

On Our Quarterly's 15th Birthday or on How to Remedy a Market Failure

In the beginning, there was a market failure. European State aid law, European State aid control, European State aid economics, whatever term you prefer, was practised not on stage, but behind curtains. Those that were either materially affected by it, namely beneficiaries of aid, respectively their competitors, or that were intellectually interested in it, as e.g. academics, the judiciary, or, like Wolfgang and myself, those who simply wished to work and act in this area, were not offered any show, any lecture, any performance. So how could they learn about it?

This market failure inspired us at the time to create just this show, to mould up a forum, through which those that were on the two sides of the curtains, meaning those inside, namely the competent services of the EU Commission and the Member States' authorities on the one side, and those outside, including ourselves, on the other could meet, could discuss and could benefit from one other. The result was the birth of this Quarterly, that this year is able to celebrate its 15th birthday. This was not only the birth of a journal, but also, I may say, of a community.

Over the past fifteen years the ever-changing hues of the chameleon called the notion of aid, now enshrined in a self-standing Commission communication, two major overhauls of the entirety of secondary legislation, and the gradual intrusion of economics into the realm of State aid control have been providing the fuel needed to make this venture last and, indeed so, thrive. Yes, State aid control is still and is likely to remain a niche subject-matter. However, this Quarterly has indeed become a big fish in the small pond of this pillar of EU competition law and economics.

Many of those who have, over the past fifteen years, nurtured this venture have indeed become State aid fetishists. I would not deny counting Caroline, who has been doing what I once used to do, for a number of years already and myself amongst them. Being such a State aid fetishist is however more than an instantaneous conversion, it is a during process whereby the person grows to be more and more anthropologically alien to conformist thinking. The science or, may I say, the art of State aid control is not only the combination of various academic disciplines, it is moreover the understanding of the most powerful and effective tool how to structure public spending to the very best standards. Working in this area entails the unrivalled chance to direct public spending into the best direction possible.

What in my view has always distinguished this Quarterly in a special way, were its liberal foundations. Not only did it broaden up the dialogue once reserved to the bi-polar relationship between the EU Commission and the Member States, it has also lacked any sort of form-based orthodoxy or conservatism. The one badge that this Quarterly should always wear is not that of such orthodoxy or conservatism, but of true intellectual understanding. In this my wish would be for this journal being a true machine-gun of such understanding. If this wish were to be fulfilled, the job started back some 15 years ago, to heal the market failure described above will be duly and marvellously completed.

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