A POLITY THAT HOLDS? THE EU AFTER THE POLYCRISIS

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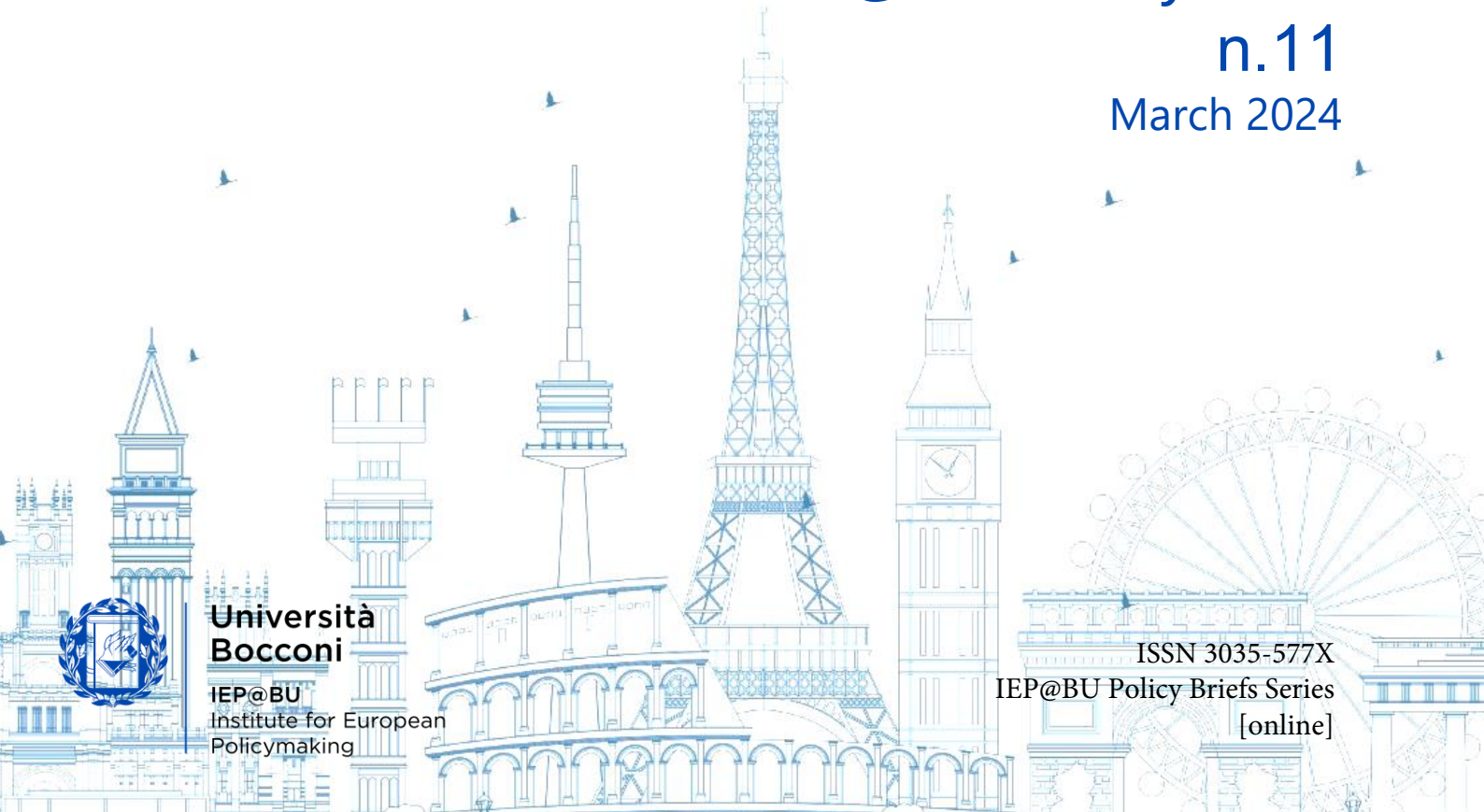

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The endurance capacity of the EU has improved after multiple recent crises thanks to the exploitation or de novo creation of polity maintenance resources on the side of EU leaders.

Introduction[1]

In 2014 the surge of Eurosceptic parties at the EP elections triggered a deep political crisis of the EU. In one important member state, the UK, anti-EU attitudes rapidly escalated and eventually led to exit from the Union. In 2016 the then President of the Commission Juncker drummed the outburst of an "existential crisis", an alarming predicament combining severe functional threats, deep conflicts among the member states, policy stalemate, and explicit political challenges to the very legitimacy and territorial integrity of the Union (Juncker, 2016). Almost a decade has passed: what does the June 2024 ballot have in store for the stability of the EU?

The polls indicate further surge of the radical and/or sovereigntist right (Cunningham et al, 2024; Europe Elects, 2024; Rosa and Pöttering, 2024). A result that would destabilize again traditional partisan and inter-institutional equilibria and weaken the support to EU authority at a time when serious challenges and difficult choices loom large, such as strengthening collective defence, implementing the Green Deal, boosting strategic autonomy, and responding to the cost-of-living predicament.

The risk is not only related to the internal dynamics of the EU legislative process, but also to the indirect domestic repercussions of the vote: as in 2014, significant perturbations of inter-party relations and an increase of "constraining dissensus" within public opinion on key EU policy issues.

While the parallel between 2014 and 1024 is not ungrounded, the risk of a new existential crisis should be assessed against the different backgrounds of the two elections. During the last decade, the institutional structure of the EU has changed, new shocks and challenges were overcome, lessons have been learned. To some extent, even Eurosceptic parties have revised their platforms, their very stance vis-à-vis the EU as such. It may well be the case that the EU has gained more resilience, a greater aptness in weathering the impact of electoral swings and severe endogenous or exogenous shocks. The question then arises: how can we establish whether the EU has in fact improved its own endurance capacity? This Policy Brief will address such a question.

I will first characterize the nature of the EU as a polity and spell out my argument about its increased resilience after the polycrisis. Then I will illustrate the argument with the help of three brief case studies regarding Brexit, the Covid emergency and the post/pandemic recovery challenge. The last two sections will summarise my diagnosis and highlight the critical significance of the forthcoming EP elections.

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The political role of crises

History has indeed shown that the EU is a crisis-prone system. Jean Monnet was the first to note that for the EU crises can be a blessing in disguise, as they tend to push the member states towards an “ever closer union”. What Monnet had in mind was a process of gradual pooling of sovereignty in response to critical challenges – a process essentially driven by a functional logic. The developments of the last fifteen years have shown that crises do not necessarily obey this logic. Even if functionally beneficial, attempts at policy centralization/coordination may generate deep political conflicts, as was the case during the refugee crisis and more generally the management of migration (Kriesi et al., 2024).

Historically entrenched cultural divisions may hinder or delay risk pooling in sectors where the logic of collective insurance could bring widespread advantages: the euro-crisis has offered many examples of this syndrome (Schelkle, 2017). Sudden contextual changes may in turn cause backlashes against EU authority even over established “constitutional” domains, as has been the case with the free movement of labor after the Eastern enlargement (think of the posting of workers or Brexit itself). In other words, crises do not necessarily work at the service of integration. At least not in the sense of encouraging the “right” kind of common policies.

Each crisis brings in fact with itself the risk of de-integration and even the ultimate danger of disintegration and polity breakdown, as dreaded by Juncker. Was Monnet’s expectation a curse rather than a blessing in disguise? Only in part. Crises do matter because they tease out the instruments and strategies through which the EU can strengthen its “existential resilience”, i.e. its political capacity to absorb life-threatening adversities and possibly anticipate them.

What are these instruments and strategies? To capture such key aspects, we must shift our attention from the *policy* to the *polity* level.

The Nature of the EU as a Polity

The distinction between policy and polity is commonly used in political science. The first concept connotes a purposive course of programmatic action in a given domain, while the latter connotes the underlying terrain which sets basic constraints and opportunities for policy making as well as its territorial reach.

More specifically, we can define polity as a territorially demarcated field of social interaction endowed with a permanent and legitimate authoritative hierarchy, underpinned by a set of social bonds (a modicum of shared identity and solidaristic arrangements). The combination of bounding, binding and bonding (the “3Bs” formula) provides a set of parameters which elicit relatively stable patterns of expectations and behaviours, thus promoting and facilitating cooperation within the polity field.

Thus defined, polity is the overarching term for different variants of territorially dominant political organizations: city-states, empires, nation-states, federations, and so on. Polity building has historically followed many different trajectories. In some cases, it resulted from deliberate bottom-up aggregation of pre-existing units: the cantons in Switzerland, the former colonies in the USA and Canada.

The EU was born in this way: after World War II European countries chose to embark on a path of mutual integration, building a community / union capable of 1) striking down domestic borders against free movement 2) making binding decisions through participatory procedures and institutions and 3) promoting some forms of reciprocity and social sharing (e.g. cohesion policies).

While the federation/confederation blueprints are often taken as implicit benchmarks for the EU's supposedly incomplete union, it is more fruitful to conceptualise the EU as something novel and unprecedented: a compound polity of nation-states, testing new ways and modes for combining the classical triad of boundaries, authority and social bonds, at the service of "peace and prosperity". (Ferrera et al. 2023).

Like every polity, the Union has drawn boundaries that define it against the outside and has developed a legal system that serves as the ultimate "law of the land" in many domains. The EU polity is recognizable as a distinctive community in addition to those of its members. It is compound since it is a decentralized, often fragmented political system, which has two sources of sovereignty, the member states and their citizens. Its constituent units are *nation-states* – i.e. those robust and cohesive political entities which resulted from the long-term process of state-building. This unique configuration has shaped since the start the political logic of EU formation.

The EU can develop itself to the extent that it upholds the performance and prosperity of its member states, but also that it does not produce unsustainable disruptions for their internal stability *as polities*. Compared to other historical "coming together" federations like the US or Switzerland, the EU is (still) constantly facing a political master tension between the goal of self consolidation and stabilisation as a meta-polity, on the one hand, and the risk of undermining the staying power of domestic polities, on the other.

The Green transition is today one of the most delicate testing grounds for this challenge. As shown by the recent, fierce protests of farmers against stricter emission standards, the transition risks not only destabilize domestic party systems (e.g. in the Netherlands) but also to unleash a polity backlash against the EU - i.e. challenges against its binding authority and its external boundaries (farmers vehemently oppose the prospected opening of the single market to the agricultural exports of Mercosur, i.e. the common market organization between Argentina, Brazil, Uruguay and Paraguay).

Governing the EU requires a constant balancing act in exercising political power, for which authority centralization and uniform boundary control (the route followed by the historical federations) are not necessarily the best instruments. Political endurance cannot be evaluated based on the classical metric that applies to the state model (exclusive sovereignty, executive autonomy, coercive enforcement, and so on).

In the EU, the advantages of "weak" and "strong", "open" and "close", "soft" and "hard" instruments of governance are context specific. Existential resilience hinges on a flexible calibration of the "3Bs": territorial and functional boundaries, binding authority followed by compliance and safeguarding a modicum of social bonds and cohesion.

Especially in the hard times of crisis, polity maintenance may require counter-intuitive steps: loosening boundaries instead of guarding their closure, exploiting the advantages of a weak center instead of strengthening it, preserving social cohesion "by stealth" instead of through visible redistributive

mechanisms and, last but not least, engaging in extraordinary efforts of discursive legitimation to mobilize polity support.

There is no guarantee that what matters and works for polity maintenance (the survival of the Union as an encompassing political structure) can also bring about clear and immediate advantages in terms of functional performance.

Performance plays of course a key role in polity consolidation and legitimation and is, after all, the point and purpose of integration. In the long run, performance and resilience reinforce each other. Existential endurance requires however to be constantly monitored *per se* and its imperatives sometimes deserve political priority over performance optimization, especially in the presence of polity backlashes.

Leveraging on this analytical backdrop, let me now get back to the initial question: what can be said about the endurance capacity of the EU after the polycrisis of the long 2010s? My answer is that such capacity has improved: the EU can today count on a higher degree of existential resilience than in the early 2010s. This improvement has resulted, precisely, from the exploitation or de novo creation of polity maintenance resources on the side of EU leaders, in response to severe polity threats.

The best way of illustrating this argument is by briefly discussing three emblematic cases: Brexit, the Covid public health challenge, and the establishment of the Next Gen Fund for post-pandemic recovery.

Brexit

This crisis started to manifest itself in the first half of the 2010s as a fully-fledged attack on the very legitimacy of EU rule and its integrity as a polity on the side of a key member state. Against the backdrop of rising popular euro-scepticism, David Cameron's government challenged EU authority in some of its foundations (in particular, guaranteeing free movement and its legal corollaries) and then decided to hold a national referendum.

After the defeat of "remain", political panic spread throughout supranational institutions and national capitals. Brexit was expected to trigger a domino effect, pushing Euro-sceptic formations in the same direction as UKIP and leading to a spiral of exits and polity disintegration. Moreover, the Brexit negotiations as such might weaken the internal cohesion of the Union, for example as an effect of the "*divide et impera*" tactics of the UK government during the withdrawal process. These risks were existential, but both were averted.

The EU has not only survived this crisis but has come out of it more cohesive than before. The exit option has been losing traction after Brexit, even among Eurosceptic parties (Bortun 2022). The toughest chapter of the Brexit negotiations – the status of Northern Ireland - has been solved with a sort of "annexation" of that territory within the internal market, shifting the economic border between the EU and the UK in the middle of the Irish Channel (Schelkle, Kriesi and Alexander-Shaw, 2023). The EU has indeed lost a key member state. But the UK had become a political ballast not only for further integration but for the ordinary functioning of the EU in several domains.

The ordered solution to the Brexit crisis was made possible by a distinctive property of the EU polity: the existence of a formal withdrawal clause (Ganderson et al, 2024). Secessions are the worst nightmares for political communities. Federal theories have always warned against the presence of formalized exit procedures and no democratic federal system envisages the right to secession. European Treaties provided for the possibility of new accessions, but had remained silent about withdrawals after a member state had signed in.

Things changed however with the Lisbon Treaty, which entered into force in 2009: art. 50 introduced the formal right of withdrawal. Why did the EU make this potentially self-destructive step? The exit option had been originally agreed upon at the time of the European Convention (in the early 2000s) by farsighted politicians concerned about rising Euroscepticism and its accusations against the EU for being "a prison" with locked doors. The withdrawal clause was seen as an instrument for discouraging explicit and disruptive polity attacks ("If you don't like the EU, just leave it").

The architects of art. 50 anticipated however that this safety valve could also incentivize actual exit under certain circumstances and trigger disintegration. Thus, when designing the procedures of withdrawal, they left the control of exit firmly in the hands of the Commission, which was to be the exclusive counterpart of the withdrawing member state. After the UK referendum, this odd combination of open boundaries and a strong center proved to be a precious resource for handling a polity-threatening event such as Brexit. The UK could be accompanied to the door and the Commission was able to shift the costs of withdrawal almost entirely on the UK's shoulders. Brexit turned into an existential crisis that wasn't.

The Public Health Crisis

Health policy has long been one of the least integrated sectors in the EU, with deeply entrenched national traditions standing in the way of centralization. The outbreak of the COVID-19 pandemic in 2020 dramatically exposed the EU's weaknesses in the face of a transboundary pandemic on a scale unprecedented in living memory. The Union found itself under immense pressure, with inadequate policy capacities. Indeed, in the early phase, even the simplest forms of coordination seemed elusive, as the member states reacted with unilateral measures, blaming each other for the externalities of national decisions.

The lack of central coordination for the supply of medical devices and medicines triggered shortages in many countries, hindering access to care, and inducing national hoarding and forms of competition which resulted in distorted prices. The imperative of containment activated "nationalistic reflexes" that did not hesitate to violate EU free movement rules through unilateral border closures and export restriction: a beggar-thy-neighbor spiral that could damage the internal market, resurrect cross-national distrust, and erode again EU polity support.

The Commission and Parliament were swift however to orchestrate a counter-move, by launching the project of a European Health Union (EHU): a new authority structure for public health coordination, along the lines of federal systems like the US or Switzerland. Coordination covers the following domains: joint management of medicines shortages and public procurement of vaccines; surveillance of cross-border risks, of national preparedness and manufacturing capacities; joint scientific research and clinical trials, threat assessment of stockpiling and distribution.

Institutionally, the EHU is a complex architecture based on various organizations (the European Medicines Agency, the European Centre for Disease Prevention and Control, and the newly created Health Emergency Preparedness and Response Authority) tasked to implement a new Regulation on Serious Cross-Border Threats to Health (adopted in 2022). The latter confers to the EU new competencies in risk management and allows the Commission to activate a distinctive crisis mode in supranational policy-making after declaring a state of "public health emergency at the EU level".

The EHU was put into place in two years (2020-2022), with impressive rapidity, considering that the Union had to build the boat - as it were - while sailing in very stormy seas. It is widely recognized that such a new authority structure has now equipped the EU polity with the necessary capacity to deal with public health disasters and transboundary crises, on a par with the established federations. We can thus consider the EHU as a novel important buffer for existential resilience. Apart from problem pressures, which factors allowed for such an important achievement?

A close look at its institutional properties reveals that the EHU has not transferred public health sovereignty to the center (as is the case in the US and Switzerland), but has instead enabled the Member States to exercise joint authority *at* the center (Ferrera et al, 2024).

The Commission and the delegated agencies act under close control and often in conjunction with member state representatives. Overall, the distinctive feature of the EHU lies precisely in the high degree of "fusion" between the central and the member state levels.

This mode of integration has proved suitable for capacity building in a core state domain in which functional needs confronted reluctance from constituent units to surrender control. The EHU rests on a "weak center", in which the federal principle of "shared rule" takes the form of "sharing *in* rule", rather than a clear-cut vertical separation of power. The dispersed and limited policy resources of the EU combined with the Commission's status as a non-elected (but still politically accountable) bureaucracy has allowed for a constructive political dynamic of joint capacity building in the management of public health, without disrupting domestic institutional and political equilibria (Alexander Shaw et al. ,2023).

Next Generation EU

In the Spring of 2020, the COVID-19 crisis escalated from a public health emergency to a severe and fully-fledged economic and political (polity) crisis. The demands of financial assistance on the side of vulnerable member states reopened—with a vengeance—the foundational controversy over 'who owes what to whom' when member states are hit by severe adversities, a controversy already experienced in the manifold crises of the 2010s. The divisive imagery of the "frugal" saints of the North versus "spendthrift" sinners of the South reappeared in Europe's public sphere, generating fears about disruptive rifts. After a conflictual peak in April 2020, however, the political climate gradually shifted from harsh antagonism to relative appeasement. Principled disagreements and policy disputes did not subside, but leaders started to converge towards the basic logic of the Next Generation EU (NGEU) plan, i.e. that of addressing the crisis by 'walking the road together', without 'leaving countries, people, and regions behind', as EU Commission president Ursula von der Leyen put it.

This relatively rapid switch from antagonism to appeasement reflected the uneasiness of some EU leaders – French President Emmanuel Macron and German Chancellor Merkel, especially, together with the Commission's President - about the prospect of a new existential crisis.

This worry was a decisive factor, in particular, for Germany's abandonment of its initial "frugal" orientations. France and Germany thus engaged in a deliberate strategy of reconciliation, which played out at two levels. On the one hand, an acceptable joint solution to the economic emergency had to be identified and negotiated in EU arenas. On the other hand, the desirability of this solution, involving deeper EU (fiscal) integration, had to be presented and justified to the national public.

The two prongs of the strategy were linked. But orchestrating the NGEU plan was primarily 'policy-oriented" politics, while symbolic communication was essentially 'polity-oriented' politics, serving the distinctive task of keeping the member states together by revamping systemic support for the EU. This second strategy was championed by Merkel. At the time, she was the only EU leader who could count on a substantial amount of domestic support and "leadership capital" which could be spent in favor of a more solidaristic EU.

Merkel launched a communicative campaign vis-à-vis international markets and European public opinions (Ferrera et al, 2021). Her greatest efforts were of course directed at persuading German voters. This was not an easy task, given the Chancellor's own 'rhetorical entrapment' in the moral hazard arguments used during the previous decade. To this aim, in her numerous public speeches, she reformulated the reference frame about Germany's European priorities, indicating that "for us in Germany, the commitment to a united Europe is part and parcel of our reason of state […] We are a community of fate. … Europe is not Europe if it does not stand up for one another in times of indebtedness" (Bundestag speech, April 23, 2020).

Leadership is key in processes of polity building and, far from being mere cheap talk, political communication serves a key performative role. Like then ECB President Mario Draghi before her (remember his "whatever it takes" in 2012), Merkel's discourse in the crucial months of April-July 2020 can be considered as a deliberate strategy for blocking off dangerous political centrifugations and paving the way for an extraordinary operation of polity bonding through common debt and need-based grants.

The EU compound polity has no autonomous and effective channels of direct legitimation. When the hard time of crisis calls for bold actions and broad support, national leaders must engage in legitimacy intermediation and invest whatever surplus of political capital is available for pushing through delicate decisions.

The polycrisis of the long 2010s started with a German Chancellor trying to bend Europe to German preferences. It has however ended not only with the restoration of the traditional backbone of German policies (Europeanising problems and solutions) but also with the German chancellor serving as the key "legitimacy broker" of the EU polity.

Is the EU Still at Risk of Polity Attacks?

These three cases confirm the inherent crisis-proneness of the EU as a polity. This fragility requires maintenance efforts which must deploy diverse strategies, according to the nature of the threat as well as contingent constraints and opportunities.

While in the state model boundaries are fixed and the political/administrative center is separated from the lower levels of government (including the constituent units of "coming together" federations), in the compound polity the EU boundaries must allow for domain-specific differentiation, and for flexible territoriality, as regards both exits and entries. A similar differentiation must be allowed for with respect to the properties of the political center, which can be strong (Brexit) or weak (EHU) according to strategic – but at times also contingent – considerations about their polity impact.

The third defining feature of a polity, i.e. bonding, is the most demanding in a compound polity such as the EU. Cross-national solidarity, in particular, must sometimes be implemented "by stealth" (as was the case in the euro-crisis following the "whatever it takes") (Schelkle, 2017), or else it requires deliberate political investments in both communicative and coordinative arenas by those leaders (especially French and/or German) who can count on a domestic credit of legitimacy.

Key elements of such investments are the adoption of more inclusive narratives (De Vries 2022) and an expansion of the "horizon of evaluation". During the pandemic crisis, such a horizon was extended from the sphere of public health to the economic sphere and, eventually, the political sphere: the horizon shifted from the policy to the polity level and the latter succeeded in imposing its primacy over the former.

The polycrisis decade has made the polity level more visible and salient, has prompted a greater awareness about the overarching function of polity maintenance, and has encouraged the search for the instruments needed to discharge such function.

Once discovered and put in place, these instruments become part of the "governance menu" of the EU, they can creatively inspire new policy solutions to polity-sensitive challenges. Thus the Brexit experience can perhaps teach something about future accessions, while the Recovery and Resilience Facility (the Fund established to provide grants and loans to the member states in the context of Next Gen) and the European instrument for temporary Support to mitigate Unemployment Risks in an Emergency (SURE, established at the beginning of the pandemic) may become the first instantiations of novel schemes of collective re-insurance. In its turn, the EHU can serve as a template for other "Unions" in specific domains.

Defense is a case in point: security threats are typically addressed to the constitutive elements of a polity (boundaries and binding authority). Ursula Von der Leyen has already talked about creating a fully-fledged European Defense Union (EDU). As in the field of pre-pandemic public health, at the EU level the domain of defense is currently fragmented in a number of bodies (e.g. the European Defence Agency, the Peace Facility, the European Defence Fund and other financing schemes) operating in the context of PESCO (Permanent structured cooperation in security and defense).

Moreover, the EU has de facto its own "non-permanent military forces", consisting of almost 20 multinational battalions already trained for joint deployment. In other words, in the domain of common defense there is already more than meets the eye, but there is no clear driving seat, acting on a

polity logic. Just like in the EHU case, the establishment of a clear (if "weak") centre appears as the most promising strategy for upgrading the joint governance of a core state power that national governments are reluctant to shift at the supranational level.

It is too early to establish whether "polity consciousness" has been fully internalized not only by mainstream parties but also by right-wing nationalist leaders (at least to some extent). In the last two decades, the traditional *cordon sanitaire* against the far right has been gradually lifted; representatives of such parties have gained office at the regional and/or national level in the majority of member states (Hublet,Lanoë, and Schleyer, 2023).

Participation in government inherently tends to have moderating effects: in order to deliver on their promises, leaders cannot limit themselves to act in the communicative sphere (public messages) but they must engage in the so-called coordinative sphere as well, i.e. the arenas where policies are negotiated and implemented: something which requires a readiness to compromise.

At the EU level, the right is internally divided between two camps: the European conservatives and reformists (ECR) and the members of Identity and Democracy (ID). Since 2009 (with the Prague Declaration) the ECR has defined itself first and foremost in terms of "Eurorealism,": a label which had been used in the early 2000s by British conservatives to characterise their party's position on European integration.

"Eurorealism" amounts to an anti-federalist vision of the EU, which calls for a greater role for national parliaments, and a more flexible approach to European cooperation. But even though the extant institutional framework is strongly criticised, the basic legitimacy of the EU is no longer challenged, (Leruth 2016). As of 2024, not all the members of the ECR group fully share these orientations (let us think of Poland's PIS). Both Fratelli d'Italia and the Swedish Democrats have indeed shown a rather clear endorsement of Euro-realist positions.

The parties belonging to Identity and Democracy have a much less benign stance towards integration. This is particularly the case for the two largest parties of the family: the Rassemblement Nationale (RN) and Alternative für Deutschland (AFD). The latter still advocates a "Dexit", i.e. German exit from the Euro Area. The former seems to have abandoned the idea of "Frexit", but still remains harshly Eurosceptic.

A larger ID group within the European Parliament would have serious implications at both the policy and polity levels, as it would consolidate an anti-system opposition. A stronger RN and a stronger AFD would also destabilise the French and German political systems, including as regards their close cooperation as the engine of integration. At its far end, Euroscepticism may veer back once again towards "euro-rejectionsim", thus increasing the margins for new polity attacks.

Conclusion

Polity building – especially in the case of a "difficult" meta- polity such as the EU – is not a linear process. The literature on political development has long underlined the risk that development may at some point turn into decay (Huntington, 1965; Fukuyama, 2014). Against the odds, the polycrisis has promoted an increase of EU durability: the increase of capacity has put in place some institutional "cogs" which restrain reversibility and thus the margins for decay. But self-complacency has

to be avoided. The very success of maintenance operations may erode polity consciousness or reduce its ambitions.

Political leaders may then become blind to “policy drift”: instead of keeping the newly created maintenance resources, they can let them waste away or terminate (it has already happened with SURE), with the misconceived goal of “getting back to normal”.

In this light, the June 2024 elections acquire a particular significance. They are in fact a key testing ground as regards at least three delicate fonts: the relative balance between euro-realists and eurosceptics; the post-election *Koalitionsfähigkeit* (the “coalitionability”) of the ECR or parts of it; and last but not least the “endurance of enduring”. A compound polity of nation-states has no “normal”.
Its constitutive fragility requires a programmatic, dynamic, and realist “ethic of maintenance”, capable of fending off decay and safeguarding the conditions for polity resilience, as a prerequisite for functional performance. The last decade has taught that this strategy does pay off. But only as long as it lasts.

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