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To cite this article: Vivien A. Schmidt (2020) Theorizing institutional change and governance in European responses to the Covid-19 pandemic, *Journal of European Integration*, 42:8, 1177-1193, DOI: [10.1080/07036337.2020.1853121](https://doi.org/10.1080/07036337.2020.1853121)

To link to this article: <https://doi.org/10.1080/07036337.2020.1853121>



Published online: 29 Dec 2020.



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Theorizing institutional change and governance in European responses to the Covid-19 pandemic

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ABSTRACT

After initial responses that appeared to be a disappointing replay of previous crises, EU governance in the Covid-19 crisis may very well result in paradigmatic change toward deeper European integration in some areas, incremental change in others, or even reversal toward dis-integration in yet others. It is therefore important to evaluate what changed in terms of policies and who governed in what ways during the pandemic. This concluding article does so by building on the other articles in this SI. It first sheds light on policy change during the crisis using a historical institutionalist framework, then on governance by asking which EU actors, intergovernmental or supranational, drove integration and how, using rational choice and discursive institutionalist frameworks. Finally, it also considers the effects of post-functionalism politicization to elucidate the more positive dynamics of interaction among EU actors during the pandemic, in contrast to the Eurozone.

KEYWORDS

Covid-19; supranationalism; intergovernmentalism; discursive institutionalism; historical institutionalism; European Integration

In the decade prior to the eruption of the Covid-19 pandemic in early 2020, the European Union had already had enough crises to, as the saying goes, last a lifetime. Europe's fast-burning crises started with the sovereign debt crisis in 2010, continued with the migration crisis that exploded in 2015, and followed with the British vote to exit the EU in 2016. The slow-burning crises also continued,¹ including the on-going security crisis, the simmering climate crisis, and the steady rise of populist anti-system parties which challenged the existence of the euro, the EU, and the tenets of liberal democracy and rule of law in the EU and its member-states. But the Covid-19 health crisis, which immediately morphed into an economic crisis, topped all of these other crises in terms of the associated short-term risks as well as medium and long-term ones, the need for quick responses, and the unexpected ways in which this double crisis upended long-standing policies and processes in all domains. Every single policy area already in crisis was affected, including eurozone and migration policy, and many of those with seemingly settled policies and politics were also disrupted, such as in competition policy and health policy – as the articles in this Special Issue make clear.

The headline pandemic responses in the health and economic domains appear in great contrast to the muddling-through of previous crises, with their hit or miss policies that

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were mostly incremental and largely unsatisfactory because EU actors held divergent perceptions of what should be done, undergirded by conflicting philosophies, divided preferences, and divergent policy ideas. Rather than the piecemeal (non) solutions of the past, the EU, after a slight delay that seemed to foretell a replay of previous crises, appeared to have engineered a paradigmatic shift in policies and processes in the health and economic domains. This has not been the case in other areas, where we see instances of incremental change, sticking to the status quo, or even reversals, most notably on borders and free movement. Such changes in different policy domains have also differentially affected European integration, with deepening integration in some areas, greater differentiation in others, and even reversal of integration possible in yet others.

But whatever the policy responses and their effects on integration, we are left with the question of who is responsible for leading those responses. Some scholars would argue that member-state leaders in the Council have been in charge through intergovernmental processes of decision-making. Others would insist that supranational actors like the Commission, the ECB, and other agencies have been in control as a result of their institutional competencies and administrative capacities. Yet others would suggest that it is likely to be some combination of the two via more politicized dynamics of interaction. Moreover, scholars also differ on how to explain why these agents did what they did, split between seeing the motivations for their actions in terms of interests and incentives or new ideas and deliberative interactions.

In sum, the pandemic responses of the EU and European countries more generally leave us with two sets of basic questions: first, what changed in terms of the policies and how; second, who changed those policies and why? Answers to the first question require analysis of the different policy domains affected by the pandemic, for which the neo-institutionalist framework of historical institutionalism is most useful for considering what happened in terms of institutional change – whether paradigmatic, incremental, status quo, or reversal – and how this affected European integration – whether deepening, differentiated, or dis-integrative.

Answers to the second question take us to EU governance theories to investigate whether intergovernmental or supranational actors were the main drivers of the pandemic policy responses. As for their motivations, we turn to both rational choice institutionalism's focus on interest-based incentives and calculations and discursive institutionalism's attention to the construction and communication of ideas to explore the reasons and reasoning related to their actions.

This article seeks to make two contributions to the literature while exploring the ins and outs of the Covid-19 pandemic crisis responses in Europe using the articles in this Special Issue well as other sources. First, it shows that a methodologically pluralist approach, in which we use three different neo-institutionalist analytic frameworks, is most useful for answering a full range of questions related to pandemic responses. And second, the article demonstrates that the pandemic has intensified long-standing trends in EU governance, in which growing politicization has made for new political dynamics of interaction among EU actors, and in EU integration, which has become even more differentiated within and across policy domains.

Theorizing Institutional Change

With regard to institutional change, our main question is: how do we explain the changes (and continuities) in EU and member-state responses to the Covid-19 crisis, especially in light of responses to previous crises? For help in developing answers, we turn to the neo-institutional framework of historical institutionalism, to explore the disruptions of (or continuities in) the path-dependencies linked to the institutional rules during this critical juncture, asking whether new rules replaced or were layered onto old ones (e.g., Pierson 2000; Streeck and Thelen 2005; Fioretos, Falletti, and Sheingate 2016), or if this was instead a case of paradigmatic change (Hall 1993; Skogstad and Schmidt 2011; Blyth 2013). As the introduction to this Special Issue suggests (Wolff and Ladi 2020), historical institutionalism can be well-placed to advance understanding of the EU's adaptability, in particular during the critical juncture represented by the pandemic. In some policy areas, rules were suspended, including the fiscal rules linked to the Stability and Growth Pact, the open border rules of Schengen, and the state-aid rules of competition policy. This could suggest status quo or even rollback as a form of dis-integration. In other domains, such as cybersecurity and EU law, path dependencies were reinforced, allowing for incremental change toward deeper or more differentiated integration. In yet others, reinterpretations of the rules, new programs, and new agencies were created in domains such as EMU, industrial policy, and health policy, making for incremental deepening of integration or even paradigmatic change.

In the economics of the Covid-19 pandemic, for example, Ladi and Tsarouhas (2020) chart the Economic and Monetary Union (EMU)'s major break from the past, in particular in contrast to the path-dependent trajectory taken during Eurozone crisis. The EU took a great leap forward in economic integration during this critical juncture, which for the first time allowed for EU level debt, covered by the EU's own resources, to pay for EU initiatives. Within a relatively short period of time, the EU went from the Franco-German couple's proposal for a European recovery fund of €500 billion in grants to the Commission's proposal of the Next Generation Fund of €750 billion with two thirds grants, one third debt, and then to the final EU Summit agreement for €390 billion in grants, €360 billion in loans (*ibid.*). The EU's pandemic economic response thus could be seen as representing a paradigmatic change with regard to the new EU-level debt instrument, making for deeper European integration in the area. That said, the fact that this is a temporary recovery fund rather than a permanent one means that this may not yet constitute the 'Hamiltonian moment' of a fully developed new EU fiscal paradigm. That will be assured only if the Fund's implementer, the Resilience and Recovery Facility (RRF), proves successful in spurring growth by funding member-state National Resilience and Recovery Plans (NRRFs), and that these then appear to be effective, efficient, and devoid of corruption.

Similarly, in EU competition policy, Meunier and Mickus (2020) identify major breaks with the past in most areas, even if small changes had already been in the works. Pressures had been building for change for a long time in the European competition policy regime due to trends in digitization, geopoliticization, and Brexit, but were met with Commission resistance or limited reform. Once the pandemic hit, however, the Commission produced a well-coordinated response through reinterpretations of existing rules, layering new elements onto old rules, and the creation of new ones. In anti-trust, the Commission created a 'Cooperation framework' to make exceptions for business cooperation; in state aid, in addition to suspending the existing rules it introduced a temporary

framework to enable national governments to counter takeovers; and it established new EU instruments to deal with problems related to foreign subsidies to protect and promote European competitiveness. The question here is still open as to whether the suspension of state-aid rules together with the new RRF focused on spurring investment will lead to a major refocusing of such rules, say, on promoting industrial policy initiatives across member-states in areas of greening the economy and digitalization. If so, this could entail a paradigmatic shift away from core neo-liberal ideas, long hostile to any form of government intervention via industrial policy, and toward more differentiated integration among member-states, as member-states define their own NRRF policies without worry about state aid rules. The alternative is that competition policy will stick to the long-standing framework focused on maintaining a level playing field either across policy areas or in non-RRF-related areas. The latter course would ensure incremental change but no paradigm-shift.

In the EU health policy arena, moreover, Brooks and Geyer (2020) find that the path dependencies that left the EU with relatively little capacity in this domain over the years have been broken in response to the challenges posed by the onset of the pandemic, with the creation of new agencies and capabilities. The problem in this domain is that the EU was limited by design and generally inefficient, with minimal competences prior to the Covid-19 crisis. This helps explain the mixed performance of pre-existing agencies once the pandemic hit. For example, while the European Center for Disease Prevention and Control (ECDC) largely fulfilled its mandate by providing useful information to the member-states in a timely fashion, the Civil Protection Mechanism (CPM) was unable to facilitate cooperation between member states efficiently or effectively. Here, complexity theory shows that in an early period little changed within a narrow range of choices, but that increasingly over time, as policies and institutions failed to cope with what was needed – akin to historical institutionalist ‘drift’ – and political decision-making became more uncertain, mixed complex decision-making became the norm, and with it greater need for policy coordination and public communication (ibid.). Today, however, in particular in light of the Commission’s proposed new health agency, EU4Health, we may very well see paradigmatic change and deepening integration made possible by the deal between the Council and the European Parliament (EP) on the budget in November 2020. It restored a substantial portion of the funding proposed for the health agency by the Commission which had been cut out of the Council’s budget deal over the summer.

In contrast, health policy in the international arena is unlikely to see any great leap forward in capacity. It has long been characterized by even more limited competences and more modest outcomes than in EU-level health policy (Van Schaik, Jørgensen, and Van de Pas 2020). The EU’s long-standing lack of common strategy in dealing with the WHO was due in large measure to institutional membership by EU member-states (and not the EU). The lack of coordination made the EU relatively ineffective in influencing WHO policy or reform and was weak in setting and funding clear priorities for the agency or in determining the leader of the organization. The pandemic, however, was something of a ‘wake up call’ for the EU, in particular as a result of US attacks on multilateralism. Among the EU’s subsequent initiatives was its leadership in developing the main resolution of the virtual 73rd World Health Assembly in May 2020 on the response to the Covid-19 outbreak. In this case, incremental change is the best for which we can hope, with little in the way of deeper integration, despite increasing EU coordination.

In cybersecurity, rather than any major breaks with the past in the pandemic response, Carrapico and Farrand (2020) find an acceleration of existing trends with the unprecedented reliance on digitization, with virus-tracking systems and teleworking facilitating the response while cybercrime, disinformation, and infrastructure attacks made it harder. Although the EU has long had little remit in this area, it nonetheless produced a wide range of policy innovations in recent years, driven not only by internal logics but also by external factors, in particular spillovers from major cyber-attacks as well as terrorism. New institutions and rules included the creation of a European warning and information system (CERT) and a European cybersecurity agency (ENISA), provision of research support for information technology, a push for Member States to adopt similar cyber security norms, and raising public awareness of cyber vulnerabilities. Much of this involves incremental change, although recent initiatives could lead to a paradigmatic change were these new agencies to gain significant EU-level capacity of their own.

In policy related to border control and freedom of movement, Wolff, Ripoll Servent, and Piquet (2020) find an acceleration of previous trends, but only during moments of crisis, in contrast to the path-dependent everyday regularities of the Schengen area and freedom of movement over the long term. During the 2015 refugee crisis, only some countries, mainly in Central and Eastern Europe, precipitously closed their borders. In the Covid-19 pandemic, in contrast, almost all countries closed their borders in an uncoordinated manner, with different policy measures and practices. In the interim, the Commission focused its policy initiatives on closing the EU's external borders and on minimizing disruptions to free movement through 'soft law' instruments. It also proposed the introduction of 'green lanes' to facilitate the 'free flow' of goods and transport as well as of essential workers along with healthcare professionals and patients. This is perhaps the most likely case of EU dis-integration, given member-state actions that re-bordered the EU at the height of the pandemic. But these were allowed under Schengen rules. And notably, during the second wave of contagion beginning in October, reimposition of country-wide or regional lockdowns did not involve border closures in most Schengen countries. As a result, this arguably constitutes no paradigmatic reversal of European integration but rather a kind of wobbly status quo. As for migration and refugee policy, the Commission's October 2020 proposals for reform do relatively little of substance other than to reinforce border security-related provisions while introducing somewhat more solidarity on refugee relocation, but with little in the way of even incremental change.

In terms of EU law, finally, Terpan and Saurugger (2020), find more path dependence to the good and the bad. They argue that the CJEU's successive earlier decisions on ECB monetary policy during the Eurozone crisis created a path-dependent case law that served to enable the ECB's subsequent decisions in the midst of the pandemic. In contrast, the German Constitutional Court's decisions, including the German court's judgment of May 5th, 2020 challenging the ECB's 2015 program of quantitative easing, formally known as the Public Securities Purchase Programme (PSPP), cast a shadow on the legality of ECB monetary policy during the pandemic, with the final judgment setting certain constraints to the ECB moving forward in the Pandemic Emergency Purchase Programme (PEPP) (Ibid.). It is therefore a toss-up as to whether such judgments will stop or only slow the ECB's own incremental deepening of integration in European monetary policy.

Historical institutionalism is thus helpful here in mapping out the continued regularities, incremental changes, and paradigm shifts prior to and during the Covid-19 pandemic. But although historical institutional analysis does well to *describe* the kinds of new policies put in place in response to the critical juncture, it lacks the tools to *explain* them (see Schmidt 2008, 2010). Critical junctures alone do not determine whether paths change. Relevant actors have to recognize that something is indeed a critical juncture, and that change is required. This is why scholars who use historical institutionalism to describe what happened often look to other kinds of neo-institutionalist frameworks for help in explaining agency. Many turn to rational choice institutionalism to explain agency in terms of the self-interested rational calculations of institutional actors who pursue their preferences within political institutions, defined as structures of incentives (e.g. Shepsle 1986). This can provide parsimonious explanation of actors' interest-based decisions in particular when preferences appear fixed and institutions stable, such as in the case of the WHO (Van Schaik, Jørgensen, and Van de Pas 2020). However, in moments of flux when uncertainty is high and institutions unstable, it is hazardous to attribute interests to actors who often don't know what their interests are, material or otherwise (Blyth 1997), in particular because these compete, such as health versus economics. This is why many scholars who provide historical institutionalist analyses of 'what happened' – including most in this Special Issue – instead add discursive institutionalist analysis of 'who did what why.' Discursive institutionalism focuses on the substantive content of agents' ideas and their discursive interactions as they (re)conceptualize interests, (re)interpret institutional rules, and (re)frame norms through coordinative discourses of policy construction and communicative discourses of political legitimation (Schmidt 2008). In sum, both rational choice and discursive institutionalism can lend insight into the reasons and reasoning behind what happened, by turning to the agents of change. In the case of EU agents, however, we enter a different set of theoretical debates, concerning who can be credited with instituting change.

Theorizing Governance

The main question for scholars theorizing European integration has long been: 'who is driving the process how'? Scholars tend to divide between intergovernmentalists who generally assume that member-state leaders in the Council are in charge and supranationalists who instead believe that the Commission, the European Central Bank (ECB), or even the Court of Justice of the European Union (CJEU) remain in control. Cutting across such divisions regarding who drives integration, however, are ones related to how such institutional actors drive integration. While traditional intergovernmentalists and supranationalists both tend to explain actors' governance in the interest-based and incentive-related terms of rationalist choice institutionalism, the 'new' intergovernmentalists and supranationalists in contrast tend to explain such governance in the ideational and discursive terms of discursive institutionalism.

In what follows, we begin with intergovernmentalism and then supranationalism, in each case considering (and even anticipating, in the absence of published work) both what traditional rationalist and new discursive institutionalist approaches would have to say. We note in passing that 'parliamentarists,' traditional and 'new,' add the EP as an increasingly influential actor (see, e.g. (Hix and Høyland 2013; Fasone 2014; Dinan 2015; Héritier et al. 2016;

see discussion in Schmidt 2018, 2020). But we leave out considerations of the EP here mainly because it played a comparatively minor role in the first nine months of the pandemic response and was not addressed by contributors to the Special Issue.

Intergovernmentalism

Intergovernmentalist scholars have long insisted that member-state leaders in the Council are in charge (e.g., Hoffmann 1966; Moravcsik 1998). But they divide between traditional intergovernmentalists who use rational choice institutionalism to posit interest-based bargaining games based on member-state leaders' coercive power (e.g., Schimmelfennig 2015), and 'new' intergovernmentalists, who employ discursive institutionalism to elucidate leaders' consensus-oriented deliberative powers of persuasion (e.g., Puetter 2014; Bickerton, Hodson, and Puetter 2015). The latter see the EU's member-state leaders in the European Council as much more legislatively active than in the past, having taken on an unprecedented ideational leadership role. Moreover, rather than taking the traditional intergovernmentalists' relatively uncomplicated view of the Council as the principal for which the Commission is the delegated agent, and therefore of little interest, the new intergovernmentalists see the Council as engaged in active attempts to reduce Commission powers. As such, they argue that the Council has been engaged in taking back control through the creation of *de novo* supranational EU bodies and instruments in which the member-states remain in charge through their representation on the governing boards (see Schmidt 2018).

In the pandemic, all intergovernmentalists would agree that the primary focus of attention and investigation should be the meetings of the European Council, Council of Ministers, and Summits, where member-state leaders are the key players. But beyond this, they differ on how to explain the actions of and interactions among those actors.

In the economic policy arena, for example, traditional intergovernmentalists would naturally focus on the change of position of Germany, the Franco-German initiative, and on negotiations regarding the European Recovery Fund. In this new context, they could argue that the new German preferences had changed the 'game' to a lop-sided battle between the 'Frugal Four' (Netherlands, Austria, Denmark, and Sweden) and the Franco-German duo, with the duo able to impose their preferences, despite concessions to the other players. Indeed, anecdotal accounts suggested that the Frugal Four had taken an extreme position, against allowing for any grants generated by EU-generated debt and in favor of providing only loans with conditionality to Southern European countries in need, in order to express their displeasure with Germany's shift in position, to gain a range of concessions for themselves, including rebates on their EU budgetary contributions, and to play to their citizens' resistance to grants. The resulting bargains in July 2020 help explain the Council's elimination of the Commission's proposed €7.7 billion to fund the new, standalone health program, EU4Health, from the Next Generation Fund (NGEU), (Brooks and Geyer 2020). Similarly, the watering down of the 'rule of law' conditionality clause, which had been pushed by the Netherlands, could be seen as a strategic 'deal with the devil' to ensure that Poland and Hungary would be on board for the final agreement.

The 'new' intergovernmentalists, instead, would look more closely into the content of the negotiations while seeing them as deliberative interactions in which consensus-seeking debate and contestation produced the agreement. In the negotiations, new intergovernmentalists would focus not only on the innovative ideas generated by the

Franco-German couple versus the 'old' ideas of the Frugal Four but also on the persuasive ability of various leaders to move discussions forward. For the German shift in position, the ideas and discourse of French President Macron are particularly relevant, given his passionate pleas for a massive, coordinated EU response to such an unprecedented symmetric shock, in which no one was to blame, and some member-states were hit so much harder than others (Celi, Guarascio, and Simonazzi 2020). But other leaders were also important. On clinching the deal, other players were European Council President Charles Michel who, working through the night to conclude the negotiations and despairing of a solution, turned to Italian Prime Minister Conte, who was still awake enough in the wee hours to come up with the acceptable phrasing to clinch the deal. As for why the Frugal Four were able to make their case effectively, we should mention the Netherlands' earlier coalition-building with other smaller states to oppose a Eurozone budget proposed by France and partially agreed by Germany already in 2018. The country was successful during the pandemic because it acted as a policy entrepreneur using a tactic of issue replacement in agenda-setting (Scheoller 2020)

Equally importantly, new intergovernmentalists would interpret Chancellor Merkel's shift as involving both a reconceptualization of interests and reframing of norms. With regard to German interests, Merkel went from a narrow focus on short-term national economic interests (characteristic of the Eurozone response) to more enlightened self-interests recognizing the interdependence of European economies, in particular as her own automotive manufacturers clamored for an Italian rescue to shore up their supply chains in Northern Italy as much as their sales across Europe. This was about more than just economics, however, since Merkel was also concerned about the political dangers of rising populist discontent if no coordinated action were undertaken, in Southern Europe as much as in the North. But beyond the cognitive shift in interests were norms and values, or even emotions. Merkel's change of heart is arguably similar to her previous switch on migration policy in 2015 and on national nuclear policy.

In other areas as well, intergovernmentalists, whether old or new, generally see member-states in the lead. In competition policy, all intergovernmentalists would attribute the new industrial policy initiatives to intergovernmental dynamics. They would see these as spurred in particular by Franco-German leadership, because they were instrumental in pressuring the Commission to accept a different policy orientation in merger and state aid policy, whether they explain them as motivated by commercial interests or ideology, and the result of bargaining or deliberation (Meunier and Mickus 2020). New intergovernmentalists would add that member-state leaders prior to the pandemic acted as policy entrepreneurs to push for reform in the face of Commission inertia, all of which culminated in a 2019 proposal to modernize the European competition policy (*ibid.*).

In policies related to border controls and freedom of movement, moreover, intergovernmentalists argue that this is a case where member-states renationalized policy without coordination or regard for prior EU agreements and rules-based practices, as they had done in previous crises (Wolff, Ripoll Servent, and Piquet 2020). Traditional intergovernmentalists would explain this mainly in terms of member-states' calculation of national interests. In contrast, new intergovernmentalists would consider the many different ideational frames of those engaged in responding to the crisis. Wolff, Ripoll Servent, and Piquet (2020) show that EU and national actors mobilized many different frames both before the pandemic and during, including evoking economic prosperity or identity with

regard to the Single Market; protecting EU citizens against threats in security; or bureaucratic efficiency and effectiveness on the one hand, solidarity on the other in the case of Schengen. In the pandemic, EU member-states mainly mobilized the international security frame to reintroduce border controls whereas the Commission and the EP almost exclusively employed the identity-building frame, avoiding the internal security frame entirely.

In EU health policy as well, when it comes down to who was really in the driver's seat, intergovernmentalists (old and new) would point to the fact that in the European Summit negotiations, the pandemic-related 'top-up' funding for EU4Health under NGEU – was eliminated (Brooks and Geyer 2020). And it was put back in the final budget by the Council's compromise with the EP. As for the international arena, intergovernmentalists might note that where member-states are not collectively interested in an issue, as in the WHO, little headway will be made until they begin to take notice. And when they do, which occurred once the pandemic hit, intergovernmentalists would note that France and Germany played major roles both in responding to the US attacks on the organization and in calling for subsequent WHO reform (Van Schaik, Jørgensen, and Van de Pas 2020). Here, Van Schaik, Jørgensen, and Van de Pas (2020) use the rationalist logic of Hirschman's 'exit, voice, and loyalty' to explain outcomes. They find that prior to the pandemic, the EU did not show much commitment to the organization, as member-states tended to focus on their own diverse interests, by funding their own priorities in uncoordinated ways, but they did not exit. Rather, they exercised voice, but in contradictory ways, by expressing support for a variety of different initiatives. Their loyalty was therefore rather thin, and mostly symbolic. Only once the pandemic hit, and as the US criticized and then pulled out of the organization, did the EU, as represented by the Commission as well as its member-state leaders, change their tune, with much greater exercise of voice in support and deeper expressions of loyalty.

Intergovernmentalists' choice of rational choice or discursive institutionalism to explain member-states' actions thus provide different but often complementary explanations. Rationalist explanations offer enlightening snapshots of state actors' interest-based calculations at given points in time, in particular by sketching out European countries' initial responses, member-states' bargaining games in the Council, and the EU's minimal engagement with the WHO prior to the pandemic. But such explanations have difficulty accounting for preference formation and institutional change, in particular why perceptions of interests shifted during this critical juncture, or how 'real' institutions persisted or changed, whether abruptly or incrementally over time. Rationalist analysis of national governments' reactions cannot account for the rapid change of course in economic policy, as leaders quickly went beyond the limited bargains of the past to recognize the interdependence of their economies, the fact that the virus knows no borders, and the need to move to greater EU-level cooperation (Ladi and Tsarouhas 2020). For this, discursive institutionalist analysis is helpful, as it delves more deeply into the ideas and values involved in member-states' coordination with one another and communication to the public regarding the pandemic. We see this also in the next section, in terms of supranationalists' use of rational choice or discursive institutionalism.

Supranationalism

Supranationalist scholars do not deny that intergovernmental actors are in charge of major decisions, but they insist that EU technical officials are nevertheless in control of policymaking through their powers of policy formulation and implementation. But here, too, scholars split into traditional supranationalists, who emphasize officials' interest-based exercise of institutional power via the dynamics of functional spillover and bureaucratic entrepreneurialism (e.g., Ioannou, Leblond, and Niemann 2015), and 'new' supranationalists. The latter employ discursive institutionalism to stress EU officials' powers of ideational innovation and deliberative persuasion (e.g., Bauer and Becker 2014; Dehousse 2016). While these new supranationalists might agree (with intergovernmentalists) that the older supranationalism of institutional power and leadership by technical actors in the Commission has indeed diminished, they contend that the Council enabled *all* supranational technical actors – whether the Commission, the European Central Bank, or other *de novo* bodies – to gain even greater institutional powers of enforcement than in the past, and this through the very rules passed by intergovernmental leaders which were proposed by these selfsame technical actors (see Schmidt 2018). And there can be no question that the Commission as much as the ECB vastly increased their powers during the Eurozone crisis (Savage and Verdun 2016; Chang 2020).

On economic initiatives in the pandemic, both sets of supranationalists would point to the roles of the Commission and the ECB as proof positive of the importance of supranational actors, although they are likely to emphasize different aspects of their actions. In the economic policy arena, for example, supranationalists would point to the Commission's innovations in setting up the employment support initiative (SURE) with its own funds and suspending debt and deficit rules (Ladi and Tsarouhas 2020). But while traditional supranationalists might focus on the Commission's actions as self-interested, to increase their power, new supranationalists tend to explain how they managed to create the new initiatives through a focus on policy learning and entrepreneurs. Ladi and Tsarouhas (2020) show that EU actors served as policy entrepreneurs who engaged not only in 'single loop learning,' which serves to correct existing problems, but also in 'double loop learning,' which serves to modify norms, policies and objectives (Deverell 2009). In the case of EMU, single-loop learning in the initial responses left the fundamentals of economic governance untouched, for example, as ECB President Christine Lagarde learned from the Eurozone crisis about the costs of delay and therefore quickly launched the massive €750 billion euro 'Pandemic Emergency Purchase Programme' (PEPP) in mid-March, followed by an additional €600 billion in June. But double-loop learning, represented by the change in the norms of EU economic governance, occurred through the new options on joint debt issuance and generous grant allocations to states linked to the European Recovery fund, in which the Franco-German couple and the Commission served as innovative policy entrepreneurs.

In the competition policy arena as well, supranationalists would emphasize the Commission's supranational leadership in antitrust and merger threshold issues related to digitization, administrative discretion in its suspending of state aid rules, and entrepreneurialism in introducing new policy tools on digital platforms and foreign subsidies (Meunier and Mickus 2020). But in this latter case, with a nod to the intergovernmentalists, the Commission would most likely not have done this without the entrepreneurial push from the Franco-German couple. That said, the Commission also acted as a policy entrepreneur, in particular when producing innovative ideas regarding EU industrial strategy,

or quickly suspending the rules on deficit and debt as well as state aid in accompaniment to member-states' actions at the onset of the pandemic (ibid.).

In health policy, new supranationalists also point to the Commission's role as a policy entrepreneur, with its innovative ideas that reversed previous plans in order to propose the new Health Program, EU4Health, even if the Council's role was crucial with regard to the overall funding (Brooks and Geyer 2020). But when it comes to vaccine policies, the supranationalists could convincingly argue that the Commission played a fundamental role in coordinating member-state responses, although in this case raising questions about its support for international versus European efforts (Van Schaik, Jørgensen, and Van de Pas 2020).

In cybersecurity, new supranationalists emphasize the Commission's ideational entrepreneurship with regard to its steady development of cybersecurity initiatives, culminating with a strategy that led to policy initiatives and serious capacity (Carrapico and Farrand 2020). The Commission developed proposals for increasing coordination that slowly evolved into a comprehensive cybersecurity strategy, including ideational innovations in a number of different policy areas. Events already in 2016, however, constituted a critical juncture, as EU officials lost trust in social media platform operators, seen as not sharing the EU's values with regard to freedom of expression, and harmful speech. And these problems were only exacerbated during the pandemic, with trust suffering greatly due to the proliferation of pandemic-related conspiracy theories, and the EU narrative suggesting that social media had not been sufficiently policed by online platforms (Carrapico and Farrand 2020).

As for border controls and freedom of movement, this is a place where supranationalists, traditional or new, would be hard-pressed to say anything other than that the Commission arguably clawed back some administrative power through such 'accompanying' actions as the closing of the external borders while exercising some ideational persuasion via its evocation of economic and identity frames in its discursive interactions with the European Parliament and of solidarity frames with the member-state leaders (Wolff, Ripoll Servent, and Piquet 2020).

But what about the ECB? Is it a *de novo* intergovernmental institution, as intergovernmentalists claim, since its board is made up of the heads of member-state central banks (e.g. Hodson 2015), or a supranational one, given its independence and autonomy in deciding on monetary policy, with a strong President to lead, backed up by experts (Dehousse 2016)? Either way, there can be little doubt that in the pandemic response, its actions were taken as a supranational actor. Here, traditional supranationalists would point to the interest-based self-empowering of the ECB, as it incrementally shifted from a strict interpretation of monetary policy to an increasingly expansive one (Chang 2020). New supranationalists would add the discursive communications that created space for the new policies while legitimizing them, along with the expert communities that served as strategic support. They might also draw attention to the policy learning of the new ECB President Christine Lagarde who, after her initial misstep when she said that it was not the ECB's remit to deal with the spreads between German and Italian bonds, quickly announced the ECB's new major purchasing program (PPEP) which dwarfed previous infusions, and without which the euro could have collapsed (Ladi and Tsarouhas 2020).

Finally, as for the CJEU, supranationalists, traditional and new, would insist that this is another instance of the supranational exercise of administrative power and deliberative persuasion. Terpan and Saurugger (2020) show for the judiciary generally how judges can

act as policy framers through their discourse (as elaborated through their judgments), making executive decisions more or less possible, and thereby serving as policy enhancers or policy constrainers. In terms of judgments on ECB monetary policy, while the German Constitutional Court repeatedly served as a policy constrainer as it sought to limit ECB actions through its decisions, the CJEU continually served as a policy enhancer, by deciding in a succession of cases that the ECB had not exceeded its mandate. To explain such differences between these courts, we can point to both cognitive interests and normative values. While the EU Court has focused on defending its own prerogatives and displays a pro-integration bias, the German Court has been intent on resisting subordination to the CJEU and demonstrates a sovereignty bias (*ibid.*).

EU's agents' increasing political dynamics of interaction

Although examining each of these EU actors separately enables us to apply the many different approaches in European integration theory to the crisis, it misses out on the EU response as a whole. As integration has deepened, EU actors have become more interdependent, with long-standing relations of cooperation now riven in many domains by greater contestation. There is a deeper intensity of interactions among EU actors in struggles not only over interest-based power and influence but also over which policy ideas are deemed most effective and legitimate. EU governance, in other words, has become increasingly politicized as a result of this new dynamics of interaction. This has been particularly manifest in the greater pressure from intergovernmental actors in the Council on supranational actors such as the Commission and the ECB to do their bidding. But it has also been evident in the ways in which such supranational actors have responded, in some cases by attempting to deflect their attacks, in others by seeking to bring them onto their side (Schmidt 2019).

Some scholars in recent years have sought to take account of such developments, but mainly in view of explaining the EU's inability to resolve its many crises. For example, Jones, Meunier, and Keleman (2015) add a historical institutionalist, neo-functionalism component to the rationalist approach by describing the dynamics of 'failing forward' through which intergovernmental bargaining has led time and again to incomplete agreements and failed reforms instituted by supranational actors that soon require new intergovernmental bargains (*ibid.*). While this approach explains past crises, the Covid-19 Pandemic would appear to suggest that 'failing forward' is no longer applicable in many domains, given the path-breaking initiatives and reforms undertaken that have led to at least the beginning of more complete agreements and more successful reforms.

Pursuing another line of argument are Genschel and Jachtenfuchs (2018), who take both intergovernmentalists and supranationalists to task for their optimistic view of the potential for further integration generally based on the experience of market integration. These authors contend instead that integration has been stymied because it impinges on core state powers such as money, fiscal affairs, defense and diplomacy. Intermingling traditional intergovernmentalism's rationalist logic with traditional supranationalism's neo-functionalism logic, they argue that integration of core state powers faced inadequate supply due to the propensity for member-states' zero-sum bargaining, a functional need for EU-level capacities which was lacking, and high political saliency to mass publics on distributive interests such as taxes and security services, as well as on normative issues

related to identity and democratic self-determination. So how, then, do we explain the pandemic response? Certainly, part of the answer would be that in the extreme externalities caused by the pandemic, zero-sum conflict was avoided in member-state bargaining, EU-level capacities were enhanced, and mass publics had shifted their opinion on certain issues (Eurozone) but not on others (borders). But how, then, do we explain how and why member-states overcame zero-sum conflicts to enhance EU-level capacities and to convince mass publics on these highly salient issues to accept their agreements? To answer this question, at the very least we need to add the discursive institutionalist logics of 'new' intergovernmentalism and supranationalism, focused on deliberative consensus-building and ideational innovation. But it also requires recognizing another aspect of deepening European integration: the politicization of EU governance.

Politicization has grown with the rise of Eurosceptic pressures in the member-states (Hutter, Grande, and Kriesi 2016), as theorized by the 'post-functionalists' (Hooghe and Marks 2009, 2019). This was also clearly in evidence at the national level during the pandemic. Across Europe, anti-system populist parties in many member-states decried their government leaders, either blaming them for being too late and lax on lock-down measures, or too harsh on mask-wearing rules and lockdowns. In countries with populist governments, moreover, their leaders often exploited the crisis for their own political purposes, for example, to restrict access to abortions in Hungary and Poland. Such politicization was not limited to the populist extremes, however. In many countries, mainstream government leaders publicly criticized fellow leaders not only for their country-level actions, such as closing borders without warning or forbidding export of medical equipment, but also for their EU-level actions. Italian leaders in particular excoriated the Frugal Four for their insistence on loans with conditionality for the European Recovery Fund.

Politicization was also clearly in evidence at the EU level. The intense debates among Council leaders were not just about national or socio-economic interests, as traditional intergovernmentalists might argue (e.g. Hoffmann 1966; Moravcsik 1993; Schimmelfennig 2015). They were equally related to member-state leaders' political concerns, whether in terms of catering to their own electoral interests or to their citizens' attitudes and values, as post-functionalists would insist (Hooghe and Marks 2009, 2019; Hutter, Grande, and Kriesi 2016). Political interactions also characterized relationships between intergovernmental and supranational actors. But whereas during the past crises, both Eurozone and migration, the politicization involved increasing contestation among EU actors, in particular as member-state leaders in the Council questioned Commission actions (Schmidt 2020), during the pandemic politicization led to much more cooperation in word and deed. For example, in a major break with what the traditional intergovernmentalists saw as the path-dependent pattern of the Council seeking to take back control from the Commission, in the current pandemic the Council instead gave the Commission more power and responsibility, by asking the Commission to provide new ideas for innovations across policy areas and then giving it greater responsibilities, such as with regard to the European recovery fund.

Among the different policy areas under discussion, politicization was ever present. Politicization was certainly in evidence in the case of the German Constitutional Court's judgment questioning the ECB's actions in terms of quantitative easing (PSPP), which cast a shadow over its pandemic-related monetary policy (PEPP). In economic policy,

moreover, politicization describes political leaders' discourse as they sought to convince citizens not only in their own countries but across the EU of the necessity and appropriateness of creating (or not) the European recovery fund, with all grants, some loans, or all loans (Ladi and Tsarouhas 2020). In competition policy as well, the crisis generated significant politicization around the EU's reliance on foreign online platforms and vulnerability to foreign competitors that benefited from unregulated support, with public visibility enhanced by the discourse of France and Germany (Meunier and Mickus 2020). Health policy was also on the firing line, whether in terms of the EU's seeming incapacity to help out member-states, or the WHO's failure to act quickly enough along with its inability to provide reliable guidelines and support (Brooks and Geyer 2020; Van Schaik, Jørgensen, and Van de Pas 2020).

So perhaps rather than continuing to debate whether intergovernmental actors are in charge or supranational actors are in control, we would do better to talk about a new politicized dynamics of interaction among all EU actors, along with the increasing empowerment of all such actors in the midst of the EU's many crises (Schmidt 2018, 2019, 2020). But could it be that, in contrast to the previous crises, where EU actors' interactions were either depoliticized or increasingly politicized in negative ways, through contestation and zero-sum politics (see, e.g. Börzel and Risse 2018; Schimmelfennig 2018), politicization has turned positive, with a new spirit of cooperation among all actors (already evident in certain areas like Banking Union – see, e.g. Nielsen and Smeets 2018), despite occasional hiccups?

Conclusion

In evaluating responses to the Covid-19 pandemic, in sum, we benefit by combining differing neo-institutionalist frameworks and EU theories of integration. Deploying historical institutionalism provides insights into institutional trajectories, enabling us better to describe what happened and how this affected integration. Rational choice and discursive institutionalism offer insights into actors' interests and agents' ideas and discursive interactions for both intergovernmental and supranational approaches. By bringing in the increasingly politicized nature of EU governance over time, moreover, we are better able to consider the ways in which all EU actors are engaged in a new politicized dynamics of interaction. This leads to two final questions: What will governance look like in the future? And what do the changing policy arrangements suggest for future European integration?

Our answer to the first question generates only further questions: Could it be that after the many crises that have dominated the EU over the past decade, the massive crisis related to Covid-19 will push a move toward more normal politics and policymaking, beyond intergovernmentalism versus supranationalism, to a better balance among EU actors, including the EP? And is it possible that the deeper political dynamics of interaction among all EU actors will make for a resurrection of what used to be called the 'Community Method' of decision-making, in which most decisions came through the ordinary legislative process in which all EU institutions were involved (Buti 2020) – including the EP, which we have not had the room here to consider?

With regard to the future of integration, we may already have some clues to the answers. The Special issue clearly demonstrates through the contributions on different

policy areas that incremental or even paradigmatic changes are occurring, most in the direction of deeper integration, with a reasonable amount of differentiation as well. We find deeper EU-level integration in a range of areas. In the economic domain, the EU has undergone a paradigmatic shift on EU-level debt through the Next Generation Fund (NGEU). The suspension in the rules of the European Semester and state aid in competition policy might also represent paradigmatic change, especially were new or reformed rules to accommodate the industrial policy push of the NGEU; but incremental change allowing greater differentiated integration is surely in progress. In the health domain as well, we see paradigmatic change and deeper integration with the establishment of EU4Health agency, incremental change in other areas, but not in the international arena, where the status quo is most likely to continue for the WHO. Incremental change toward deeper integration can also be seen in cybersecurity. But we may be seeing at best status quo, at worse reversal of integration on borders for the weakly integrated Schengen rules on refugees and migrants as well as the fully integrated freedom of movement of citizens of the Single Market. Finally, judicial decisions of the CJEU versus the German Constitutional Court on the ECB suggest an uneasy equilibrium, where the judicial status quo is likely to be maintained even if the ECB may soon reach the limits of its incremental moves toward deeper integration. Importantly, however, no definitive answers are forthcoming, because the Covid-19 crisis is continuing, and EU actors – intergovernmental, supranational, and parliamentary – are all working on ways to develop greater EU capacity even as national actors are seeking to improve their national capabilities in tandem with the EU.

Note

1. On fast and slow burning crises, see: Seabrooke and Tsingou 2018.

Disclosure statement

No potential conflict of interest was reported by the author.

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