The crisis trap: Why the EU must not sideline democracy as it tackles coronavirus

The Covid-19 crisis calls for a major policy response from European governments, but should we be cautious about where these actions might lead? **Jonathan White** *explains that while crises are typically when the need for action can seem strongest, it is exactly in such moments that new initiatives should be viewed with caution, since the means and the ends may be distorted.*

"The worst defect weak republics can have is to be indecisive, so that all their decisions are taken out of necessity, and if any good comes to them, it comes through force of circumstance rather than through their own prudence." Machiavelli's words seem especially apposite today, as governments around the world are accused of dithering before the coronavirus threat. Indecision followed by hurried adaptation seems the rule. In Europe, this applies not just to national governments but to the supranational institutions of the European Union, to whom many have looked for a decisive response yet whose actions can still seem painfully slow.

It would be easy to blame "failures of leadership", but in many respects the problems are structural. Power in the EU is divided across many hands, and supranational authorities can only do so much without the backing of leading member states. Even in the case of economic policy, where the European Central Bank and EU Commission have shown a willingness to deploy significant powers, they can rarely act alone. As Machiavelli also noted, republics based on the diffusion of power across multiple sites tended to work in "slow motion", "since no council nor any magistrate can undertake anything alone, for in many instances they need to consult one another, and … time is wasted in coming to an agreement."

Leave the EU out of it, one might say – it was not designed to deal with public health emergencies, so inertia is only to be expected. But there is a risk in such contexts: that moving too slowly leaves EU leaders feeling pressured to act decisively nonetheless, ultimately in ways that are hard to monitor or constrain. There have, after all, been many calls for stronger European-level action to tackle the coronavirus.

One of the striking and generally welcome features of this crisis so far has been the widespread enthusiasm for political intervention. This translates first and foremost into renewed interest in state planning, but it is combined with calls for stronger cross-national coordination and supranational, even global, authority, arguably with good reason.

Yet one thing we have learnt from more than a decade of EU crisis politics is that, when leaders are moved to take urgent action in the absence of existing authority structures, power tends to be relocated to small groups and exercised informally and opaquely. Since EU procedures can be cumbersome and demanding, unofficial channels tend to be preferred. After the most recent failure of the European Council to reach agreement on a common response to the economic crisis, this task was transferred to the "Eurogroup", not a formal institution but the name given to a gathering of Eurozone finance ministers. As in the euro crisis of the 2010s, its uncodified status means discretion can be exercised with few constraints. EU decision-making, which is hard to scrutinise at the best of times, is decidedly more so in times of emergency.

EU Foreign Affairs Ministers discussing the Covid-19 pandemic via video conference on 3 April 2020, Credit: European Union

There is a basic conundrum here. On the one hand, crisis moments are when the need for action can seem strongest. They represent opportunities for constitutional overhaul, since there is typically greater will to innovate. On the other hand, it is exactly in such moments that new initiatives should be viewed with caution, since the means and the ends may be distorted. Actions taken of necessity in extreme situations create something like an "original sin" – they are marked negatively by the conditions that gave rise to them.

When the Italian prime minister Giuseppe Conte called for "extraordinary and exceptional measures" from the EU to deal with the crisis, it was not difficult to concur. Members states such as Italy, France and Spain, argue plausibly for the introduction of "eurobonds" so as to alleviate the burdens of state debt, a measure Germany, the Netherlands and others have so far resisted.

But exceptionalist logic is slippery. It can be used to attach stringent conditions to otherwise desirable measures, as with the European Stability Mechanism (ESM), the financing organ created during the last Eurozone crisis, which Germany would like to reuse today. It can be used to sidestep the need for democratic controls – proposals for eurobonds tend to exclude parliamentary involvement over how resources are used.

Emergency logic can also be used to render certain measures temporary (e.g. the loosening of state aid rules that restrict public spending), on the understanding they are suited only to exceptional times, as well as to render temporary measures permanent (e.g. those built into the ESM that were first trialled as standalone arrangements), on the understanding they prevent a relapse. Emergency measures are aimed at solving specific problems: how they relate to general principles is always ambiguous.

The stakes are high, which is why what's discussed behind the closed doors of informal forums, such as the Eurogroup, matters. It matters in particular because supranational institutions tend to be closely tied to predefined policy goals – in the EU case, the stability of the Eurozone and the single market.

The discretion displayed by EU officials in crisis politics tends to be directed primarily at reinforcing these things – logically so, given their mandate. Improvised decision-making may be welcome if one is confident of the representative or technocratic capacity of institutions, but it is in need of careful scrutiny if predisposed to serve certain ends. What counts as an emergency ultimately depends on what parts of the status quo one wants to preserve: these issues need to be contested in the open.

That the EU must be redesigned in this crisis seems clear, but these are also the moments most treacherous for redesign. Fear creates a desire for political action easily abused – an impulse to applaud interventions of all kinds and to bemoan their absence. It creates a licence for new powers that are hard to control, and precedents bad as well as good.

Machiavelli's warning was clear: "In a republic, it is not good for anything to happen which requires governing by extraordinary measures. Although extraordinary measures may be beneficial at a certain moment, the example nevertheless causes harm, because if one establishes the habit of breaking the laws for good reasons, later on, under the same pretext, one can break them for bad reasons." Europeans need to be on their guard.

Please read our comments policy before commenting.

Note: This article originally appeared at the New Statesman. It gives the views of the author, not the position of EUROPP – European Politics and Policy or the London School of Economics.

———————————————————

About the author

Jonathan White – *LSE*
Jonathan White (@jonathanpjwhite) is Professor of Politics at the LSE. His latest book, Politics of Last Resort: Governing by Emergency in the European Union, was published with Oxford University Press in 2019.