, and politicisation levels. Common elements include: first, harmonised preparedness procedures (establishing plans, organizing coordination, using common methodologies); second, shared expectations and standards across different domains; and third, varying degrees of prescriptiveness from highly detailed (banking) to moderately prescriptive (invasive alien species). The presentation challenges the assumption that high politicisation is

necessary for regulatory expansion in crisis management. Instead, it finds that factors like organisational dispersion, inconsistencies across national jurisdictions, and the presence of regulatory agencies are more significant drivers of regulatory development.

In their paper, the authors introduce five testable expectations about when and how regulatory expansion occurs, finding that inconsistencies across jurisdictions and organisational boundaries played the most significant roles across all cases. This research highlights an understudied mechanism of European integration: the quiet expansion of regulatory control over traditionally sovereign crisis management powers. It suggests that the EU's crisis management capacity increasingly relies on *ex ante* coordination through regulation rather than just crisis-time political coordination. The study also raises questions about democratic legitimacy, as this 'integration by stealth' occurs largely outside public scrutiny while significantly constraining national crisis management autonomy.

In the second paper and presentation, Maria Antonia Panascì (Bocconi University) addressed the EU's financial autonomy beyond emergency. This paper covers the EU's evolving financial autonomy and borrowing capacity, particularly following the introduction of NextGenerationEU (NGEU). It argues that the EU is undergoing a transformation from a primarily regulatory entity to one with significant fiscal capacity. While traditionally dependent on Member States' financial contributions and unanimous decision-making, the EU has developed substantial borrowing powers that challenge conventional understandings of its financial limitations. With NGEU, this transformation has culminated in the introduction of borrowing-for-spending (grants) rather than just borrowing-for-lending (loans), thereby establishing a precedent for debt-financing EU spending programmes.

The paper then turned to identifying several legal bases now used for EU borrowing, namely Article 122 TFEU (financial assistance to Member States in emergency situations), Article 143 TFEU (balance of payments assistance to non-euro Member States), and Article 212 TFEU (macro-financial assistance to third countries). The author argues that framing borrowing-for-spending as emergency-only is legally questionable, the emergency rationale being a political rather than legal necessity. She highlights that the EU's financial autonomy is expanding beyond traditional

constraints. While still requiring political consensus through unanimous procedures, the legal and practical foundations for regular debt-financed expenditure are increasingly established. The paper suggests that borrowing-for-spending may become normalised rather than remaining exceptional, altering the current mainstream understanding of the EU's fiscal constitution. The author argues that this evolution reflects broader state-building processes, with the EU developing quasi-sovereign financial capabilities despite lacking traditional taxing powers.

The intervention by Przemyslaw Tacik (Jagiellonian University Kraków) analyses the contemporary erosion of legal distinctions between normal and exceptional governance, particularly in Europe. It introduces two central theoretical concepts. The first concept is *exceptionality*, understood as a structural feature of all legal systems that exists regardless of whether measures are formally labelled as 'exceptional'. This concept allows the identification and analysis of effectively exceptional measures even when they are disguised as normal governance. The second concept is 'exceptionalisation', understood as a contemporary process by which the normal/exception distinction becomes blurred, with exceptional measures increasingly operating without formal recognition or temporal limits. Tacik argues that we are witnessing a fundamental transformation where traditional states of exception (formally declared emergencies) are being replaced by 'tacit states of exception', with legal systems increasingly avoiding the marking of measures as exceptional. This creates a 'nervous state' of permanent readiness that normalises exceptional measures, resulting in hybrid regimes where the law 'speaks but does not bind'. Ultimately, under current governance models, exceptional measures become routine tools rather than temporary responses to genuine emergencies.

The fourth paper by Federica Velli (University of Rennes) provides an analysis of joint purchasing as an EU tool for crisis response. She analyses three EU joint procurement mechanisms used in recent crises: Advance Purchase Agreements (APAs) for COVID-19 vaccines, AggregateEU for gas purchases following Russia's invasion of Ukraine, and EDIRPA for defence equipment procurement. The paper contributes to debates about EU crisis governance by examining how procurement mechanisms serve as tools for expanding the EU's influence while respecting formal competence boundaries.

Her main argument is that joint procurement reflects a broader trend toward crisis centralisation in the EU, where the Union extends its influence even in areas of limited competence through creative interpretation of existing legal frameworks. The presentation highlights three main findings. Firstly, the design of each procurement mechanism mirrors the EU's level of competence in each sector. In the field of energy, which is a shared competence, the Commission coordinated with external service providers. The EU's limited (supporting) health competence led the Commission to negotiate overnight contracts with the Member States. Finally, under defence policy, which is primarily an intergovernmental policy, the EU relied primarily on Member State-led procurement with EU financial incentives. Secondly, all three mechanisms create intergovernmental cooperation within EU frameworks, enhancing the Commission's role as 'crisis manager' while maintaining Member States' control over final procurement decisions. Thirdly, there exist constitutional tensions concerning the limits of legal bases. Indeed, the instruments in question rely on flexible interpretations of existing competences – Article 122 TFEU for emergencies, Article 173 TFEU for industrial policy – rather than explicit crisis powers, raising questions about competence creep and necessary crisis responses. In conclusion, the paper centres on how joint procurement balances two key EU principles, namely subsidiarity and solidarity. The paper argues these principles are 'mutually reinforcing' in crisis contexts, justifying EU involvement even in areas of limited competence.

Panel 4 – (Un)Known Unknowns: Crises and Emergencies From an Epistemic Perspective

The four papers by Neil Mortimer (Loughborough University London), Chiara Russo (University of Antwerp), Mark Sanders and Giulia Piccillo (Maastricht University), and Aline Bartenstein and Moniek de Jong (Friedrich-Alexander-Universität Erlangen-Nürnberg) converge on a common concern: how institutions and individuals alike navigate uncertainty in times of crisis.

Across crises – whether pandemics, natural disasters, financial shocks, or security threats – institutional arrangements prove decisive in shaping outcomes. Institutions not only establish coordination mechanisms but also create the conditions under which uncertainty can be confronted. For example, early detection and sense-making by public agencies determines whether governments act swiftly or hesitate (see

Bartenstein and De Jong). Likewise, the ability of local authorities to coordinate with national governments and NGOs often dictates the speed and effectiveness of the efforts (see Mortimer). The common lesson from the four papers in this panel is that resilient institutions require transparency, trust, expert involvement, inclusivity, and flexibility.

Institutional arrangements, however, cannot be understood in isolation from individual-level dynamics. The growing 'behavioural turn' in political science, public administration, and economics highlights how human cognition, emotion, and decision-making biases shape crisis governance. Piccillo and Sanders indicate how flexibility, adaptability & innovativeness are individual level characteristics that are identified as critical for resilience, and the interview excerpts in Mortimer and Russo's papers showcase the important role of individual actors with their own biases and cognitive predispositions. This underlines that crisis responses are not purely institutional but also deeply human: decision-makers bring their own predispositions, emotions, and heuristics into high-stakes environments.

A third theme cutting across the four papers in this panel is the intertwined role of resilience, adaptability, and knowledge. Effective crisis governance hinges not only on access to expertise but also on the ability to interpret and integrate knowledge under conditions of uncertainty. In pandemics, this may mean deciding between epidemiological models, behavioural science advice, and economic forecasts – each of which highlights different risks. In climate adaptation, local knowledge about ecosystems and livelihoods often proves as valuable as scientific projections, yet institutional hierarchies may privilege 'technical' expertise. In security crises, intelligence agencies grapple with incomplete data and ambiguous signals, where sense-making – deciding what constitutes a threat – becomes as important as the data itself. Resilience emerges from the ability to combine different forms of expertise, recognise their limitations, and adapt strategies as new information becomes available. Importantly, this adaptability is not merely institutional but also behavioural: it requires both organisations and individuals to remain open to revising assumptions in the face of uncertainty.

Taken together, the four papers demonstrate that governing crises under uncertainty requires a dual focus: institutions must create transparent, flexible, and trustworthy

frameworks, while individuals within those institutions must bring adaptability, reflexivity, and cognitive awareness. Across crises, the capacity to combine institutional robustness with behavioural adaptability determines whether societies merely withstand shocks or emerge from them more resilient.

Conclusions

The workshop underscored that ‘crisis’ and ‘emergency’ are deeply contested terms. Contestation about the meaning and scope of these notions leads to terminological and conceptual divergence *between* and *within* disciplines. Indeed, ‘crisis’ and ‘emergency’ are not neutral descriptors but fundamental categories to approach the study of the EU from both the legal and political perspectives. They determine actors, forms, and legitimacy of EU integration, acting simultaneously as constitutional disruptions and engines of (permanent) transformation.

Across the contributions, three recurring insights stand out. First, crises and emergencies in the EU are multidimensional phenomena, simultaneously legal, political, institutional, and behavioural, that resist simple categorisation. Second, the EU’s responses to crises and emergencies often involve exceptional measures whose temporary justification belies their lasting constitutional impact, raising difficult questions of constitutional legitimacy, transparency, and democratic accountability. Third, uncertainty itself – whether institutional, geopolitical, or epistemic – emerges as a defining condition of EU law and policy, requiring resilience from both institutions and individuals.

The debates documented here leave an open agenda: how to define crises and emergencies more clearly, how to ensure legitimacy in times of urgency, and how to reconcile the Union’s need for flexibility with its constitutional commitments. Addressing these questions will be central to understanding the role of crises and emergencies in the ongoing project of European integration.