

Power in practice: EU member states' 2020 early negotiations on Covid-19 burden sharing

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Abstract

The manoeuvring and the strategies that state actors and their delegates employ when discussing and negotiating practices at the European Union (EU) level clearly respond to their aim of attaining outcomes at that very level. Within that landscape, what makes a country more powerful and persuasive than others, why some states punch above their weight, and how the threads of European diplomacy are concretely moved are unclear processes that the practice approach promises to explain. This investigation employs the practice approach to distinguish 'power in practice'. It considers power as a development connected to social relations. In fact, it views micro-level diplomatic dynamics as the site from which to observe power. It fills a gap in the field of adopting the practice approach in EU studies by contributing to theory through showing the approach's policy performance. It asks the central question of 'whether power resources emerge out of constant work and negotiation'. It applies the practice approach to the early 2020 negotiations in the EU arena on burden sharing linked to the Covid-19 pandemic. It argues that what is at stake in the course of the negotiations is a complex social game, in which manoeuvring for diplomatic competence becomes an end in itself.

Keywords Practice approach, European Union, 'power in practice', social relations, negotiations, Covid-19

Introduction

Much of the manoeuvring that state actors and their representatives undertake in their performance of practices at the European Union level clearly helps them to shape the policy outcomes at that level. What is less clear is 'what makes one country more influential than another' during negotiations; why certain states appear powerless on that stage 'while others punch above their weight'; and, how the strings of European diplomacy 'actually get pulled' (Adler-Nissen & Pouliot, 2014, p. 890). The practice approach has the potential to enable us to understand the power dynamics within European politics. The practice approach might help to understand how power emerges during negotiations as well as how it is distributed and becomes consistent or succumbs to compromises. Contrary to those pointing to material interests as fundamental to interpreting negotiation dynamics, or others who argue that the obligations among states justify their decisions, micro-level diplomatic dynamics are crucial in explaining how power surges, evolves, and falls during negotiations. We view power as a process determined by social relations, that the practice approach helps to examine (Adler-Nissen & Pouliot, 2014, pp. 890-2).

Recent literature on the practice approach reveals interest in the concept of ‘power in practice’, and in light of this, we investigate ‘whether power resources emerge out of constant work and negotiation’. Our case-study involves application of the practice approach to the early negotiations at the beginning of 2020 among EU Member States, aimed at sharing resources to deal with the Covid-19 epidemic. The European Commission, the European Council and the European Parliament provide the frame for the analytical landscape. This investigation combines a discourse analysis with content analysis (Larsen, 2018) and employs an analytical methodology that assesses three successive processes of power in practice. It argues that the negotiations represent a complex transaction in which manoeuvring for diplomatic competence becomes an end in itself.

The investigation uses a variety of sources including official documents and discourses from meetings held at European Commission, European Council and European Parliament levels, as well as at the Economic and Financial Affairs Council. The discourses of the ministers of foreign affairs of the member states and media reports also contributed to the enquiry. The investigation first reviews the relevant literature concerning the practice approach, links to the research question, and introduces the analytical methodology to support the enquiry. Subsequently, the power in practice during negotiations on burden sharing, as introduced above, is examined by explaining the context, followed by the analysis. The investigation concludes by calling for further research on the practice approach; for instance, on how such an approach behaves when ‘power in practice’ is determined by ‘non intentional power’ (Guzzini, 1993, p. 450; Strange, 1990), and invites other researchers to disprove or confirm the results of the present analysis.

The practice approach and the central question

The practice approach is useful for capturing emerging aspects of power dynamics in EU politics. It can be argued that power is a result of a particular distribution of resources, that can be material (Waltz, 1979), economic (Keohane & Nye, 1977), cultural, or ideological (Nye, 1990). The literature’s basic explanation regarding the existing definitions of power distinguishes between power as a capability, that is something that one owns, or a relation, which is a social dynamic (Baldwin, 2013). The way in which capability interacts with power has, however, a relational element. This relational part is based on the belief that it is in a particular social setting that resources become a means to an end and may produce effects. The practice approach spans these two notions. ‘Power in practice’ emerges out of micro-struggles over specific resources. Resources are in part endogenous and take the form of socially recognised competence. Competence is locally generated, contested and played out, eventually affecting EU politics. Micro-level diplomatic dynamics are vital for describing the negotiation processes at the EU level (Adler-Nissen & Pouliot, 2014, pp. 891-2, 909).

Scholars commenting on the practice methodology assert that this approach is overly agency-oriented (Hopf, 2010, p. 345). They argue that it ignores the bigger context, where the practices occur (Duvall & Chowdhury, 2011, p. 348), and claim that the relational outlook risks overlooking resources. Baldwin, for example, fails to define from where 'situationally specific' resources originate (Baldwin, 2013), while Barnett and Duvall offer insufficient guidance on the nature and expression of power resources (Barnett & Duvall, 2005). Overall, it is claimed that the practice approach tends to overlook 'power in practice' (Adler-Nissen & Pouliot, 2014, p. 890, p. 893). In response to these claims, we applied the practice approach to the early 2020 negotiations in the European Union framework on sharing the burden caused by the Covid 19 pandemic. We explored the ways in which 'power in practice' manifested itself and the forms it took, its negotiation and evolution, and the type of resources that generated power. This led to the overarching question 'whether power resources emerge out of constant work and negotiation'.

The analytical methodology

In order to investigate 'power in practice', we must access the social context in which the practices take place, evolve and progress. Resources are responsible for the generation of power. Feeding these resources is competence, an ability that is locally generated, performed, and disputed, ultimately to impact on politics. When resources take the form of socially recognised competence, that is competence acknowledged and accepted by others seeking to produce influence, they generate power. Since competence is the backbone of influence, we identify observable markers of the 'struggle for competence' in order to understand the 'emergent power' dynamics operating in EU-level negotiations on burden-sharing regarding the Covid epidemic.

These processes are cyclical, mutually reinforcing and overlapping (Adler-Nissen & Pouliot, 2014, pp. 891-2, 894), exemplified in practices whose functions can be described as: asserting competence; battling for competence; and generating influence over the outcomes.

Asserting competence: this process is explained as the production of endogenous power resources. This phenomenon begins with the positioning of an individual or a group as a competent player. In order to excel at this task, the performer should display 'the creativity that comes with the feel for the game' (Merand, 2010, p. 352). The basic dynamics consist of playing the local order to the player's advantage. As explained (Flingstein, 2001, p. 114), 'skilled actors understand the ambiguities and certainties of the field and work off them. They have the sense of what is possible and impossible' (Adler-Nissen & Pouliot, 2014, pp. 894-5). By framing issues or taking initiatives, actors do their best to establish themselves as competent players. The battle for competence expresses itself through skilled negotiation and relies on moral and technical justification but also on social manoeuvring (Adler-Nissen & Pouliot, 2014, p. 895).

Influence over outcomes: this process describes the production of power-effects in the form of a (non-coercive) impact on outcomes. In order to produce such effects, socially recognised competence must be deployed as a power resource. Actors must turn what passes for mastery into influence. The analysis tracks how competent players must be actively engaged, constantly on their marks, and aware of shifting positions, and detects how they exert effects on outcomes (Adler-Nissen & Pouliot, 2014, p. 896).

Investigating power in practice during negotiations

Setting

Italian data collected in February 2020 indicated that 67 per cent of EU Member States' citizens were critical of the Union (Pirozzi, 2020).¹ Coronavirus was a new, major event. The Commission remained silent when sterile materials and protective devices were found to be lacking in several Member States. Nevertheless, a mechanism had been available at the EU level since 2001 enabling member states and other non-EU countries to provide provisions to those in need of medical materials and assets useful for combatting epidemics. It was unclear whether the failure of the EU to act was the result of disorganization or rather of disinterest, indicating, that is a Europe in which member states felt estranged from their neighbouring nations in the European common space. The media sarcastically noted the Commission's ineffectiveness under new president, Ursula von der Leyen. However, Italy must have struck a chord in Brussels because the European Commission began to understand that the issue of pandemic was critical and required major resourcing.

The analysis

The Commission's assertion of competence

The Commission changed its game at the end of March 2020 (Consilium, 26/3/2020)² emphasising the role of diplomacy publicly acknowledging the institution's ineffectiveness at this crucial time (Lee, 2020). In a social context dominated by the most affected Member States (Italy, France and Spain), the Commission tried to show itself capable of dealing with the issues of humanitarian need. The Commission aimed to reduce the economic and social pressures that the claimant states faced. The Commission was rich in resources and could make decisions concerning finance and distribution in order to best mitigate disadvantage. The recognition that the Commission had not played a decisive role turned the Commission's Head, von der Leyen, into an actor seeking to reverse the poor image that the institution projected.

The practice approach raises the question whether the Commission was able to display the 'creativity of initiative' required for them to enter the negotiations. Its tradition as an actor capable of making resources available placed the Commission as an experienced leader on how to approach the Covid 19 pandemic. In positioning itself as a frontrunner, the Commission was supported by the European Council's decisions of 10 March (Consilium, 2020a)³ and 26 March 2020 to address the crisis. The Commission President displayed authority and expertise by stressing that 'massive and coordinated global action' was imminent to 'save lives and avoid further economic crisis' (Consilium, 2020b). The Commission made its competent action felt, with von der Leyen presenting in Brussels, on 2 April, the Coronavirus Response Investment

¹ The European Council on 20-21 February 2020, in Brussels, discussed the EU 2021-27 budget, and no mention of the Covid-19 epidemic was made, indicating that the latter was not considered yet a European problem.

² On 26 March 2020, the President of the European Council, Michel, and the President of the European Commission, von der Leyen, participated in the extraordinary G20 leaders' videoconference called by Saudi Arabia, the holder of the G20 Presidency. Against the backdrop that Europe was currently at the epicentre of the global COVID-19 crisis, the Presidents stressed that unprecedented events call for unprecedented action and that fast, massive and coordinated global action was necessary on the health and economic fronts to save lives and avoid a further economic crisis.

³ Member states stressed the need for a joint European approach and close coordination with the European Commission.

Initiative Plus and the Emergency Support Instrument. These arrangements were designed to provide loans to the Member States most in need of assistance, removing all financial conditions to ease access to European money. The sum of €2,770bn was mobilised as the largest ever response to a European crisis. To demonstrate European solidarity, von der Leyen admonished Parliament and the European Council to act swiftly (European Commission, 2020).⁴ It remains to be seen whether the Commission proved an effective and competent agent in dealing with these difficulties. This observation is in line with the question posed by this investigation's central question, concerning 'whether power resources emerge out of constant work and negotiation'.

Contesting the Commission

Social negotiation of power

On 10 April 2020 discussions moved to the Eurogroup, the arena of Member States' finance ministers. The Commission's decision was contested as the matters at stake included 'how to devolve loans', the 'cost of their activation', the 'different amounts required' or foreseen by the petitioning states, and the 'length' of the period after which the money was to be reimbursed (Adler, 2020).⁵ All of these issues led to an escalation of attempts by players trying to extract the greatest benefit from negotiations. The Netherlands argued strongly that certain Member States were aiming to ameliorate high levels of public debt. Finance minister Hoekstra developed a process of power dynamics based on the expectation that all states would abide by existing EU Treaties and repay national debts (ibid.). By taking the initiative, the Netherlands attempted to shape the local order to its own advantage. As for the practice approach, when a competence prerogative has been asserted as in the case of the Commission, the 'social bargain of skilfulness' soon follows (Adler & Pouliot, 2011, p. 7). Hence the Netherlands was seeking control of the Commission, by 'contesting the competence' played out in its allocation of funds.

Power born out of relational power and social dynamics

The Dutch inflexibility emerged at the Eurogroup consultations in terms of 'power dynamics'. As for the practice approach, any attempt to hold leadership is to be negotiated. Players cannot accumulate power as a given set; they must gain it through engagement with others who share the interest in the diminution of opposing positions. That was the Dutch Finance Minister's situation. The emergent power dynamics was evinced by the skilfulness of convincing other finance ministers (and the respective countries) that the proposal to favour borrowing, as opposed to grants, was considered a realistic proposition. Fundamental to the relational power and social dynamics was the Netherlands' achievement in raising other EU Member States' interest in the issue. The Netherlands thus increased its strength in the negotiations. This dispute had a formal manifestation: a 'non-paper' drafted by governmental representatives of the Netherlands, Denmark, Sweden and Austria (Frugal Four, 2020). It reflected the 'competitive cooperation' along the choice of 'loans for loans' and commitments to sound finances and structural reforms (De Angelis, 2021, p. 624). It could be argued that there was insufficient evidence of the fact that the Dutch (here

⁴ Remarks by EU Commission President von der Leyen.

⁵ EU finance ministers have agreed a rescue package (€500bn) for European countries hit hard by the pandemic.

represented by Hoekstra) tried to question the competence of the Commission. In addition to defend their own (political) interest *vis-à-vis* the Commission's proposal, the fact that, as reported (The Economist, 2020), 'for 36 hours the thrifty Dutch were the sole holdouts against a deal to help afflicted countries tackle recession' evokes the idea of wanting to convince the Commission of being on the wrong side, far from sustaining a prudent policy-making in the matter of finance and economics. This kind of contest suggests a disposition to challenge the Commission's influence.

Parliamentary challenges

A new force, the European Parliament, weighed in at this point. On the one hand, the Commission was criticised for defending itself and garnered disapproval for having pretended to present a burden-sharing system which was far from accessible in terms of the resources offered (Guetta, 2020).⁶ On the other hand, the Dutch were criticised for 'failing to recognise that the instrument of their prosperity was the European single market, and that their fiscal dumping subtracted revenues from states to the difficulties of which they strongly contributed' (Guetta, 2020). The Commission was called on to demonstrate that it was 'up to unforeseen challenges' (European Parliament, 2020).

It was suggested that the European Parliament had not been adequately engaged in the response to the Coronavirus emergency. The criticism drew on the principle that the European Parliament represents EU citizens' rights and needs, unlike the European Council in which heads of states and governments protect their countries' interests.

This debate proved significant to the EP's progress towards taking a position. MEPs believed that after the EU had created the common market and currency, it still had a chance to initiate a third phase of growth. This new chapter would conceive a platform for common investments with an emphasis on a Europe jointly borrowing. Parliament's attempt to influence the outcomes was radical since the envisaged Europe had to activate practices that the Treaties had traditionally barred. MEPs stressed that, through such an operation, the EU would provide a 'pan-European cover' to unemployment; it would move towards that 'social Europe that several member states never dared to build' (Guetta, 2020)⁷.

The EU Parliament issued a request that Commission President von der Leyen follow Delors' example of imaginative politics and present a meaningful proposal to the European Council. Delors had acted swiftly to create the single European market as a solution to the crisis of the mid-eighties; Ursula von der Leyen should act quickly and decisively to provide a similar 'life-jacket' at the European level. This issue materialised in a Resolution (P9_TA (2020) 0054) that attracted an unanimous vote (16-17 April 2020).

The EP achieved a level of solidarity based on its recognition of the popular mood. Moving in a coordinated way, the EP took over the diplomatic process. To reinforce the skilfulness of the discourse, EPs stressed that the sort of practices that they envisaged in the Resolution were the competence of the Commission. Neither the European Council nor Parliament was called into action. The extent to which the European

⁶ Guetta is a Member of the European Parliament.

⁷ More can be searched regarding MEP Guetta's intervention at the European Parliament Plenary of 16-17 April 2020.

Commission was able to translate the crucial elements of the resolution into useful initiatives was the measure of the Commission's potential influence.

The Commission's influence recognised

Ahead of the EU April summit (European Council, 23/4/2020), the Dutch disputed the Commission's suggested solutions and co-ordinated their position with Austria by contrasting the mutualisation of the debt. Cautioning that loans would only serve to pile more debts onto the most severely affected states, France exposed the stubbornness of the Netherlands and Austria, more than their diplomatic skill and leadership, in directing consultations toward a common position (Mai, 2020). This leads us to observe and argue that what was at stake in the course of negotiations was a complex social game, in which manoeuvring for diplomatic competence became an end in itself.

Power was secured by the Commission's promise that there would be a sound balance of loans and grants (Euractive, 2020). The Commission offered proposals. A Recovery Fund of €300 billion for the Coronavirus emergency was foreseen to be added to the EU's 2020-2027 budget. At the time, it was proposed that resources were to be obtained via issuing European bonds on the financial markets, half of which to provide loans and the other half devoted to specific programmes within the framework of the four-year EU budget (Ansa2020). The Fund was projected to target the most affected sectors and geographical parts of Europe. EU treaties would be modified to provide guarantees for the European debt.⁸ The content of the Recovery Package was itself built on novel elements of the agreement: research and innovation, digital transition, preparedness, recovery, resilience, a new health programme, the modernisation of the common agricultural policy, the protection of biodiversity and gender equality, and combating climate change, with 30 per cent of the EU funds devoted to this (European Commission, n.d). Several heads of government addressed the recovery fund as a project that enhanced the image of 'social Europe' (Italy) because it focused on the 'common interest' (Spain) and stressed the necessity to 'quickly have instruments in hand' (DW, 2020).

The Commission's assertiveness and determination indicated that it was ready to tackle the challenges that the Member States faced. The Commission's contribution to sharing the efforts of the Member States in overcoming the challenge of the pandemic was accepted by the European Council, charging the Commission with having to 'urgently come up' with ideas connected to the Multiannual Financial Framework that would be 'adjusted to deal with the current crisis and its aftermath' (Consilium 2020c). The Commission initiated a multilateral move to undertake burden sharing. This impulse represented an externalisation of 'power in practice'. In response to the question of why the Netherlands finally consented to the Commission's proposal, it can be said that divisions emerged in Dutch domestic politics, and the government was being criticised by politicians. The Dutch central bank president Klaas Knot, at least, was publicly 'receptive to the idea of a coronabond'. Knot stated that 'the call for solidarity was extremely logical, and how to implement this solidarity was a political decision' (DutchNews,2020).

⁸ As said by Merkel, *ibid.*

The insistence of the European Council on delegating the Commission to intervene with substantial proposals paved the way to what then became Next Generation EU (European Council, 2020), the specific recovery effort being later presented by von der Leyen at the end of May (de la Porte and Jensen, 2021; Ferrera, Miro', & Ronchi, 2021; Jones, 2021; Ladi & Tsarouhas, 2020). It is relevant to recall the 'shifts' in the European Council's decision-making in response to the pandemic, which enhanced the action of the Commission. The European Council's capacity to legislate 'while in-person meetings (formal voting) remain[ed] on hold' (p.8), the accessibility of the written procedure, and the 'coordination networks by the Commission acting as a crisis management instrument that will dissolve after the pandemic' (p.11) were all instruments that the European Council suggested, and that contributed to the success of the Commission in advancing its supportive action (Russack & Fenner, 2020).

It is also relevant to recall that, at the time of writing, there were fewer publications on this same topic. The literature on similar subjects is now proliferating. In addition to the above-cited works by Ferrera et al. (2021), Jones (2021), and Ladi and Tsarouhas (2020), there are others that are worthy of mention. In a sense, broadly speaking, the literature contributes to two major, related areas. On the one hand, the 'socioeconomic governance' is under scrutiny, advancing the idea that the Recovery and Resilience Facility (RRF) will encourage national parliaments to claim a role in developing national plans for accessing financial support (and amending reforms) (Bekker, 2021, 175). Moreover, the idea also developed that the Next Generation EU (NGEU) testified to the alignments of small groups of Member States via temporary alliances built around political issues (that also generated antagonism between the groups) (de la Porte & Jensen, 2021, 388). On the other hand, the works 'more engaged with the economic side' believe that the NGEU is a response to the imbalances remaining from the Eurozone crisis, and show that pre-existing vulnerabilities had a greater impact than the pandemic on driving the allocation of NGEU resources (Armingeon et al., 2021, p. 1). Studies linked to economics highlight how the NGEU financial and reforms package fails to address the existing asymmetries but instead serves to exacerbate the current imbalances, thus propagating the seeds of future crises (Howarth & Quaglia, 2021, p. 1555).

Conclusion

This investigation employed the practice approach to explore 'power in practice' by applying it to the early negotiations, at the beginning of 2020, within the European Union framework among the EU member states, aimed at sharing the burden created by the Covid-19 epidemic. Examining the literature concerning the practice perspective, we found arguments that this approach ignores the broader context in which practices occur (Duvall & Chowdhury, 2011), has little empirical guidance to offer on the nature and expression of power resources (Barnett & Duvall, 2005), furthermore, it fails to spell out from where 'situationally specific' resources will come (Baldwin, 2013), and, also, overlooks 'power in practice' (Adler-Nissen & Pouliot, 2014). Dealing with the above claims through adopting a focus on the practice approach to the negotiations, this investigation offers findings regarding 'power in practice', the power approach's performance in terms of theory, and in terms of policy. It also comments on the usefulness of the analytical methodology, and of the discourse and content analyses in this investigation. Three instances of 'power in practice' were observed.

First, investigating the Commission acting during negotiations, this enquiry highlighted the extent to which the capability of allocating resources, both financial and health related, placed the Commission in the situation of having its authority recognised by the negotiators, that is, its influence on dispensing the means to the needy economies. That authority was a manifestation of power in practice, demonstrating the Commission's readiness to answer the Member States' claims and its ability to adapt when required as exemplified by its admission of its initially inadequate pandemic response.

Second, there were strong indicators for the power in practice model. The Commission was challenged. We found that the kind of power exhibited by the Dutch finance minister aimed to block the negotiations. Neither the nature of power nor its origin arose from a wide-ranging philosophy, such as the cooperation professed by the Commission/von der Leyen as an accepted shared world order. We framed the power in practice used by Hoekstra within the argument that what was at stake during the negotiations was a multifaceted social game, where manoeuvring for diplomatic competence was an end in itself. This observation brought into question and countered Barnett and Duvall's assertion that the practice approach has 'little empirical guidance to offer on the nature and expression of power resources'.

Third, power in practice has manifested itself further in the European Parliament's contesting the Dutch and demanding that the Commission expand its power by focusing on social Europe. The unanimity of the EP in supporting Parliament's Resolution provided evidence of 'power in practice'. It was made explicit by giving credit to the Commission for providing proposals to make social Europe a real project under construction. We observed that the practice approach easily reveals how 'power in practice' is negotiated, dies and surges, again contradicting those (Barnett & Duvall) who deny that this approach can evolve in this way.

In terms of theory and policy performance concerning the approach taken, this investigation offered a few outcomes. The enquiry explained that the disposition to change demonstrated by the Commission, i.e. openly admitting failure to act adequately and proportionally when the pandemic broke out, was a manifestation of 'power in practice specific to that very occasion'. The Commission would not constantly show such a readiness to acknowledging its mistakes. That 'behavioural resource' was tied to the environment where it intended to deliver the desired effects. This assumption is important: it confirms that resources are inherent to the contexts in which they are generated and that the practice methodology has the skill of leading to their location. This assumption counters the claim (Duvall & Chowdhury) that the practice approach ignores the bigger context where practices occur, and counters the idea (Baldwin) that this approach fails to demonstrate the origin of 'situationally specific' resources; consequently, in terms of theory, the findings show that resources are recognised as tightly connected to the environment in which they develop. In terms of the approach's policy performance, this investigation's findings prove the capability of the power approach to distinguish the nature and expression of the resources generating power.

In terms of how the analytical methodology, the way in which it was structured, the discourse analysis and content analysis, contributed to the findings, we provide several comments. The 'asserting competence indicator' revealed how the players raised their argument, seeking to have their case accepted by the other negotiators. The 'battling

for competence marker' showed how competence was contested, and, lastly, the 'influence over outcomes' analysis contributed towards identifying the extent to which the influence of the Community and of its Head were recognised by the European Council and its members, to the point that von der Leyen was charged with thinking of a 'proposal', rapidly, that was acceptable to all of the Member States. On their part, the discourse analysis and content analysis allowed a close focus on the substance of the positions held by the players, to the extent that, without those tools, there was no way of knowing that the word 'proposal' meant an indication to the Commission of a programme to be defined, able to satisfy all.

Having offered an answer to the matters that drove us to undertake this enquiry (the arguments that the practice methodology ignores the broader context wherein practices occur; fails to explain how 'situationally specific' resources originated; offers little empirical guidance on the nature and expression of power resources; and, finally, 'tends to overlook power in practice'), this investigation has shown that power resources are created through constant work and negotiations, thus responding to this work's central question.

Concluding this investigation, we hope that this enquiry will encourage other researchers to explore further the practice approach in EU studies, for instance by interpreting negotiation dynamics through an examination of power as a process determined differently from social relations, or, as a process determined by 'non intentional power', that is, power as the production of 'unintended', 'unconscious effects' (Guzzini, 1993; Strange, 1990), and confirm or disprove the findings of the present work concerning the practice approach's capabilities.

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