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European Social Policy Embraces
Solidarity in a Crisis

KIMBERLY J. MORGAN

There is probably no better time to live in a country with a generous welfare system than during a global pandemic. One of the principal functions of the welfare state is to pool risks and share costs, acting as a form of collective insurance against the vagaries of human existence. The novel coronavirus, which surprised everyone when it burst onto the scene in early 2020, revealed how the best-laid plans can be upended by illness, school closures, job loss, and a sudden economic collapse.

Historically, welfare systems in Europe and elsewhere emerged and grew, in part, as responses to catastrophic crises, such as war and economic depression. Those crises, much like the current one, fostered an embrace of solidarity—the notion that we are all in this together, and should therefore contribute to the well-being of others in the hope that others will do the same for us. The resulting welfare systems have been subject to continuous reforms ever since, with phases of expansion as well as, in more recent decades, periods of budgetary austerity. Even so, most European countries have social welfare systems that aim to provide for a wide array of human needs.

Governments mobilized and expanded these systems in response to the pandemic. Near-universal health care coverage has enabled Europeans to access free or affordable care for COVID-19, both for immediate treatment and for addressing the long-term ramifications of having the disease. Various social benefits allow people to take time off from work owing to illness, care responsibilities, and/or unemployment. Many governments also have expanded job protections and benefits, and in some instances have created new programs to support incomes and allow paid leave from work during the crisis.

Public health concerns have been one motivation behind these initiatives. Paid time off from work, for example, enables people who are feeling unwell to stay home rather than risk further spreading the virus. There are also strong economic imperatives driving such measures. The pandemic led to shutdowns of vast swaths of European economies. Unemployment benefits have long been an important tool to sustain incomes during cyclical downturns, but governments also have attempted to stanch pandemic job losses by subsidizing employers to keep people in their jobs.

Even as policymakers have used social initiatives to protect health, jobs, and incomes, the pandemic has revealed some of the limits of European welfare systems. In many countries, the twin health and economic crises have exposed coverage gaps, exacerbated preexisting inequalities, and increased poverty risks. One important question is whether the steps taken thus far to address some of these problems will be short-lived or could form the basis for major reforms.

The experience of the last severe crisis in Europe, the Great Recession of 2008–9, followed by a debt crisis that lasted several years, is a cautionary tale. Short-term attempts to protect economies and societies from the downturn were followed by a return to budgetary austerity, not least owing to the fiscal strictures imposed by the European Union on its member states. Such measures prolonged the recession in some countries

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and contributed to the erosion of their social safety nets.

Thus far in the pandemic, the EU has given the green light for big countercyclical spending. What remains to be seen is whether the solidarity evinced during the immediate crisis will endure once prosperity returns, resulting in a new social compact both within and among European nations.

SHARING RISKS

Americans often think of European welfare states as large, socialist monoliths of publicly provided benefits and services. In reality, European welfare systems vary markedly in size and scope.

In the largest systems, in countries such as France, Finland, and Denmark, public social welfare spending accounts for around 30 percent of gross domestic product, whereas governments in countries such as Ireland, Switzerland, and the Netherlands spend half that amount. European states also differ in the extent to which markets and nonprofit organizations provide for human welfare, and whether they are mandated and/or subsidized to do so.

Through these varied mixes of public and private provision, welfare systems in Europe attempt to meet an array of needs across the life course. Coverage starts with pregnancy, childbirth, and childcare, extends through the working years to protect people against unemployment, sickness, and disability, and then provides for old age with pensions, health care, and long-term care.

One way to think about these welfare systems is as forms of collective risk pooling. Although people can save and buy insurance to cover some of the risks they expect to face in their lives, certain other risks are too unpredictable or expensive to be met through individual actions alone. By sharing these risks across society, or large sections of it, their total cost can be widely distributed and made more manageable for all.

Moreover, leaving people to pay their own way has severe distributional consequences, since those of smaller means are less able to construct their own safety nets. Moments of crisis can reveal the dangers of leaving people to fend for themselves, while also fostering a sense of shared sacrifice in the face of common challenges. Many Europeans use the term "solidarity" to capture the way in which their welfare states both recognize

European welfare systems vary markedly in size and scope.

human interdependence and formalize it through mechanisms of shared risk.

The pandemic has highlighted the merits of comprehensive risk sharing. Governments mobilized to confront the coronavirus in early 2020 as it rapidly spread through their societies, resulting in jammed emergency rooms, overwhelmed health workers, and shockingly high death rates, most pronounced among older people. Faced with a new virus and uncertain prospects for treatment, people in Europe could count on health coverage that enabled them to get medical care without risking economic ruin.

Insurance coverage for core health care is nearly universal in much of Europe, though in some Eastern European countries there are gaps in coverage, and copayments are often higher than in the west. In general, however, the costs of medical care that are borne by individuals—through copayments or deductibles, for instance—are limited. Many governments extended this broad-based coverage to absorb the costs of COVID-19 testing and treatment. Europeans who contract the virus and require extended treatment will not face the risk of bankruptcy from high medical bills—a phenomenon that is all too common in the United States.

Beyond covering medical costs, European states mobilized their health care infrastructures to try to provide the necessary care. There are considerable differences, however, in the resources that countries devote to this sector. Figures from the Organization for Economic Cooperation and Development (OECD) show that on the eve of the pandemic, average public and private health care spending across the 27 EU member states amounted to 8.3 percent of GDP. But spending ranged from less than 6 percent of GDP in Romania and Luxembourg to 11–12 percent in France, Germany, and Switzerland.

The scale and allocation of these resources produced different capacities for responding to the coronavirus at times of peak spread. Germany, for example, has extensive health care capacity, with over 33 intensive care beds per 100,000 people, and high per capita numbers of practicing physicians and nurses. This infrastructure enabled aggressive action, including quick hospitalization of people stricken by the virus to ensure that they were quarantined and had access to life-saving medical care.

The Netherlands, by contrast, has fewer than 7 intensive care beds per 100,000 people and a much lower number of physicians and nurses per capita. This left the country at times unable to care for all of its citizens who fell ill with COVID-19. In the fall of 2020, as domestic health care capacities were overwhelmed, the Netherlands began sending patients to German hospitals.

Several Eastern European countries also have low per capita numbers of physicians and nurses. In Poland, for instance, many health care workers move to countries such as Germany where they can earn higher pay than at home. As case numbers skyrocketed toward the end of 2020, the Polish health care system neared collapse owing to insufficient staff and hospital capacity.

Paid sick leave has been another crucial element of the medical response to the coronavirus. Unlike the United States, which lacks a federally guaranteed right to paid sick leave, all European countries had preexisting statutory provisions guaranteeing that right, allowing people to take compensated and job-protected time off from work during an illness. During the pandemic, many governments expanded these systems by extending eligibility to workers who were not previously covered, waiving waiting periods, increasing pay, and/or increasing the period of time off allowed. As a result, many people across Europe could count on receiving a high proportion of their regular wages for up to four weeks of leave.

All European states also compensated individuals who were ordered to quarantine. In some countries, these payments covered up to 100 percent of wages for two weeks. These types of benefits were critical to fighting the pandemic. They enabled people feeling ill to stay home, rather than potentially spreading the virus in their workplaces or on public transportation.

SUSTAINING PAID WORK

Paid leave benefits were part of a broader array of policies aimed at cushioning people from the economic consequences of the pandemic. Mandatory lockdowns, restrictions on business and cultural activities, and plummeting demand for many goods and services took an immediate and heavy toll on European economies. According to the International Monetary Fund, GDP shrank on average by 7.6 percent across all EU states in 2020, with particularly steep drops in Spain (–12.8 percent), Italy (–10.6 percent), and France (–9.8 percent). There were less dramatic but still significant

declines in countries such as Germany (–6 percent), Sweden (–4.7 percent), and Poland (–3.6 percent). GDP contracted by 9.8 percent in the United Kingdom, which officially left the EU on January 31, 2020.

Faced with shocks to work and incomes, one response was to beef up unemployment compensation by increasing the generosity of benefits, extending their duration, and broadening eligibility. But many European governments also provided subsidies to firms that held onto their employees rather than firing them, in order to prevent the ranks of the unemployed from growing too quickly. The logic here was based on a lesson policymakers had learned in previous periods of high unemployment: once people are detached from the world of work, their ability to reenter it can decline, owing to a loss of skills, diminished social networks, and the psychological toll of being unemployed. And when some jobs disappear, they may never return. In other words, unemployment can beget more unemployment in a self-perpetuating cycle.

With this in mind, many governments adopted new measures or extended existing ones to help keep workers in paid jobs. In Germany, for instance, policymakers expanded access to the *Kurzarbeit* (short-time work) program and increased its generosity, enabling employers to reduce working hours, compensate employees for a high proportion of their lost earnings, and then be reimbursed by the state for these costs. France scaled up a similar program, *Activité Partiel*. In the summer of 2020, the French government instituted a new program to help firms faced with long-term declines in economic activity retain their workers instead of resorting to large-scale layoffs.

The UK, lacking similar types of programs, created the Coronavirus Job Retention Scheme for people furloughed from their jobs. Through this program, public funding covers 80 percent of an individual's salary for hours cut due to the economic situation, up to a ceiling of £2,500 a month (roughly $3,400), while the employer continues to pay the furloughed worker's pension and national insurance contributions. In November, when the government announced a new lockdown to address rapidly rising coronavirus cases, it extended the scheme until the end of March 2021.

Another way officials sought to protect employment during the pandemic was by keeping early childhood education and care (ECEC) programs

open. Publicly provided or subsidized ECEC is universally available across much of Europe for children starting at age three. There is also widespread coverage—universal in some countries, limited in others—for children below that age. These programs not only provide developmental stimulation to children but also support working parents by relieving them of daytime child care duties.

In the spring of 2020, facing the first wave of the coronavirus, many governments closed ECEC programs, though Finland and Sweden kept theirs open, as did some Eastern European countries where the pandemic's spread was initially more limited. Other countries made centers available for parents working in critical professions, such as health care. By the fall of 2020, however, many countries reopened their programs for all children, recognizing the costs of these closures for both working parents and their children, as well as the fact that children have played a limited role in transmission of the virus.

Finally, some governments tweaked parental leave systems to ensure coverage for parents caring for sick children or forced to stay home to look after their children due to closure of ECEC programs or schools. Italy, for instance, allowed people to receive half pay for 30 days to look after children under the age of 12, and to take an unpaid leave if children from ages 12 to 16 were home due to school closure. German parents of children under 12 in a similar situation could receive 67 percent of their pay (up to a ceiling) for up to six weeks. Employers paid the leave and then were reimbursed by the state.

Once many schools and ECEC programs reopened across Europe by the fall of 2020, these programs were less essential, but parents in many countries could still receive paid time off from work to care for sick family members. Similar paid leave benefits for US workers—created as a temporary measure in the Families First Coronavirus Response Act that passed in March 2020—were allowed to expire at the end of the year.

EXPOSING LIMITS

If the pandemic showed how welfare systems in Europe could be mobilized to protect health, support incomes, and preserve jobs, it also revealed some weaknesses of these systems. The flexibilization of labor markets in recent decades, a trend encouraged by government policies, has created gaps in coverage. Whereas the dominant form of employment used to be the long-term contract for full-time work, deregulation of labor markets has resulted in the growing prevalence of more flexible forms of work, including short-term contracts, part-time jobs, and self-employment.

The rise of the "gig economy" of Uber drivers, TaskRabbit workers, and the like, who work as independent contractors rather than employees, has added to these trends. Such forms of work are less likely to be fully covered by social insurance schemes, leaving many of these workers vulnerable to the economic repercussions of the pandemic. Governments in many countries at least temporarily extended coverage to such workers, but gaps remain—or will open up again if such protections are not maintained after the emergency is over.

Another group of workers that has been hard hit comprises people who work in the informal sector—caring and cleaning in private homes, for instance, or working seasonally in agriculture or fishing. Many of these jobs offer little or no entitlement to benefits provided by either the employer or the government, making the loss of work catastrophic. Moreover, many informal sector workers are migrants, including people from central and eastern Europe who move to wealthier western countries through the EU's free movement provisions. During the pandemic, many migrants either lost their jobs or continued working in sectors like old-age care that exposed them to the virus.

The pandemic also revealed enduring problems of poverty and inequality. Long lines at food banks and requests for aid from charities demonstrated what many analysts had expected: that the pandemic could exacerbate poverty risks in many countries. Governments across Europe have responded by increasing means-tested assistance to try to help people who are out of work but are ineligible for unemployment compensation and other benefits. Some countries have created new, temporary benefits to cover self-employed workers. Some also sought to ensure housing security for low-income people by helping to cover their rent and barring evictions.

Early evidence shows both the strengths and limits of these measures. In the UK, a study by the

Policymakers learned from the errors made during the Great Recession.

Legatum Institute found that by the fall of 2020, the number of people in poverty had risen by 690,000 compared with the previous year, but would have been double that were it not for government safety net policies.

The pandemic has exposed other deeply rooted forms of inequality. Scholarship has long probed the social determinants of ill health—how people in lower income brackets or members of communities facing systemic discrimination are more likely to suffer from a variety of ailments. These groups have been hard hit by the coronavirus too. In the UK, government data has shown higher death rates from COVID-19 among people of Black African, Black Caribbean, Bangladeshi, and Pakistani heritage. Preliminary evidence reported by the OECD shows that the foreign-born make up a disproportionate share of COVID-19 cases in some countries: 31 percent of cases in Norway and 32 percent in Sweden, for example.

Initial research suggests that these differences largely reflect where people of different ethnic and socioeconomic backgrounds work and live, which either raises or lowers their exposure to the virus. There are clear socioeconomic and ethnic differences in who is able to telework from home versus who works on the front lines of the pandemic in retail, nursing homes, or hospitals.

SOLIDARITY OR AUSTERITY?

European governments' attempts to grapple with these inequalities during the pandemic could open the door to a larger set of reforms. As economic shutdowns revealed how many people were in jobs lacking sufficient social benefits or decent wages, some argued that the time had come to institute a universal basic income—a system of unconditional payments that puts a floor beneath everyone's incomes.

In Spain, the government laid the foundations for such a system in June 2020 by instituting a new monthly payment, ranging from €462 ($514) to €1,015, which was expected to reach 850,000 individuals and families—not at all universal, but still a notable effort to raise the incomes of the poor. The measure, in gestation for some time, was rolled out at an accelerated pace in response to the economic devastation accompanying the pandemic: Spain has lost more jobs in this crisis than it did during the Great Recession. Spanish cabinet ministers also rallied their counterparts from Italy and Portugal to advocate for the creation of an EU-wide minimum income

system that would bolster people's incomes if they fall below a certain level.

If governments were to move in the direction of such large-scale social reforms, they would first need to jettison a long-standing European commitment to fiscal restraint. For decades, a neoliberal economic vision of how to jump-start growth has made policymakers leery of expensive new social programs. The EU-imposed limits on public deficits and debt impose further constraints. Even when the Great Recession and a resulting debt crisis devastated many European economies, governments either chose or were compelled to maintain fiscal austerity under the watchful eye of foreign creditors and EU officials. This enforced austerity was especially onerous for the devastated economies in Southern Europe. Their governments pleaded in vain for debt relief and fiscal forbearance in the name of pan-European solidarity. Unemployment skyrocketed, peaking at well over 25 percent in Greece and Spain.

In the past year, some European governments abandoned the tight-fisted approach to social spending of recent decades. The trajectory of French President Emmanuel Macron's administration over the course of 2020 is a revealing example of the U-turn. Macron came to office in 2017 promising to unleash market dynamism through cuts to social benefits and taxes, as well as further deregulation of labor markets. These proposals have been controversial, repeatedly sparking mass protests and strikes. But since the pandemic started, the government has suspended some of these reform efforts and increased public spending through a variety of channels.

In a speech to the nation in March, Macron declared that the pandemic had shown that "free health care . . . and our welfare state are not costs or burdens but precious goods, indispensable assets when fate strikes. What this pandemic reveals is that there are goods and services that must be placed outside the laws of the market." In other words, Macron has embraced solidarity over austerity, at least for the time being.

Thus far, EU-level decision-makers also have expressed a degree of solidarity that was lacking during the previous recession. Although politicians in some northern European countries grumbled about offering aid to counterparts in the south, European leaders mobilized grants and loans to support governments grappling with the twin health and economic crises. The European Central Bank, which long has prioritized price stability over full

employment, took major steps to lower borrowing costs. Perhaps most importantly, the EU suspended the limits it imposes on public deficits and debt, in essence telling governments to spend as much as necessary to keep their economies afloat. All of these measures suggest that policymakers learned from the errors made during the Great Recession, when EU-imposed constraints shackled government spending, deepened economic downturns, and contributed to rising anti-EU sentiment.

What remains to be seen is whether this swell of solidarity will endure past the immediate crisis. Some analysts expect that with a return to eco-nomic growth, the old strictures on spending will be revived. Yet others argue that this is the moment for revisiting the assumptions that shaped both EU and domestic economic policies in recent decades.

Historically, periods of intense crisis knit European publics together, leading them to recognize the need to band together to manage common challenges. Similar sentiments helped shape the drive for European integration in the post–World War II period. In the years ahead, we will see whether the catastrophic effects of the coronavirus generate a revitalized social compact, both within European countries and across them. ∎

"The emergency measures may not heal the divisions that were created during the last crisis, but might help prevent them from getting worse."

Did the EU's Crisis Response Meet the Moment?

ERIK JONES

The European Union responded more quickly and decisively to the economic crisis created by the novel coronavirus pandemic than it did to the global economic and financial crisis that unfolded a decade earlier. Although there were some hiccups early on, in late February and early March 2020, Europe's leaders pulled themselves together to roll out a series of impressive monetary and fiscal packages. These policies not only helped to mitigate the economic damage from the pandemic, but also focused much-needed attention on the requirements for a sustainable recovery.

Unfortunately, responding to the initial crisis was the easy part. Maintaining an effective response is going to be harder, and so will bringing European monetary and fiscal policies back to something closer to normal. This harsh reality should not detract from the EU's accomplishments. Europe's economy would be in a worse state without the decisiveness it mustered, and Europeans in all 27 EU member states would be suffering more dramatically. Europe's leaders showed tremendous solidarity, often in the face of powerful opposition. The challenge lies in making that willingness to cooperate last. The danger is that cooperation will turn to conflict.

CONTROVERSIAL MEASURES

If European policymakers hesitated at the start of the crisis, they did so out of uncertainty about the nature of the pandemic. Other parts of the world had close experience with epidemics over the past two decades, but Europeans were largely spared. As a result, European policymakers were slow to appreciate the implications of the novel coronavirus either for public health or for economic performance. Once it became clear that they faced a pandemic, European political leaders swung into action—locking down their societies, restricting cross-border movement, and reinforcing their national health systems. Not all European governments agreed on how best to respond to the pandemic, but they recognized that efforts to safeguard public health with lockdowns would shock their economies.

The first round of emergency measures was set by the middle of March. The European Commission, the EU's executive branch, loosened the rules to make it easier for national governments to run fiscal deficits, increase their public debts, and inject money directly into businesses and banks. Meanwhile, the governments themselves rolled out major programs to support household incomes, safeguard employment, and stabilize access to credit.

The European Central Bank (ECB) did its part as well, by buying assets—mostly in the form of government bonds—to push money into the banking system, and then paying banks to lend to firms and households, expanding the "quantitative easing" measures it had developed in the previous crisis. Due to communications errors that surrounded their rollout, these monetary policies were not immediately successful. But the ECB recovered quickly and redoubled its efforts by creating a new "pandemic emergency" program to purchase even more sovereign debt through the end of the crisis.

This mixture of national fiscal responses and European monetary policies was only partly effective. The scale of the lockdown measures' impact on macroeconomic performance was unprecedented. An additional challenge came from the fact

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that not all national governments have the same ability to borrow money from private capital markets. The richer governments could borrow more easily and so support their firms, households, and banks more generously. This raised the prospect that the EU's internal market would pull apart as poorer member states fell ever further behind their wealthier counterparts.

Recognizing that inequality, European leaders came together to negotiate a set of new instruments that could help those governments and firms most in need. By April, they agreed on common programs worth €540 billion (roughly $600 billion): The European Commission would provide €100 billion to backstop national employment protection and unemployment benefit schemes; the European Investment Bank would guarantee loans worth up to €200 billion for small and medium-sized enterprises; and the European Stability Mechanism (ESM) would lend up to €240 billion to governments to cover their medical and other costs related to the public health crisis.

These emergency measures were controversial, not least because of Europe's experience with the previous crisis. The debate about cross-country inequality reignited. Member states in southern Europe remembered all too well how northern European countries bailed out their own banks and then changed the rules to make such bailouts more difficult by requiring governments to impose losses on private investors. As southern European banks got into trouble later, they had to work within that stricter framework. When investors (many of whom were ordinary citizens rather than more sophisticated financial actors) lost their money, the political and economic fallout was painful. Southern European governments found the prospect that they would be disadvantaged once again by the pandemic response doubly unacceptable.

The monetary package was also controversial. The ECB had bought government bonds in large quantities after the last crisis in order to support Europe's recovery. Some governments in northern Europe worried that these bond purchases created incentives for member states elsewhere to borrow beyond their means. Some also asserted that the ECB's actions exceeded its mandate.

Common debt would make it easier to redress inequities across EU member states.

Those concerns were taken up by German opponents of the euro as well, some of whom challenged the legitimacy of the ECB's bond purchases before the German constitutional court. The court delivered its ruling in early May, just weeks after the ECB's latest monetary policies were announced. The gist of the ruling was that the ECB may have exceeded its mandate. Part of the remedy was for the ECB to show that it considered the "proportionality" of its actions; the more important part was that these interventions be temporary rather than permanent.

That ruling did not focus on the ECB's response to the pandemic, but it did raise concerns that could apply to those measures as well. Although European governments—including Germany's—ultimately chose to ignore the court's ruling, EU member states in northern Europe remained adamant that any monetary support measures should be temporary.

A further controversy centered on the loan facility provided by the ESM, which was created in 2012 to bail out national governments. The first two countries to receive support from the facility during the last crisis were Cyprus and Greece. Because of the way the ESM treaty was drafted, that support came with strict requirements that those governments implement fiscal austerity and welfare state reforms to ensure that they could make their repayments. Both Cyprus and Greece struggled to meet the conditions on the aid they received.

Other member states took note of their experience, particularly Italy and Spain. As a result, those governments did not want the ESM to be responsible for lending money during the pandemic. They preferred to borrow from the European Commission or some other organization. By contrast, the northern European governments worried that the Commission would not be strict enough in enforcing any conditions; they also questioned why the ESM was created if no government was willing to use it. The compromise reached in April was to have the ESM lend the money with no conditions attached, apart from the requirement that funds be spent on medical and related expenses.

The possibility of issuing common European debt stirred the biggest controversy, uniting all the others. Common debt would make it easier to

redress inequities across EU member states. Common debt would reduce concerns that national governments would borrow more than they could repay, while strengthening Europe's fiscal response and so reducing the need for such an active monetary policy. And common debt would make it possible to finance spending at all levels of government—European, national, and regional—without going through the ESM.

The idea of issuing common European debt emerged during the last crisis in a debate over "Eurobonds." That debate ended abruptly in 2011 in the face of German opposition. It resurfaced again in the early weeks of the pandemic. The French, Spanish, and Italian governments were staunch advocates of common debt. Most northern European member states were opposed. This time, however, German Chancellor Angela Merkel reasoned that it was more important to hold Europe together than to support fiscal orthodoxy. Under her leadership, the German government changed its position and joined France to propose a plan.

RECOVERY AND RESILIENCE

The Franco-German proposal for a €500 billion European recovery fund, announced in early May, included provisions for common borrowing. These provisions were incorporated in the European Commission's plans for a larger, €750 billion fund. Although member states debated the eventual size of the fund, as well as how much of the money should be distributed as loans and how much should be given as grants, the principle of common borrowing stayed in place. Moreover, common borrowing necessitates new common revenue sources—meaning taxes that would accrue to the European budget, something many governments had long resisted.

The symbolism was enormous. Many compared the plan to Alexander Hamilton's late-eighteenth-century program, as the first United States secretary of the Treasury, to nationalize the debts of the American state governments. But the reality of the European scheme is more subtle, as became clear both during the negotiations that dragged into the summer and in the final agreement that was reached on July 21.

The European recovery fund—called "Next Generation EU"—is temporary: the Commission will raise the money over the next six years and then pay it back over the thirty years that follow. The money is targeted: national governments have to draw up plans for how they will invest the funds they receive in line with broader European objectives, including those related to climate change and the digital economy. And any funding is conditional: the Commission will not only supervise how national governments use their funds, but also will check whether they are meeting requirements to consolidate their fiscal accounts and reform their welfare state institutions in ways that should strengthen their economies.

Most important, this funding is not free. The loans that make up €360 billion of the overall package must be repaid to the European Commission at rates of interest that cover the Commission's own cost of borrowing, plus a markup to pay for administrative costs. The remaining €390 billion in so-called grant money will be financed by European taxpayers. Some €78.5 billion of that money will flow through existing EU programs; the remainder is to be allocated to national governments according to criteria that loosely reflect the relative impact of the pandemic. This constitutes a net transfer for member states like Italy and Spain, but the figure is smaller than the headline numbers suggest, since the taxpayers in those countries will contribute to paying the money back.

Yet these subtleties should not overwhelm the sense of European solidarity symbolized by common debt. Public opinion polling shows that the program is popular not just in EU member states that stand to be net recipients, but also in those countries where people expect to make net contributions.

Next Generation EU also underscores the importance of the European budget. Before the pandemic, the focus was on whether and how to make up for the loss of the British financial contribution. The United Kingdom would complete its exit from the EU at the end of 2020. Because the UK has such a large economy, the British government had made substantial contributions to European projects. The expectation was that the other member states would increase their contributions to cover some of the gap that will arise in the next seven-year financial framework due to Brexit, but still, a sizable hole was left. With Next Generation EU, European finances look more robust.

The funding plan's added emphasis on "resilience" also matters. The European Union wants to lead in the global fight against climate change. Now it has a more ambitious plan to do

so, with real resources to back it up. The EU also wants to strengthen its role in the digital economy. This will involve substantial investment in infrastructure as well as research and development. Again, Next Generation EU fills an important gap in available resources.

Taken together, these forward-looking initiatives should strengthen Europe's economy. They will not address all possible future shocks, but they will make progress in two areas of obvious and preexisting concern. Moreover, this progress will be a source of cohesion and convergence across member states, whereas purely national efforts would have reinforced existing differences. The emergency measures may not heal the divisions that were created during the last crisis, but might help prevent them from getting worse.

Finally, Next Generation EU renews the strength of the European Commission. During the last crisis, the Commission lost status to the more intergovernmental Council of the European Union and to the heads of state and government. The role that the Commission plays now is more central. Not only does it get to borrow on behalf of the EU, it also looks set to obtain new dedicated resources to pay back those debts. The Commission also gains greater influence over macroeconomic policy coordination and national welfare state reforms by controlling access to European money.

Monetary policy and fiscal policy are moving ever further out of balance.

These changes lend institutional heft to the symbolism attached to the recovery fund. Next Generation EU may be temporary, but the expansion of the Commission's financial, analytical, and supervisory capabilities will be permanent. That makes it even more likely that European governments will turn to the Commission to help shape a response to the next crisis. Alexander Hamilton's legacy as Treasury secretary may not be an accurate comparison, but it is easy to see how Europe's response to the pandemic could turn out to be transformative for the European Union.

THE SECOND WAVE

The end of the summer of 2020 brought a second wave of the pandemic. The new surge of contagion became clear a few weeks after school started. Unlike the situation in the first wave, every country was now affected. Even those that had fared well in the early months of the crisis—

like Germany or the Czech Republic—faced rising numbers of infections.

The EU's response was to double down on its fiscal and monetary policy measures. The Commission moved first, announcing that it would extend the period of fiscal flexibility through the end of 2021, and it would also keep the rules for government aid to firms and financial institutions relaxed until June and September 2021, respectively. National fiscal authorities moved quickly thereafter, prolonging their own measures to protect jobs, households, and firms, while extending tax deferrals and credit guarantee schemes.

The challenge confronting the European Central Bank was that its instruments were starting to look less effective. Monetary policy can push money into banks, but it cannot force firms to borrow. Faced with renewed uncertainty about the course of the pandemic, many firms worried about going deeper into debt. Banks shared those concerns and began tightening lending conditions accordingly.

This combination of reluctant borrowers and cautious lending weakened the link between monetary policy and economic activity. Hence some voices at the ECB began to advocate increasing European fiscal support, including moves to make Next Generation EU look more like a permanent facility. In the end, they agreed to recalibrate their monetary instruments only in December, once the impact of fiscal policy in terms of shoring up activity became clearer.

Still, doubts about the effectiveness of these fiscal responses started simmering. The old controversies resurfaced. Even as national health systems came under renewed stress, no country was willing to borrow from the European Stability Mechanism.

The Italian government was divided, with the largest party in the governing coalition, the populist Five Star Movement, rejecting any support from the ESM, while the second-largest member of the coalition, the mainstream center-left Democratic Party, insisted that the government should take advantage of the funds available. For its part, the Spanish government declared that borrowing from the ESM was out of the question.

Because of this reluctance, €240 billion of the original €540 billion in emergency relief remained untapped. The credit guarantees offered by the

European Investment Bank also went largely unclaimed. As of December 1, 2020, only €90 billion of the backstop money provided by the European Commission for employment protection and unemployment assistance had been taken up by European governments.

Member states also wavered over plans to take up funds from Next Generation EU. At least part of the problem was connected with how the ECB's government bond purchases drove down national borrowing costs. By November 2020, twelve of the nineteen governments that use the euro as a common currency could issue 10-year bonds at negative yields. Spain and Portugal could borrow on the bond market at ten years for less than 0.1 percent—which is almost for free.

Those countries thus have no incentive to borrow from the European Commission. Even if the eight EU countries that still faced significant borrowing costs, including Italy, claimed their maximum allocations, the overall loan package looked likely to be closer to €200 billion than to the €360 billion on offer.

The grants are more certain to find takers. The question is how easily and effectively national governments can spend the money. The requirement is not just to have a plan for how European funding will be used, but also to make firm legal commitments by December 2023 and to complete expenditures by December 2026. Most European governments struggle to meet those kinds of deadlines with large infrastructure projects.

Consider the track record for spending EU funds allocated for structural investments. During the 2014–20 period, for example, Italy managed to spend just 40 percent of the money that it was allocated; Spain was able to spend just 35 percent. They were not alone in this struggle. France, Germany, and the Netherlands did better, but even they managed to spend only 55 percent of the money available.

European governments need to streamline their bureaucratic procedures to make greater use of the fiscal resources that the European Commission can provide. Until they do so, European fiscal policy will be less effective than it could be. This means that more of the burden of providing macroeconomic stimulus falls on the ECB.

But the ECB has effectiveness problems of its own, particularly when firms are reluctant to borrow and banks are wary about lending. Worse, efforts by the ECB to push more money into the economy have lowered government borrowing costs to a level that makes European stimulus programs less attractive to their intended participants. And as deficits and debts pile up while governments throw money into temporary income support measures, politicians become less eager to borrow to pay for ambitious infrastructure investment programs.

This negative spiral is constraining Europe's response to the second wave of the pandemic. There is no obvious way to fix it. Monetary policy and fiscal policy are moving ever further out of balance at the same time. Monetary authorities are holding increasing volumes of sovereign debt and other assets, and fiscal authorities are getting increasingly indebted.

The ECB put a brave face on its position at its December monetary policy meetings by adding resources to its emergency purchasing program. It lengthened the period during which it plans to buy and hold government securities and offered additional subsidies to banks to lend funds to private sector firms. Given the need to add stimulus in the face of the deepening crisis, the ECB had little choice.

The effect on sovereign borrowing costs was immediate. Both Spain and Portugal issued ten-year bonds at negative yields soon after these monetary policy decisions were announced. Whatever residual inclination either government may have had to borrow from the European Commission vanished.

FAULT LINES

Meanwhile, the symbolism attached to Next Generation EU became more complicated because of the strengthened role of the European Commission and the decision to connect the recovery fund to the seven-year EU budget. The European Parliament needed to give its assent to the new arrangement as part of the ratification process. In return, legislators made demands about how—and how much—money should be spent. Many of these demands could not be met, since they would entail a renegotiation of the entire package.

One demand the Parliament was able to make without reopening the package was to fold rule-of-law considerations into the basket of issues that the Commission would monitor when supervising access to European funds. This way, the Commission could withhold funds from governments that violate democratic norms as easily as it could withhold funds from governments for failing to consolidate their fiscal accounts, to reform their welfare

state institutions in line with EU recommendations, or to spend EU money efficiently.

The Polish and Hungarian governments objected strongly to this rule-of-law linkage. They argued that the intention was to use Next Generation EU to attack them politically. Both center-right governments have undertaken constitutional reforms that have drawn fire in the European Parliament for undermining the checks and balances that safeguard democracy, particularly with respect to judicial independence. Both governments have also engaged in controversial battles with private media groups, which their opponents complain are attempts to restrict freedom of speech.

So far, the Polish and Hungarian governments have worked together to escape censure, underscoring their national sovereignty and alleging that European complaints about their actions are biased in favor of the political left. But such cooperation only works in the Council; once the Commission is in charge, they will be more vulnerable to outside influence.

The Dutch government took the other side of the debate. The Dutch had been the fiercest opponents of common borrowing, and they fought hard to limit the volume of grants in the European recovery fund. Ultimately, they conceded on both fronts. The rule-of-law issue became a matter of principle in the context of those concessions. If the Dutch government could not sell Next Generation EU as at least serving to uphold such core European values, then it might question whether the recovery fund was worth supporting at all. The fact that the Dutch faced national elections in March 2021 added weight to their position. The fact that Hungary is scheduled to go to the polls in 2022 created the prospect of a stalemate.

That stalemate threatened to materialize in December. The Hungarian and Polish governments could not block the adoption of rule-of-law conditions attached to Next Generation EU, which passed through qualified majority voting, but they could hold up the EU's seven-year budget, which requires unanimous assent. When they did so, they demonstrated that not all governments view the European recovery fund as indispensable, and that some governments have different priorities.

That reality did not change when the German government finally succeeded in brokering

Millions of Europeans have to look forward to decades of austerity.

a diplomatic solution to the conflict. The Dutch and the European Parliament got their rule-of-law conditionality, but the Hungarian government ensured that any attempt to enforce it would operate through a time-consuming procedure that would most likely extend beyond the 2022 Hungarian elections. The budget moved to the next stage in the ratification process, and Next Generation EU went along with it, but its symbolism as a transformative moment had been weakened.

Meanwhile, the European Council pushed to complete reforms to the ESM. These reforms originated before the pandemic and reflect the lessons learned from the last economic and financial crisis. The reason they were so long in the making is that they got tangled up in Italian domestic politics. When the reforms came up for debate in November 2019, the Italian government almost collapsed.

The ins and outs of the Italian domestic controversy are complicated, but the motivations are easy to understand. The reforms give the ESM greater authority to monitor national fiscal policy. They also give the ESM more power to enforce fiscal consolidation, which is a precondition for member states to qualify for precautionary assistance and to receive aid during a formal program, as well as during the period of recovery once any support program has ended. This new power added to the concerns of those in Italy who believe that the ESM directly threatens national sovereignty.

Prime Minister Giuseppe Conte struggled to corral support for ESM reform in the Italian parliament. But he evidently felt obliged to do so as a sign of good faith to his European colleagues, particularly those in northern member states who see the ESM as a crucial mechanism for reducing the risks associated with excessive debts and deficits.

The problem for Conte was that these ESM reforms reveal the extent to which the EU remains wedded to a particular view of fiscal orthodoxy despite all the pain that it caused after the last crisis. The term sheets for the reforms repeatedly insist on the importance of keeping government deficits below 3 percent and debts below 60 percent of gross domestic product. They also reiterate the goal that governments reduce any discrepancy between actual debt and this 60-percent limit by one-twentieth each year.

Italy will come out of the pandemic crisis with a debt-to-GDP ratio greater than 160 percent. It will be difficult for the Italian government to reduce that ratio by five percentage points each year once the pandemic has passed. It is hard to imagine that it could sustain that pace of fiscal consolidation for twenty years. Now Rome will have to negotiate with the ESM as well as the Commission if it needs to be granted an exception.

Other governments will face similar problems, albeit less dramatic ones. The EU's fiscal orthodoxy makes borrowing to finance long-term investments even more unattractive for governments that already have excessive debt levels. Spain and Portugal may have no incentive to borrow their allocated funds from Next Generation EU, but they also have little incentive to replace those funds by borrowing with more traditional government debt, even at low or negative interest rates. Instead, their incentives will push them to try to avoid ESM supervision at any cost.

In Italy, these pressures led to a political crisis in January 2021. Former Prime Minister Matteo Renzi broke with the governing coalition over its unwillingness to tap the ESM and its poor planning to access Next Generation EU. This created an opening for Italian President Sergio Mattarella to invite former ECB President Mario Draghi to head a new government and get Italy's response to the crisis back on track. Draghi made it clear that only aggressive public investment would promote long-term success—even though that means additional public debt. As of early February, how Draghi would square that commitment with European fiscal rules—and whether or how long he would serve as prime minister—remained to be seen.

IMAGINATION WANTED

The northern European governments have displayed little appetite to change the rules for fiscal consolidation. On the contrary, they are eager to see those rules put back into place. The European Commission announced last October that it would start a review of whether to return to the old rules in March 2021. Governments will still be able to run larger deficits for the rest of the year, but they may have to build the requirements for fiscal consolidation into their 2022 budgets.

That review will take place before any money is distributed under Next Generation EU. Although the European recovery plan and the multi-annual budget are likely to be ratified without further controversy, it will take time for the Commission to approve national recovery and resilience plans and to begin issuing the debt to finance them. In the meantime, it remains unlikely that any government will turn to the ESM for assistance. Yet it is all but certain that measures to combat the second and possibly a third wave of the pandemic will have done further damage to European economic performance.

These prospects are not bright. True, they would be far worse if the EU had not reacted so decisively during the pandemic's first wave. But the fact that things could be worse is cold comfort for the millions of Europeans who are suffering from illness and economic hardship. It is also small consolation for those who have to look forward to decades of austerity. Responding to the initial crisis was the easy part. Holding Europe together through the recovery—and what comes after—will be much harder. It will also take more imagination. ∎

The Exclusion of Roma and European Citizenship

JULIJA SARDELIĆ

In the spring of 2020, as nations around the world began imposing lockdowns on their citizens to slow the spread of COVID-19, the European Court of Human Rights delivered a judgment in the case of *Hudorović and Others v. Slovenia*. The plaintiffs were residents of two informal Roma settlements in Slovenia. For decades, these settlements had lacked access to drinking water—a right guaranteed by the country's constitution and provided to non-Roma homes nearby. The plaintiffs asserted that the neglect of their communities violated provisions of the European Convention on Human Rights (ECHR) prohibiting discrimination and degrading treatment, and guaranteeing the right to enjoy one's family life and home.

In its March 10 decision, the court found that the Roma minority in Slovenia "face greater obstacles than the majority in accessing basic utilities," yet concluded that "access to safe drinking water is not, as such, a right protected" by the ECHR. Nevertheless, the court acknowledged that failure to address "a persistent and long-standing lack of access" to water and sanitation services could put a state in violation of its obligations to prevent discrimination against disadvantaged groups such as the Roma minority in Europe.

Nongovernmental organizations around Europe have found that the problems highlighted by the *Hudorović* case are pervasive. In a 2017 report, the European Roma Rights Centre (ERRC), a Roma-led legal advocacy group based in Brussels, found that a "huge number of Roma" all across Europe have limited access to clean drinking water and sewage systems. It concluded that this was "not a coincidence of geography," but "a matter of societal and institutional discrimination."

The implications extend from human rights to public health. As the ERRC asked in its response to the *Hudorović* ruling, how can people who cannot even wash their hands be expected to abide by government directives to protect themselves and others from COVID-19? Many Roma communities throughout Europe, in the newer as well as the oldest member states of the European Union and on the bloc's periphery, face such predicaments.

Access to drinking water and sanitation are minimum requirements for what could be considered a dignified life. How is it possible that in the middle of Europe—and within the EU, whose member states rank among the highest in the world on human development indexes—there are citizens living in such dire circumstances that these fundamental needs are beyond their reach? And how can the EU, an organization founded on respect for human rights and the rule of law, allow a minority group to be denied basic rights that are provided to other citizens? The inescapable fact is that the position of Roma citizens today reflects historical neglect and the outright racist discrimination that this outcast minority group has long suffered at the hands of many European governments.

CONSIGNED TO THE MARGINS

The term "Roma" (and adjective "Romani") is commonly used for many minority groups that once were grouped under the derogatory label "gypsies." In Europe today, most Roma, and especially Romani activists, reject that old name. According to estimates by the European Commission, there are 10–15 million Roma in Europe, 6 million of whom are citizens of the European Union.

In the wake of the formation of European nation-states, Roma remained on the margins as

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a minority without a kin-state of their own (despite linguistic evidence of an ancestral connection to India). There is now a Romani minority in every EU member state except Malta. In 1993, the Council of Europe called the Roma a "truly European minority." Yet they have not benefited from the oft-stated European values of liberal democracy based on the rule of law and the protection of minorities and human rights. Instead, throughout history, Roma have experienced the darker side of what it means to be a minority in Europe, designated as perpetual outsiders.

Although many history textbooks depicted European Roma as free-roaming nomads living in caravans (and often included stereotypes about criminality), the reality of what was portrayed as a "Romani lifestyle" was much more dire. As a University of Graz project on Romani history showed, in many instances Romani groups were not allowed to settle in various European territories. In Central Europe, after the Thirty Years' War (1618–48), Roma were forced to live a nomadic life to escape economic deprivation and famine, in addition to persecution. Some Roma who came to these lands, for example the territory of today's Slovakia, were either expelled with a legal decree or hanged without trial. In what is now Romania, Roma were still enslaved in the nineteenth century, even after the abolition of African American slavery in the United States.

Many socialist states with large Roma populations treated them as a 'deviant' social group.

Like the Jews, Roma lost their citizenship under the laws of Nazi Germany before World War II. They suffered a fate similar to that of the Jews during the war: many Roma were sent to concentration camps around Europe, including Auschwitz–Birkenau. It is estimated that more than half a million (some estimates go up to 1.5 million) were killed in what came to be known as the Porrajmos—the Romani Holocaust.

That tragedy was rarely recognized by postwar governments, which often continued to exhibit anti-Roma attitudes. Many socialist states with large Roma populations treated them as a "deviant" social group that needed to be assimilated into the working-class citizenry. In 1993, Czech President Václav Havel, who had been a leading dissident under communism, said Roma rights would be a litmus test for civil society, and more broadly for the transformation of postsocialist states into liberal democracies.

Despite this history of discrimination, it was not until the 1990s that EU institutions started treating Roma as an ethnic minority deserving of human rights protections. The shift coincided with rising expectations that the EU would expand to include the postsocialist states of Central and Eastern Europe. The 1993 Copenhagen Criteria for accession emphasized that countries aspiring to join the EU would be required to prove that they had institutions that could guarantee the rule of law, human rights, and protection of minorities.

Since a large proportion of Roma in Europe are citizens of postsocialist states, their status became a focus of attention before the EU's two rounds of enlargement in 2004 and 2007. Roma had drawn little geopolitical interest until then, but they were now seen as a minority that could make potentially destabilizing territorial demands. Other minorities were demanding kin-states of their own in the region, including Hungarians in Romania and ethnic groups in the former Yugoslav territories.

According to EU estimates, there are 2.6 million Roma living in Bulgaria and Romania, which both joined the EU in 2007, and 1.5 million in the several postsocialist countries that joined the EU in 2004, with the highest numbers in Hungary, Slovakia, and the Czech Republic. Roma constitute the smallest minority group in most European countries, often representing less than 1 percent of the population as recorded in the census. But they are typically undercounted, because many who are Roma do not identify as such due to a justified fear of persecution. Despite being relatively few in number, the Roma are overrepresented as victims of discrimination, according to a Eurobarometer survey conducted in 2019.

As multiple studies have shown, Roma have been particularly vulnerable to hate crimes since the collapse of socialism. Anti-Roma pogroms have been documented in most postsocialist countries. Racially motivated killings in northeast Hungary in 2008 and 2009 are among the most heinous hate crimes against Roma that have occurred in the European Union (though some have also taken place in older member states).

This history of violent persecution was one of the reasons the EU included protections for Roma among the conditions that candidate countries had to meet in its most recent rounds of enlargement. Candidates for accession had to report on progress

they had made in enacting antidiscrimination legislation and implementing other measures to protect their Roma minorities. (The same conditions apply to current candidate countries in the Western Balkans.)

However, countries that already belonged to the EU were not required to show that they had implemented minority protection policies for Roma. This was the case even for Spain, where over one million people identify themselves as members of the Gitano community, as the Spanish Roma are known. Nor was France or the United Kingdom required to demonstrate having safeguards for Roma rights in place—even though gross human rights violations against Roma have occurred in both countries, once considered exemplars of human rights in the EU. There was an assumption that protection of human and minority rights was lacking only in the former socialist countries. But in fact, the rights of Romani citizens and migrants were also regularly violated in, and sometimes by, older EU member states.

MIGRATION PANIC

Minority and human rights protection was high on the EU's agenda during the accession process for its eastward enlargement in large part because of fears among older member states that they would experience massive westward migration of Roma if their rights as citizens in their own postsocialist states (including rights to economic opportunity) were not guaranteed. Although there was no evidence that Roma would be more inclined than other postsocialist citizens to leave their home countries in the east, the western EU member states made strenuous efforts to curtail Roma mobility. Even before the enlargements in 2004 and 2007, countries such as Finland and the UK took measures implicitly intended to limit the right to asylum for potential Romani migrants from countries such as the Czech Republic and Slovakia.

At the turn of the millennium, the UK reached an agreement with the Czech Republic allowing British immigration officers to be stationed at the Prague airport with the right to decide who would be barred from boarding UK-bound planes for allegedly failing to meet entry requirements. Their primary objective soon became clear. Roma were barred from the flights more often than other Czech citizens were, based on the perception that they were likely to file spurious claims for asylum. The ERRC and others challenged the policy, alleging that it violated the UK's obligations under

international treaties concerning the treatment of refugees. In 2004, an appellate committee of the British House of Lords ruled in the case, *Regina v. Immigration Officer at Prague Airport*, that the policy was inherently and systemically discriminatory against the Roma on racial grounds.

Similar restrictions imposed by western EU member states on freedom of movement, unofficially targeted at Roma, continued after the 2004 and 2007 EU enlargements, despite the EU Freedom of Movement Directive adopted in 2004. According to this directive (as well as the EU Charter of Fundamental Rights), EU citizens have the right to move to and reside for up to three months in any member state not their own, without limitation. Governments had welcomed ease of mobility for EU citizens because it was seen as conferring economic benefits. But a number of member states used the perceived threat of massive economic migration (including by Roma) as an excuse to curtail this right for Bulgarian and Romanian citizens when their countries were admitted to the EU in 2007.

The last of these labor market restrictions were lifted on January 1, 2014. The British tabloid media predicted a massive inflow of the newest EU citizens to the UK. The tabloids often claimed that migrants from Eastern Europe were predominantly Roma and would come to the UK either to claim higher social welfare benefits (as so-called welfare tourists) or to do low-skilled, informal work—which, it was argued, would lead to lower wages for British citizens. In 2015, the British television network Channel 4 aired a documentary series, "The Romanians Are Coming," featuring Romani EU citizens who migrated to the UK and struggled to make a living. Supporters of a British exit from the EU also drew on fears of a Roma influx in the campaign ahead of the 2016 Brexit referendum.

The right of member states to restrict "benefit tourism" was expressly affirmed in a 2014 ruling by the Court of Justice of the European Union, *Dano v. Jobcentre Leipzig*. The court held that citizens of one EU member state cannot claim social welfare benefits in another if they have not worked in the second country. Although the case concerned "economically inactive" Romanian migrants in Germany, it gave British Prime Minister David Cameron an opening, even before Brexit, to propose legislation that would limit the rights of non-British EU citizens to welfare benefits in the UK during their first four years in the country.

Although EU member states may limit welfare eligibility, the Freedom of Movement Directive prohibits them from deporting an EU citizen solely on the basis of economic inactivity. Deportation is permissible only for mobile EU citizens who present a threat to public order or public health. Yet this limitation did not deter French President Nicolas Sarkozy from issuing a 2010 decree targeting informal Romani settlements. In what came to be known as *l'affaire des Roms*, the decree resulted in mass expulsions of almost 10,000 Roma who were Bulgarian and Romanian EU citizens.

In response to these expulsions, Viviane Reding, the European commissioner for justice, fundamental rights, and citizenship, issued a sharply worded statement "on the Roma situation" in Europe. She acknowledged the right of member states to "ensure public order," but criticized the "openly discriminatory and partly inflammatory" rhetoric used by some governments, declaring that "nobody should face expulsion just for being Roma." In the fall of 2010, the European Commission started an infringement proceeding against France for violating the freedom of movement of Romani EU citizens. But the proceeding was soon called off after France presented the Commission with a program for Roma integration, even though it did not include a clear plan for implementation.

In the same year, the European Court of Human Rights allowed another (non-EU) country to present a plan for integration of Romani citizens without showing how it would be implemented. In the case of *Oršuš and Others v. Croatia*, the court ruled that two Croatian public schools had discriminated against Romani schoolchildren by placing them in Roma-only classes apart from their Croatian peers. But Croatia merely had to present a plan for addressing this educational segregation, without demonstrating actual results. The issue arose during Croatia's EU accession process. By the time it joined the EU in 2013, several Roma-only classes were still in place.

INTEGRATION SCHEMES

Developments such as the Croatian educational segregation case and *l'affaire des Roms* made it clear that the 1991 Copenhagen Criteria for accession had failed to ensure that the rule of law, human rights, and minority protections were held to the highest standards in an enlarged EU. This

Long-established EU members have been just as prone to violating the rights of Roma.

was not due solely to the failure of the postsocialist EU member states and candidate countries to fully adhere to the conditions of membership; it had also become evident that long-established EU members were just as prone to violating the rights of Roma. If the EU was to be truly a union of all of its citizens, the European Commission clearly would need to monitor the efforts that member states made to integrate their Romani citizens.

These developments prompted the European Commission to create an EU Framework for National Roma Integration Strategies up to 2020 (NRIS). The framework took effect in 2013, requiring all EU member states (except Malta, which reported having no Romani residents), regardless of when they had joined the bloc, to produce a national Roma integration strategy. This was supposed to be a viable plan focused on housing, education, employment, and access to health care.

The structure of the framework was not entirely original. It was based on a previous initiative, the Decade of Roma Inclusion 2005–2015, which had been joined by international organizations including the Council of Europe, the Organization for Security and Cooperation in Europe, and the United Nations Development Program, as well as some European states (not exclusively EU members) and nongovernmental organizations. The name echoed that of the International Decades of the World's Indigenous Peoples (1995–2004 and 2005–14), yet it did not have the same status as the Indigenous Decades, which had been established as a global commitment by a 1993 UN General Assembly resolution.

Much like the NRIS, the Roma Decade scheme called for tracking action plans and the progress that states were making with integration, particularly in education, housing, and health care access. But there were also major differences between the two schemes. The EU framework emphasized the importance of measurable results, as well as the active participation of Romani civil society groups in the design and implementation of national integration plans.

Since the framework was announced, the EU's Fundamental Rights Agency (FRA) has published several reports showing that the results have been mixed at best, as have several think tanks and NGO coalitions. At worst, the Roma have remained on

the fringes of their countries, faced with absolute poverty, inadequate housing, few employment opportunities, and little chance for a dignified life. As the *Hudorović* case showed, some still lack access to basic necessities like drinking water and sanitation, living in extreme poverty of a kind usually associated with the global South.

The FRA has also reported increasing incidents of hate crimes and discrimination against Roma in EU member states, notably Hungary. Although there has been progress in the inclusion of Romani children in education systems, the number of segregated Roma-only classes, and even schools, has risen in some areas over the past decade, particularly in Hungary, the Czech Republic, and Slovakia. But instances occur in most EU member states.

Efforts to encourage the participation of Romani civil society organizations in integration programs and other initiatives have also had mixed results. Romani political leaders and activists have been included in drafting integration policies. But in many instances, national authorities took their involvement as an opportunity to shift responsibility for implementing the policies onto Romani groups, without providing them with appropriate resources. By deeming Roma to be an unintegrated minority, governments have downplayed any responsibility to treat them as citizens.

THE BLIND SPOT

The Alliance against Antigypsyism, a civil society coalition, has warned that all the national Roma integration strategies have the same blind spot: they fail to recognize the antigypsyism—anti-Roma racism—that is deeply embedded in state institutions. Antigypsyism has been further normalized by leading political figures in some European nations over the past few years,

including Hungarian Prime Minister Viktor Orbán and former Italian Interior Minister Matteo Salvini.

Romani and pro-Roma civil society groups formed the Alliance against Antigypsyism in 2017, defining this form of racism as a phenomenon that is not exclusive to the extreme right but is also evident in mainstream political discourse and the state system. In February 2019, the European Parliament adopted a resolution on the "need for a strengthened post-2020 strategic EU framework for national Roma inclusion strategies and stepping up the fight against antigypsyism." Soraya Post, a Swedish member of the European Parliament from 2014 to 2019 who is of partial Romani parentage, was at the forefront of advocating for the resolution.

As the EU's NRIS framework drew to an end in December 2020, the new year presented an opportunity to draft new EU policies to combat antigypsyism. The COVID-19 pandemic and government responses to it had worsened existing systemic inequalities faced by Romani minorities across Europe, including access to basic public services.

Policies for Romani integration will become truly inclusive only when political leaders go beyond addressing antigypsyism and reconsider the fundamental premises on which citizenship in Europe is based. They must ask which elements of citizenship legislation, as well as other previous policies, ended up excluding Roma—people who are citizens of highly developed states that celebrate human rights. Rather than stereotyping Roma as an exceptional minority that is unable to find a place in modern societies, there needs to be a discussion about the future of European citizenship itself, and how it can live up to the stated EU ideals of equal rights and protections for all, including marginalized minority groups. ■

"Perceptions of iniquitous treatment and banal imperial projections can legitimate the continuation of fighting in the name of the nation…"

Why Greeks and Turks Fight

Costas M. Constantinou

Among the artifacts housed in the National Historical Museum in Athens is an oil painting in the Greek Revolution section that depicts an odd embrace and kiss. It portrays the aftermath of the Battle of Maniaki (1825), focusing on the leader of the victorious Ottoman forces, Ibrahim Pasha, and the slain leader of the Greek forces, Papaflessas. At Ibrahim's order, the lifeless body of Papaflessas, a priest-soldier, has been raised and tied to a tree to receive the intimate attention of his foe. This symbolic gesture appears intended as an acknowledgment of the enemy's bravery in that ferocious battle, a sign of respect from one fighter to another. The valiant homage unites the two fighters, but on closer inspection may also conjure a homoerotic desire for posthumous recognition. Imagining the caress of one's foe could be the ultimate aphrodisiac, an inspiration to continue fighting.

Why do Greeks and Turks fight? Why are they such passionate historical enemies? The year 2021 marks the bicentennial of the Greek Revolution against Ottoman rule—a timely occasion to revisit the question of why the Greek-Turkish conflict has been so protracted.

Why Greeks had to fight in 1821 was pretty obvious. They found being subjected to imperial rule intolerable, so they fought for their freedom and independence. Why Turks had to fight back was also obvious, within the logic of empire. They sought to pacify unruly and ungrateful subjects whom they perceived as endangering their sovereignty.

Finding reasons to fight today is not so difficult either, with a plethora of open fronts and unresolved disputes. An inexhaustive list of grievances includes the treatment of minorities; the forced partition of Cyprus; the militarization of islands; conflicting claims over sea delimitation and seabed exploration, islets, and airspace; gunboat diplomacy; unregulated migration and treatment of refugees; exclusion from European institutions; destruction of cultural heritage; and conversion of religious sites. Although conflict over these issues does not necessarily translate into physical violence, it does prolong mistrust, prejudice, and hate speech. Physical violence always looms in the background and occasionally recurs in armed clashes to right perceived wrongs.

This article is intended as a polemic. It provides only a general outline and eschews detailed analysis. It uses a broad brush to sketch historical events and selected clashes. But it does not imply that Turks and Greeks are incapable of resolving their differences or peacefully coexisting. There are many examples of individuals and

The Kiss, by Andreas Georgiadis (1960). Collection of the National Historical Museum, Athens.

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communities across the ethnic divide in Greece, Turkey, and Cyprus who have collaborated, cohabited, and progressed together in the past and the present.

Still, at the state level, among political elites and even within civil society, hostile rhetoric is commonplace. In what follows, I suggest three things that fuel the desire to fight and contribute to this protracted conflict: a crooked logic of emancipation that consciously or subconsciously accompanies grand national storytelling; a mindset that is prone to perceiving iniquitous treatment in major political settlements and seeks to overturn them; and banal imperial projections that show no concern for their symbolic violence and interventionist impact. Finally, a new maritime front opens opportunities for new conflicts.

THE CROOKED LOGIC OF EMANCIPATION

The road to Greek and Turkish national emancipation was paved with violence. Popular sovereignty has long been predicated on the idea of liberating "the people" and granting them individual rights as well as collective rights, most notably self-rule. The logic of emancipation has thus been linked to struggles against imperial, dynastic, or tyrannical rule. It has empowered diverse movements and national uprisings around the globe.

The road to Greek and Turkish national emancipation was paved with violence.

Values, like freedom, mobilize people to stand up and fight. Yet their pursuit can cloud the means employed to achieve the end. Pursuing an ethical goal can even aestheticize and glorify the violence commissioned in its name. As the painting of Ibrahim Pasha and Papaflessas shows, if one were to fight the "good fight," one could hope to receive not only an unexpected caress, but also angels singing one's praises, crowning one's head with a victory wreath, and elevating one to posthumous glory as a venerated icon.

When the Greeks revolted in 1821 against Ottoman rule, the Romantic poet Andreas Kalvos counseled in his poem "To Samos" that "freedom requires virtue and courage" (θέλει αρετήν και τόλμην η ελευθερία). In the same poem, Kalvos glorified a fighter who, like Icarus, "died free" (απέθανεν ελεύθερος). Indeed, the most inspiring sentiment for the Greek Revolution was encapsulated in the blunt and morbid motto "Freedom or Death" (Ελευθερία ή Θάνατος). To be sure, this formulation was quite apt given the power asymmetries at the time. Revolt required not only courage to persevere against powerful forces, but readiness to take flight like Icarus without concern for one's life.

This revolutionary motto that mobilized the Greeks to fight the Turks has since been inscribed in the greatest symbol of the nation: the Greek flag. The number of stripes on the flag represents the number of syllables in the motto. Greeks visually commemorate the revolution and are summoned to emulate this heroic attitude to life whenever they salute their flag.

The Greek national anthem is the "Hymn to Freedom" (Ὕμνος εις την Ελευθερίαν). It is based on a poem by Dionysios Solomos, written in 1823. The opening lines of the anthem extol the kind of struggle that is expected of the Greeks in the name of freedom: "I recognize you by the fearsome sharpness of the sword, I recognize you by the face that hastily defines the land. From the sacred bones of the Hellenes arisen, and valiant again as you once were, hail, O hail, Freedom."

The anthem calls on freedom personified—reborn from countless ancestral struggles—to guide the nation in its task of swiftly and violently delimiting the lands to be liberated by the Greeks. It legitimated in the Greek mind the irredentist claims that followed the 1821 uprising. The Great Idea (Μεγάλη Ιδέα), this ambition of liberating all Greeks from Turkish rule, from the Balkans to Asia Minor, became the political impulse that directed all the liberation wars the Greeks fought against the Turks for at least a hundred years, until the Greek–Turkish War (1919–22). This war marked the formal end of the Great Idea project. It is known in Greek historiography as the Asia Minor Catastrophe, and in its Turkish counterpart as the War of Independence.

For the Turks, this war is a great emancipation story, also known as the War of Liberation (Kurtuluş Savaşı). The Turkish army fought not only the Greeks but also the armies of the Allied Powers that controlled portions of the collapsing and partitioned Ottoman Empire after World War I. Nonetheless, it was the Greeks more than any other nation who sought to expand territorially beyond the lands they gained via the 1920 Treaty of Sèvres. And it was the Greeks who suffered the greatest defeat at the hands

of the Turkish troops led by Mustafa Kemal, subsequently the founder and first president of the Turkish Republic—who would become known as Atatürk, "Father of all Turks."

The Turkish national anthem, adopted in 1921, has an emancipation logic just as revealing as that of the Greek anthem. Entitled the "Independence March" (İstiklal Marşı), it valorizes the violent struggle and the heroic sacrifices of the war. It ends by hailing freedom as the quintessential right of the Turkish nation: "Frown not, I beseech you, oh thou coy crescent! Smile upon my heroic nation! Why the anger, why the rage? Our blood, which we shed for you, shall not be worthy otherwise. For freedom is the absolute right of my God-worshiping nation." What is legitimated by claiming freedom as the nation's absolute right ultimately depends on one's understanding of what constitutes Turkish land and where the Turkish people are awaiting emancipation.

"Peace at home, peace in the world" (Yurtta sulh, cihanda sulh) was a pronouncement of Atatürk that subsequently became the fundamental principle of Kemalist Turkey. It can certainly be viewed as supporting regional order and stability within the established borders of the Turkish state, as agreed to in the 1923 Treaty of Lausanne. But the border between home and abroad can be fuzzy, especially where the rights of Turkish compatriots are concerned, as in Cyprus. Not to mention that instability and injustice in the near abroad, as in Syria and northern Iraq, may endanger peace and security at home. The logic of freedom as the absolute right of the Turkish nation can thus legitimate action in various geopolitical directions.

TREATY GRIEVANCES

In their tortuous history, Turks and Greeks have been parties to various agreements that were supposed to settle their differences, but their grievances and fights inevitably recurred. During the Greek Revolution, Greek warlords and local Ottoman governors sometimes reached secret or tactical agreements, known in both Greek and Turkish as kapakia (literally "coverings"). Some of these agreements were struck without the authorization of the national power centers and remained hidden. They were intended to stop the carnage and restore some kind of coexistence, but usually were soon violated by one side or the other due to changing circumstances or pressure from the center.

Kapakia represented not only efforts to find a modus vivendi but also the stealthier and murkier

forms of diplomacy, characterized by short-termism and opportunism. They did much to strengthen the popular belief that the opposing community—Greek or Turkish—may agree to a deal and shake hands, but ought never to be trusted. Turks and Greeks have suffered and still live under this legacy of kapakia: the notion that any agreement signed by such an "untrustworthy" nation would always hide crafty intentions, be only partly implemented, and ultimately must be revised to correct historical injustices.

International treaties signed by the Great Powers on behalf of the Greeks sought to settle the so-called Greek Question. The 1829 Treaty of Adrianople, between Russia and the Ottoman Empire, recognized Greece as an autonomous state. The 1832 Treaty of Constantinople, signed by the Great Powers (Britain, France, and Russia) and the Ottoman Empire, recognized the independence of Greece. The latter treaty was wishfully proclaimed the "definitive settlement of the Greek Question" and of "the continental limits of Greece."

As an agreement among empires, based on a decision at the May 1832 London Conference to impose a Bavarian king on the Greeks, the 1832 Treaty of Constantinople had little domestic legitimacy in Greece. The Greeks doubtless benefited from the treaty, which spared them from rancorous infighting. But they never signed such agreements themselves. They did not feel morally obliged to accept them, given their irredentist vision. Instead of marking a definitive limit or fair conclusion to their liberation struggle, these treaties created a mindset of resentment and resistance among Greeks. They saw it as an imperative to extend the same kind of recognition to Greeks living beyond the limited confines of newly independent Greece.

From a European Great Power perspective, the Greek Question was only one aspect of the so-called Eastern Question, which concerned the political instability of the Ottoman Empire and the strategies of those powers to benefit geopolitically from its progressive demise. For the Greeks, the shrinking of the Ottoman Empire was an opportunity for the liberation of Greek populations under Ottoman rule—and for what the Greek mindset considered to be absolutely justified territorial expansion.

An especially hot front was the island of Crete. The Rebellion of Crete began in 1866 and continued for decades, despite many minor and major settlements. Various agreements for enhancing the rights of the Greeks, whether through the

partial or full autonomy of the island or the appointment of a Christian governor, were neither fully implemented by the Ottomans nor satisfactory to the rebellious Cretans. The acrimonious conflict lasted until the union of the island with Greece in 1913.

With the end of the Balkan Wars and the signing of the 1913 Treaty of London, Crete and the Aegean islands, with the exception of Imbros and Tenedos, came under Greek sovereignty. The Dodecanese islands remained under Italian rule until they were united with Greece after World War II under the 1947 Treaty of Paris. The Greek liberation struggle, combined with regional wars and imperial interests, had paid off in terms of territorial expansion for Greece. But it also led to the Greek–Turkish War, the Asia Minor Catastrophe for the Greeks, and the establishment of the Republic of Turkey as the successor to the Ottoman Empire.

A century after the Greek Revolution, Greeks and Turks sought to totally redefine their relationship with the mother of all settlements: the 1923 Treaty of Lausanne. This multilateral treaty established the borders of the modern state of Turkey. Beyond defining the limits of the respective territories of Greece and Turkey, it also entailed an ambitious nation-building project. The two nations formally agreed to a compulsory exchange of populations—nothing less than legalized ethnic cleansing. This drastic measure was meant to stop any future fighting between them.

The forced displacement of "enemy" populations had immense and tragic consequences for the refugee communities of both nations. The Treaty of Lausanne defined the ethnicity of Turks and Greeks in religious terms, not in cultural terms such as language. As a result, hundreds of thousands of people were uprooted from habitats and social worlds that defined core aspects of their identity. Yet the implementation of this mass displacement in the name of a peace settlement, for all its bitterness, actually did signify a new beginning. The Greek and Turkish leaders, Eleftherios Venizelos and Mustafa Kemal Atatürk, signed a Treaty of Friendship in 1930, and Venizelos nominated Atatürk for the Nobel Peace Prize in 1934.

But perceptions of iniquity with regard to the full and fair implementation of the treaty provisions soon kicked in, and have incited contention

to the present day. The problems included the rights of the minorities that were allowed to stay behind under the new dispensation (in Istanbul and in Western Thrace in Greece); the protection and reinstatement of religious sites; the militarization, contrary to treaty provisions, of Greek islands; the partial implementation of special provisions for Imbros and Tenedos; and the status of uninhabited islets near the Turkish coast.

Through the Treaty of Lausanne, Turkey also recognized Britain's 1914 annexation of Cyprus. The Ottoman Empire had rented Cyprus to the British in 1878, under a secret accord that allowed the British to use the island in exchange for military support against Russian incursions into Ottoman territory. When decolonization gathered speed after World War II, the majority Greek Cypriots saw their aspiration for union with Greece (*enosis*) as morally and legally indisputable, under the principle of self-determination. Turkish Cypriots feared that Cyprus would become another Crete—that Greeks would want to fully control the island and Turks would be forced to flee.

Perceptions of unjust settlements of the Cyprus issue still inhibit reconciliation.

The 1960 agreement that established the independent Republic of Cyprus was a painful compromise for most Greek Cypriots, and to some a national betrayal. The agreement was decided upon by Britain, Greece, and Turkey in Zurich, in the absence of Cypriots. Greek Cypriot leaders were pressured to sign it at Lancaster House in London. Perceptions of iniquitous treatment again flared up, and some Greek Cypriots continued to work and fight for *enosis* even after independence.

For most Turkish Cypriots at the time, the preferred solution that should have followed the departure of the British was partition (*taksim*), as in British India. Some Turkish Cypriots continued to work and fight for *taksim* after independence. The perceptions of partial or unjust settlements of the Cyprus issue, and the intercommunal clashes that followed, left both of the main ethnic communities on the island with bitterness and mistrust that still inhibit efforts for reconciliation today.

The de facto partition of the island occurred in 1974, when Turkish forces invaded after a Greek military coup attempted to impose a government that would unite the island with Greece. From the official Turkish perspective, the partition has

been viewed as a heroic liberation of the Turkish Cypriot community from a Greek-controlled republic that had excluded Turkish Cypriots from the government since the intercommunal clashes of December 1963. From the Greek official perspective, the purported emancipation of the Turkish Cypriot community was a bogus rationale, and Turkey's intention had always been partition.

The secessionist, self-declared Turkish Republic of Northern Cyprus has never been internationally recognized. In 1983, United Nations Security Council Resolution 541 branded it "legally invalid." Subsequent attempts to negotiate a comprehensive settlement, sponsored by the UN and others, have failed.

In Greek Cypriot official discourse, the conflict still centers on a liberation struggle to end the occupation of the island's north; less important is a reconciliation between the two main ethnic groups, which can await the official settlement. What would constitute a just and durable settlement within these dueling perceptions of iniquity that dominate Turkish and Greek mindsets alike is the key issue. Turks and Greeks each feel that the other side owes them justice on various fronts, especially Cyprus. Each side also feels that the international community has let them down over the years and still owes them.

BANAL IMPERIALISM

Imperialism has traditionally involved the occupation of near or distant lands and the governance of diverse peoples and territories. Greeks and Turks historically have both engaged in practices of empire building. The new imperialism also entails geographical reach and projected hegemony, but nowadays these ends are often achieved through claims of jurisdiction and flexible intervention. In the Greek–Turkish conflict, these different aspects play out in multiple sites.

The Greek Revolution of 1821 was not supposed to simply establish an independent Hellenic Republic. The Great Idea was, in effect, to recreate the Byzantine Empire. The capital of the new state was to be Constantinople, the former Byzantine capital. The Hagia Sophia was to be reconverted from a grand mosque back into the imperial basilica that it had been before the fall of Constantinople to the Ottomans in 1453.

The decision by the Turkish government in 2020 to reconvert the Hagia Sophia back into the mosque that it was during Ottoman times—it had been a museum since 1935, under Atatürk's

orders—rubbed salt into an old, sore wound for the Greeks. To be sure, the reconversion was also part of an attempt led by Turkish President Recep Tayyip Erdoğan to reconstruct the highlights of the Ottoman conquest and imperial rule.

Neither the Greek nor the Turkish government officially promotes an imperial imaginary. Such a practice would be at odds with the post–World War II international order and the foundational principles of international relations, including self-determination and nonintervention. Yet their nationalist-populist discourse retains vestiges of what I would call "banal imperialism," to modify the concept coined by British social psychologist Michael Billig in his 1995 book *Banal Nationalism*.

Basically, Billig argues that nationalism is entrenched in the daily circulation of banal—but not benign—symbols and habits that valorize one's nation vis-à-vis others: the flag, passport, national sports teams, nationalist poetry, celebrations of national achievements, patriotic songs, maps, and so on. In the case of Turkey and Greece, these sorts of banal symbols are also invested with imperial nostalgia—stories and fantasies that may not be officially acknowledged but freely circulate.

There are many examples of such flights into banal imperial fancy. On the Greek side, the emblem of the Byzantine Empire—the crowned double-headed eagle—strikingly features on the flag of the Greek Orthodox Church, flown on countless churches in Greece and Cyprus. The Byzantine eagle also appears on the flags of the Greek Army and the Greek Cypriot National Guard. The map of imperial Greece, including Asia Minor, not only circulates in nationalist media and social networks, but sometimes is found even in village coffee houses, accompanied by the slogan: "Remember, Greeks, that our capital is Constantinople!"

On the Turkish side, the common way of referring to the Greek Cypriots as *Rums* rather than *Unans* is a remnant of imperial vocabulary for this specific ethnic group. *Rums* was the term used for the Christian Orthodox *millet* (minority religious community) under the Ottoman Empire. It has been retained as a category for the Greek Orthodox minority in Turkey, as distinct from the Greeks in mainland Greece and the Aegean, who are also called *Unans*. In everyday discourse, Greek Cypriots are thus viewed as subject people whom Turkey still claims the right to rule as a matter of "domestic" intervention. Erdoğan's recent use of

the phrase "the borders of our heart," to describe areas outside the territory of Turkey to which Turks are emotionally attached, illustrates how imperial fantasy can be used by populist leaders to support policies for achieving regional hegemony.

Greek and Turkish neo-imperial visions, masked as aspirations for national emancipation and solidarity, have been given full rein in Cyprus. Interventionism has been facilitated by international agreements. The 1960 Treaty of Guarantee, through ambiguous wording, enabled both Greece and Turkey (as well as Britain, which retained military bases on the island) to treat an independent state more or less as their dominion and intervene at will. What, if not an imperial remnant, is the treaty provision that allows these three "guarantor powers" to "reserve the right to take action" in a supposedly sovereign state—and to determine the modus operandi unilaterally?

Moreover, the 1960 Treaty of Alliance allowed Turkey and Greece to station troops permanently on the island and thus normalized their military presence. This gave them the opportunity to militarily intervene in various historical periods with a coup, an invasion, and deployments of troop reinforcements on the island for the putative protection of their nationals.

Nationalists have fully supported the interventions of the so-called motherlands on the island. Among left-wing, "neo-Cypriot," or bicommunal groups there is resistance to this hegemonic nationalist mindset. Their dissent takes the form of local consciousness or constitutional patriotism. Slogans such as the obvious and tautological "Cyprus belongs to Cypriots" express their dissatisfaction with the motherlands' colonial meddling in Cypriot affairs. This slogan is commonly invoked across the island divide. It became especially prominent after the 1974 Greek-led coup against Archbishop Makarios III, the president of the Republic of Cyprus.

During the 2020 election in northern Cyprus, this rejection of outside interference led to an open rhetorical clash between the incumbent Turkish Cypriot president, Mustafa Akıncı, and the Turkish government. In the end, Akıncı lost the election, but his claim of Turkish interference sparked rallies of disaffected Turkish Cypriots in the north.

THE MARITIME FRONT

Greek–Turkish fights have been spreading to the seas. There is a new maritime normal: national senses of entitlement and the exercise of sovereign rights have evolved over the past few decades. Under the 1982 Convention on the Law of the Sea (UNCLOS), the nationalization of sea zones has accelerated, not only in the customary provision of territorial waters but also through claims to exclusive economic zones (EEZs) and continental shelves. This trend has totally revised official cartographies as governments seek to project their borders deep into liquid terra, claiming offshore jurisdiction to an unprecedented extent, beyond the territorial seas patrolled by coast guards and navies.

The issue is not merely symbolic or cartographic. There is a material aspect to this expansionism, involving extractive industries and destruction of the ocean commons. Major economic interests are at stake in the exploration of the Eastern Mediterranean seabed for hydrocarbon deposits.

In regions like the Mediterranean, where opposite or adjacent coasts are quite close to each other, sea zones need to be carefully delimited to avoid conflict. But drawing new lines is not easy, and the Greek–Turkish conflict intensifies and complicates the task of sharing this liquid terra. Conflicting maps (official, semi-official, and ultranationalist) of Turkish, Greek, and Cypriot sea zones have been circulated. Turkey further claims that it protects by invitation and as guarantor the rights of Turkish Cypriots to hydrocarbon exploration in the entire Cypriot EEZ.

Turkey has started exploratory drilling in selected sites, with naval escorts. The Turkish navy has also been deployed in sea zones disputed with Greece. The Greek navy responded, and a crisis was recently averted only by German mediation.

Some sea zones in the Eastern Mediterranean have been properly delimited through international agreements. But others, including those that involve Turkey, Greece, and Cyprus, have not been settled through agreement or international adjudication. Nonetheless, in their rhetoric and maps, Greece, Turkey, and Cyprus each present unilaterally claimed sea zones as belonging to them, fueling maritime conflict. Turkey has coined the term "blue motherland" (*mavi vatan*) to underscore that it views the protection of sea space as equivalent to protecting the national land territory. Greece likewise considers itself historically and quintessentially a blue motherland; its national identity is defined by the sea and maritime activity.

Greece could extend its territorial sea rights to 12 nautical miles from its Aegean islands, as is legally allowed under UNCLOS. Turkey has stated that it would consider such a move to be a casus belli, so Greece currently claims a zone of only 6 nautical miles and reserves its right to extend its claim to 12 miles sometime in the future. But Greece lays full claim to an extensive EEZ by maximizing the rights of thousands of islands, arguing that they should have an extent equal to the zone that Turkey claims as extending from its coastline. However, the principle governing the delimitation of EEZs and continental shelves under UNCLOS is equity, not equidistance, which means that Turkey's extended coastline may give it an advantage if the case goes to international adjudication.

Turkey's official position is that islands cannot have a continental shelf. While this may be correct as a geological matter with regard to some islands, legally it is untenable. Article 121 of UNCLOS clearly specifies that only "islands that cannot sustain human habitation or economic life of their own" do not possess EEZs or continental shelves. All other islands potentially do. Yet Turkey has bypassed entire Greek islands, such as Crete, to delimit sea zones with an allied government in Libya.

To the Greeks, who do not translate the term "continental shelf" literally (ηπειρωτικό κέλυφος), but as "reef-shelf" (υφαλοκρηπίδα), even the geological argument sounds irrational. Beyond legal and political rationales, different projections of marine entitlement and exclusivity are reproduced at the level of everyday discourse, creating more reasons for fighting.

THE PARADOX OF FIGHTING

To fight or not to fight, that might be the question. But it should not be the *only* question. To fight for whom, or against whom? To achieve what? These are important questions that Turks and Greeks need to continuously pose in order to find ways of *not* fighting, or fighting *less*.

The biographies of Papaflessas and Ibrahim, the rival commanders at the Battle of Maniaki in 1825, point to an alternative direction. Papaflessas, the priest-soldier, was a monumental figure and a conflicted character. Some Greeks considered him unprincipled, opportunistic, and licentious. He fought not only against Ottoman rule, but also against urban Greek leaders and the Greek Church. He may have died heroically fighting for the revolution, but on a number of earlier occasions, other Greek revolutionary leaders wanted to have him arrested, and the Church sought to ban him. If Papaflessas had survived the Battle of Maniaki, he might well have died fighting for a different cause or locked in prison by his compatriots, especially once the Greeks started fighting each other. Inter-Greek fighting began soon after the establishment of the Greek central administration in the Peloponnese in 1822, and seriously endangered the revolution.

The biography of Ibrahim Pasha is even more fascinating. Ibrahim fought for the Ottomans but also against them. He was the eldest son of Muhammad Ali, the Ottoman governor and founder of modern Egypt. Their khedival dynasty led its own rebellion against Ottoman rule a few years after the Battle of Maniaki. Ibrahim fought the Ottoman army on various fronts, conquered Syria, and invaded Asia Minor. He, too, could have died fighting for a different cause, a different rebellion, or another empire.

So what are we to make of these other fights and identities—the counter-myths and obscure objects of fighting, the virtuous and not-so-virtuous reasons for fighting at all? For a start, we need to appreciate how Greeks and Turks can fight for "reasons of state" that remain nebulous or concealed behind the aims that are publicly pronounced by their leaders. And the logic of emancipation can become crooked in grand national narratives, though this does not mean that we necessarily ought to be cynical about liberation struggles.

Finally, perceptions of iniquitous treatment and banal imperial fantasies can legitimate the continuation of fighting in the name of the nation, the ethnic group, and now even liquid terra. And this is done while denying "the other" the same right to fight or to resist that "we" claim for ourselves.

Compelled by emotion or persuaded by circumstance to enter the loop of conflict, Turks and Greeks have been less troubled by the impact that their violence has on lives and communities in their midst. Yet it is this indifference, this most intimate enemy, that they should be most prepared to fight against. They must find the courage to fight for a sustainable modus vivendi, for an ethics and an erotics of coexistence. ∎

> "[T]he EU's system has expanded its geographic reach into territories that are nominally under the political control of neighboring states that view themselves as geopolitical powers in their own right."

The EU's Stealthy Hegemony and Ambiguous Neighbors

Alexander Clarkson

For over seventy years, the European social order has been gradually reshaped by the emergence of supranational institutions that now permeate the everyday lives of hundreds of millions of people spread across three dozen states in and around the European Union. Through successive steps toward political and economic integration, societies that once engaged in centuries-long cycles of warfare now share a collective social order. Despite a succession of crises that have shaken the foundations of the socioeconomic system underpinning its expansion, the EU has come to pervade all aspects of political, economic, and cultural life in Europe in ways that have reshaped the internal development of its member states. At the same time, bloc has increasingly developed a hegemonic dynamic exerting pressure on other states on its borders.

After the carnage of the First World War, debates among Europe's left-leaning intellectuals and some liberal or socialist political leaders explored whether it would be possible to build some kind of shared European organization to mediate between European nations. Even totalitarian regimes on the right that consolidated power in the 1920s and 1930s contained elements that blended aggressive nationalist goals with a broader agenda to attract support from similar movements across Europe through shared authoritarian or racist ideologies. In turn, the Communist Party hierarchy in the Soviet Union asserted tight control on the far left, fostering close relationships between networks of Communist activists and leaders across Europe through training or exile in Moscow, as well as joint campaigns against opponents in dozens of European cities.

During the Cold War, momentum toward supranational European integration in response to the devastation wrought by nation-state rivalries in the world wars was built on these deep roots across the ideological spectrum. In some cases, as with France or Italy, attempts to sustain neo-imperial commercial and strategic spheres of influence were also successfully subsumed into a wider European institutional framework.

After 1989, the economic strength of Western European states within what had started in 1957 as the European Economic Community and evolved into the European Community (and would soon be known as the EU) stood in marked contrast to the collapse of the Soviet system. This helped entrench a consensus across Eastern Europe that joining the European integration process was fundamental to achieving social stability. For Mediterranean member states, the stability apparently conferred by membership in the economic and monetary institutions of European integration was considered crucial to overcoming domestic crises such as Italy's devastating war against the mafia, or the transitions to democracy in Spain, Portugal, and Greece. Such crises might have overwhelmed societies that could not draw on the safety net of shared supranational institutions.

This intersection of various forms of monetary, border, regulatory, legal, trade, and even security integration culminated with the signing of the Treaty of Maastricht as well as the Schengen Agreement in 1992. Beyond finalizing the removal of tariff and regulatory barriers to the free movement of goods, capital, services, and people, Maastricht embedded full monetary integration among most member states, along with a set of law

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enforcement and judicial institutions to enforce the EU system's rules. In parallel, Schengen enabled the removal of barriers to movement between EU and European Free Trade Association states (Iceland, Liechtenstein, Norway, and Switzerland), at the price of deepening the power of central EU agencies designed to oversee the tightening and coordination of controls on what was now a shared external border with states outside the EU system. Pivoting around the signing of the Treaty of Maastricht, over the course of the 1980s and 1990s the process of European integration took a decisive shift away from what had been primarily multilateral cooperation between nation-states, toward a supranational form of pooled sovereignty—which over subsequent decades has taken on increasingly state-like qualities.

This growing momentum toward European integration has always been highly contested. Each West European state after 1945 and East European state after 1989 has had powerful movements that fiercely opposed the development of supranational institutions. These impulses were strongest in the United Kingdom. While it was still a member state, the UK opted out of EU monetary and border system institutions; since 2010, it had increasingly distanced itself from the bloc's gradual moves toward defense and foreign policy integration. The forces in British politics that had long slowed involvement in European integration eventually achieved a breakthrough with the 2016 referendum vote to leave the EU. Yet despite simultaneous crises around the survival of the euro currency, the near collapse of EU border controls under the Syrian refugee wave of 2015, and Russia's attempt to prevent Ukraine's alignment with the EU system through military means, the aftermath of the so-called Brexit referendum saw support for the EU increase in its remaining 27 member states.

A GROWING GIANT

The consolidation of wider public support for a supranational EU system that pools the sovereignty of member states into institutions that assert central authority over national, regional, and local governments has led to ongoing debate about how to conceptually define this expanding union. For much of the history of European integration, there has been a marked reluctance to view what is now the EU as anything more than an international organization that cannot achieve statehood. One of the paradoxes of debates over what kind of polity the EU is becoming is that scholars hostile to the EU, such as British historian Alan Sked, have often been more likely to identify it as a state-like structure than scholars such as Princeton political scientist Andrew Moravcsik, whose support for supranational institutions is often laced with frustration at slow progress toward achieving deeper integration.

Meanwhile, scholars such as Frank Schimmelfennig and the late Ernst Haas have viewed the repeated cycle of crises of European integration as a crucial driver for moves to extend supranational structures, even though these crises have led to periods in which the very survival of shared European institutions seemed to be in question. In the wake of the EU's absorption of such systemic shocks, scholars including Sandra Lavenex and Russell Foster have examined how its ability to overcome potentially existential crises may be a sign that its trajectory as a supranational polity is taking a more state-like direction.

Northern Ireland and Gibraltar now have much in common with Kaliningrad.

These debates about the EU's shift toward greater collective power have explored its uneven balance between structures more consolidated than any international trading bloc or military alliance and administrative lines of authority that are loosely calibrated through a distribution of competences among several levels of government. Speculation over the future development of the EU thus often focuses on the internal consolidation of its core institutions, including the European Central Bank and law enforcement agencies such as the Frontex border guard units, into a more state-like form.

Yet the resilience and power of the EU as an increasingly state-like entity can also be examined through the way its integration processes have affected societies along the EU's borders. With every step toward absorbing additional members through accession, the EU's system has expanded its geographic reach into territories that are nominally under the political control of neighboring states that view themselves as geopolitical powers in their own right.

As the EU has consolidated its own structures, it has become increasingly able to project its institutional priorities onto societies on its borders, hampering the ability of such large neighbors as the UK,

Turkey, or Russia to assert sole dominance over separate territories that each has deemed to be of fundamental strategic importance. In its fraught interactions with these militarily powerful neighbors over territories in an ambiguous structural position between them—such as Kaliningrad, the Turkish Republic of Northern Cyprus, Transnistria, Northern Ireland, and Gibraltar—the extent of the EU's ability to exert state-like hegemony over Europe as a whole becomes apparent.

KALININGRAD CONTACTS

The impact of these dynamics on societies whose state culture is defined by aspirations to great power status was evident after nationalist euphoria swept Russia in the wake of the Putin regime's 2014 seizure of Crimea from Ukraine. As Ukrainian troops fought their first battles against barely concealed regular Russian troops deployed alongside local pro-Moscow militias in the eastern Ukrainian regions of Donetsk and Luhansk, Russian nationalist activists hotly debated where future interventions might be needed to roll back an expanding EU.

In July 2014, the editorial board of the hardline nationalist magazine *Zavtra* shifted its sights to Kaliningrad, a territory that symbolizes both the revival of Russian state power and the vulnerability of Russia to European political and economic influence. In thunderous tones, *Zavtra*'s editors demanded that Moscow take immediate steps to prevent the EU from taking control of Kaliningrad, and reassert Russian dominance over this exclave on the Baltic coastline surrounded by an EU that many Russian nationalists were convinced was on the brink of collapse. Echoing Kremlin rhetoric that any expression of dissent was the product of professional operatives trained by hostile foreign powers, the authors of this *Zavtra* editorial claimed without any evidence that agitators had arrived in Kaliningrad straight from Kyiv to prepare the ground for a European takeover of the territory.

Formerly known as Königsberg, part of the German-ruled region of East Prussia, then absorbed and renamed by the Soviet Union in 1945, Kaliningrad had remained under Russian rule after the fall of the USSR, even as former Soviet republics and Warsaw Pact states around it left Moscow's sphere of influence and were absorbed into NATO and the EU. Building on long-standing suspicions across the Russian political spectrum concerning European and particularly German engagement with Kaliningrad, the hypercharged nationalism stoked by the Kremlin in the months after the seizure of Crimea led to a concerted effort to sever links between the exclave and the EU. By 2016, Russian authorities had moved to limit or close down the institutional contacts of cultural and educational groups in Kaliningrad with EU counterparts, often claiming that risks of potential subversion required action to protect Russian security interests in the region.

Yet even as cooperation with Polish and German universities was suspended and the Deutsch–Russisches Haus cultural center shut down, the people of Kaliningrad continued to cross over into Polish and Lithuanian cities every weekend, while large quantities of EU foodstuffs and other goods were smuggled in. This mass evasion of a Russian embargo on EU products, levied in retaliation for economic sanctions the EU imposed on Russia after its takeover of Crimea, has become a matter of everyday life as the standoff drags on. And even as the Russian military has reinforced its posture in the Baltic region by stationing additional troops and Iskander-M ballistic missiles in Kaliningrad, the Kremlin has maneuvered furiously to ensure that the region remains a hub in the Nord Stream 2 pipeline construction project, designed to deliver Russian natural gas to EU markets. A form of cognitive dissonance has enveloped Kaliningrad's population, as Russian attempts to reassert control over the territory and prevent alleged EU and US attempts to seize it coincide with economic and social realities ensuring that inhabitants have constant contact with more prosperous communities in the EU states surrounding them, despite Moscow's efforts to keep these external influences at arm's length.

These contacts have continued to shape life in Kaliningrad, even as the EU sanctions on Russia have led both the Kremlin and the EU to pull back from some of the border travel and trade agreements put in place over the early 2000s, which had given the population and businesses of the territory easier access to the surrounding EU member states. But the unwillingness of the Polish government to reintroduce local border traffic and cross-border cooperation agreements since suspending them due to security concerns in 2016 has not severely reduced the movement of Kaliningraders across the border to purchase goods on the EU side. For all the attempts by the Russian government to fortify its military position in Kaliningrad as an advance base against the EU system

and the NATO alliance that surround it, the economy and people of the exclave are exposed to the influence of the EU to an extent far beyond anything experienced in any other part of the Russian Federation.

Russia itself is often called the "mainland" in local slang, while over three-quarters of the population holds regular passports to enable routine movement across the border. By comparison, only a quarter of the wider Russian population holds international travel documents, and opportunities to travel abroad have become ever more limited for Russians facing the pressures of economic stagnation. Just as many Kaliningraders maintain extensive contact with communities on the other side of the border, many institutions and businesses in the exclave sustain strong informal contacts with EU and member state agencies that affect every aspect of life in the territory, from electricity supply to waste management.

CAUGHT IN BETWEEN

Rather than being an exceptional curiosity, Kaliningrad's internal tension—between surface political control exerted by a state in geopolitical competition with the EU and social worlds of everyday life shaped by the gravitational power of EU economic and enforcement institutions—is a dynamic that recurs in other such spaces of ambiguous sovereignty along the external borders of the EU. Several territories have found themselves caught between an expanding socioeconomic system shaped by an increasingly state-like EU and rival powers that see the EU as a threat to their geopolitical interests and internal political order.

In the cases of Transnistria, Northern Ireland, Gibraltar, or the Turkish Republic of Northern Cyprus, this geopolitical ambiguity has gradually become entrenched through formal treaty frameworks that bind each of these territories into legal and regulatory systems shaped by the EU, even while they remain either part of a state outside the EU system or an internationally unrecognized polity under the military protection of such a neighboring state. In each of these territories, just as in Kaliningrad, regular contact between local populations on either side of the border, as well as a blend of formal and informal pressures exerted by the gradually expanding reach of the EU system, generates spaces of contestation in which the

Kaliningraders maintain extensive contact with communities on the other side of the border.

neighboring power that exerts direct military control does not have full freedom of action.

These forms of contestation manifest themselves not only between the EU and neighboring powers, but also between rival factions within these border territories, driven by divergent economic interests and cultural allegiances. Geopolitical tensions are generated by an environment in which the ability of a state to exert control through either formal constitutional authority or military dominance is hemmed in by the influence of EU institutions that shape the behavior of the local populations these neighboring states claim to protect. Such dynamics play out in distinct ways in each of these spaces, reflecting the configuration of the local economy, legacies of communal violence and interstate warfare, the extent of the neighboring state's military presence, and its wider geopolitical tensions with the EU.

Shaped by overlapping sovereignties, each of these territories has its own specific institutional relationship with the EU and ideological role in the internal politics of the neighboring state that exerts direct control over it. The approaches taken by EU institutions and member states to managing relations with each of these territories are also deeply influenced by the legacies of how member states have interacted with them historically. Concerns over potential irredentist claims from EU member states enable political actors in the neighboring states to mobilize domestic public sentiment against the EU as a whole.

These spaces of mixed sovereignty generate constant background tension, due to the role they play in domestic political mobilization within the neighboring states that have a stake in them, as well as in EU member states. This influences interactions between institutions responsible for governance within these territories and their counterparts in the competing EU and neighboring state capitals. The convergence of cultural, economic, and political fault lines between the EU, its member states, and a neighboring state that exerts direct or indirect control regularly ignites forms of escalation that make it difficult for local leaders to maintain a stable internal social order.

In the Turkish Republic of Northern Cyprus (TRNC), divisions between rival political and economic networks have deepened as the influence of

the EU has reshaped the social order around them. TRNC state structures—officially recognized only by Turkey, which established them through military intervention in 1974 and still protects them with tens of thousands of troops—have to deal with EU institutions on a regular basis and manage a population that has a legal right to claim EU citizenship.

These circumstances are the result of a botched accession process that led to full EU membership for the internationally recognized Republic of Cyprus in 2004, even though a referendum on unification failed to draw a majority in favor on this culturally Greek half of the island. Yet in terms of European law, the TRNC is considered territorially to belong to the EU: though in practice EU and Schengen legal frameworks are suspended in relation to the TRNC's territory, EU institutions recognize the Republic of Cyprus's claim to the Turkish-controlled parts of the island. Turkish Cypriot politicians willing to use Republic of Cyprus passports have been elected to a European Parliament that does not recognize the existence of the territorial state structures in which they operate at home, while Turkey provides a currency and military protection to a territory whose inhabitants are classed as citizens of the EU.

A similar set of geopolitical paradoxes created by overlapping jurisdictions and legal frameworks has shaped the impact of European integration in Transnistria. An internationally unrecognized quasi-state, Transnistria is still garrisoned by Russian troops that were entrenched in 1992, ostensibly as peacekeepers to separate Moldovan forces from Russian-majority Transnistrian militias in the chaos following the dissolution of the Soviet Union. Yet Transnistria is legally recognized as Moldovan territory by the EU, and it gained substantial access to the EU's single market through the ratification of Moldova's Deep and Comprehensive Free Trade Agreement with the EU in 2016. Transnistria receives this access in exchange for ensuring that its export industries conform to EU regulatory frameworks, just as businesses on territory controlled by the Moldovan government must do. Transnistrians willing to take up their right to Moldovan passports can also access the Schengen area through the visa-free travel agreement between Moldova and the EU. Reluctant to continue subsidizing the entire Transnistrian economy, Moscow has in effect allowed these arrangements to embed themselves, even while demonstratively signaling support for the territories' leaders in their recurring disagreements with Moldovan counterparts.

BREXIT BORDERS

Such patterns can also be found in the emerging relationship between Northern Ireland and the EU after a majority of UK voters voted for Brexit in 2016. Security and economic concerns over the impact that reimposing physical border infrastructure would have on the Irish peace settlement proved to be one of the most fraught aspects of the ongoing Brexit negotiations between the UK and the EU. The outcome of these often rancorous talks, in which the Irish government used its position as an EU member state to put heavy pressure on the UK, has placed Northern Ireland in the same position of territorial ambiguity as the inhabitants of Transnistria or the TRNC.

Until 2016, the overlapping sovereignties created by the 1999 Good Friday Agreement to end long-running communal violence in Northern Ireland had been largely subsumed by the fact that the UK and Ireland shared the same regulatory frameworks through EU membership. By leaving the EU, the British government turned these once barely perceived regulatory frameworks—which had removed any physical manifestations of a border between Northern Ireland and the Republic of Ireland—into unstable policy fields that had to be reconfigured to avoid escalation between rival communities and trade disruption in a territory subject to the overlapping sovereignties of an EU member state and what has now become a neighboring state.

Gibraltar is another territorial space under British oversight that has long been involved in complex interactions with EU institutions and territorial claims by an EU member state. But unlike Northern Ireland, it had no profound internal divisions that could be reignited into communal violence by a new post-Brexit border regime. A nimble Gibraltarian leadership was able to negotiate special status within the Schengen area, sidelining the British government, without great concern for the impact of deals with Madrid on internal social cohesion. But each agreement between the UK, the EU, and rival parties within Northern Ireland needed careful management to avoid undermining a still recent peace settlement.

The end result is a regulatory fudge in which Northern Ireland remains within the EU's regulatory and customs frameworks while maintaining its position within the UK's constitutional order. These outcomes have created many of the same paradoxes found in TRNC or Transnistria. Through a form of EU stealth hegemony that has built up

across Europe since the Treaty of Maastricht, inhabitants and businesses in such territorial spaces of overlapping sovereignty are able to trade and circulate more freely around the EU system—via access to the economy and citizenship of an EU state, or a state aligned with the EU—than the citizens of the neighboring power that either has direct political control over such a territory or acts as its military protector.

In other ways, Northern Ireland and Gibraltar's post-Brexit arrangements have much in common with Kaliningrad's position thirty years after the fall of the Soviet Union. For all their vast differences in state tradition and social structure, Northern Cyprus and Transnistria share an ambiguous position in international law as quasi-states unrecognized by most states apart from their Turkish or Russian protectors. By contrast, the legitimacy of the internal governance structures of Northern Ireland, Gibraltar, and Kaliningrad under international law is not contested by the EU or its member states. West Germany abandoned its territorial claims to Kaliningrad and other formerly German territories as part of its *Ostpolitik* strategy of engagement with the Soviet Union in the early 1970s. Through the Good Friday Agreement, the Irish state abandoned its constitutional claims to Northern Ireland, while the UK and Northern Irish communities loyal to it accepted a devolved power-sharing framework that integrated Irish nationalist communities into a joint form of regional governance.

Kaliningrad is internally the most stable of all these territorial spaces pushed and pulled between the EU system and a neighboring state. Its relations with the EU member states around it are administered through treaties and agreements between the EU and Russia; the latter's legal sovereignty over the territory is uncontested. Russia has formally organized Kaliningrad as an oblast, with the same structures of governance used in most regions within the Russian "mainland." Unlike Gibraltar or Northern Ireland, the Kaliningrad oblast authorities do not have the autonomy to take a seat at treaty-level negotiations between the Russian government and EU institutions that can shape their territory's future. Yet much of what defines Kaliningrad's local economy and political culture is shaped by its interactions with the hegemonic EU system that surrounds it.

Geopolitical ambiguity has gradually become entrenched through formal treaty frameworks.

By exploring how the EU and its economic, political, and security institutions have reshaped such spaces of contested influence in recent decades, we can gain deeper insights into how it has slowly managed to assert dominance in Europe despite the efforts of states such as Russia, Turkey, and the UK that have long tried to realize their own aspirations to greater geopolitical status by projecting power over nearby societies. Through a process of concentration of economic and institutional power that has had to overcome a succession of systemic shocks, the EU has managed to stealthily expand its leverage over the governing elites of territories whose nominal allegiance is to neighboring states with their own great power pretensions. How the EU has managed to build this stealth hegemony over Europe as a whole could turn out to define its future development in ways that great powers far from its collective borders may soon need to grapple with as well. ■

Brexit's Hidden Costs for Britons Living in the EU

MICHAELA BENSON

In recent months, the formal Brexit transition period has come to an end, completing Britain's exit from the European Union. Delivering on the Leave Campaign's promise to end unrestricted immigration to the United Kingdom from Europe has resulted in shutting British citizens out of the EU's free movement regime. The cost of Brexit for each and every British citizen has been the automatic loss of the EU citizenship that came with Britain's membership in the EU. While this has indirect repercussions for all British citizens, the consequences were more immediate for the estimated 1.2 million Britons who had taken up the opportunities offered by the project of European integration and settled elsewhere in the EU. Yet the British in Europe are a lesser known story of these times.

Brexit is part of the long-standing politicization of migration in Britain. Most recently, this took shape as the "hostile environment" policies of successive Conservative-led governments since 2010. Over this period, officials sought public support for an increasingly restrictive and exclusionary immigration regime, reframing the question of who should have the right to settle in the UK around a distinction between deserving and undeserving migrants.

The Leave Campaign piggybacked on this narrative, casting Europe as a threat to Britain's sovereignty over its own borders. Central within this framing was the misrepresentation of free movement—of EU citizens, alongside goods and services originating in the EU—as a system of open borders that anyone could cross. The pro-Brexit camp promoted the idea that this system had left Britain and its welfare state vulnerable to abuse by benefit-scrounging Europeans. The only solution was to shut the border and put an end to free movement.

This rhetoric lacked supporting evidence, but nevertheless proved potent. On June 23, 2016, a narrow majority of British voters approved the proposal for Britain to exit the EU, setting in motion a withdrawal process that would last more than four years.

A DIVERSE AND DISPERSED DIASPORA

The Brexit story's neglect of 1.2 million British citizens living in the EU is perhaps unsurprising when placed in the broader context of Britain's self-image as an "island nation" whose recent approach to migration lies in ensuring that it has strong borders. Yet emigration has long played an important role in Britain's real migration story.

Following the long history of people leaving Britain to take part in the formation of the British Empire, the scale of contemporary emigration flows has made Britain's emigrant population one of the largest in the world. Over the past forty years, mobility within the EU has become an important part of that story. In the first decade of the twenty-first century, greater numbers of British citizens left the UK for the EU than for destinations in the former British dominions of Australia, New Zealand, and Canada. Free movement was two-way traffic.

British citizens in the EU are one of the success stories of Europeanization. They are often economically and socially integrated in their places of work and residence. A broad-brush understanding of what inspired their mobility within the EU includes opportunities for work, study, and retirement, but also love: dual-national relationships are a common illustration of the intimate life changes wrought through Europeanization.

Although popular representations of the British on the continent all too often fixate on those who have retired to the sunnier climes of southern Europe, the emigré population is as diverse as the British population as a whole. At least 75 percent of Britons living in the EU are of working age and

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below. They include people of color, as well as children born and educated in the EU. For some, mobility within Europe has been tied to social mobility, particularly at times when opportunities were more restricted in Britain. As a result of the lower thresholds for settlement available to EU citizens, British citizens occupy all the different strata of European and local labor markets, from seasonal work in the tourism and hospitality sectors to managerial roles in European and multinational companies.

UK citizens have settled in all 27 EU member states, with substantial British populations found in Spain, France, and Ireland. Once they are socially integrated, they may or may not seek out social relationships with other British citizens. In fact, at the time of the Brexit referendum, their most notable characteristic was how seldom they had formed extensive networks with their compatriots in Europe, beyond the support groups that had developed on the ground within identifiable British communities in Europe. Brexit would change that.

SHRINKING RIGHTS

As the referendum approached, British citizens who had lived outside the UK for longer than fifteen years discovered that they would not be able to vote. Although Leave campaigners promised that nothing would change for them or for the 3 million EU citizens living in the UK, this turned out to be little more than an empty promise. Once Article 50 of the EU's Lisbon Treaty was triggered, signaling Britain's intention to leave the EU, the terms for the exit negotiations made it clear that new legislation and processes would be needed to protect the rights of these mobile citizens in the post-Brexit era. Although citizens' rights were at the heart of phase one of the talks, the negotiating guidelines issued by the European Council made clear that "nothing is agreed until everything is agreed."

As the negotiations dragged on, deadlines were extended time and again. The threat of the talks collapsing and Britain leaving without a deal repeatedly raised its head. Even after the Withdrawal Agreement was struck, and endorsed by the European Council in late 2018, political turbulence in the UK prevented passage of the pact by Parliament. It was only at the eleventh hour, just before the Brexit deadline, that it became law in January 2020. This finally secured the limited accommodations and protections the Withdrawal Agreement offered to British citizens who had lawfully exercised their right to free movement.

Now that they are no longer EU citizens with conditional rights to free movement, their new status is only a shadow of what they had enjoyed previously. Although the agreement secures the necessary legal basis of their residency in Europe, with access to the labor market, health care, and social security, it shrinks the geographical scope of their rights and entitlements to their country of residence. As such, they are no longer eligible for continued freedom of movement within the EU and lose their franchise in European Parliament elections. But they will still have more expansive rights than British citizens moving to the EU after Brexit.

In light of this narrowing geographical scope of rights, implementation of the Withdrawal Agreement was left to individual member states. First held up by the prolongation of the Brexit negotiations, the process was further delayed by the COVID-19 pandemic.

These are the headlines of what Brexit means, at a political and legal level, for British citizens already living within the EU. But it doesn't end there.

CAUGHT IN THE CROSSHAIRS

Since the Brexit referendum, the lives of these Britons in Europe have been caught in the crosshairs of the tense negotiations between the UK and the EU, as well as the British government's internal political wrangling over how hard a line to take on Brexit. Even in late 2020, with the end of the Brexit transition period fast approaching, many EU member states still had not released the final details of the domestic legislation, processes, and systems they would need to adopt so that British citizens lawfully residing within their borders could secure their rights under the terms of the Withdrawal Agreement.

And with no answers, there was nowhere to turn. Information provided by the UK government or EU member states was limited and slow to trickle down, giving British citizens in Europe the impression that they were out of sight and out of mind. Many have experienced a sense of profound uncertainty and helplessness.

Nonetheless, Britons started to take matters into their own hands the morning after the referendum. For some, this meant political organizing, as new grassroots organizations advocating for the rights of British citizens living in the EU quickly gained momentum. Others started to explore what was within their power as individuals to limit the

already tangible effects of Brexit on their lives. Aware that Britain's withdrawal was already destabilizing the foundations of their mobility and settlement within the EU, they sought to establish new roots.

For many of these Britons living in the EU, establishing new roots meant formalizing their residence status. In countries with no compulsory requirement for EU citizens to register their residency (such as France), this resulted in an unprecedented surge in applications and an associated administrative burden for municipal officers tasked with processing them. Some British citizens reported that they had been sent away empty-handed on various grounds—that as EU citizens they did not need these permits, that they were not eligible because of Brexit, or that the permits would not be valid after Brexit. It was clear that local municipal officers were flummoxed about the status of British citizens following the Brexit referendum.

For others who had deferred making a firm commitment to residence in a particular member state as long as they had the ability to move with ease across the EU, Brexit forced a reassessment. It became clear that lawful residence would be the measure of whether they were covered by the terms of the Withdrawal Agreement. They made decisions about their future residence plans that they had been putting off.

EU member states permitting dual nationality saw large increases in the numbers of resident British citizens applying for citizenship. Another route was for Britons to claim citizenships to which they were entitled through ancestry (as in Ireland) as a way of maintaining their rights as EU citizens. But the pursuit of citizenship was considerably more restrained in countries with an official requirement for new citizens to renounce any other nationality upon naturalization (as in Spain).

Not everyone had access to such preemptive strategies. Contrary to the Leave Campaign's mischaracterization of Europeans moving to the UK to take advantage of the welfare state, freedom of movement was always a conditional right. In some cases, British citizens spurred to register their residence abroad found themselves judged against conditional requirements, compelled to demonstrate that they were not a burden to the nation-state and had the Comprehensive Sickness Insurance required by EU law.

In a handful of cases in France, it was determined that British citizens were not lawful residents, sometimes after they had lived there for many years. They simply lacked sufficient resources to sustain themselves, due to factors such as chronic ill health restricting the ability to continue working, or a recent bereavement resulting in a serious loss of income.

A ruling that someone is not lawfully resident can cut off their access to health care and other social entitlements; if these decisions are not overturned, it might also mean that they are not eligible for the protections provided by the Withdrawal Agreement. The administrative burden and associated costs of applying for citizenship could place secure status further out of reach for some of these Britons. After many years of working with British citizens living in France, it would not surprise me to see those who are most vulnerable, living in relative poverty but able to survive hand to mouth in part because of a low cost of living, choose to continue to live undocumented lives.

> *The impact of Brexit has already been unevenly felt among British citizens living in the EU.*

The impact of Brexit has already been unevenly felt among British citizens living in the EU. Their different social positions along intersecting axes—including class, gender, race, age, and disability—left them vulnerable to Brexit in a variety of ways and positioned them to respond differently to its effects on their lives. As the Withdrawal Agreement is implemented and they come to rely on its protections, it is likely that these inequalities will become even more visible.

The focus of the Leave Campaign on the politics of immigration downplayed and overlooked the presence of British citizens living in the EU. Although they are only one part of a bigger picture, they have had to find ways of living with the direct consequences of Britain's vote to leave the EU. As the transition period ends, their new status will come into force. In the months, years, and decades to come, the Withdrawal Agreement and the protections it offers these former EU citizens will be put to the test. Only time will tell if it is up to the task. ∎

Whose Absolutism?

HOLLY CASE

I used to fantasize about a pandemic that would confine me to my apartment so that I would finally have a chance to read the strange and wonderful books I had gathered over the years: a four-volume German-language history, originally published in 1908, that once belonged to the Construction Workers Trade Union of (Socialist) Yugoslavia; a disintegrating copy of *A Pocket Book of Modern Verse*, recommended by Joseph Brodsky; the correspondence of Siegfried Unseld with his publishing house Suhrkamp's many writers; a children's photo book in Slovene celebrating the life of Josip Broz Tito; two novels by Mór Jókai in Hungarian that I've been meaning to read for decades now; a beautifully bound collection of Shakespeare's complete works given to me by a dear friend who died of cancer last month.

Be careful what you wish for.

While perusing the third volume of the 1908 history recently, I lingered over a long chapter on Frederick II, King of Prussia and Elector of Brandenburg. Pre-pandemic, all I really knew about "alte Fritz" was his reputation as an "enlightened absolutist" and as a favorite of many, from the French Enlightenment *philosophe* Voltaire to the Russian Tsar Peter III to the British historian Thomas Carlyle to Adolf Hitler. I have since learned that the youngster destined to become Frederick the Great started out as a Great Disappointment to his father—"no soldier, but a delicate spirit, French-educated, musician, poet, philosopher"—so much so that the elder Frederick William once earnestly considered having his son and heir executed, but settled for throwing him into

Frederick the Great's Philosophical Writings
Edited by Avi Lifschitz;
translated by Angela Scholar
Princeton University Press, 2021

prison for more than a year and making him watch a dear companion (possibly lover) being beheaded instead.

Though fond of long walks, young Fritz was viscerally disdainful of hunting. The sole hint he gave of his father's Prussian tenacity was that he could allegedly churn out 100 verses in two hours. Already at age sixteen, he had signed a letter *Frédéric le philosophe*. He later reflected on all this in verse:

Great heavens! A learned king! The very words make me tremble;

Could you ever have formed a more foolish plan?

Disinclined toward the hollow pageantry of king-ing ("Hurry to the sermon, yawn throughout the play, / Be dull at supper, speak only in oracles"), after his father's death and his own ascent to the Prussian throne in 1740, Frederick left most requirements of royal protocol to his otherwise neglected wife. He also published a long essay refuting Machiavelli's *The Prince* chapter by chapter (appropriately titled *Anti-Machiavel*).

In what historian Tim Blanning has dubbed a kind of "therapy" to overcome the new king's difficult relationship with his deceased father, Frederick invaded neighboring Silesia—a blatantly unprovoked act of conquest, setting a precedent for such behavior that it would take Germany more than two centuries to overcome. It turned out that for all his flute-playing and versifying, he was not such a bad soldier. In 1741, an observer recorded Frederick's manner on the battlefield: up at four every morning, tent pitched squarely in the middle of camp, riding right and left to relay all orders in person, obsessed with even the tiniest details, sturdily booted from sunup to sundown, his blue uniform barely distinguishable from that of his aide-de-camp.

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As a scholar, his approach was quite similar. He entered the publicistic realm with graphomaniacal zeal and endured the slinging of its muck at eye level, rather than shielding himself from critique by imposing harsh censorship on slights to his person. Introducing a new translation of Frederick's *Philosophical Writings*, the editor of the volume, Oxford historian Avi Lifschitz, lists the humiliations to which the Prussian sovereign subjected himself by publishing his poetry as well as political and philosophical views: "unflattering reviews, refutations, *ad hominem* attacks, pirated and mutilated editions, and witnessing one's arguments taken out of context."

Although he was tutored in Enlightenment thought by a French Huguenot, composed his writings in French, and corresponded with Voltaire for decades, he had regular squabbles with the spirit of the age. Progress? "[O]ur life is too short for us to perceive everything, and our minds are too limited to make sense of it." Perfectibility? "[N]ot the lot of humankind." Truth? "[L]ooked at from one side, such a truth appears incontestable; looked at from the other, it is falsehood itself." In short: it "evades us." Clockmaker God? So "man is merely a kind of machine, or, if you like, a puppet operated by the hands of a blind puppeteer"? Don't think so.

But nor was Frederick a typical absolutist of the old school. Lifschitz writes that he "had no time for biblically grounded, divinely warranted justifications of absolute monarchy." His argument for absolutism was that "the well-being of his subjects took precedence over self-governance."

Monarchy was neither categorically good nor categorically bad, in his view, but the alternatives lacked stability. Republics in particular, Frederick declared, suffer from an "inevitable misfortune," such that they will always revert to despotism. "[H]ow could a republic resist forever all the forces which undermine its freedom?" he wondered in his *Anti-Machiavel*. "Almost all republics have risen from the abyss of tyranny to the heights of liberty, and they have nearly always fallen back again from liberty into slavery. . . . Just as men are born, live for a time, and die from illness or old age, so, too, republics come into being, flourish for a few centuries, and perish at last through the boldness of a citizen or through the arms of their enemies."

Unlike today's autocrats, Frederick acknowledged his own mortality and the limits of his authority.

No truly free republican would ever willingly subjugate himself to a master, even a good one, Frederick insisted. It follows that if a people yields its freedom to the authority of a single master, it is no longer a republic.

DEMOCRACY'S STAYING POWER

Defenders of democratic pluralism have struggled with this argument for centuries. The Austrian philosopher Karl Popper, in *The Open Society and Its Enemies*, published in 1945, lamented, "One hears too often the suggestion that some form or other of totalitarianism is inevitable. Many who because of their intelligence and training should be held responsible for what they say, announce that there is no escape from it. They ask us whether we are really naive enough to believe that democracy can be permanent." (Popper was no admirer of Frederick, whom he dubbed "one of the worst tyrants and most ruthless oppressors of modern history.")

Along with many of his contemporaries, including the German-born political philosopher Hannah Arendt, Popper had watched the human catastrophes of the Holocaust and Stalinism unfold. They wondered how societies could secure themselves against the return of what they called "totalitarianism." One perverse side effect of this preoccupation with totalitarianism has been that systems of governance that fall short of mass-killing, mass-controlling totalitarian states, especially those based on novel and hybrid forms of disenfranchisement and mafia-like control of media venues and judiciaries, retain a legitimacy that is difficult to challenge by means of an anti-totalitarian critique.

After 1989, billionaire investor and philanthropist George Soros sought ways to turn Popper's "open society" into a practical reality by establishing Central European University (CEU), whose premier campus opened in Budapest in 1991, and later the Open Society Foundations, starting in 1993, with locations around the globe. A number of CEU's alumni later assumed positions in governments throughout the region, and well beyond.

Over the past two decades, however, many of Soros's initiatives have been shuttered, relocated, or downsized under pressure from political

leaders in areas where they previously operated. Hungarian Prime Minister Viktor Orbán launched an open and high-profile campaign against Soros, and a more veiled one against CEU and the Open Society Foundation in Budapest starting in 2015. These efforts largely succeeded in driving both institutions out of Hungary.

In addition to its undercurrents of personal antagonism, nationalism, anti-Semitism, and xenophobia, Orbán's anti-Soros campaign was a jab at liberal democracy as a form of government. The principle Soros placed at the root of the "open society" concept he borrowed from Popper is twofold: first, "that no philosophy or ideology is the final arbiter of truth," and second, "that societies can only flourish when they allow for democratic governance, freedom of expression, and respect for individual rights." Orbán's response has been to portray the liberalism that underpins the ideal of the open society as an ideology as fallible as any other.

In his year-end speech for 2016, Orbán asserted that everyone who thought that "the liberal world order was unchangeable," that "nations are doomed and can go along with their devotees to the museum," had been proven wrong. History had taken "a sharp turn, broke through, broke down the carefully constructed barriers, and stepped out of the channel designated for it." His own "illiberal democracy" is what happens "when the liberals don't win."

Orbán has undermined the independent judiciary and media, making an opposition electoral victory nearly impossible, and handed out positions and contracts to a new elite of friendly oligarchs, as well as to his own village and relatives. Yet it remains the case that "democratic governance, freedom of expression, and respect for individual rights" are guaranteed by the constitution in Orbán's Hungary. Orbánism—whatever it is—is not totalitarianism.

In 2007, a software engineer and blogger named Curtis Yarvin, writing under the pseudonym Mencius Moldbug, fantasized about "a 21st-century post-demotist society," one that would "see itself as recovering from democracy, much as Eastern Europe sees itself as recovering from Communism." Moldbug's essay, aptly titled "Against Political Freedom," takes Frederick the Great's absolutist state with its centrally managed economy as the model for a future ideal state in which

> there is no political freedom because there is no politics. Perhaps the government has a comment box where you can express your opinion. Perhaps it does customer surveys and even polls. But there is no organization and no reason to organize, because no combination of residents can influence government policy by coercion. And precisely because of this stability, you can think, say, or write whatever you want. Because the state has no reason to care.

Journalist Rosie Gray has shown how some of the ideational roots of Trumpism can be traced to Moldbug.

PLURALISM IN A PANDEMIC?

The COVID-19 pandemic has brought a different sort of challenge to democratic pluralism. In May 2020, Transparency International argued, "The COVID-19 crisis has offered corrupt and authoritarian leaders a dangerous combination of public distraction and reduced oversight," citing Eastern Europe and Hungary in particular: Orbán was quick to assume emergency powers and slow to relinquish them. But the thornier problem by far is how democratic leaders who value pluralism and free speech can and should exercise power during a public health crisis.

In June 2020, hundreds of political and civic leaders, Nobel laureates, and pro-democracy institutions signed "A Call to Defend Democracy," warning that even in some firmly democratic states, "Parliaments are being sidelined, journalists are being arrested and harassed, minorities are being scapegoated, and the most vulnerable sectors of the population face alarming new dangers as the economic lockdowns ravage the very fabric of societies everywhere." The letter insisted that "[d]emocracy is not just a cherished ideal. It is the system of government best suited to addressing a crisis of the magnitude and complexity of COVID-19."

Yet as East Asia analyst Brad Glosserman noted in a January 2021 opinion article for the *Japan Times*, when the outbreak started it appeared that "democracies fumbled the moment and autocratic regimes seemed better able to contain and roll back the pandemic." Although that conclusion has since proved inaccurate, it's also not the case that "[f]reedom of speech and independent media" and "voters [who] use that information to hold their government accountable for its actions" have ensured a better response to COVID-19. Trust in government authority seems to matter most. Furthermore, and here is a point for Frederick: "leadership matters."

Those who dislike democratic pluralism have also found the pandemic to be a useful utensil with which to give democratic leaders a taste of their own anti-totalitarian medicine. In Germany, the so-called *Querdenker* (lateral thinkers) protesting restrictions imposed to contain the virus regularly conflate the present government with the Nazi totalitarian state. A German tabloid recently compared a young participant in a *Querdenker* demonstration to Anne Frank, and a photograph of another demonstrator shows him carrying a sign with a sketch of Bavarian Minister President Markus Söder sporting a mask-like Hitler moustache and bearing the title "Södolf."

Op-eds in various German dailies regularly struggle and often fail to find a way to reconcile hard measures with democratic values. "Some suspect that those making the decisions in the halls of government may be delighting in the drastic measures," journalist Stefan Braun noted in the *Süddeutsche Zeitung* recently, but "[a]nyone who looks to the intensive care units knows what is at stake: control must be maintained." Back in March 2020, recognizing that many far-reaching restrictions were necessarily being implemented in great haste, German Health Minister Jens Spahn said, "In a few months we will probably have a great deal to forgive one another."

This moment thus seems ripe for a reconsideration of Frederick II's legacy and its implications for our time. Though he experienced a few decades of disfavor after the Second World War, mainly thanks to Hitler, who lionized him even unto the bunker, Frederick is now back in quiet good favor, viewed as moderately Great again thanks to his policies of religious tolerance, xenophilia, contempt for censorship, and esteem for open discussion. But the elephant in the room remains the question of democratic pluralism's staying power.

It may be that no republic lasts forever, but no absolutist monarch does either. Frederick died in 1786. The irony of his legacy, Lifschitz concludes, is that "in the absence of a written constitution or representative bodies, his reforms depended on his own person." A number of them therefore died with him, or not long after.

But unlike today's autocrats, for whom no amount of personal longevity or executive power seems to be enough, Frederick acknowledged both his own mortality and the limits of the possible with respect to his authority, and accepted them. "Everything, finally, is lost; the immensity of time / Consumes at last the very names of the greatest conquerors," he wrote. He once considered a reform of the German language to make it sound less like German and more like French or Italian, but concluded that even if such a reform could be initiated, "the people would continue to pronounce words in the usual way." And so he didn't. And so they have. ∎