

## Beyond Crisis

### Future perspectives on EU solidarity after the COVID-19 crisis:

# Moving from ‘second-order’ to ‘first order’ solidarity



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European solidarity has become a widely used expression during the COVID-19 crisis. But what role does solidarity play in the EU? What does it entail in practice? This research project allowed to develop the notions of ‘first-order’ and ‘second-order’ solidarity to differentiate between the national and European level, to categorise various forms and dimensions of EU solidarity, and on that basis, suggests different options to foster EU solidarity in the future. In light of growing political and socioeconomic divides, the EU should invest in solidarity mechanisms to re-establish European cohesion.

It was one of Europe’s founding fathers, Robert Schuman, who first emphasised the role of solidarity in the process of European integration. In his historical speech on 9 May 1950,

which would become known as the ‘Schuman Declaration’, he explained: “Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which will create a de facto solidarity.”<sup>1</sup> Despite the fact that solidarity constitutes a core pillar of European cooperation, its conceptual understanding still remains somewhat vague, its translation into concrete actions at EU level is constrained to a few policy fields, and thus its application continues to be limited.

#### The COVID-19 crisis: Not enough solidarity?

Despite its ‘thin’ definition at EU level, solidarity is a concept that is often referred to in crisis situations – the COVID-19 crisis was no different than the euro crisis or the refugee cri-

sis in this matter. Solidarity was used to call for cooperation between EU member states as well as a rhetorical tool to legitimise joint decisions. At the height of the first wave of infections in April 2020, the Spanish Prime Minister Pedro Sánchez highlighted the role of solidarity for European cooperation – and the dangers of a lack thereof: “Without solidarity there can be no cohesion, without cohesion there will be disaffection and the credibility of the European project will be severely damaged.”<sup>2</sup>

The COVID-19 crisis provided favourable conditions to strengthen EU solidarity, as all member states were equally affected by the pandemic. Even if the lack of coordination between the EU27 during the COVID-19 crisis led to a patchwork of measures at the beginning, the exogenous nature of the crisis led to a different form of solidarity than during the ‘euro crisis’, when European countries were considered responsible for their own fate. Besides a range of initiatives to respond to the pandemic, two key measures were taken: The Next-GenerationEU (NGEU) recovery package and the joint vaccine procurement. While the latter enabled all EU member states to access the vaccine at the same price, the recovery package allowed to absorb the macroeconomic shock inflicted by the COVID-19 lockdowns. NGEU also had an important role to play in maintaining a certain level of European cohesion in the future, as all EU member states would benefit from the funds, with a special emphasis on those who have been hardest hit by the crisis.

If solidarity was translated into tangible policy action during the COVID-19 crisis, it was because of the willingness of national governments to agree to solidarity mechanisms with other European countries. The consequences of non-action – risking further fragmentation, growing inequalities as well as a potential destabilisation of individual member states – outweighed the risks of putting into place solidarity mechanisms.

While the measures will help counter the short-term consequences of the COVID-19 crisis, they will not tackle the growing divides within the EU in the long-term. For that, the Union requires a more comprehensive solidarity strategy that encompasses a clearer definition of EU solidarity and concrete ideas of the solidarity mechanisms it wishes to develop in the future. Rather than using solidarity as a mere catchphrase, European decision-makers should therefore give the concept more meaning and prioritise it in their political agenda. There is room to do so. Despite the relative ‘thinness’ of the concept, the broad interpretation of solidarity in the EU Treaties could be defined more precisely and include far more policy fields than what has been applied in practice so far (see fig. 1). The following paragraphs briefly outline the different forms of solidarity, before suggesting four options to foster EU solidarity in the future.

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<sup>1</sup> Robert Schuman Declaration, 1950. Full text available on the EU’s website.

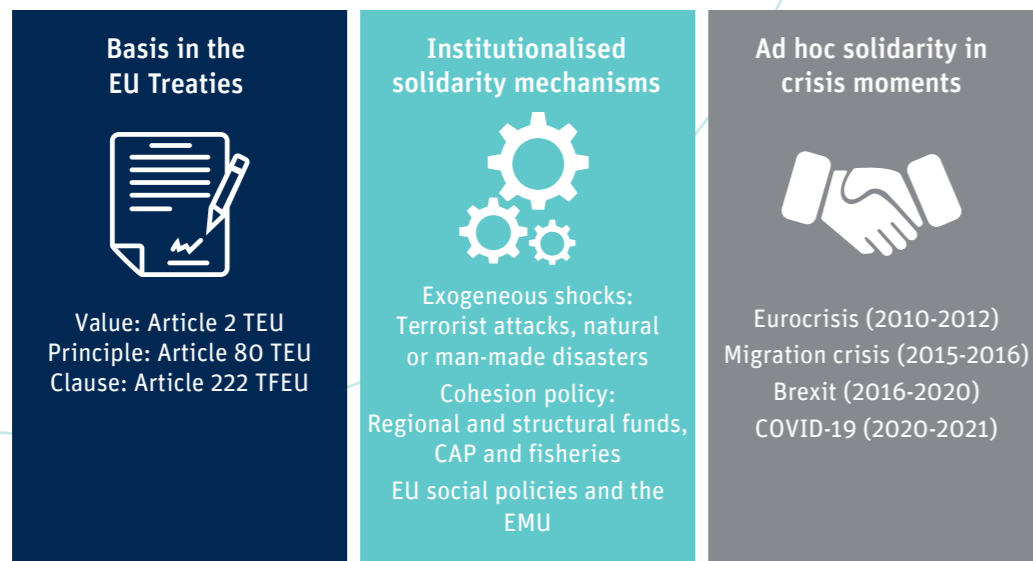
<sup>2</sup> Sánchez, Pedro, “Europe’s future is at stake in this war against coronavirus”, The Guardian, 5 April 2020.

**EU solidarity remains 'second order' after national solidarity**

Even if solidarity is mentioned in the EU Treaties in three aspects: as a value, a principle and a clause. However, it remains a rather vague concept in practice. Besides the EU Solidarity Fund, no other EU programme explicitly mentions solidarity. This is because EU solidarity remains 'second-order', while national solidarity is 'first-order' (fig. 2). In other words, the quality of solidarity-based relationships between European countries and between European citizens is poorer than at the national level. This is closely linked to the nature of the EU as a 'sui generis' polity. Traditionally, nation-states are close-knit political communities that have grown from a shared sense of belonging and purpose of their 'people', the citizens.<sup>3</sup> In the EU, there is greater diversity, and the grounds on which solidarity relies are different from the national level: they are more transactional in nature. For now, EU solidarity relies on the 'enlightened self-interest' of national governments, which have understood that it is in their own interest to

work together to tackle common challenges. However, there is still little understanding in net-contributor countries that EU solidarity could also create win-win situations for both poorer and richer member states. Currently, net-contributor countries tend to believe that more established solidarity mechanisms are against their national interests when the contrary could be the case in the long-term.

This transactional understanding of solidarity is reflected in the form of solidarity that is most developed at Union level: **interstate solidarity** between EU member states. For instance, most countries have accepted that it is in their own best interest to enter into solidarity-based relations when facing natural or man-made disasters. In the cases of terrorist attacks, they choose to support each other. In fiscal and economic policy, member states have agreed to enter into solidarity-based relationships. The decision over the COVID-19 recovery package emerged from most member states' recognition that they would all be



Current forms and dimensions of EU solidarity

	Forms	Explanation	Examples	Duration	Sources of legitimacy
<b>First-order solidarity</b> = National solidarity	Institutionalised	Between the state and citizens	Redistributive mechanisms of the welfare state (e.g. healthcare)	Permanent	National identity, historical social ties
	In civil society settings	Between citizens within the national borders	Labour movements	Ad hoc	Social ties between citizens
<b>Second-order solidarity</b> = EU solidarity	Interstate	Between EU member states	Assistance and mutual help in cases of terrorist attacks	Ad hoc	Transnational reciprocity, enlightened self-interest of EU member states
	Interterritorial	Between EU institutions and EU regions	Colvesion and structural funds, Common Agrcultural Policy	Permanent	Transnational reciprocity, enlightened self-interest of EU member states
	Interpersonal	Between EU citizens across national borders	Direct funding from the EU to citizens or EU taxes for mobile citizens	Not yet developed, but preferably permanent	Social ties between EU citizens, joint forward-looking objectives

Overview of the different forms of solidarity in the EU

better off with an extensive EU recovery package than if they went their own paths. This form of interstate solidarity is relatively well-developed at the EU level, but it should be extended further to include new policy fields or to enhance existing mechanisms.

On the other hand, **interpersonal solidarity** among EU citizens is less developed. For instance, there are no European

solidarity mechanisms that can compare to the ones existing in national welfare states. While some EU policies could be considered 'redistributive', such as cohesion and structural funds, these programmes are not framed as solidarity mechanisms. Instead, they are viewed as compensation schemes for potential losses created by the single market, thus focusing on the economic aspects of European integration. This framing is due to the perception that the EU's legitimacy in creating a

<sup>3</sup> Ferrera, Maurizio and Carlo Burelli (2019), "Cross-national solidarity and political sustainability in the EU after the crisis", Journal of Common Market Studies, Volume 57, Number 1, pp. 94-110.

single market is stronger than in the field of solidarity – and showcases how controversial EU solidarity still is. At the same time, there are weak social ties between EU citizens across borders, which would allow for interpersonal solidarity to grow.

While the EU should not replicate national solidarity mechanisms, the imbalance between interstate and interpersonal solidarity does not reflect the EU's nature as a "Union of states and citizens", which mixes intergovernmental and supranational modes of action. Reflecting these two sources of political legitimacy, both forms of solidarity should be present in the EU: solidarity between member states and solidarity between citizens.

If the EU decides to take the necessary steps to establish more ambitious solidarity mechanisms, in particular those initiatives directed at supporting citizens rather than national governments, several elements will be relevant in the process. First, decision-makers should consider the subsidiarity principle, assessing at which level of decision-making the solidarity mechanisms should be implemented. This will be necessary so that the new mechanisms stand on solid grounds in terms of legitimacy. In addition, the distribution of competences for those new solidarity mechanisms is also a question that should be thoroughly debated. Finally, the current EU budgetary rules would potentially have to be changed to enable more ambitious solidarity mechanisms to be established at EU level. The process of establishing a more comprehensive solidarity agenda is likely to entail lengthy debates but should nevertheless not be avoided by European decision-makers, as solidarity is a fundamental aspect of the future stability and cohesion of the EU.

More EU solidarity will be necessary at the Union level to counter the growing divides within Europe – not only when political circumstances force member states to enter into solidarity-

based relationships. There has been no economic convergence in the eurozone in the past ten years; the inequalities between European regions remain, as do the income gaps between European countries, which create vastly different living conditions across the EU.<sup>4</sup> And those divides are not only visible in socioeconomic terms – the political divides have also increased over the past years, hindering the Union's capacity to act. Finally, EU solidarity has become even more relevant when the social ties at the national level are increasingly contested, and national solidarity mechanisms are not as solid and comprehensive as they were in the past.

#### Future options for EU solidarity

- Option 0: Reducing EU solidarity**
- Option 1: Maintaining the status quo**
- Option 2: Developing interstate solidarity**
- Option 3: Developing interpersonal solidarity**

There are several questions for the EU to consider if it wishes to foster more solidarity. Which kind of solidarity should be developed? What are actionable policies that solidarity could be translated into? Which political and legal basis is there to develop EU solidarity?

While there is no straightforward answer to those questions, there are different directions in which the EU could move. While for the purpose of clarity, the following options are separated from one another, in practice, elements from each option could be mixed and further developed, depending on decision-makers' and citizens' preferences. As the COVID-19 crisis has shown, solidarity is not a fixed concept; it can arise and abate in particular moments. Depending on the political context, one or the other option might become more relevant in the future.

**Option 0 proposes no further development of EU solidarity and, potentially, the dismantling of existing solidarity mechanisms at the Union level.** The objective would be to reduce the EU's competences in every policy field that would be considered solidarity-based, out of the belief that the Union is not the right framework for solidarity to be developed. This is, for instance, the view of nationalists, who believe that the EU lacks the features available within the Nation-State (such as a common identity, a shared sense of belonging, etc.) and as a result the common ground for solidarity is missing at Union level. This could also be the view of progressives who believe that the EU would undermine national solidarity mechanisms through its 'neoliberal' outlook and therefore prefer to protect national solidarity from a potential 'race to the bottom'. In any case, both permanent and ad hoc solidarity mechanisms would be rejected. However, this option allows for two further positions towards national solidarity: advocates of 'option 0' could either want to further develop or reduce national solidarity, depending on their political leanings. All of them are likely to support intergovernmentalism and reject further integration steps at Union level. The more radical defenders of such a position would even try to undo existing solidarity mechanisms at EU level – thus pushing for EU disintegration. In the long run, such a position is likely to lead to further fragmentation in the Union, as each member state would have to individually decide whether they invest in solidarity mechanisms or not. This option has several limitations and downsides. As Brexit has shown in a spectacular way, it is incredibly difficult to undo EU integration. Deconstructing European solidarity mechanisms would also create potential spill-over effects that could prove to be much costlier than assumed. For instance, 'opting out' of the NGEU recovery package would also affect the EU budget and the European semester. In addition, such a scenario would reduce EU member states' ability to manage interdependencies, and therefore inevitably diminish the Union's overall resilience when facing global challenges.

**Option 1 proposes keeping the status quo after the COVID-19 crisis.** This approach considers that the solidarity mechanisms implemented until now should be retained, but not further developed. Advocates of 'option 1' are defenders of the status quo: whatever has been decided until now is sufficient to respond to the crises and to ensure cohesion in the EU. For example, they would agree with European measures taken during the COVID-19 crisis to respond to the challenges the EU is facing but favour a return to 'business as usual' as soon as possible – including, for instance, a return to a stricter interpretation of the Stability and Growth Pact rules. They would also prefer to keep the NGEU recovery package as a temporary instrument rather than support its more permanent implementation. The reluctance to further develop solidarity mechanisms at EU level is likely to follow a similar rationale or reasoning as the one outlined in Option 0 – in particular, that the EU lacks the legitimacy to develop a more ambitious solidarity agenda. However, this option is also likely to be advocated by realists, who consider that the current political landscape does not allow for further solidarity in the EU, and as a result, there is no window of opportunity to push for such an agenda. In this option, interstate solidarity between national governments is supported in its current transactional and reciprocal form, but should not be further developed, that is, by enhancing existing solidarity mechanisms or by including new policy areas. Interpersonal solidarity mechanisms are not supported at all. In the long-term, this could lead to a further erosion of cohesion and potential disintegration of the EU, as the preservation of the status quo might not be sufficient to fight centrifugal forces. The consequences could therefore be similar to the ones outlined in Option 0, even if the erosion process were slower.

While options 0 and 1 would retain EU solidarity 'second-order', options 2 and 3 would allow for EU solidarity to take a more prominent role, ultimately making EU solidarity 'first order'

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<sup>4</sup> Goecke, Henry and Michael Hütter (2016), "Regional Convergence in Europe", *Intereconomics*, Volume 51, Number 3, p.166.

and therefore levelling it with national solidarity. This would not mean that national solidarity takes a backseat. On the contrary, increasing EU solidarity would complement and sustain national solidarity mechanisms. Options 2 and 3 mostly consider institutional forms of solidarity rather than ad hoc mechanisms.

**Option 2 proposes developing interstate solidarity.** In this scenario, decision-makers would agree that further solidarity is required at Union level to ensure cohesion among member states. They would support interstate solidarity mechanisms, both in their temporary and more permanent forms. Advocates of the ‘interstate option’ would favour the NGEU package as an ad hoc mechanism, but also advocate for its more permanent implementation. However, they would defend an intergovernmentalist position, believing that the legitimacy for EU solidarity rests with the national governments, and remaining sceptical of interpersonal solidarity at Union level. Such an option would be legally feasible, as the EU Treaties provide an adequate legal basis for more interstate solidarity. But the consolidation of interstate solidarity will depend on numerous factors. National governments will have to consider whether enhanced cooperation with other European countries is in their own interests. And the political circumstances would have to be the ‘right’ ones for governments to call for more interstate solidarity, as was the case during the pandemic. This option would allow the EU to move towards more ‘positive integration’, e.g., integrating further policy areas, rather than focusing on the reduction of trade barriers and liberalisation (‘negative integration’). While this option would already help to move EU solidarity from ‘second’ to ‘first order’, it also has limits. The lack of focus on interpersonal solidarity means that there will be no deepened social ties between citizens across national borders.

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**Option 3 proposes developing interpersonal solidarity.**

This is the most ambitious scenario, which would advocate for solidarity mechanisms aimed at EU citizens directly. Advocates of such an option are likely to be federalists or advocates of supranationalism. They could either prefer to develop both interstate and interpersonal solidarity or decide to focus solely on interpersonal solidarity, considering that citizens, rather than national governments, should have a say as to how solidarity should be developed at Union level. This option would lead to the creation of more substantial redistributive mechanisms, effectively creating a ‘European social contract’. For instance, a redistributive mechanism for ‘transnationals’, such as citizens that make use of their right of free movement within the EU, could be implemented. This would in turn generate mechanisms with direct links between the EU institutions and citizens. The erosion of national welfare provisions could provide a window of opportunity to develop such forms of solidarity, for instance, by building interpersonal solidarity mechanisms for certain groups, such as workers in the tech industry. As in option 2, the EU Treaties provide the legal basis for such solidarity to be developed. However, the likelihood of this option being implemented in the foreseeable future is relatively low. It would require a changed narrative from decision-makers, abandoning a purely transactional understanding of solidarity. In addition, national governments and national political parties are unlikely to advocate for such an ambitious integration project: by fostering interpersonal solidarity, citizens would create social ties and be able to unite beyond their borders, potentially circumventing the national political sphere. This could lead to a loss of power for national decision-makers. Finally, this option could also be misinterpreted and used as an excuse to undermine national solidarity mechanisms.

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**Conclusion: Moving from ‘second order’ to ‘first order’ solidarity**

Those opposed to a more ambitious European solidarity agenda might argue that the Union should first develop a ‘European demos’ with a ‘pan-European political sphere’ before the EU takes on further competences. However, this argument is mostly used to block or delay progress, despite the urgency of strengthening solidarity in view of future challenges. Solidarity should not be reserved for mature political systems built on a strong political community, demos or common identity. Solidarity should be fostered and encouraged when political circumstances call for it, social provisions are insufficient, or economic integration creates divergences that need to be addressed. Therefore, the EU should not wait to reform its institutional architecture to foster EU solidarity. The wider European public already supports solidarity to a larger extent than decision-makers might assume. For instance, citizens support more permanent mechanisms of solidarity over ad hoc solutions; they also prefer a “Europe that protects” over a “market Europe.”<sup>5</sup>

There are a few steps that the EU could take immediately to foster solidarity. First, the Union should clarify and widen the concept of EU solidarity by giving the concept as much weight as the other values listed in Article 2 TEU.<sup>6</sup> Second, the EU could establish a comprehensive cohesion agenda, which would ensure the coherence of the Union’s *acquis communautaire* in its support for social cohesion. And finally, it should

strengthen national solidarity mechanisms. Only if the EU supports national cohesion, will it be able to establish a more resilient and sustainable European solidarity.

In the longer term, member states wishing to foster EU solidarity should not refrain from moving forward with a more ambitious agenda, without necessarily including more reluctant countries. They could use instruments of differentiated integration or even decide to cooperate outside the EU Treaties, aiming to integrate the new initiatives into the EU framework at a later stage. A more ambitious solidarity agenda is unlikely to progress with the EU27 in view of the current political landscape. Yet, countries and citizens should not wait until the political cards have been reshuffled to move forward – the growing divides in the EU demand urgent action.

At the same time, the EU should try to re-establish the common basis necessary for solidarity within the EU27. In the past decades, joint cooperation in Europe has become more difficult, as the ‘minimum common denominator’ – basic EU values – are increasingly undermined. A particularly striking example was the threat of the Polish and Hungarian vetoes on the NGEU package over the rule of law conditionality clause in December 2020. Therefore, the EU should take divergences on common values much more seriously and address them accordingly. Only by safeguarding European fundamental values will there be sufficient mutual trust between national governments to progress towards ‘first order’ solidarity in the EU.



<sup>5</sup> Cicchi, Lorenzo, Philipp Genschel, Anton Hemerijck, and Mohamed Nasr (2020), “EU Solidarity in times of Covid-19”, Florence: European University Institute.

<sup>6</sup> Consolidated version of the Treaty on European Union, Article 2