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Crisis management in the European Union on the example of the Covid-19 pandemic

Abstract

RESEARCH OBJECTIVE: The Eurozone crisis revealed specific methods of crisis management which were largely inspired by German politicians. They preferred austerity policy, introducing strong financial conditionality, centralizing management, and finally, a narrative that was supposed to legitimize the introduced changes and stigmatize opponents. The aim of the article is to verify those methods in relation to the pandemic crisis in the EU.

THE RESEARCH PROBLEM AND METHODS: The issuance of common debt during the pandemic was contrary to the preferred line of management used during the Eurozone crisis. However, the methods of implementing the debt fund during the pandemic resembled the methods used during the common currency crisis. The described inconsistencies resulted from disputes between the Member States. The research methodology is based on the analysis of sources and scientific literature.

THE PROCESS OF ARGUMENTATION: The first part of the article presents the main features of the management of the Eurozone crisis. Then they are confronted with management during the pandemic.

RESEARCH RESULTS: At the beginning of the pandemic crisis, decision-makers partially departed from the methods used during the common currency crisis, especially in fiscal policy. In the next phase, there was a return to the methods known from the Eurozone crisis.

CONCLUSIONS, INNOVATIONS, AND RECOMMENDATIONS: The continuation of crisis management in the EU shows a low ability to correct mistakes or to learn from crisis to crisis among European decision-makers. The continuation of methods indicates also protection of national interests. It

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also shows a stronger influence of German decision-makers in negotiations in relation to France and its allies from Southern Europe. This is a hint for the study of subsequent crises in the EU in terms of power relations in the EU.

KEYWORDS:

austerity policy, financial conditionality, centralization,
emergency policy

INTRODUCTION

The policy of saving the Eurozone in the crisis of 2009–2012 was largely proposed by German politicians (Art, 2015). It had several features that are important for the development of European integration during this crisis. Firstly, it aimed to introduce systemic changes, which, however, did not solve the structural problems of the monetary union in the long term. Instead, they were intended to shift the costs of macroeconomic adjustments to the weakest countries while maintaining Germany's asymmetric economic benefits. An element of these activities was the application of austerity policies, i.e. forcing socially painful adjustments on the part of countries receiving financial support. Secondly, the mechanism for implementing the anti-crisis policy was financial coercion, specifically numerous conditions imposed on indebted countries that were offered financial support from the EU and other international organizations (Fabbrini, 2022). Thirdly, the element neutralizing political tensions between the rich and the most indebted countries was the EU technocracy. Therefore, it was strengthened. Then centralized management was aimed at increasing the effectiveness of the implementation of anti-crisis measures. At the same time, technocracy gained a wide scope of discretion in relation to countries subjected to the pressure of "forced Europeanization". Fourthly, the anti-crisis policy was complemented by a rhetorical campaign that was intended to discredit opponents of emergency policy and legitimize forced restructuring measures. These four elements observed during the eurozone crisis can be described as the "German method" of managing European affairs.

The pandemic crisis took place in the shadow of the Eurozone's previous problems, and the concerns of many decision-makers

focused on the financial and economic stability of the south of the monetary union (Krotz & Schramm, 2022; Quaglia & Verdun, 2023; Citi & de la Porte, 2022, 101–113; Wolff & Ladi, 2020, p. 1031; Fabbrini, 2022, p. 187; Freudlsperger & Schimmelfennig, 2022, p. 1877). That is why it is so important to recall emergency politics during the destabilization of the European currency system. Therefore, when considering anti-crisis policy as a method of developing integration during the Covid-19 pandemic, we should ask about the four basic principles in the Eurozone crisis: austerity, conditionality, centralization, and stigmatization of opponents. It can be assumed that if they have been maintained to a large extent, this proves the continuation of the same methods of developing integration during crises.

GERMANY TOWARDS THE EXPANSION OF MONETARY POLICY

During the Eurozone crisis the ECB took on the main role in overcoming economic problems. To a large extent, this situation repeated itself during the pandemic. The above-mentioned institution started anti-crisis activities using the experience gained from previous disturbances in the monetary union. As a result, the scale of the ECB's monetary policy was significant almost from the very beginning, as was the progressive expansion of the competences of this institution. The pandemic resulted in ECB interest rates being set at historically low levels, some of which were negative. At the same time, the bank launched a new anti-crisis instrument, the Pandemic emergency purchase program (PEPP), for the amount of EUR 1,850 billion. It purchased debt securities of companies and state authorities, including directly from financial institutions and banks. Then, in 2021, the ECB launched pandemic emergency longer-term refinancing operations, which provided liquidity in the euro area banking sector. The main aid instrument of this program was a 25 basis point reduction in the interest rate compared to the average rate applied in the Eurosystem's main refinancing operations (Tesche, 2022, p. 486).

According to economists, the above-mentioned actions temporarily stabilized the financial sector and reduced the costs of debt for states and borrowers, and therefore for the real economy. However,

after 2022 – in a situation of rapidly rising inflation – this could lead to another crisis. This was primarily due to the fact that with increases in interest rates, the value of bonds constituting the reserves of financial institutions dropped rapidly, and therefore, when it was necessary to release these reserves, they had to be sold with serious losses. This could have triggered another crisis (Roubini, 2023).

Despite this, the ECB continued its policy from the times of the euro area crisis, thus saving it from collapse by relaxing its monetary policy. In fact, it increasingly went beyond the EU treaties. The bank's policy was most controversial in the case of purchasing sovereign bonds, i.e. bonds issued by Member States. This lowered the costs of government debt, and thus the interest rates on government bonds. It thus favored the growth of debt, especially in the south of the monetary union and in France. This was already problematic, i.e. during the Eurozone crisis, in the light of Art. 125 TFEU. Formally, it prohibited the ECB from acting as a lender of last resort or from bearing the EU and its Member States liable for the obligations of other states (the so-called no bailout clause) (Ruffert, 2011; Sester, 2012, pp. 174–175; Scicluna, 2014).

Because the scale of quantitative easing under PEPP was huge, the bank abandoned previous restrictions on the purchase of debt securities from countries in the southern part of the monetary union, primarily Greece, Italy and Spain (Tesche, 2022, p. 486). This was very beneficial for the largest euro area debtors, although it violated the ECB's internal regulations. It could also violate Art. 123 TFEU, which prohibited the purchase of sovereign bonds on the primary market (Mooij, 2023, p. 656). This action meant that the ECB abandoned almost all constraints on its own monetary policy from the period of the Eurozone crisis after 2010. Therefore, it was difficult to consider this bank as a law-abiding institution, or at least properly legitimized by law (Mooij, 2023, pp. 657–658).

The ECB's policy caused great consternation among German politicians. Although they approved the centralization of power in the EU in subsequent crises, and therefore the strengthening of the powers of EU institutions, they nevertheless had reservations about the expansion of the ECB's monetary policy and its growing interference in the fiscal policy of the members of the monetary union. In this case, centralization of management conflicted with the demand for fiscal

discipline of national governments, which was even more important to the Germans. That is why subsequent German representatives in the ECB authorities resigned from their posts as a sign of protest against the bank's monetary policy (Quaglia & Verdun, 2023, p. 646). The attitude of German economists is hardly surprising – the ECB's actions contributed to the increase in inflation (Dimitrakopoulos & Lalis, 2022, p. 1402). Already in 2021, this brought its first negative economic and social consequences.

The bank's reaction proves that the pandemic was treated in Western Europe to a large extent as another stage of the Eurozone's problems, or even as an after-effect of the great existential crisis of this system after 2010. As was the case before, the ECB used the pandemic to strengthen its power in the actual suspension of many regulations or creative circumvention of treaty provisions. Therefore, it was a centralization of competences at the EU level, although it was carried out against the position of German politicians and officials. Under the leadership of the Italian Mario Draghi and the French Christine Lagarde, the bank's actions in Frankfurt can be considered an exception to the German crisis management model. Both politicians used the centralization process to actively support the indebted south of the euro area – contrary to the policy of austerity and the strong currency preferred by the German authorities. Another example was the approach of the European Commission, which, striving to expand its own competences and discretion, tried to use them for the benefit of the most indebted countries in Southern Europe, and thus against the intentions of the so-called “frugal” countries, led by Germany.

GERMAN COUNTEROFFENSIVE

During the pandemic, France, and its allies from the southern part of the monetary union launched a real political offensive aimed, in fact, at solving the systemic dysfunctions of the Eurozone. A contributing element to this attack was the rhetorical change that took place in Europe, which lifted the odor of negligence or erroneous policy from the most indebted states of the monetary union, which at the same time – through no fault of their own – were the most affected by the health crisis (Ferrara & Kriesi, 2022, p. 1367). The primary goal of

these countries was to increase financial redistribution from the rich north to the indebted and less competitive south of the Eurozone. The debt problem was not solved in accordance with German preferences, i.e. by increasing budget savings, but by an attempt to transfer the debt to the EU level. For this purpose, the so-called Corona bonds were proposed, which were not only supposed to be a common European debt, but what is more, they were to be partly intended to repay the debts of the states of the monetary union (implicitly mainly those from Southern Europe). This form of redistribution was, of course, opposed by the “frugal” states, i.e. coming mainly from the northern part of the monetary union, led by Germany and the Netherlands. While they had difficulty tolerating the expansion of the ECB’s monetary policy to finance the debt of the countries in the southern part of the euro area, they did not want to accept the communitarisation of debt through the issuance of Corona bonds (Krotz & Schramm, 2022, p. 532).

As I have already mentioned, the European Commission expressed solidarity with the demands of the south. An example were the proposals put forward by this institution regarding a significant increase in European funds and their basing on common debt to a greater extent than before. In April 2020, the leaders of France, Germany, Italy, Spain and the Netherlands met with the participation of the President of the Commission to discuss the Commission’s proposals. The dominant at this meeting supporters of EU redistribution forced concessions from Berlin and The Hague. A breakthrough occurred during bilateral talks between Emmanuel Macron and Angela Merkel in May 2020. The German Chancellor gave in on the establishment of a new European fund, which was to come from a jointly incurred debt by the European Commission, guaranteed by all EU Member States and the multiannual financial framework (MFF, i.e. the EU budget). This meant that all EU members would provide support to the southern euro area countries weakened by the pandemic. This was a success for Chancellor Merkel, who wanted not to deepen the division between the members of the monetary union and the rest, and, moreover, for the entire EU to take responsibility for stabilizing the south of the Eurozone. Another success of Merkel was the abandonment of the idea of Corona bonds, especially the so-called perpetual loans, i.e. those that would have no time limit and only the interest

on the loan was to be repaid. The new debt instrument called the European Recovery Fund (and later Next Generation EU, NGEU) did not lead to a sudden increase in the main EU budget (i.e. MFF). Moreover, it was to operate only for a few years, formally until the end of 2023 (actually until 2026), although its repayment could be extended until 2058. It was to be distributed not only in the form of grants, but also loans, which was another success for Merkel and her allies.

Details of the functioning of NGEU were developed at the subsequent summits of the European Council in 2020 (2020ab). There was then a kind of confrontation between two political camps, i.e. between Northern Europe led by Berlin and Southern Europe led by Paris (Krotz & Schramm, 2022, pp. 528, 532). Central Europe was only the background for this dispute, although in a sense it also allowed for its resolution. Criticism regarding the rule of law, the object of which was primarily Warsaw and Budapest, facilitated the final compromise between Paris and Berlin, or more precisely, the German side's pursuit of its own goals.

It is therefore not surprising that the greatest negotiating role at these summits was played by leaders from France and Germany (Kassim, 2023, p. 626; Ferrara & Kriesi, 2022, p. 1368). Although both countries have often argued about the future of integration, including how to overcome subsequent crises, they nevertheless had a dominant influence on EU decisions, especially after Brexit (Krotz & Schramm, 2021). Ultimately, it was agreed that the recovery fund would amount to EUR 750 billion, including EUR 390 billion in the form of grants and EUR 360 billion as loans to Member States. The largest beneficiaries of the grants were Spain, Italy, France and Germany (RRF, 2022). The lending part was much less popular among EU members, especially from the south of the monetary union. In 2022, only 7 countries intended to use this form of support (Schramm et al., 2022, p. 116). This was due to the fact that this form of support had to increase the state debt and, moreover, it was considered a relatively unattractive form of taking out a loan.

The success of supporters of EU federalization and centralization was the readiness to introduce European taxes, which were to repay NGEU, although later they would remain permanently the EU's own revenues. Initially, only a plastic fee was introduced, followed by the

Carbon Border Adjustment Mechanism, but it was announced to be put in place in the future, among others, the Union's share in the ETS para-tax, on the largest and most profitable multinational enterprises, digital tax and financial transaction tax. It was also possible to introduce further EU fees and taxes down the road. For example, new forms of corporate taxation were planned (*The next generation...*, 2021, p. 6). The basis for these activities was to be the introduction of a common tax base in the EU and a minimum level of corporate taxation. Other tax proposals considered included the introduction of wealth taxation (*ETUC Position...*, 2022).

This deepened fiscal federalism in the EU, but potentially also opened the way to increasing the power of EU institutions, primarily the competences of the Commission (Fabbrini, 2022, p. 194). Another manifestation of centralization was the increased discretion of the European Commission over the management and distribution of NGEU. At the request of the "frugal" countries, a mechanism of control by intergovernmental institutions over the Commission's conduct was introduced. However, practice showed that while the Commission's power increased significantly, the system of control exercised by national governments was relatively superficial.

The Commission gained the opportunity to negotiate with the Member States the so-called milestones, i.e. conditions set in exchange for receiving NGEU funds. In practice, this gave it enormous power over individual governments to force structural reforms, including those related to reducing budget spending. Ultimately, it was a manifestation of the German method in anti-crisis policy. The issue of savings has returned, but also of centralization of management and extensive conditionality. The Commission placed a total of over 3.5 thousand conditions to all Member States. In the case of Poland, the milestones included: obligation to introduce a new tax on car owners, changes in the rules of procedure of the Sejm (the lower house of Parliament), the need to impose a ZUS (The Social Insurance Institution) contribution in all types of contracts, as well as the introduction of more toll roads throughout the country. In turn, political elites in Belgium opposed the pension reform imposed by Brussels, which caused huge social uproar and protests from trade unions. Even this random review shows that Brussels officials were encroaching on a number of public matters that were not essentially EU competences

and were therefore never transferred to the EU by Member States. The Commission did not have the appropriate democratic mandate to force such far-reaching changes, the possible political consequences of which had to be borne by those in power at the national level.

The justification for the increase in Brussels' discretion and centralization of management was primarily the pandemic crisis and the desire to reform individual states, especially the largest beneficiaries of EU funds from the south of the euro area. Additionally, there was a reasoning aimed at legitimizing the policy of conditionality, i.e. the possibility of imposing financial sanctions by EU officials. This narrative concerned respect for the European values and the rule of law in the EU. Considering Berlin's previous reservations about the Commission that it was too open to French demands and lenient towards the debt of the states in the southern part of the monetary union, European officials ultimately also considered the expectations of German decision-makers. According to scientists, informal relations between President von der Leyen and German politicians were of great importance here (Kassim, 2023, p. 626).

Until now, the basic procedure for initiating financial sanctions by the European Commission was Art. 258–260 TFEU, i.e. concerning a violation of EU law. Each time it referred to (two consecutive) judgments of the Court of Justice of the EU, and any penalties imposed on a Member State had a specific financial and time dimension, and also related to a specific case of violation of EU law. After 2020, the Commission began to block the entire allocation granted to a Member State (i.e. all EU funds granted), indefinitely, without initiating the appropriate legal procedure and without due control by the EU courts. This was obviously an expansion of the Commission's competences as well as its decision-making discretion – unprecedented in the history of integration. Interestingly, this was done under the banner of defending the rule of law in the EU. This expansion of the Commission's power is explained by the politicization of its actions, and especially the support for such behavior from influential political actors. I mean the largest countries in Western Europe, including net contributors to the EU budget, as well as the majority of MPs in the European Parliament (Grosse, 2023, p. 80).

The Commission withheld all NGEU funds for Poland while conducting negotiations with the government in Warsaw on the conditions

for unblocking them, primarily in relation to the reform of the justice system. A feature of these talks was the discretion and variability of decisions made by Brussels officials regarding the milestones set for Warsaw. Even if the Polish government concluded an agreement and tried to adapt to Brussels' expectations, it later turned out to be insufficient or the Commission increased its requirements. For example, it expected the liquidation of the Disciplinary Chamber of the Supreme Court, and when the government fulfilled this requirement and new rules of judges' responsibility were introduced, combined with the creation of the Chamber of Professional Responsibility of the Supreme Court, Commission officials again questioned these solutions. This was primarily due to the political pressure exerted on von der Leyen by the European Parliament and some Western European Member States. Similar pressures were exerted on Hungary.

The paradox was that Poland was not the largest beneficiary of NGEU funds. It rather acted as a net payer, considering the specific course of the pandemic (taken into account in the calculation of financial allocations) and the time horizon for repayment of the joint loan by the Member States (i.e. 2058) (Heinemann, 2020; Darvas, 2020). Moreover, despite the lack of any transfers from the EU, Poland began to repay the loan taken out by the Commission (i.e. NGEU) already in 2022, and also agreed to further taxes to repay this debt. The new taxes were unfavorable for Poles, who paid a disproportionate amount compared to the richer Western European countries. This was the case with the fee on unprocessed plastic packaging and was highly likely in relation to the EU's share of the EU Emissions Trading System fees. The biggest winner in the dispute with Poland was the Commission itself, which effectively claimed the right to extensive interference in the internal system of the Polish state.

Moreover, in the fall of 2022, the Commission blocked funds allocated to Poland under the Multiannual Financial Framework for 2021–2027. As in the case of NGEU, it did so due to Polish judicial reforms. In this way, it froze all EU funds allocated to Warsaw after 2020 (EUR 110 billion at the end of 2022), interestingly, without formally initiating the conditionality procedure specified in the regulation of December 2020 (Regulation 2020/2092). The conditionality procedure was introduced on the initiative of Germany (Chazan & Robinson, 2017; Eder, 2017). It was intended to increase the possibility

of imposing financial sanctions on non-law-abiding states. The European Commission found that the “horizontal principle” of “effective application and implementation of the Charter of Fundamental Rights” had not been met by the Polish authorities. The legal basis for these actions was quite flimsy. The Commission referred, on the one hand, to the regulation establishing common provisions for the MFF (Article 73) (Regulation 2021/1060) and the technical document, i.e. the Partnership Agreement for the implementation of cohesion policy 2021–2027 in Poland adopted by the Polish government (*Umowa Partnerstwa...*, 2021). It is worth noting that in the above-mentioned document the “horizontal principles” relating to the Charter of Fundamental Rights were understood as respect for gender equality and persons with disabilities, thus without reference to the issue of the independence of the judiciary, which was the main milestone set by the Commission for the government in Warsaw (Scheppele & Morijn, 2023). At the same time, the Commission withheld funds for Hungary, considering that the Charter of Fundamental Rights forces this state to abandon the protection of children from LGBT+ ideas in the education system, restore academic freedoms and respect the rights of refugees (Scheppele & Morijn, 2023).

Evidence of discretion and, at the same time, politicization of the Commission was that part of the funds for Hungary was unblocked by Brussels in December 2023 as a result of informal political pressure from Member States. At that time, Budapest blocked decisions regarding the amendment of the EU’s multiannual financial perspective. Therefore, the European Parliament decided to sue the European Commission over the release of €10.2bn in frozen funds to Hungary. Parliament considered that the Commission’s decision was taken on the eve of an EU summit and therefore taken for political reasons despite Budapest failing to address EU concerns about judicial independence (Onyango, 2024). In turn, funds for Warsaw were suspended until 2024, until the government changed to a liberal-left one declaring its pro-European position. The Commission then released most of the funds (€137 billion) for Poland – only based on the political declarations of the new cabinet, i.e. without formally meeting any milestones (Camut, 2024).

An expression of the centralization of anti-crisis management was not only the transfer to Brussels of enormous control over the

way in which EU funds were spent (Kreuder-Sonnen & White, 2022, p. 959), but also – on this occasion – on many other activities of national authorities which, due to the division of competences in the EU treaties, should not be the subject of interest of European officials. In this way, the EU technocracy – and not voters in Member States – could decide on many aspects of public policies. In addition, officials expanded their power regardless of the constitutional order prevailing in individual countries, as well as the treaty principle of conferral of powers (i.e. the possibility of EU institutions acting only on the basis of the powers transferred by states). Such a far-reaching expansion of Brussels' power and arbitrariness would not be possible without the support of influential patrons, including Berlin, but also the compromise regarding NGEU that was concluded among a wider group of Western European states.

CONCLUSIONS

The Covid-19 crisis was too good an opportunity not to raise voices demanding “more Europe”, which meant the transfer of competences to the EU level (Goetz & Martinsen, 2021; Ladi & Tsarouhas, 2020). On this occasion, the technology of responding to crises, which I called the German method, faltered. It concerned in particular the austerity policy preferred by Berlin, as well as the reluctance to make too large fiscal transfers and to take out a common debt in the EU. Under the influence of France and its allies from Southern Europe, German politicians gave way to their anti-crisis policy in these areas, but this did not mean their complete retreat. During the compromise on the establishment of NGEU, Germany managed to stop further-reaching ideas regarding debt mutualization, i.e. using the Corona bond instrument. Moreover, in exchange for consent to NGEU, financial conditionality was introduced on a large scale in the EU. It had, among other things, aimed at a number of changes relating to budget policy in individual countries, in line with Germany's traditional demand for increasing savings.

The scale of conditions imposed on Member States in exchange for access to European funds has increased the intensity of the competence creep phenomenon, especially by the European Commission (Grosse, 2023). Therefore, the centralization in the Union has

deepened. Its manifestation was the enormous scale of discretion in the actions of EU officials. Centralization was enhanced by the openness of the conditionality process, i.e. the possibility of optionally increasing the expectations placed on states, depending on the political situation in the EU. In this way, the politicization of European officials also increased, as they gave in to pressure from the European Parliament and the most influential Western European Member States. Another manifestation of anti-crisis measures was the failure to complete the repayment process of the debt incurred on NGEU, i.e. leaving the decision regarding the allocation of further EU own revenues open. This could have further strengthened centralization and fiscal federalization in the Union.

The transfer of further powers to the European Commission or EU agencies took place as a result of negotiations between two coalitions of countries originating primarily from Western Europe – one led by Paris and the other led by Berlin. During the pandemic, both groups of countries have increased their political pressure on EU officials. As a result, the Commission's behavior at that time was characterized by far-reaching tolerance towards the debt of Southern European countries, which was a success for France, but was disliked by German politicians and their allies. A manifestation of these controversies was the revision of the rules in the Stability and Growth Pact, in particular regarding the level of debt and budget deficit. The French camp sought to make these rules more flexible, while the German coalition wanted to leave the basic criteria unchanged, with only periodic exceptions. At the same time, Berlin was afraid to leave too much room for discretion to the Commission, fearing that it might serve as leniency for the largest debtors in the euro area (van Gaal, 2023). German politicians and diplomats wanted to increase the importance of procedures and numerical benchmarks, as well as the automaticity of financial sanctions imposed on debtors. They also intended to accelerate the pace of debt reduction, by at least 1% in relation to GDP per year. The Commission saw such demands as a return to austerity.

While the Commission's discretion regarding fiscal savings was controversial among Western European states, it did not raise any objections with regard to the conditionality relating to the European values and the rule of law. Here, the two above-mentioned groups of countries (i.e. allies of Paris and Berlin) adopted a common line of

conduct, which largely facilitated the compromise regarding NGEU, as well as the implementation of German demands to end the pandemic crisis. According to scientists, the powers of the EU technocracy were increasing, but the instruments of control over the Commission were retained by intergovernmental institutions (Schramm & Wessels, 2023). In my opinion, the instruments mentioned did not have such a significant political influence on the Commission's behavior in practice.

To sum up, the pandemic period was an example of the application of anti-crisis policy consisting in increasing the centralization of management and financial conditionality, including those relating to fiscal savings. It was also based on a narrative intended to legitimize anti-crisis activities and weaken opponents of these actions. This proves the continuation of the methodology of dealing with the crisis, which is largely preferred by German decision-makers.

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