



Genshagen Foundation *

Acting European! A pragmatic vision for a post-Covid-19 EU

The coronavirus crisis is a moment of truth for the EU. In this final paper of our “Acting European?” series, we argue that the EU and its member states should resist falling victim to a return to national solutions and instead train their “European reflex”. We show this by focusing on three categories that we believe are key to European integration: sovereignty, solidarity and freedom. Only if the EU manages to breathe new life into these principles will it be able to emerge stronger from the crisis.

Once it has left the current all-embracing coronavirus crisis behind it one day, the EU will not be the same. In addition to the multiple crises of the past decade, the pandemic is challenging the Union and its member states both in a short- and a long-term perspective. From the beginning, it was very clear that the complexity of this challenge calls for responses at all political levels of the EU. As a health crisis, Covid-19 continues to require robust crisis management by the member states and, in many cases, also the regional level. On the economic front, the Union is assuming a much stronger role with the path-breaking recovery package passed in July.

The coronavirus crisis calls for much more than crisis management, however. It touches upon highly political issues of European integration – not to mention its basic values. In the second part of our paper series “Acting European? The European Union and the Weimar Triangle in the Coronavirus Crisis”, we focused on three

central principles of European integration, namely sovereignty, solidarity and freedom. All three of them are contested, as exemplified by the frequently diverging positions of the Weimar countries. However, they were fundamental categories of European integration from the very beginning in the 1950s: the transfer of competences to the supranational level in an organisation sui generis and the financial support of structurally weak regions in order to promote convergence continue to be pillars of European integration to this day, and the four freedoms of the common market as an objective since 1957 and a reality since the early 1990s.

The coronavirus crisis is a moment of truth for the EU with regard to the future design of these central categories. How and to what degree should sovereignty be shared between the Union and its member states in the future? How can we develop a common and sustainable understanding of solidarity, coupled with convincing means and capacities? How can freedom as a fundamental value of European integration both from a single market and civil liberties perspective be maintained in times of crisis? By discussing these three principles, we certainly do not paint a complete picture of a strong EU in the future, but a triad of necessary conditions that have to be fulfilled.

Towards greater shared sovereignty

The debate about sharing sovereignty between the EU and its member states gained momentum with French President Emmanuel Macron’s Sorbonne speech in September 2017. We understand shared sovereignty in the EU to be the politically coordinated capacity to act

* This paper was authored jointly by the team of Genshagen Foundation’s department “European Dialogue – Political Thinking on Europe”.

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at the EU level on the basis of common values and interests, including solidarity between member states. While we agree with the fundamentals of Macron's vision, we would prefer the term "shared sovereignty" to "European sovereignty" in order to explicitly stress the responsibility of both the Community level and member states. With this rather pragmatic and problem-solving definition in mind, the current health crisis has clearly illustrated that the EU needs to strive for more, not less shared sovereignty. This holds true not only as regards the inner workings of the EU, but also its role in the world. While national autonomy certainly has its assets in a short-term crisis context, insisting on national solutions undermines sovereignty in the long run as single nation states simply cannot cope with the major challenges of the present on their own.

However, our understanding of shared sovereignty does not imply that the EU needs to be the sole and dominant actor in all policy areas. What is important is that the EU, in a first step, aims for a consensus in the areas in which it wants to cooperate more strongly and then, in a second step, as to how far shared sovereignty in these areas should reach. Instead of letting national interests and coincidence determine where sovereignty should lie in a particular field, the EU needs to develop a common and stable understanding of how to share sovereignty between the Community level in some fields and strong member states in others.

The recent crisis has already led to an increased sharing of sovereignty in some areas. In the field of health policy, the EU has been granted several more competences, for example regarding the creation of strategic stockpiles and the purchase of treatments and vaccines. In the area of economic and financial policy, the coronavirus recovery package adopted in July 2020 was a major step towards greater shared sovereignty because the EU is leveraging money and pooling debt together for the first time in its history. However, the

sharing of sovereignty should not stop where the coronavirus crisis hopefully ends. Foreign, security and defence policy, climate protection, the digital transformation and migration are some of the major fields in which we think that it is urgently necessary to increasingly share sovereignty, and to this end allocate the necessary resources in the coming years without depriving nation states, regional and local actors of their responsibilities altogether.

EU solidarity beyond crisis mode

The coronavirus crisis has also put the principle of EU solidarity to the test. Calls for EU solidarity, and also lamenting its absence, were used to underline the unprecedentedly high stakes with respect to cohesion and the very existence of the Union. They also served to lend weight to member states' own demands, for instance when southern members accused the self-declared "frugal four" of failing to show solidarity with hard-hit countries. At the same time, in the "global battle of narratives" (Josep Borrell) the alleged lack of solidarity within the Union appeared as a leitmotif in disinformation campaigns, most prominently conducted by Russia and China. It was the Franco-German initiative for a comprehensive economic recovery package in mid-May, rendered possible by Berlin's change of heart with regard to collective debts, that finally turned the tide towards a forceful European response. The recovery plan endorsed by the European Council in July might, at least temporarily, soothe divisions within the Union. Poland, for instance, where the PiS government maintained a sceptical stance towards common EU solutions also in the Covid-19 crisis, will be among its main beneficiaries. However, we should not overlook the fact that polarised positions among certain groups of countries persist and could resurge when it comes to the details of implementation.

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Beyond the current emergency situation, we find that the crisis clearly demonstrates the need for a comprehensive and long-term vision of EU solidarity. First, it underscores the fact that solidarity cannot be understood as a one-way street. Moreover, those who are at the receiving end of EU support are required to make effective and responsible use of the instruments and funds entrusted to them. In this regard, the management of the recovery fund will be a litmus test for whether the most recent demonstration of solidarity among member states also leads to tangible outcomes and makes a structural difference on the ground. It could thus prove to be paramount for the future readiness of EU members to engage in similar initiatives.

Second, experience shows that, for every member state, the day will come when it will need to rely on support from the others as well as from EU institutions. We therefore believe that solidarity – in its basic understanding as mutual support within a group – cannot be confined to one targeted, time-limited policy action or a specific policy field. On the contrary, it needs to encompass a wide array of policy areas, including migration, the fight against climate change, and joint security and defence policy. From our point of view, social protection is another central field of solidarity in the EU context. The Covid-19 crisis has clearly demonstrated the difficulties in tackling major challenges with very different preconditions among member states, for instance with regard to the capacity of health and social systems. As a consequence, continuing to work towards a social Europe worthy of the name would include investments in the convergence of social standards. Beyond ad hoc crisis mechanisms that can be activated (or ignored) at member states' convenience, solidarity must become a vital component of the EU's DNA.

Defending freedom(s) in the EU

Contrary to what the current debates might suggest, freedom in the EU is not only a question of rule of law in particular countries. Rather, it has always been and still is a basic value of European integration both in terms of civil liberties and of economic liberalism as implied in the common market's "four freedoms". Yet, freedom in member states as well as at EU level is contested in a number of quarters. First, even the well-established four freedoms of the common market are vulnerable as has, for instance, become evident in uncoordinated border closures early on in the Covid-19 pandemic and the 2015 migration crisis or protectionist measures taken to ensure the best possible outcome for the respective national economy in both the financial and the current crisis. Such developments are more than an operational accident insofar as they reveal a national reflex that contradicts the basic ideas of the common market and the EU more generally. On the other hand, there is a persistent tension between the four freedoms and (still mostly national) social protection that bears a risk of rising polarisation within societies and among member states. A decade of crises might also be an opportunity to reflect on and correct the mismatch inherent in the prevalence of economic freedoms as compared to social rights.

Second, more concrete contestations of freedom in the EU and member states have come to the fore in recent years. On the one hand, such a challenge concerns all member states, e.g. with respect to striking a new balance between freedom and security in the face of terrorism – as in case of the declaration of a state of emergency in France after the 2015 terrorist attacks – and other threats in the digital realm. Against this backdrop, the adequate level of privacy including issues such as the retention and use of data has been the subject of heated political debates as well as several landmark decisions by the European Court of Justice.

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On the other hand, alarming developments such as violations of basic principles of the rule of law in some as well as a rise of populism in most member states, further exacerbated by external influences including targeted disinformation, have preoccupied the EU and the European public. The dispute with both Poland and Hungary could obviously not be solved by means of the largely dysfunctional rule of law mechanism due to its unanimity requirement. The new peer review mechanism for monitoring developments in the rule of law in all member states is positive in terms of its non-discriminatory character, but the efficiency of yet another instrument without the possibility of sanctioning non-compliance remains questionable. Unfortunately, rule of law conditionality does not feature prominently in the final deal on the European recovery package of July 2020 either. In our view, if consensual processes fail to deliver the desired result – safeguarding freedom and the rule of law in all member states – the EU needs mechanisms to effectively sanction the violation of these basic principles of European integration.

and dedication. Thinking and acting European must not be the last but the first port of call.

Training the European reflex

Using the crisis as a turning point would mean moving from apparent national autonomy to shared sovereignty, from egoistic competition to responsible solidarity and from challenged to consolidated freedom(s). The current crisis tells us that the national reflex that has often prevailed in the past damages not only the EU as a whole, but is also to the detriment of member states and their respective populations. In the future EU, this logic must be reversed in the sense of continuing to train the European reflex. The countries of the Weimar Triangle must be at the heart of this endeavour. While it would be unrealistic to expect divergent interests to fully merge into one joint vision for Europe, it is crucial to present a united front in addressing external threats as well as the EU's own weaknesses, and to advance the project of European integration with both pragmatism

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The Genshagen Foundation

The Genshagen Foundation is a non-profit foundation under civil law. Founders are the Federal Government Commissioner for Culture and the Media and the Land of Brandenburg. The foundation is a platform for exchange between politics, business, science, culture and civil society. It promotes dialogue between Germany, France and Poland in the spirit of the »Weimar Triangle«. The most important third party donor is the Federal Foreign Office.

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Publisher

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The series

The series »Acting European? The European Union and the Weimar Triangle in the Coronavirus Crisis« sheds light on current responses and new policy approaches in tackling the long-term consequences of the pandemic both within the countries of the Weimar Triangle and at the EU level. The first part of the series looks at the national policies pursued by France, Poland and Germany, cooperation among them, and their visions of what a European response to the crisis should look like. The second part focuses on the EU level and examines how the present crisis is likely to impact key dimensions of cooperation within the Union and beyond its borders.

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