

Index

- accountability, 28, 51, 90, 98, 116, 123, 223, 236, 255, 270–271, 279, 297
 ad hoc measures, 2, 129, 133
 adjustment programmes, 157, 159, 175, 178, 253, 289
 Advocate General, 160, 213
 allotment
 fixed, 131
 full, 131, 133–134, 241
 Annual Report, 116, 223
 asset price boom, 33, 52, 149
 Asset Purchase Programme, APP, 197, 242, 245
 asset-backed security (ABS), 146, 242
 assumptions, 29, 45, 91, 266, 273, 277
 asymmetric shocks, 124, 290

 bailout, 80, 151–152, 154–155, 174
 balance sheet channel, 167
 Banca d'Italia, 13, 218
 Bank for International Settlements (BIS), 115, 216
 Bank of Canada, 133
 Bank of England (BoE), 30, 123, 149, 202, 243, 246, 286
 Bank of Japan, 110, 123, 203
 banking crisis, 130, 151, 201
 banking supervision, 28, 52, 76, 100, 206, 217, 224, 262, 272, 300
 banknotes, 30–31, 33, 104, 113
 Banque de France, 13
 benchmark bond, 167–168, 199, 210
 Bernanke, Ben, 200
 bond spread, 151–152, 164, 166, 168, 178, 183
 borrowing cost, 149, 207
 Böhm, Franz, 15–16, 18
 breakup
 of the euro area, 144–145, 169, 176, 180, 183, 191, 213
 Bretton Woods system, 23, 27, 59, 61

 Bundesbank, 9, 15, 29, 50, 62, 98, 143, 175, 183, 191, 204, 237
 Act, 26, 78
 model of, 73, 75

 capital flight explanation, 143
 central bank independence, 39, 50, 74, 121, 160, 231, 234, 277, 280
 circumvention of prohibition, 188, 196
 collateral, 110, 114, 127, 241
 eligible, 111
 framework, 111
 policy, 111, 120, 135, 139, 158, 160, 173
 pool, 172
 requirements, 142, 242, 252
 shortage, 172
 use of, 112
 Commission, 53–55, 58–59, 66, 70, 82, 87, 118, 157, 220, 240, 269, 291, 294
 Committee of European Banking Supervisors (CEBS), 218
 Committee of Governors (CoG), 59, 65
 communication, 115–116, 131
 central bank, 50, 100, 202
 of crisis measures, 140, 154, 157, 170, 182, 198, 205, 244, 250–251
 competition rules, 54, 59, 269
 conferral, 4, 182, 234–235, 266, 271, 293, 298
 principle of, 57, 76, 162, 182, 208, 234, 266, 298
 constitutional
 acceptability, 120
 architecture, 72
 assessment, 7, 92, 144, 207, 212, 232, 252
 assumptions, 1
 central bank, 125
 concerns, 121, 150, 236, 250, 283, 299
 control mechanisms, 90, 270
 court, 4, 56
 framework, 69

330 INDEX

- constitutional (cont.)
 model, 2, 13, 28, 53, 89, 127, 162, 255, 269, 274, 276, 293
 objective, 283, 287
 order, 5, 21, 69
 pluralism, 4
 principles, 5–6, 67, 78, 80, 254, 258, 261
 review, 208
 thinking, 15, 29, 81, 257, 291
 traditions, 51, 291
- constitutionalism, 64, 259
- convergence, 63, 65
 criteria, 66
 legal, 71
 report, 67, 124
- convertibility, 32
- corrective arm, 79
- counterparty, 145
- Court of Justice of the European Union, the
 CJEU, 3–4, 10, 53, 56–58, 73, 82, 85, 87, 91, 122, 141, 160, 162, 181–182, 190, 207–208, 221, 250, 270–271, 276, 285, 287, 297
- covered bonds, 134, 139, 141, 194
- covid-19 pandemic, 1, 147, 194, 239, 261, 263–264, 266, 282, 290, 293, 299, 301
- credibility, 29, 34, 43, 47, 49, 51, 96, 123, 204, 210, 232, 265
 damage to, 237
- credit default swap (CDS), 171
- credit operations, 77, 105, 110
 risk, 242
- credit quality, 113, 136, 241–242
- current account explanation, 143
- cycle
 boom and bust, 232
 business, 44, 52, 279
 financial, 52, 279
- debt
 default, 152, 154, 157, 170, 174, 176, 180, 196, 226, 248
 Greek public, 150, 159, 173
 instruments, 111, 136, 139, 164
 issuance of, 108, 212, 253
 monetising, 211, 266
 problems, 226
 public, 1, 44, 67, 77, 80, 123, 145, 152–153, 168, 248
- debt-deflation, 34–35, 278
- decentralised, 22
 economic model, 24, 81
 monetary policy, 105–106, 197
- default, 80, 112, 145, 161, 169, 219
 Greek, 155. *See* debt default
 Member State, 275
- deflation, 35, 40, 48, 97, 119, 198, 259, 275, 277
 in gold standard, 24, 30
 in Japan, 148, 200
 risk, 209, 264
 structural, 281
- Delors Report, 63–64, 73
- deposit facility, 110, 134, 241
- direct effects, 201, 209
- disinflationary policies, 41, 43, 50
- disintegration, 70, 140
- Draghi, Mario, 158, 174, 176, 180, 193, 199, 204–205
- Duisenberg, Wim, 121
- ECOFIN Council, 65, 72, 87, 98, 106, 116, 206, 222
- Economic and Monetary Affairs Committee, 117
- Economic Bulletin (Monthly Bulletin), 117, 169
- economic constitution, 2, 9, 15, 21, 26, 258, 269, 294
- economic crisis, 132, 261
- economic foundation, 29, 52, 257
- economic freedoms, 6, 8, 54, 56, 84, 240
- economic policy, 1–2, 9, 13, 16, 25, 37, 40, 47, 54, 59–60, 74, 79, 254, 290
- coordination, 79
- effects, 209
- framework, 257
- national, 124, 186, 266, 288, 297
- neutrality, 85
- pandemic, 243
- stability of, 24, 275
- U-turn in France, 62
- EMI, European Monetary Institute, 66, 124
- Erhard, Ludwig, 16–17, 25
- EU legal principles, 6, 53, 56, 59, 86
- Eucken, Walter, 15, 22
- Eurogroup, 158, 272, 281
- European Banking Authority (EBA), 218
- European Council, 63, 66, 94, 218, 284
- European economic constitution, 29, 53, 56, 59, 70, 81, 240, 269
 legitimisation discourses, 89
- European Financial Stability Facility (EFSF), 151, 175, 178, 253, 282
- European Monetary System (EMS), 61, 63, 74, 79
- European Parliament (EP), 62, 116, 223, 235, 270, 272
- European Stability Mechanism (ESM), 141, 151, 153, 158, 160, 175, 178, 180, 185, 212, 228, 253, 282
 assistance, 178, 191, 289
 Treaty, 154, 284

- European System of Central Banks (ESCB), 116, 190, 216, 222, 233
- excessive deficit, 79, 87
 - procedure, 67, 87, 155, 189, 268
- Exchange Rate Mechanism (ERM), 61, 67
- Executive Board, 75, 93–94, 116, 222
- exposure, 130, 132, 144
 - ECB risk, 136, 141, 145, 294
- Federal Funds rate, 125, 146
- Federal Open Market Committee (FOMC), 36, 125, 202
- Federal Reserve (US), 123, 204, 218, 230, 232, 243, 245
 - Act, 33, 147
 - Board, 125
 - Establishment, 32
- financial conditions, 203, 227, 240, 246
- financial crisis, 1, 51, 127, 129, 133, 137, 170, 206, 217–218, 225, 261, 279, 282
 - constitutional assessment, 138
- financial stability, 32, 49, 52, 76, 98, 155, 164, 186, 206, 215, 232, 237, 255, 279
 - and independence, 234
 - ECB mandate, 28, 217
 - objective, 260, 281, 283, 286–287, 289, 297
- Financial Stability Review, 129
- fine-tuning operations, 108, 129, 188
- fiscal policy, 44, 62
 - coordination, 282
 - discipline, 61, 124
 - importance of, 80, 268
 - multiplier, 44
 - national responsibility, 161, 189
 - safeguards, 79, 298
- Freiburg School, 15
- Friedman, Milton, 42
- gamble for resurrection, 139
- Gauweiler* case, 181, 193, 207, 253
- German Constitutional Court (FCC), 4, 26, 154, 160, 181, 188, 191, 209, 234, 252, 264, 271, 276
- Germany, 15, 37
 - bond yield, 151
 - economic policy, 60, 62, 79
 - low inflation, 47, 50
 - monetary targeting, 37
- gold standard, 23–24, 31, 33, 36, 39, 90
 - abandoning, 34
 - convertibility, 32
 - theory, 40
- Governing Council, 75, 77, 93, 104–105, 117, 156, 195, 197, 236
 - decisions on banking supervision, 223
 - disagreement, 173, 175
 - Members, 94, 121
- government debt, 124
- government deficit, 67, 79, 85, 123, 267
- Great Depression, 23, 33, 40
- Greece
 - banks, 226
 - bond yield, 254
 - convergence criteria, 68, 124
 - problems, 138, 151, 155, 181, 219
 - rescue packages, 151
- Greenspan put, 52, 232
- guideline
 - for economic policy, 79
 - for monetary policy, 93
 - on collateral, 195
- haircut, 112–113, 120, 136, 242
- harmonised
 - consumer prices, 118
 - deposit insurance, 220
- Hayek, Friedrich, 17, 19
- hyperinflation, 23
- imbalances, 37
 - balance of payments, 37
 - economic, 64
 - financial, 99
 - TARGET, 143
- impossible trinity, 23, 37
- inflation targeting, 38, 46, 51–52, 279, 281
- institutional choices and safeguards, 69, 74, 258, 265
- institutional foundation of the European Macroeconomic Constitution, 7, 52, 257, 293
- interbank market, 107, 131, 282
 - dysfunction, 132, 134, 139, 142, 245, 255, 264
 - government bonds, 167
- interdependencies, 19, 21, 81
- internal market, 215–216, 237, 288
 - objective, 70, 73, 117, 262
- International Monetary Fund (IMF), 36, 151, 155, 175, 226
- Ireland
 - banks, 219, 226
 - bond yield, 137
 - problems, 151
- Italy, 37, 143
 - banks, 153, 210, 226
 - bond yield, 226, 254
 - debt, 124
 - problems, 152, 174

332 INDEX

- Jackson Hole consensus, 51
- Japan
deflation, 277
monetary policy, 110, 147
QE, 200
- judicial review, 91, 186, 194, 255, 266, 270, 289, 297
- Keynes, John Maynard, 40, 42
- keynesianism, 40, 43, 45–47, 61, 83
- Kompetenz-Kompetenz, 4
- legal reasoning
of the CJEU, 53, 86
- legitimacy, 3, 51, 89, 219, 269
democratic, 2, 62, 91, 223, 234, 236, 270, 272
output, 270, 273, 299
problems, 299
- Lehman Brothers
collapse of, 132
- lender of last resort, 35, 146, 177, 179, 207, 253, 287
- liberal discourse, 89–90
- liquidity
crisis, 132, 167, 241
emergency assistance, 161, 230
excess, 108
preference, 40
provision, 32, 102–103, 107, 137, 159, 245
shortage, 32, 35, 130, 132
- liquidity preference for money, 40
- longer-term refinancing operations (LTROs), 108, 133, 137, 153, 219, 226, 254, 286
- Lucas critique, 43
- Maastricht* judgment, 4
- Maastricht* Treaty, 1, 9, 53, 64, 69, 71, 91, 117, 217, 236, 257, 270, 300
negotiations, 67, 233
- macroeconomics, 45, 82, 288
in legal cases, 86, 271
- Macroeconomics, 83
- main refinancing rate (MRO), 105, 108, 110, 130, 134, 137
- market mechanism, 120, 141, 264
replacement of, 140
- measurement bias, 48, 97
- Mestmäcker, Ernst-Joachim, 16
- microeconomics, 55, 81, 83
paradigms of, 83
- minimum reserves system, 106
- monetarism, 42–43
- monetary aggregates, 28, 37
- monetary income, 104, 122, 254, 265
- monetary policy, 6, 13, 29, 39, 92, 296
definition, 46, 277, 298
implementation, 105
overburdened, 298
stance, 107
strategy, 92, 95, 97
- monetary targeting, 37, 50
- money market, 108
interest rates, 92, 102, 166
liquidity, 105, 107, 130, 137, 241
- moral hazard, 52, 80, 120, 123, 139, 187, 205, 219, 232, 236, 267
- mortgage-backed securities (MBS), 146, 245
- Müller-Armack, Alfred, 17, 19
- narrow central banking model, 76, 91, 234, 266, 271
- narrow mandate of the ECB excluding value judgements, 266
- national central banks, 9, 39, 116, 142
- National Central Banks, NCBs, 75, 92
- national parliaments, 116, 223, 236, 270
- neutrality of money, 44, 96
- New Keynesian
approach, 43, 45
- New Neoclassical Synthesis, 43
- Nixon shock, 37
- normative premise, 6, 262
for the EMU, 7, 125, 258
- objectives of the European Macroeconomic Constitution, 70, 262, 276
- official interest rates, 101
Bundesbank, 28
central banks, 132
ECB, 95, 105
UK, 203
US, 202
- oil price shock, 37, 41, 61
- OLAF case, 87, 122
- open market economy and free competition
principle, 73, 120, 264
- open market operations, 107
amount of banks, 105
and collateral, 110
and crisis (US), 146
counterparties, 109
ECB monetary policy, 108
liquidity, 107
US, 126
- operational targets, 77, 123
- ordoliberalism, 17–18, 25
- Outright Monetary Transactions (OMT), 162, 175, 177
and rescue programmes, 191
and the PEPP, 248, 253
and the PSPP, 213
rationale, 183

- Pandemic Emergency Purchase Programme (PEPP), 242, 253
 backstop function, 251, 287
 flexibility of, 248
- paradigm
 central banking, 279
 economic, 9, 82, 91
 legal, 7
- payment system, 113
 principles, 120
 promotion of, 76, 113, 217
 TARGET2, 114, 144
- performance-based competition,
 18, 20, 55, 82
- Phillips curve, 41, 43
- portfolio rebalancing, 210
 effect, 199, 201
- Portugal
 problems, 137, 151
- President of the ECB, 93–94, 155,
 174, 193
- press release
 Fed, 125
 OMT, 175
 pandemic, 244
- price mechanism, 20, 23
 in ECB operations, 110, 265
 safeguards, 24
- price stability, 23, 31, 125
 and deflation, 275
 and financial stability,
 231, 277, 279
 and gold standard, 33
 and pandemic, 254
 and Strategy Review, 276
 and the PSPP, 200
 benefits of, 47, 96
 criteria, 66
 definition of, 98
 internalisation of, 50
 numerical definition of, 86, 95,
 97, 118
 objective, 27, 71, 118, 163, 263
 primary objective of, 65
 rationales, 39
- primary market
 purchases of bonds, 160,
 180, 194
- principles of the European Macroeconomic
 Constitution, 7, 117, 144, 254, 261, 270,
 272
- Pringle case, 141, 185, 285–286
- prohibition of public financing, 73, 78, 267
- proportionality, 56–57, 208–209
 test, 183
- prudential supervision. *See* banking
 supervision
- Public Sector Purchase Programme (PSPP),
 194, 198
 rationale for, 199
 risk, 264
 risks, 213
 size, 248
- quantitative easing (QE), 146, 149, 193, 200,
 204, 207, 254, 264, 286, 292
- quantity theory of money, 39, 42, 212
- rational expectations, 43, 45, 49
- Real Business Cycles approach (RBC), 44
- redistribution, 205
- referendum, 118, 152
- repurchase agreement (repo), 110
- rescue programmes, 177–178, 190, 293
- reverse transactions, 108
- risk premia, 96, 175
- role of
 central bank, 35, 40, 45
 courts, 85
 experts, 88, 269
 financial stability, 297
 law, 85
 objectives, 185, 255
 price mechanism, 26
 price stability, 29, 264, 276, 300
 the state, 18, 65
- Röpke, Wilhelm, 16
- rule of law, 10, 20, 28, 55, 85, 272, 288, 299
- Rüstow, Alexander, 17
- safeguards
 against arbitrary use of power, 55
 against unsound policies, 64, 79,
 187, 268
 procedural, 189, 211
 safeguards against unsound policies, 79
- secondary market, 134, 180
 purchases, 78, 124, 164, 185, 196, 211
- Securities Market Programme (SMP),
 161–162, 164, 176, 178
- seigniorage income. *See* monetary income
- selective government bond purchases, 162,
 265
- signalling effect, 201–202
- Single Resolution Board (SRB), 221, 234
- Single Resolution Fund (SRF), 221
- Single Supervisory Mechanism (SSM), 218,
 220–221, 234, 243, 270, 289
- social market economy, 17, 19, 70, 290
- social policy
 objectives, 289
 ordoliberal, 19
- solvency, 35, 141, 153, 171, 184, 228
- support, 131, 173

334 INDEX

- sovereign debt crisis, 127, 138, 150–151, 156, 159, 192, 226, 243, 265, 282
- sovereignty, 79–80
 - economic policy, 257
 - national, 208, 223, 267
- Spain, 143
 - banks, 179, 210, 219, 226
 - problems, 152, 174
- Stability and Growth Pact (SGP), 88, 124, 155, 293
- standing facilities, 105, 110, 133–134
- Structural operations, 108
- subsidiarity, 5, 56
- sustainability
 - environmental, 244, 273, 290, 294
 - of banks, 153
 - of the euro area, 153, 236
 - public finances, 66, 124, 151, 168, 181, 213
- Sveriges Riksbank, 133
- Swiss National Bank, 133, 230
- systemic risk, 139–140, 228, 231

- TARGET
 - payment system, 114, 120
- TARGET2
 - imbalances, 142, 245
 - payment system, 114
- taxpayers' money, 149
- tender, 108
 - fixed rate, 133
 - legal, 298, 301
 - variable rate, 109, 130–131
 - weekly, 134
- three-year LTROs, 137, 152, 160, 210

- time-inconsistency problem, 43, 49, 72, 89, 231, 276–277, 280
- transmission channel, 101, 175
- transmission mechanism, 96
 - monetary policy, 46, 92, 100
 - rationale, 167, 289
 - restoring of, 164, 178, 244
- transparency, 90, 231, 255
 - and accountability, 115, 270
 - central bank, 28, 39, 50, 234
 - of the ECB, 100, 300
- treasury, 205
- Treasury Secretary, 147
- Treaty of Rome, 8, 53, 59, 62, 69, 216, 264
- Trichet, Jean-Claude, 121, 155, 157, 164
- Troika, 157, 159–160, 213, 265
- troubled Member States, 188
 - and the ECB, 266
 - banks of, 161
 - bonds of, 164, 180
- two-tier structure TARGET, 111

- UK Treasury, 149
- unconventional monetary policy, 10, 131, 142, 207, 261
- US dollar liquidity, 130, 133
- US Treasury, 33, 41, 146, 245–246

- verbal interventions, 150, 154, 160
- Weiss case, 213, 271
 - CJEU, 193
 - FCC, 252, 264

- Werner Report, 60
- Wirtschaftswunder, 26