Government and Opposition (2023), **58**, 623–640
doi:10.1017/gov.2022.52

Government & Opposition

ARTICLE

Collective Power Europe? (The *Government and Opposition*/Leonard Schapiro Lecture 2022)

Brigid Laffan

Robert Schumann Centre for Advanced Studies, European University Institute, Florence, Italy
Corresponding author. Email: Brigid.Laffan@eui.eu

(Received 16 December 2022; accepted 16 December 2022; first published online 13 February 2023)

Abstract

Since the onset of the global financial crisis in 2008, the EU has been tested and contested as it struggled to come to terms with a series of crises, sometimes labelled a polycrisis. In response to crises, the EU has emerged as a collective power and the concept 'Collective Power Europe' (CPE) offers a promising lens with which to analyse the 21st-century European Union and the nature of the polity that is emerging. The aim of this article is to unpack the concept of CPE and to analyse its core features – collective leadership and framing, institutional coordination and the evolving policy toolkit – in response to three crises: Brexit, the COVID-19 pandemic and the war in Ukraine.

Keywords: collective power; crises; EU; institutions; leadership; policy toolkit

The European Union (EU) is a contested compound polity built by its member states collectively agreeing to be bound by a set of progressively constitutionalized treaties. Seen against the archetypal nation state, the EU lacks a government, strong state capacity, a deep public purse and robust coercive power. From the international perspective, however, the EU has greater capacity than any of the international organizations that constitute the system of global governance. The EU hovers between diplomacy and politics, state and beyond state, the international and the domestic. Since the onset of the global financial crisis in 2008, the EU has been tested and contested as it struggled to come to terms with a series of crises, sometimes labelled a polycrisis.

The core proposition of this article is that, in response to crises, the EU has emerged as a collective power and that the concept 'Collective Power Europe' (CPE) offers a promising lens with which to analyse the 21st-century EU and the nature of the polity that is emerging. Whenever the EU confronts significant challenges, there is a tendency across the media and academic analysis to consider every EU crisis as existential and disintegrative (Webber 2019). While scholars should never be complacent about the possibility of system collapse, analysing cumulative crisis-driven change in the EU reveals a robust polity rather than weakness or disintegration.

© The Author(s), 2023. Published by Cambridge University Press on behalf of Government and Opposition Limited

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

The EU demonstrated that it represents a sturdy political order, sufficiently legitimate to deepen its policy and institutional capacity in the face of challenge. The EU faces a complex set of constraints, but crises opened up opportunities and demanded a response. Pragmatism and the need for the EU to achieve consensus in diversity has given rise to a polity that uses experimentalism as a principle of policymaking (Laffan et al. 1999).

The aim of this article is to unpack the concept of Collective Power Europe and to analyse its core features – collective leadership and framing, institutional coordination and the evolving policy toolkit – in response to three crises: Brexit, the COVID-19 pandemic and the war in Ukraine. The article does not address the constraints, important though these are, on the EU's collective power.

Collective power

Power is one of the most central and contested concepts in political science and the wider social sciences. It is a concept with many faces and foci both normative and empirical. Among scholars there has never been agreement on a single unified concept of power; rather it is akin to a 'family resemblance concept' with plural meanings (Haugaard 2010). One of the most important distinctions in the literature is between its distributive and collective dimensions (Hagen 2010). This distinction was central to a scholarly debate between Robert Dahl (1957), for whom power was relational, and Talcott Parsons (1963), who argued that a focus only on the distributive aspects of power underplayed collective power.

The literature usefully distinguishes analytically between 'power over' and 'power to' (Pansardi 2012: 73). The former is a relational concept, a form of social power, whereas 'power to' is a form of outcome power, the power to act and exercise agency (Dowding 1991: 48). Amy Allen defines 'power over' as the ability of an actor or a set of actors to constrain choices available to another actor or set of actors in a non-trivial way' (Allen 1999: 123). The 'power to' relates to the ability to act or what Parsons called the power 'to get things done' (Parsons 1963: 232). Giving attention to the EU's power to get things done enables us to probe the exercise of collective power by this compound polity consisting of the whole, the collective, and the parts, the member states.

A focus on the CPE takes us beyond what R. Daniel Kelemen and Kathleen McNamara identify as its uneven political development characterized by incomplete crisis-prone institutions. For Kelemen and McNamara, 'the EU's unusually uneven and unstable institutional architecture is a product of the fact that Europe's political development has been pushed forward only gradually, by processes of market integration, without the pressure of war or perceived immediate military threat' (Kelemen and McNamara 2022). Adopting a state-building lens, these scholars argue that 'the most complete political development, marked by political consolidation at the center of a polity and robust institutional development' occurs when the logics of war and market-making together influence state-building (Kelemen and McNamara 2022).

Notwithstanding the uneven political development of the EU, its institutions have not been so crisis prone or unstable that they failed to respond, and the intensity of that response is not adequately captured by 'failing forward' as a theoretical

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

framework or empirical explanation (Jones et al. 2021). The EU may well be succeeding forward, albeit in a non-linear manner. Probing key elements of the EU's capacity for collective action and its response to crises, its 'power to', is a useful antidote to the focus on incompleteness and weakness that pervades much analysis of the EU (Laffan 2022a).

Building on the concept of collective power, the power to, the concept of CPE is unpacked. This takes our analytical lens beyond Market Power Europe (MPE) and Normative Power Europe (NPE). A strong pillar of EU power has always been its market power, the large and deep single market that produces the Brussels Effect (Bradford 2020). Chad Damro highlighted the centrality of the single market to EU power, arguing that the EU 'may be best understood as market power Europe that exercises its power through the externalization of economic and social market-related policies and regulatory measures' (Damro 2012). Jacques Pelkmans, writing in 2016, concluded that 'the internal market has remained the foundation for by far the larger part of substantive EU activities' (Pelkmans 2016: 1096). Undoubtedly the single market is a major structural feature of the European model of political economy and EU trade policy acting as a magnetic attraction for its neighbourhood, but the EU cannot be reduced to market power. The same may be said of the EU as a normative power.

The conceptualization of the EU as a normative power, as a uniquely distinctive international actor, dominated the literature on the EU role in the world from the early 2000s onwards. Ian Manners coined the concept of NPE, which for him was characterized by the 'ability to shape concepts of the "normal" in international relations'. For Manners, the EU had the ability to change 'the norms, standards and prescriptions of world politics away from bounded expectations of state-centricity' (Manners 2002). With its emphasis on 'soft power', NPE captured a crucial aspect of the EU in the post-Cold War world. NPE underplayed the harder dimensions of power and is inadequate in a world of hard geopolitics.

Neither NPE nor MPE is sufficient for Europe as it faces a world of weakening multilateralism, Great Power competition and a deeply hostile Russia on its doorstep. Nor do these concepts adequately capture changes in the EU polity from the global financial crisis onwards, but especially from 2016. Joseph Borrell, the EU's High Representative, argued at his confirmation hearing in 2019 that the EU needed 'to learn the language of power' (quoted in Ntousas 2019). CPE provides an overarching concept that enables us to probe these changes and identify where Europe needs to go if it is to become a more rounded, more complete international actor capable of exercising hard and soft power and translating that into smart power as defined by Joseph Nye (2009). CPE is a power but not in the traditional sense of 'power over', command power, rather the 'power to', to amass resources, instruments and affect outcomes.

This notion of collective power is not to suggest that the EU is devoid of command power. Rather, the 'power to' provides an analytical lens that facilitates an exploration of the emergent EU following a decade of crises. CPE does not represent classical state capacity but rather the power to harness the whole and the parts in the pursuit of shared goals. Collective power has an affinity with what Peter Katzenstein and Lucia Seybert conceptualized as 'protean power' (Katzenstein and Seybert 2017). These scholars define 'protean power' as the

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

'name we give to the results of practices of agile actors coping with uncertainty' and argue that this form of power 'stems from processes that are versatile or tending to be able to change frequently and easily' (Katzenstein and Seybert 2017). We will see that the agility of actors and versatility of processes under conditions of uncertainty are central building blocks that characterize the EU's collective power. There is also an affinity with the concept of Pragmatic Power Europe (Wood 2011). For Stuart Wood, as a 'method of political practice, pragmatism is flexible, prudent, sometimes innovative, sometimes opportunist' (Wood 2011: 244).

Collective power is not just about political practice but about creating capacity through the mobilization and application of resources, including finance, knowledge, human capital and deploying and innovating the policy toolkit. This article adopts an analytical framework consisting of three elements of capacity creation that reveal the emergence of collective power. We begin with leadership and how leaders frame the challenges to be addressed. Consensus on issue framing, the problem to be addressed, reflects EU unity and in turn contributes to the continuation of unified positions when there is a shared roadmap for action. Unity is both a rhetorical device and a practice norm. Time also matters. How long it takes to arrive at an understanding of what the challenges are impacts on the deployment of resources and the development of the toolkit. The second element of capacity creation is the mobilization of EU institutions and inter-institutional coordination, the collective governance system. The third element is the policy toolkit that is developed and deployed to address shared challenges.

The toolkit may consist of existing EU instruments or the development of new and innovative means. Collective framing via leadership is a necessary first step in the exercise of collective power. It is the process by which a multiplicity of actors agree on the challenges to be addressed. The governance system is the crucial link between what should be done and developing the instruments to do it. The policy toolkit represents the translation of challenges into responses.

Leadership and framing

Leadership is an under-researched dimension of the EU polity; the existing literature largely focuses on the role and function of specific institutions and their leadership capacities (Tömmel and Verdun 2017: 107). Moreover, leadership is frequently highlighted as one more EU deficit, captured by the following:

> Many leaders and would-be leaders dominate the European scene. Particularly in situations of crisis where swift action is required, the system of fragmented and partly shared leadership hardly works: decisions are taken too late or not at all; if decisions are taken, it is only after lengthy deliberations and negotiations among a host of interested parties and institutions. (Tömmel and Verdun 2017: 103)

Henriette Müller and Femke van Esch, when analysing the contested nature of leadership in the EU, also begin from the premise that the EU struggles to find common responses to the polycrisis by emphasizing the 'inability of European political leaders to tackle problems in a collective and decisive manner' (Müller and Van Esch

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

2020: 1051). Both these quotes display a longing for a single centre of political authority, for a leader rather than the multiplicity of leaders in the EU arena. The claim that 'shared leadership' hardly works, and that the EU cannot act in a decisive timely manner, is a strong conclusion that may not be supported by the empirical evidence of the three crises under review in this article – Brexit, the COVID-19 pandemic and the war in Ukraine.

In analysing EU leadership in these three crises, the complex nature of the EU polity and of the process of leadership within the EU must be acknowledged. The compound nature of the EU establishes a distinctive institutional setting that determines the number and nature of the actors who may be involved and their roles in the multilevel system. Rather than emphasizing fragmentation, the EU's institutional setting should be seen as working through distributed leadership linking actors at the EU level with the member states in intense formal and informal engagement.

Leadership in the EU is both 'collective and reciprocal' involving interaction among multiple leaders (Müller and Van Esch 2020: 1052). What matters is not any one single actor but the combined capacity of the political and institutional system to supply leadership, respond and act in a goal-oriented manner that addresses shared challenges. Political outcomes are determined by individual and collective actors with treaty-mandated roles, such as the Presidents of the European Council and Commission in addition to the High Representative for Foreign and Security Policy, individual members of the European Council as the senior political actors in the member states and the EU's key collective institutions such as the Council, Commission and Parliament, which together constitute the political arena within which political choices are made.

The nearest the EU comes to a centre of political authority is the European Council, which is the supreme political institution in the EU and is the 'highest decision-making body' (Van Middelaar 2013: 23). It represents the institutionalization of power at the heart of the European polity and stands at the commanding heights of the EU political system (Foret and Rittlemeyer 2014: 3). In the Janus-like EU, the European Council and the Council system are the face of the EU as a union of states. The European Parliament (EP) is the face of the EU as a union of peoples. The two institutions rely on different 'lines of representation' (Van Middelaar 2013: 285). The Commission, Court of Justice of the European Union (CJEU) and other institutions and agencies represent the collective union of both states and peoples.

Beyond the European Council, the EU has an extensive presidential system consisting of the presidents of all the institutions playing different roles in the EU's political order. EU institutions and the actors who inhabit them, the 'professional Europeans', are mandated to make the EU system work as a collective (Foret and Rittlemeyer 2014: 15). The multiplicity of roles and institutions in the EU working with different legal bases, practices and norms demands a cooperative approach from all participants if the EU is to function as a collective power. Cooperation must overcome competition and consensus must overcome extreme divergence if the system is to produce the 'power to' meet shared challenges.

When analysing collective leadership in the three crises, attention is paid to how the key actors addressed the crises, how the agenda was framed and the time it took to establish shared goals and a plan of action. How issues are framed is a key feature

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

of politics and the management of crises. It is particularly important in the EU given the continuous tension between centrifugal and centripetal forces. According to Marc Steinberg, framing is 'the process of deliberative and focused persuasive communication essential for the mobilization of consensus prior to collective action and as the cognitive process necessary for orienting and sustaining collective action' (Steinberg 1998: 845–846). In a compound polity like the EU, the ability to work on and agree a collective frame, to be united, and to do so in a timely manner is a key component of the EU's collective power.

Brexit

A remarkable feature of the EU's response to Brexit was the speed with which the EU framed Brexit. Prior to the vote, the leadership of the Council and the Commission, in close liaison with the capitals, prepared responses to both the success or failure of the referendum. Once the outcome was known, Plan B was swiftly put into action.

EU political actors felt compelled to interpret quickly what Brexit meant and how the EU intended to address it. On 24 June 2016, the day after the referendum, Donald Tusk, the European Council president, made the first official EU statement, followed that afternoon by a statement from the four presidents representing the EU collective – European Council, European Commission and European Parliament in addition to the presidency, the Netherlands. Thus, from the beginning, the EU's response was a highly orchestrated collective endeavour driven by collective institutions in Brussels with the prior agreement of the capitals. The statements of 24 June were followed by a meeting of the sherpas representing national leaders with the Brussels institutional leadership on Sunday 19 June and an informal European Council of the 27 on 29 June.

This flurry of meetings framed Brexit in a way that persisted for the entire exit process. The first crucial element of the EU's Brexit frame was unity. All three statements signalled that the EU would respond in a united manner. This was the first of five elements in the framing. The European Council in its 29 June statement said, 'We are determined to remain united' (European Council 27 2016). The assertion of unity at the outset was declaratory, but unity was subsequently prioritized and facilitated so that it became a practice norm during the negotiations. The second element of the frame was a commitment to the EU as the basis for a shared future to meet 'the challenges of the 21st century' (European Council 27 2016). The UK might opt to leave but the remaining member states were committed to the EU's continuation. The third element was a reference to the UK as a third country, no longer an ordinary member state. This transformed Brexit from an endogenous shock to an exogenous one. The fourth element was an emphasis on what membership entailed, especially the balance between 'rights and obligations', and a claim that access to the single market required acceptance of all four freedoms (European Council 27 2016). The fifth and final element was the EU's views on the exit process itself.

The EU placed a premium on an orderly exit to be achieved through the available legal framework Article 50, Treaty on European Union, which provided the roadmap for the departure of the UK. The European Council, given its

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

responsibility to agree the guidelines for the negotiations with the exiting state, was the ultimate source of political authority on Brexit, but all EU institutions were involved from the outset. Brexit was *Chefsache* and thus within the overall control of the European Council, but because unity was declared and maintained, the European Council delegated most of the Brexit-related business to others. The negotiating guidelines for both the Withdrawal Agreement and the Trade and Cooperation Agreement (TCA) were agreed by the European Council within minutes. During the exit negotiations, the UK prime minister was listened to politely by her peers, but no leader ever responded apart from the President of the European Council. In addition to the provisions of Article 50, the EU added a process sting to its Brexit response, namely that the EU would not enter into any pre-negotiations with the UK. This became known as 'no negotiations without notification' (NNWN), which precluded the testing of possible negotiation outcomes and protected the collective EU from UK divide-and-conquer tactics (Laffan 2022b).

The speed of collective framing, the commitment to unity and its subsequent practice and the identification of how Brexit would be managed – the Article 50 bible – facilitated the EU in managing the shock of an exiting country and prevented the departure of one country becoming a leitmotif of disintegration. The European Council was in charge but did not engage in intensive negotiations on substantive preferences. It continuously endorsed the work of the Council, Commission and EP. The European Council did, however, intervene on issues such as extending the Article 50 process and reviewed progress in the negotiations at key junctures. Michel Barnier as the EU's chief negotiator was the EU's public face of Brexit and played a key role in communicating with national capitals and the public. Although Michel Barnier was head of the Commission Task Force, he gave updates to the EU on progress in the negotiations on a continuous basis to the European Council, and in turn it reiterated its confidence in him time and time again.

Pandemic

The pandemic imposed a set of different demands on the EU system as COVID-19 was a matter of life and death, and addressing the health crisis had a major impact on the European economy. The omens were not good for EU unity or a collective response to the crisis in early 2020. On 20 and 21 February, the European Council failed to make any substantial progress on the Multiannual Financial Framework (MFF) and in early March all states scrambled for personal protective equipment (PPE) and struggled to establish an adequate public health response.

Solidarity was initially in short supply for the country hardest hit, Italy. EU President Ursula von der Leyen, speaking in the EP in March 2020, spoke of the EU's failures: 'When Europe really needed an "all for one" spirit, too many initially gave an "only for me" response. And when Europe really needed to prove that this is not only a "fair weather Union", too many initially refused to share their umbrella' (Von der Leyen 2020). The 'only for me' reflex changed quickly as collective framing and the forging of a collective response to the crisis gathered pace. Given the nature of the crisis and the EU's weak competence in health policy, arriving at a shared interpretation of the crisis was challenging but a necessary prerequisite for EU action.

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

The nature of the crisis demanded the active engagement of Europe's leaders. In March 2020, as the virus spread, the European Council held three video meetings, on 10 March, 17 March and 26 March. The leaders used these encounters to build towards a greater resolve and a sharper framing of the challenges. President of the European Council Charles Michel issued statements in his own name outlining the results of the first two meetings. He emphasized that the EU's commitment was to 'act swiftly' and work together in a coordinated manner (European Council 2020a). The conclusions of 17 March were more robust, echoing Mario Draghi's seminal statement on the eurozone crisis. The European Council asserted that 'the Union and its Member States will do whatever it takes to address the current challenges, to restore confidence and to support a rapid recovery, for the sake of our citizens' (European Council 2020b).

By 26 March, the European Council was confident and had achieved sufficient agreement to issue a joint statement, a set of conclusions on the way forward. European Council Conclusions are a commitment device for the leaders who take seriously each and every word used. The crisis was framed as unprecedented and one that required 'urgent, decisive, and comprehensive action at the EU, national, regional and local levels' (European Council 2020c). The commitment to do whatever it takes, first mooted on 17 March, was reiterated in the joint statement of 26 March. However, there was, as yet, no agreement concerning the policy responses that might be required if the 'whatever it takes' mantra was to be fulfilled. The day before the European Council meeting of 26 March, a subset of member states, nine in all, issued a joint letter that proved influential. The nine countries, led by France and Italy, included Belgium, Luxembourg, Spain, Portugal, Greece, Slovenia and Ireland. Their aim was to pave the way for a common debt instrument, deeply opposed by many member states including Germany. The nine asserted that 'we are all facing a symmetric external shock, for which no country bears responsibility, but whose negative consequences are endured by all' (Letter to the European Council 2020), code for arguing that this was not a rerun of the eurozone crisis.

Prior to the meeting of 26 March, the Eurogroup had worked intensively on how the EU should respond collectively to the socioeconomic impact of the crisis and was asked by the European Council to deliver proposals within two weeks, given the unprecedented nature of the shock facing the EU economy. By the end of March there was agreement among the member states that EU action was a necessary part of the response to both the health crisis and the socioeconomic impact of the pandemic. Agreement on what further EU action was needed was forged over the next four months. The EU's response to the pandemic evolved quickly from a multiplicity of member-state responses characterized by an absence of member-state solidarity to a multidimensional frame involving public health, the economy, society and the wider international system.

War in Ukraine

The response to the Russian invasion of Ukraine was swift and decisive. On the evening of 24 February 2022, when the full scale of Putin's intent became clear, the Heads of State and Government met in Brussels and issued the first of multiple

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

condemnations of Russia's military aggression for which Russia bore 'full responsibility' (European Council 2022a). According to Europe's leaders, the use of 'force and coercion to change borders has no place in the 21st century' (European Council 2022a). Two weeks later the Declaration of the informal European Summit at Versailles under the French presidency began with the words that 'Russia brought war back to Europe' and went on to state that this war represented a 'tectonic shift in European history' (European Union 2022). The invasion was illegal and a violation of international law and the principles of the UN Charter. The right of Ukraine to choose its own destiny was asserted and Belarus was identified as Moscow's facilitator. The EU would 'stand in solidarity' with Ukraine and was united in its efforts (European Council 2022a).

The EU's collective framing was further developed at the Versailles Summit, which concluded that EU and member states' effort would encompass 'coordinated political, financial, material and humanitarian support' (European Union 2022). On 24 February Ukraine's European aspirations and choices were acknowledged but only in terms of the Association Agreement, not EU membership. By 10 March this had changed. The Versailles Declaration contained the first reaction to Ukraine's application for EU membership by asking the Commission to prepare an opinion and by acknowledging that 'Ukraine belongs to our European family' (European Union 2022). A membership perspective was agreed by the June 2022 European Council when the European Council granted candidate status to Ukraine and Moldova (European Council 2022b).

The statement of 24 February focused on Russia's responsibility for the aggression and what the EU would do for Ukraine. Two weeks later Europe's leaders began grappling with the enormous consequences of this war for the EU and Europe. The framing of the war was widened to take account of the transformative impact of the war and the vulnerabilities it exposed. According to the declaration, Europe needed to take 'further decisive steps towards building our European sovereignty' in three areas: defence, reducing energy dependency and building a more robust economic base (European Union 2022). The declaration went on to flesh out this transformative agenda for both the EU collectively and the member states. Thus, the war quickly morphed from aggression on the edges of Europe to a transformative moment for the EU and wider Europe. Just how challenging it would be became apparent when Russia began to use gas supplies as a 'weapon of war', according to France's energy transition minister, Agnes Pannier-Runacher (quoted in Euronews 2022). The weaponization of EU dependence was transformative for Europe's political economy.

Mobilizing and coordinating institutional capacity

Collective institutions, meaning the organizations involved in EU policymaking, are central to EU governance. In day-to-day policymaking the institutions are brought to life in formal and informal interaction and practice by a multiplicity of actors who shape policies and keep the system of multilevel governance in motion. In the three crises identified here, the institutions were variously engaged in the creation of strategy and policy. The constellation of institutions and the intensity of engagement differed across the crises. The powerful European Council was, in

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

line with its mandate, central to the creation of collective power because all three crises were *Chefsache*. The code for *Chefsache* is that the European Council remains 'seized of the matter', a phrase that appears continually in European Council conclusions. The Council was the arena where collective and national preferences mingled, competed, diverged and were moulded into collective action. The European Council framed the initial crisis response as outlined above but also prioritized, sketched policy direction and tasked different parts of the EU's institutional system with work. It was also called on to make the big calls on new policy instruments or to break the deadlock on contentious issues.

Although usually presented as the arena of 'deliberative intergovernmentalism' (Puetter 2014), it should not be forgotten that the presidents of the Commission and the European Central Bank (ECB), sometimes augmented by the president of the Eurogroup, attend European Council meetings and are frequently called to address the heads of state and government. Depending on the issues to hand, different Council formations were mobilized to a greater or lesser extent. Given the cross-cutting nature of both the pandemic and the Russian invasion of Ukraine, policy development ultimately involved all Council formations in one format or other. The Commission was always involved in the EU's response to crises given its knowledge, responsibilities and policy capacity. The EP engaged actively on the big issues, passing resolutions and co-legislated when new laws were needed. EU presidents attended meetings of the EP plenary, which was a key forum for parliamentary and public debate. The Lisbon Treaty reinforced both the European Council and the EP and altered the institutional setting of the European Commission, which relies on cooperation with both institutions to get things done. For the EU to exercise collective power effectively, the key institutions and agencies must work within a collaborative framework of partnership and inter-institutional cooperation.

Brexit

The EU responded to the Brexit challenge by creating a distinctive institutional ecology within the broader institutional setting. The initial reason for the creation of a dedicated institutional capacity was to prevent Brexit from seeping into all policy fields and disrupting the normal policymaking of the EU. Brexit was defined as a specific, time-bound task with associated processes that had to be carved out from the EU's governance structures. This created a *cordon sanitaire* within and across the institutions, which served to reinforce the idea and practice of the UK as a third country in the making.

The EU's institutional leaders were conscious that UK politicians and officials would continue to attend prime ministerial, ministerial and working party meetings until they departed the EU. Given that, the EU27 wanted to ensure that the UK could not use its presence in EU policymaking to influence Brexit outcomes. One senior official suggested in an interview that there was a determination that Brexit would not 'pollute' the rest of EU business (Interview 4, Council Official, 30 March 2021). The EU's institutional leaders wanted to build boundaries around this disintegrative development because, from an EU perspective, Brexit was a negative event with no redeeming benefits. Article 50 created train tracks for a departing

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

state and the EU was determined to shunt the UK onto those tracks and keep it there.

Brexit was governed collectively by the EU27. The dedicated institutional nodes were the Council Task Force (which later morphed into the Article 50 Working Party), the Commission Article 50 Task Force (which was later transformed into the Task Force for Relations with the United Kingdom) and the European Parliament's Brexit Steering Group (which was followed by the UK Coordination Group). The transition from the institutional nodes that managed the UK's withdrawal from the EU to those on the future relationship displayed considerable continuity, albeit with some change of personnel and purpose as the objectives of the withdrawal phase were different from the future relationship. The temporary institutional nodes in the Council and Commission appeared very quickly following the referendum in June 2016, whereas the EP's Brexit Steering Group dates from April 2017. The Task Forces and EP Steering Group co-created the EU's response but continuously engaged with the principals to ensure that the entire system was working towards common goals. The dedicated institutional ecology engaged in an extraordinary pedagogical effort by holding seminars involving all actors at crucial moments in the talks to ensure that everyone understood EU objectives and strategy. This was underpinned by a governance model characterized by intensive intra- and inter-institutional cooperation, collaboration and communication that began in Brussels but radiated out to the member-state capitals. This meant that the European Council did not devote much time to discussing the substantive issues raised by Brexit because it was committed to the process and to the work being done within the institutional ecology.

Pandemic

In response to the pandemic, the EU worked through the formal institutions but, given the pressure of the unfolding health crisis and its economic consequences, there was a period of urgent policy work between March 2020 and July 2020, although it did not end there. The European Council met six times during this period, namely five video conferences and the face-to-face July 2020 meeting, which was the second-longest meeting in the history of the European Council.

Unlike Brexit, which was regarded as a specific task with treaty-mandated tracks (Article 50) and an agreed EU strategy, the response to the pandemic presented multiple challenges across different policy domains, and agreement on what was to be done was absent at the outset. Hence the European Council was the centre of 'political gravity' (Puetter 2014) in addressing the issues and achieving consensus with major controversy and divergence of preferences among the member states.

The pandemic required the involvement of Europe's senior political leaders on a continuous and intensive basis. Charles Michel held multiple meetings with political leaders in the leadup to the July meeting and the leaders themselves engaged in extensive bilateralism. The Italian prime minister, Giuseppe Conte, met with ten of his counterparts, followed by the Dutch prime minister, Mark Rutte, who was involved in nine meetings. The German chancellor, Angela Merkel, and Spanish prime minister, Pedro Sanchez, held seven meetings each. Viktor Orbán met with his counterparts on six occasions. All other leaders were involved in at least

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

three meetings. The extensive nature of bilateral engagement reveals that, going into the July European Council in 2020, there were deep cleavages among the member states but also momentum towards agreement. The leaders who engaged most in multiple bilateralism represented the key cleavages in the negotiations.

The Eurogroup and the Commission, both tasked by the European Council, were central to the EU's response. The Eurogroup brought member-state finance and economics ministries into coordinated engagement with the crisis. The role of the Eurogroup, meeting in an inclusive format, was to develop policy options and build a consensus in the capitals. The 9 April 2020 Eurogroup report on a comprehensive economic policy response to the COVID-19 pandemic took stock of the response to that point and crucially identified areas for future action. Its core proposal was to develop a recovery fund to aid economic recovery and it highlighted the role of the Multiannual Financial Framework in strengthening the recovery.

The Eurogroup envisaged a fund that would be 'temporary, targeted and commensurate with the extraordinary costs of the current crisis' and backed by 'appropriate financing' (Eurogroup 2020). Following a meeting of the European Council on 23 April 2020, the Commission was entrusted with the task of urgently analysing 'exact needs' for the recovery fund, to come up with a proposal and to clarify the link between the recovery fund and the MFF. The need to find an agreement as soon as possible was underlined by the heads so that the Commission worked with speed to present its proposal, New Generation EU, on 27 May 2020. The role of the Commission was not limited to undertaking tasks assigned to it by the European Council. It was active from the beginning across a range of areas, notably public procurement, border management, research, international cooperation, vaccines and many other areas.

Because the pandemic's effects were felt across all facets of European society and economy, its cross-sectoral impact led to intensive engagement of different Council formations, especially health, transport, education and justice. In some Council formations, the purpose was to exchange information, but in others there was substantive policy development. The crisis brought two of the EU's *de novo* institutions into play. An EU agency established in 2004, the European Centre for Disease Prevention and Control, with the goal of coordinating cross-border disease surveillance and guidelines, had a baptism of fire during the pandemic. The European Medicines Agency had responsibility for overseeing vaccine trials and approving vaccines within the EU.

The pandemic, unlike Brexit, demanded the intensive political engagement of the European Council, including the second-longest European Council in history. The European Council acted as the tasking institution on the big issues, entrusting both the Eurogroup and the Commission with responsibility to make proposals on new instruments. All Council formations met with more or less frequency to discuss the pandemic and policy responses.

War in Ukraine

The European Council moved again to the fore in managing the response to Russia's invasion of Ukraine. There were four meetings between 24 February and 31 May, including an extraordinary European Council, an informal European

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

Council, a Special European Council and the scheduled Council on 24 and 25 March 2022. Ukraine President Volodymyr Zelensky addressed the emergency meeting on 24 February. The later involvement of US President Joseph Biden and Zelensky at the March meeting underlines the international nature of the crisis and the EU's partnership with allies. The Commission and the European External Action Service were active in developing policy responses, especially in relation to sanctions, refugees and financial support.

Almost all Council formations met to assess the impact of the war in Ukraine, which underlines the broad policy impact of the return of war to Europe. The Foreign Affairs Council was, however, the most intensively involved on the external dimension of the war, and the Energy Council grappled with the consequences of the war for security of supply and the need to end fossil fuel dependence on Russia. The presidents of EU institutions all visited Ukraine. Charles Michel symbolically visited Ukraine on 9 May, Europe Day, and Ursula von der Leyen made two visits to the war-torn country. High Representative Joseph Borrell accompanied the Commission President on her visit of 8 April. Given the protracted nature of the war and, as the impacts of the war were felt, maintaining EU unity and ensuring that the EU's response is commensurate with Ukraine's needs, became ever-more challenging.

Agility and innovation of the policy toolkit

When confronted with a crisis, the EU looks to its existing toolkit in the first instance and may repurpose some of its policy instruments. The reflex in the EU when faced by a crisis is to look to the existing toolkit in the first instance before embarking on the onerous task of agreeing new instruments. If this proves inadequate, the EU will innovate and search for new instruments, but this is much more politically demanding than relying on already agreed policy repertoires. A marked feature of the 21st-century EU is the use of budgetary power in response to crises. Although law continues to play a central role in EU governance, the power of the purse and public finance continues to grow.

Brexit

Brexit did not require the EU to deploy or develop policy instruments as such. It was a classical negotiation between the EU and an about-to-become third country. The focus was on procedural pathways, negotiation of time frames and key issues to be pursued in the talks. The European Council agreed guidelines that became the bible for the negotiating teams during the negotiations on the Withdrawal Agreement and TCA. The management of Brexit led the EU to harden the distinction between membership and non-membership and the balance of rights and obligations implied by being a member state. The objective of the EU was to defend the single market, the four freedoms, the polity and its member states – especially Ireland, given the existential issue of the border on the island of Ireland. In negotiating the TCA, the EU was forced to innovate in the area of level playing fields and dispute resolution. From the outset, the EU was determined to ensure that provisions for fair competition were part of any future agreement. This ran counter to

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

the UK's sovereigntist approach to the negotiations and its determination that the CJEU would play no future role in its governance. As the TCA negotiations faced the cliff-edge in autumn 2020, issues around fair competition and level playing-field provisions remained unresolved. A small group of Commission officials from President von der Leyen's cabinet, DG Trade, DG Competition and the Article 50 Task Force designed a set of innovative provisions under international law, backed by robust remedies and dispute resolution, that met EU requirements. The UK was not a co-creator of these provisions. Rather it was faced with accepting them or ending the transition period with no deal. The EU sought solutions through innovation but was unwilling to agree a deal with the UK without robust level playing-field provisions. Thus it was agile on means but determined on retaining its core objectives.

Pandemic

The pandemic required the deployment of existing tools and the design of new ones. Its effects were felt across the range of EU policy fields. One of the first movers in constructing an EU response was the ECB, in stark contrast to its policy response to the euro crisis.

The ECB quickly initiated a Pandemic Emergency Purchase Programme in March 2020. President Christine Lagarde argued that 'extraordinary times require extraordinary action. There are no limits to our commitment to the euro', an echo of Mario Draghi in 2012 (Lagarde 2020). The Commission proposed the activation of the 'general escape' clause of the Stability and Growth Pact and created a temporary framework for EU competition policy to assist companies affected by the pandemic. In addition, the Commission proposed and administered the temporary Support to mitigate Unemployment Risks in an Emergency (SURE), which operated in the form of loans from the EU to the member states. The financing of SURE was raised by bonds that were oversubscribed in the market. As the scale of the pandemic was felt, the appetite for additional EU measures grew. A significant number of member states favoured the creation of a new policy instrument.

The desired policy instrument was a recovery fund that had to be designed *de novo* and agreed unanimously by the member states. Germany and the Netherlands were adamantly opposed to the concept of a common debt instrument outlined in the letter of the nine in March 2020. While the Commission was mandated by the European Council to design a recovery fund and link it to the MFF on 23 April, the prospects for a recovery fund improved when, on 18 May, Germany and France issued a joint statement supporting the establishment of a €500 billion recovery fund including grants and loans. This was a major concession by Germany, as a common debt instrument was taboo for many years, but France also made a concession by agreeing to a smaller fund. This was the first instance in a long time of the Franco–German tandem intervening decisively to alter the policy debate in the EU.

By 26 May, the so-called frugals entered the fray, opposing a recovery fund involving grants. The frugals (Austria, Sweden, Denmark and the Netherlands) were led by the Netherlands now that the UK had left the EU. This brought to light the first major cleavage in the negotiations. The second cleavage to emerge

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

was on the issue of rule of law conditionality, which was opposed by some countries in East Central Europe, especially Hungary and Poland. The July 2020 European Council lasted from 17 to 21 July. It produced a 68-page conclusion outlining the largest financial package ever agreed by the EU. Through a combination of the MFF and New Generation EU, €1.8 trillion was to be financed through borrowing backed by the EU budget on the financial markets. This was a display of collective power under duress; one that broke a long-standing taboo in the EU.

War in Ukraine

The policy response to the Russian invasion of Ukraine included: sanctions that were coordinated with the US, UK and other allies; military assistance to Ukraine; the first use of the Temporary Protection Directive to ease the passage of Ukrainian refugees fleeing war; and humanitarian and economic support. Sanctions were at the centre of the response, although reaching agreement on additional sanctions packages was challenging because of Hungary's resistance. The negotiations on the sixth package highlighted future challenges for EU collective power if the war on Ukraine continues for a very long time. Hungary successfully delayed the sanctions package and extracted concessions. It required a meeting of the European Council on 30–31 May to unblock the negotiations. The sixth package was followed by two further packages as the war escalated, especially following the illegal annexation of Ukraine's Donetsk, Luhansk, Zaporizhzhia and Kershon regions (European Commission 2022). The sanctions were designed to squeeze the Russian economy, impose costs on Putin and his golden circle, and put pressure on the Russian government. In December 2022, the Commission introduced proposals for a ninth package, which underlines the EU's determination to continue to support Ukraine and pressurize Russia.

The sanctions imposed on Russia are 'among the most powerful in modern history, largely because so many countries have gone along with them. The punishment to the Russian economy, and to rich and poor Russians individually, has also been extraordinarily severe' (Hufbauer and Hogan 2022). The threat of sanctions did not prevent the aggression, but the ratcheting up of sanctions has imposed sizeable costs on the Russian economy, ordinary citizens and the ruling class. The costs are progressive as Russian companies will run out of spare parts and the voluntary withdrawal of more than 300 companies deprives Russians of goods and services they took for granted. Sanctions will not shift the calculus in Moscow quickly or perhaps at all, but they are a significant and necessary part of the Western toolkit.

The sanctions have been accompanied by a military component, although the West, including EU member states, does not want to be drawn into direct confrontation with Russia, hence the refusal to countenance a 'no-fly zone'. The EU has used the European Peace Facility to supply lethal weapons to Ukraine, an unprecedented move in the history of European integration. The financial contribution began with €1.5 billion, but that amount was rapidly tripled. The intention is to support the Ukrainian armed forces in their defence of territory and the civilian population. Individual NATO and EU states have also provided military aid directly. The third arm of the EU's response is humanitarian support for the millions of refugees fleeing war.

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

Conclusions

The responses of the EU to Brexit, the COVID-19 pandemic and the war in Ukraine were qualitatively different in terms of speed and breadth from its earlier responses to the eurozone and refugee crises. The EU's ability to mobilize resources and get things done – in other words to display collective power – represents a step change rather than a process of muddling through. The concept of Collective Power Europe provides an analytical lens into how the EU responded to three major crises from 2016 onwards. The focus on the EU's power to get things done, to respond, enables us to draw attention to EU capacity rather than weakness. The strap line for this 21st-century EU is a union of 'whatever it takes', to recall the words of Mario Draghi when he ended the acute phase of the eurozone crisis. Rather than muddling through or muddling up, the argument here is that there has been a fundamental shift in the willingness of EU actors to enhance the capacity of the EU and to deploy collective power. The scope of conditions for collective power begin with leadership and collective framing. When faced with a crisis, the EU is challenged to interpret the crisis and to identify the difficulties it faces, before it can act. The contested and collective nature of this endeavour should not be underestimated, but without a high level of agreement on what the problem is and unity among the member states, the EU struggles to act.

Collective framing contributes to unity but unity and determination to act must be maintained as challenges are translated into action. Here the role of the EU's institutions and governance system are crucial. From 2016 onwards, the Lisbon institutional framework has become further embedded and the reflex of inter-institutional cooperation and coordination has strengthened. Finally, without a policy toolkit the EU is unable to act and have impact. In any crisis, the reflex in the EU is to look to existing instruments and adapt them but there is also evidence of big, bold initiatives, notably the Reform and Resilience Fund. Collective Power Europe is suggestive of how the EU may need to develop further if it is to adapt to the context of shift and shock and accelerated change that the world is experiencing.

Acknowledgements. This paper is based on the *Government and Opposition*/Leonard Schapiro Memorial Lecture in honour of Professor Robert Elgie, DCU, held at the Royal Irish Academy, Dublin, 20 June 2022.

References

Allen (1999) *The Power of Feminist Theory: Domination, Resistance, Solidarity*. Boulder, CO: Westview Press.

Bradford A (2020) *The Brussels Effect*. Oxford: Oxford University Press.

Dahl RA (1957) The Concept of Power. *Behavioural Science* **2**(3), 201–205. https://doi.org/10.1002/bs.3830020303.

Damro C (2012) Market Power Europe. *Journal of European Public Policy* **19**(5), 682–699. https://doi.org/10.1080/13501763.2011.646779.

Dowding K (1991) *Rational Choice and Political Power*. Bristol: Bristol University Press.

Eurogroup (2020) Report on the Comprehensive Economic Response to the Covid19 Pandemic. 9 April, www.consilium.europa.eu/en/press/press-releases/2020/04/09/report-on-the-comprehensive-economic-policy-response-to-the-covid-19-pandemic/.

Euronews with Reuters (2022) Russia Is Using Gas as 'Weapon of War', Says French Ecology Minister. *Euronews*, 30 August, www.euronews.com/my-europe/2022/08/30/russia-is-using-gas-as-weapon-of-war-says-french-ecology-minister.

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

European Commission (2022) Ukraine: EU Agrees on Eighth Package of Sanctions against Russia. Press release, 6 October, https://ec.europa.eu/commission/presscorner/detail/en/ip_22_5989.

European Council 27 (2016) Informal Meeting at 27 – Brussels, 29 June 2016 – Statement. 29 June, www.consilium.europa.eu/en/press/press-releases/2016/06/29/27ms-informal-meeting-statement/.

European Council (2020a) Conclusions by the President of the European Council, 10 March, www.consilium.europa.eu/en/press/press-releases/2020/03/10/statement-by-the-president-of-the-european-council-following-the-video-conference-on-covid-19/.

European Council (2020b) Conclusions by the President of the European Council. 17 March, www.consilium.europa.eu/en/press/press-releases/2020/03/17/conclusions-by-the-president-of-the-european-council-following-the-video-conference-with-members-of-the-european-council-on-covid-19/.

European Council (2020c) Joint Statement of the European Council. 26 March, www.consilium.europa.eu/en/press/press-releases/2020/03/26/joint-statement-of-the-members-of-the-european-council-26-march-2020/.

European Council (2022a) European Council Conclusions. 24 February, www.consilium.europa.eu/en/press/press-releases/2022/02/24/european-council-conclusions-24-february-2022/.

European Council (2022b) Conclusions. 23–24 June, www.consilium.europa.eu/en/press/press-releases/2022/06/24/european-council-conclusions-23-24-june-2022/.

European Union (2022) Versailles Declaration, 11 March 2022, Informal Meeting of Heads of State and Government, www.consilium.europa.eu/en/press/press-releases/2022/03/11/the-versailles-declaration-10-11-03-2022/?utm_source=dsms-auto&utm_medium=email&utm_campaign=The%20Versailles%20declaration%2C%2010%20and%2011%20March%202022.

Foret F and Rittlemeyer Y-S (eds) (2014) *The European Council and European Governance*. London: Routledge.

Hagen R (2010) 'Collective Power: Reception and Prospect of a Scientific Concept. In Ostreng W (ed.), *Transference Interdisciplinary Communication*. Oslo: CAS, pp. 1–5. https://cas.oslo.no/about-cas/booklets/seminar-booklets/.

Haugaard M (2010) Power: A 'Family Resemblance' Concept. *European Journal of Cultural Studies* **13**(4), 419–438. https://doi.org/10.1177/1367549410377152.

Hufbauer GC and Hogan M (2022) How Effective are Sanctions against Russia. PIIE blog, 16 March, www.piie.com/blogs/realtime-economic-issues-watch/how-effective-are-sanctions-against-russia.

Interview 4 (2021) Non-attributable interview with Council official, 30 March 2021.

Jones E, Kelemen RD and Meunier S (2021) Failing Forward? Crises and Patterns of European Integration. *Journal of European Public Policy* **28**, 10. https://doi.org/10.1080/13501763.2021.1954068.

Katzenstein PJ and Seybert LA (eds) (2017) *Protean Power*. Cambridge: Cambridge University Press.

Kelemen RD and McNamara KR (2022) State-Building and the European Union: Markets, War, and Europe's Uneven Political Development. *Comparative Political Studies* **55**(6), 963–991. https://doi.org/10.1177/00104140211047393.

Laffan B (2022a) *Can Collective Power Europe Emerge from Putin's War?* 7th Asser Lecture. The Hague: Asser Press.

Laffan B (2022b) Brexit: What Role Did Process Play? *Global Policy* **13**(S2), 79–88. https://doi.org/10.1111/1758-5899.13069.

Laffan B, O'Donnell R and Smith M (1999) *Europe's Experimental Union: Rethinking Integration*. London: Routledge.

Lagarde C (2020) Press Conference: Statement to the Press. 12 March, www.ecb.europa.eu/press/pressconf/2020/html/ecb.is200312~f857a21b6c.en.html.

Letter to European Council (2020) Joint Letter from Nine Heads of State to European Council, 25 March, www.governo.it/sites/new.governo.it/files/letter_michel_20200325_eng.pdf.

Manners I (2002) Normative Power Europe: A Contradiction in Terms? *Journal of Common Market Studies* **40**(2), 235–258. https://doi.org/10.1111/1468-5965.00353.

Müller H and Van Esch FA (2020) The Contested Nature of Political Leadership in the European Union: Conceptual and Methodological Cross-Fertilisation. *West European Politics* **43**(5), 1051–1071. https://doi.org/10.1080/01402382.2019.1678951.

Ntousas V (2019) Unity, Realism and Partnership in EU Foreign Policy. *Encompass*, December. https://encompass-europe.com/comment/unity-realism-and-partnership-in-eu-foreign-and-security-policy.

Nye J (2009) Get Smart: Combining Hard and Soft Power. *Foreign Affairs* **88**(4), 160–163.

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press

Pansardi P (2012) *Power to* and *Power over*: Two Distinct Concepts of Power? *Journal of Political Power* **5**(1), 73–89. https://doi.org/10.1080/2158379X.2012.658278.

Parsons T (1963) On the Concept of Political Power. *Proceedings of the American Philosophical Society* **107**(3), 232–262.

Pelkmans J (2016) Why the Single Market Remains the EU's Core Business. *West European Politics* **39**(5), 1095–1113. https://doi.org/10.1080/01402382.2016.1186388.

Puetter U (2014) *The European Council and the Council*. Oxford: Oxford University Press.

Steinberg MW (1998) Tilting the Frame: Considerations on Collective Action Framing from a Discursive Turn. *Theory and Society* **27**, 845–872. https://doi.org/10.1023/A:1006975321345.

Tömmel I and Verdun A (2017) Political Leadership in the European Union: An Introduction. *Journal of European Integration* **39**(2), 103–112. https://doi.org/10.1080/07036337.2016.1277714.

Van Middelaar L (2013) *The Passage to Europe*. New Haven, CT: Yale University Press.

Von der Leyen U (2020) Speech to the EP Plenary. 26 March, https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_20_532.

Webber D (2019) *European Disintegration? The Politics of Crisis in the European Union*. London: Red Globe Press.

Wood S (2011) Pragmatic Power Europe? *Cooperation and Conflict* **46**(2), 242–261.

Cite this article: Laffan B (2023). Collective Power Europe? (The *Government and Opposition*/Leonard Schapiro Lecture 2022). *Government and Opposition: An International Journal of Comparative Politics* **58**, 623–640. https://doi.org/10.1017/gov.2022.52

https://doi.org/10.1017/gov.2022.52 Published online by Cambridge University Press