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Discourse, Antagonisms, and Identities during the COVID-19 Pandemic

This study utilizes theory from the Essex School of Ideology and Discourse Analysis (IDA) and investigates speeches and statements made by high-ranking European Union officials from the European Commission as well as policy documents. The inquiry reveals that antagonistic language was used to justify the tracking and tracing of civilians through the articulation of an empty “track and trace” signifier and the articulation of new identities premised on the vaccinated and non-vaccinated. Policy makers articulated new ideas surrounding a regime of truth and a common “people” while simultaneously negating opponents to pandemic policies by articulating floating signifiers, including xenophobia, disinformation, and populism. The exercise of power in health policies during the pandemic functioned according to logics similar to those employed in traditional political domains.

Keywords: civil liberties; COVID-19; European Commission; European Union; surveillance.

Introduction

On a brisk February day in Berlin, dozens of children and their parents circled around each other on a frozen pond; some were sledding while others were playfully throwing snowballs at each other. A large cloud of frost then emerged from an unusual location – behind the trees at the perimeter of the pond. The cloud was next accompanied by a heavy downward wind and a thundering sound. A helicopter emerged from the top of the tree line and hovered as the cloud of frost began to fall upon the dozens of civilians who had just been enjoying themselves on the frozen pond. As the helicopter started to descend closer to the icy ground, a whirlwind of frost engulfed the people as they scrambled away, running, sliding, and falling. This unexpected disruption caused people to panic as they attempted to flee from what journalists describe as an “artificial blizzard”. In the confusion, a father with his one-year-old son in a child stroller fell through the ice,

while the wildly swirling ice chips frightened the young children.¹ The rest of the crowd sought refuge at the edge of the pond and eventually removed themselves from the area. These dramatic scenes, however, are not from an apocalyptic survivalist Netflix series, but rather, represent the real events that occurred in 2021 in one of Europe's most populated cities.

Due to a colder than usual winter, many canals and ponds in Germany had frozen over, and people took advantage of this to pursue outdoor winter activities. At this particular time, however, most countries in the Northern Hemisphere were subject to a wide range of restrictions on social gatherings due to the COVID-19 pandemic. Authorities in European Union (EU) states used police drones and data tracking of smartphones to various degrees during the pandemic to identify social gatherings that surpassed specific allowed totals for communal gathering (Skelton, 2020). Berlin police justified their usage of helicopters in this case by stating that “unauthorized parties risked injury from breaking ice sheets and Covid-19 transmission”.² That said, there are two immensely powerful dynamics that were at play in this situation, the first having to do with the wide-reaching restrictions on human movement that were implemented at the time, and the second which encompasses the ideas and discursive symbols as to why these restrictions were placed on societies. Theoretically, these outcomes need to be accounted for. How did policy makers articulate and justify massive state-led surveillance projects during the pandemic? What kind of language was used and what meanings were attributed by EU commission members to restriction policies?

Attention has been directed toward the potentially contradictory impact that pandemic policies may have on democratic standing (Eichler and Sonkar, 2021; Bigo *et al.*, 2021). Some scholars have argued that restriction and surveillance policies during the pandemic were reliant on previous security surveillance architectures already in place. For example, Tréguer (2020) maintains that Western liberal democratic states have experienced massive internal transformations over the last decade due to data-driven monitoring of civilian behavior and securitization. Specifically, he notes that “the crisis has thus reinforced digital surveillance, reproducing and deepening certain trends typical of neo-liberalism” (*ibidem*). Others have emphasized the importance of democratic norms in the context of the pandemic response.

¹ Blankennagel, Jens (2021), “Polizei Uses Helicopters to Chase People off Ice”, *Berliner Zeitung*, February 15. Accessed on 01.10.2021, at <https://www.berliner-zeitung.de/en/polizei-uses-helicopters-to-chase-people-off-ice-li.139994>.

² *New Zealand Herald* (2021), “Berlin Police Buzz Skaters, Families on Lakes with Helicopters”, February 16. Accessed on 05.01.2022, at <https://www.nzherald.co.nz/travel/berlin-police-buzz-skaters-families-on-lakes-with-helicopters/2234KM3W7NjX3YVC7JQS5BF3UI/>.

Csernatonni (2020) argues that there are trade-offs between principles of democracy and technological mediation during times of emergency. The deployment of digital technologies during COVID-19 represents an alarming tendency that did not face any significant deliberation with respect to any long-term implications of such policies. Greitens (2020) similarly asked whether the outbreak of a pandemic would lead to change in how countries treated their population through surveillance and restrictions on civil liberties and analyzed the linkage between the Chinese response to the pandemic (which was the first to be implemented), and argued that its authoritarian tools accompanied securitization in ways that were absent in liberal democratic societies. Democratic norms, Greitens contends, prevented the Chinese pandemic response model from fully diffusing. This study engages with aforementioned findings, arguments, and suppositions surrounding liberal democratic countries' response to the pandemic and public health, and shifts attention to an underexplored terrain.

At the time this article was written (June 2021), no direct assessment of the discursive characteristics that underpinned EU policy-making during this historically monumental time period had been undertaken, which is a major gap in knowledge. The present study acknowledges that profoundly important socio-political processes occurred throughout the recent pandemic and seeks to understand how political actors articulated different ideas and symbols to make sense of these transformative policies. In times of crises and dislocation, political actors attempt to overcome what Laclau (2005) referred to as a fundamental lack that inhibits meanings to be fully fixed in discourses and social structures. This entails the concept that empirically speaking, during socio-political crises, different signifiers will be negated or reshuffled, with new signifiers and ideas in some cases, taking their place in new fixations of meaning. In its focus on discourse as observed in speeches and statements made by high-ranking EU officials from the European Commission along with EU policy documents, this study does not aim to offer predictions about future configurations of political power or democracy, but rather, places emphasis on language and discursive articulations that were used to support and introduce restriction policies. The approach adopted in this study is based on an ideological theory of discourse drawn from the Essex School of Ideology and Discourse Analysis (IDA) (Laclau and Moufe, 1985; Laclau, 1990; Laclau, 2005; Glynos and Howarth, 2007; Howarth, 2000, 2013).

The order of this study is as follows: the first section identifies trends in surveillance that have arisen over the course of the last several decades. The next section then introduces the theoretical approach and accompanying methodological strategies on which this study relied. The third and

fourth sections present this study's main empirical analysis based on EU Commission speeches and statements through the deployment of theoretical concepts such as the empty and floating signifiers. Similarly, the fifth section traces the various antagonisms and identities that were articulated by policy makers during different waves of the pandemic. This is followed by a conclusion which summarizes this study's findings, drawbacks, and implications.

1. Digital-Based Surveillance

Tracking citizens during public health crises is not a new phenomenon. In ancient Israel, people with leprosy were heavily discriminated against because it was believed that their condition was a punishment for sin. Leprosy and skin diseases resembling it meant that a person was deemed as culturally impure (as per the Law of Purity), leading to total exclusion from one's community. When diagnosed with this condition, a person was placed in a seven day quarantine then forced to abandon their family to live in the outskirts with similar people for the rest of their lives (Grzybowski and Nita, 2016). In Foucault's (1978) *Discipline and Punish*, discrimination against those suffering from leprosy is once again brought up, but in the feudal French context in which similar bans on social life and in-town or city living were carried out. In the industrial era, public health monitoring blossomed alongside the rise of industrial society and large bureaucracies. A government's ability to track and monitor those infected with viruses or other conditions increased. What distinguishes the past from the present, however, is that the COVID-19 pandemic arose in an era of surveillance capitalism – an era that is dominated by a new scale of digital connectivity.

Zuboff (2019) argues that big tech has radically reformed the relationship that civilians have with the modes of production. With the rise of the digital age of communication, tech firms have contributed to the formation of a surveillance society and economy. Conglomerates such as Google, Amazon, Facebook, and Microsoft have “configurations of knowledge about individuals, groups and society that are unprecedented in human history” (Skelton, 2020). As described by Zuboff (2019: 466), “It's not just that the cards have been reshuffled; the rules of the game have been transformed into something that is both unprecedented and unimaginable outside the digital milieu and the vast resources of wealth and scientific prowess that the new applied utopianists bring to the table”.

These previous conditions surrounding surveillance capabilities were of great relevance to how pandemic policies were made in the EU context. EU states interpreted health guidance issued by the World Health Organization (WHO) then facilitated recommendations from Brussels

(Fernandez-Bermejo, 2021). Policy was articulated in Brussels and then disseminated on a cross-national level. In many EU contexts, pandemic policies were carried out under states of emergencies, through the implementation of various types of emergency powers acts, or by way of non-binding soft laws. Ladi and Wolff (2021) demonstrate that the EU response to the pandemic significantly differed from earlier crises such as the Eurozone crisis, and argue that the state of emergency that arose across the EU may end up being “more permanent than temporary” because a coordinate mode of Europeanization emerged between Brussels and member states. The decision to lay out and then create massive tracking systems (via smartphone apps) was made very early in the first wave of the pandemic. Policy makers created an eHealth Network that functioned across 27 EU member states, and Norway. Through this network, tracking apps were created based on Google and Apple interfaces that most civilians have in their smartphones. Blasimme *et al.* (2021) present data on apps that were utilized in Switzerland, Italy, Germany, Ireland, Netherlands, the United Kingdom, and France and note that governments sponsored such app-based surveillance as an attempt to slow down the spread of the virus as “Most apps give users instructions for how to self-isolate, register for testing, and contact health authorities if symptoms emerge” (*ibidem*: 4).

The specific parameters that formed the basis of such tracking apps functioned through Bluetooth and GPS systems. Blasimme *et al.* (*ibidem*) explain that such apps enabled governments to obtain “metrics data for public health surveillance, such as the day, time, and duration of a contact; whether the infected user is asymptomatic; the 1st day of illness; and the date of testing”. Across the noted countries, apps monitored civilian data based on their geo-locations (accurate from 1.5 to 8 meters) (*ibidem*: 3). Tréguer (2020) explains how health regulations that emerged at the height of the pandemic reflect a larger previous pattern that can be traced to advances in computer automation. Prior to the pandemic, automation had already enabled computers to expand surveillance and scale up bureaucratic structures “while keeping budgetary costs at an acceptable level”. Tréguer (*ibidem*) argues that computers and similar devices (i.e., smartphones) can augment individual behavior by making individuals both more responsible and autonomous when facing health risks. The disciplinary logics which arose in the first year of the pandemic relied on pre-existent technologies. These logics were strengthened during the pandemic, as observable in behavior of governments (e.g., Western Australia) who forced quarantined individuals to wear electronic bracelets, or police who required quarantined persons to send them selfies from their smartphone (e.g., Poland) (*ibidem*). These practices

reflect larger societal-wide processes that have been ongoing. Moreover, the commodification of personal data has brought about great profits for tech firms at the expense of civilian privacy (Zuboff, 2019). The development of COVID-tracing apps was made possible through technologies that were developed by the same type of tech conglomerates (e.g., Apple and Google) which had already been operating in the surveillance capitalist realm.

2. Theory and Methodology

The discursive approach adopted in this study focuses on discourse, language, text, speech, and written output(s). It emerged from Ernesto Laclau's early writings and his subsequent collaboration with Chantal Mouffe in which attention was shifted to discourse, the contingent nature of social structures and identities, and qualitatively in-built antagonistic socio-political relationships (Laclau and Mouffe, 1985). This framework assumes that discourses are not only limited to politics but also encompass the whole of social reality. As Laclau and Mouffe (*ibidem*: 96) described, "a discursive structure is not a merely 'cognitive' or 'contemplative' entity; it is an articulatory practice which constitutes and organizes social relations". Discourse comprises reality and the approach assumes "beliefs, identities, norms or objects – is not 'real' but is instead the product of discourse, understood as the articulation of meaning, or more specifically of demands into chains of equivalences, creating relationships between distinct elements" (MacKillop, 2018: 189). This theoretical turn was built upon Saussure's linguistics, Levi-Strauss's ideas on society and their complex orders, and Derrida's exclusionary framework that stressed meaning is reliant on constitutive external forces (Howarth, 2000).

Rather than treating social structures as deterministically stable, scholars who adopt this approach seek to understand how political phenomena become stabilized and contested in times of dislocation and crises. Discourses are intrinsically antagonistic. As stated by Laclau (1990: 15), "antagonism does not occur within the relations of production, but between the latter and the social agent's identity outside them". No discourse is ever fully closed off (Laclau and Mouffe, 1985). The solidification of society and social structures is impossible at its core (Laclau, 1990), and thus ongoing and continuous political projects exist in which actors engage in processes of articulation in order to instill and secure social practices as well as subject identities. The contingent nature of discourse appreciates that its elements can never become fully sedimented (Howarth, 2000: 103). This approach assumes that dislocations (such as a pandemic) reveal the contingent nature of social reality while simultaneously opening up new political frontiers and opportunities for actors and groups to articulate new meanings, policies,

and identities. The framework maintains that meaning is never fixed, and hence, during periods of crisis, meanings are recast through discursive articulation.

To compliment this theoretical approach, the following methodological strategies were relied on when carrying out social inquiry. The principal sources drawn on were speeches and statements of EU commission actors. The EU commission's publicly searchable website was used,³ and the advanced search function enabled the categories of "speeches" and "statements" to be specified along the policy area of "COVID-19". The time period of December 2019 to March 2022⁴ was selected and speeches and statements made by the President of the Commission, Ursula von der Leyen, and by the 27 commissioners⁵ were scrutinized. Search results identified 82 different links; of these results, 27 were directly relevant. Ursula von der Leyen and Stella Kyriakides (commissioner for Health and Food Safety) spoke most frequently about the pandemic. A total of 17 speeches given between December 2019 and October 2021 were analyzed.

The significance of each of these speeches and statements varied. While some were put forward for the purpose of publicity and did not actually justify policies or explain them, others contained important information on how ideas and discursive statements were forged in times of crisis. Speeches and statements made in 2020 contained foundational ideas that were used to support pandemic restriction policies. More than half of all statements and speeches were given in the year 2020 alone. By the latter half of 2021 and into early 2022, many statements and speeches reflected ongoing policies, such as the then already implemented vaccine strategies and the shipment of vaccines to developing countries. These speeches and statements were interpreted according to the theoretical approach adopted in this study, which seeks to deconstruct and problematize social and political practices by focusing on language and the radical contingency of symbolic orders. They were also interpreted and analyzed chronologically, beginning with those dating to December 2019 and moving forward into 2020, 2021, and 2022.

³ European Commission (2022), "Press Corner, Advanced Search". Last accessed on 10.01.2022, at <https://ec.europa.eu/commission/presscorner/advancedsearch/en>.

⁴ After receiving the reviews from the anonymous referees, more speeches were accessed, analyzed and incorporated into the revised version of the article.

⁵ Borrell Fontelles, Josep; Breton, Thierry; Dalli, Helena; Dombrovskis, Valdis; Ferreira, Elisa; Gabriel, Mariya; Gentiloni, Paolo; Hahn, Johannes; Hogan, Phil; Johansson, Ylva; Jourová, Věra; Kyriakides, Stella; Lenarčič, Janez; McGuinness, Mairead; Reynders, Didier; Schinas, Margaritis; Schmit, Nicoals; Šefčovič, Maroš; Simson, Kadri; Sinkevičius, Virginijus; Šuica, Dubravka; Timmermans, Frans; Urpilainen, Jutta; Válean, Adina; Varhelyi, Olivér; Vestager, Margrethe; Wojciechowski, Janusz.

3. Justifying Restrictions and App-Based Tracking

COVID-19 brought about a massive dislocation and exposed the contingent nature of social reality. It led policy makers and elites to grasp onto power and articulate new policies, identities, and responses to impeding crises. From the period of January to March 2020, EU leaders and national governments rolled out surveillance apps through executive actions, and simultaneously, top EU leaders justified these actions through discursive articulations. It is of great importance to consider that there was sub-national heterogeneity across EU member states in terms of their response to the pandemic. That is, while member states indeed followed the recommendations of the EU Commission, this nevertheless resulted in a distinct variety in the types of restrictions and associated policies enacted. For example, Croatia, Denmark, Italy, Ireland, Germany, Latvia, the Netherlands, Poland, and Spain were direct participants in an EU-created system labelled as “getaway” that tracked cross-border movement (Blasimme *et al.*, 2021). This enabled governments to order quarantines, but to the best of my knowledge, not all EU member states participated in this system at the exact same time. Moreover, during the first two waves of the pandemic, hundreds of non-binding orders were made by governments across the EU. Known as soft laws, such non-binding measures can be implemented in different spheres of governance (Fernandez-Bermejo, 2021). Many EU states rolled out national level systems to monitor their citizenry largely via said soft laws. These countries’ use of soft laws enabled them to enforce restrictions and monitor civilians by processing their personal data and tracking their associations with other individuals. Monitoring civilians’ health status through digital technology is not a completely new phenomenon, but its implementation during COVID-19 far surpassed any previous frameworks in terms of sheer scope and severity.

EU leadership recommended that member states monitor civilian movement. In October 2020, Commissioner Stella Kyriakides reinforced the Commission’s position on member state monitoring actions, noting that, “Testing, contact tracing, and preparing health care systems are paramount – this is where Member States’ focus should be at the moment, this should be the priority of all governments”.⁶ Speeches by high-ranking EU officials started to be carried out in December 2019. The first direct speech dealing with the topic of the virus was made by President von der Leyen at the EU Health Summit on December 1, 2019. Here, von der Leyen commented that,

⁶ European Commission (2020), “Opening Remarks by Vice-President Schinas and Commissioner Kyriakides at the Press Conference on the Vaccination Strategy”, October 15. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_1927.

We want to make it possible to declare – if necessary – a state of EU health emergency. This would trigger greater coordination among Member States, joint procurement of medical equipment, and the deployment of EU Outbreak Assistance Teams. To better support Member States, we also propose to give more responsibilities, powers and resources to existing European agencies – the European Centre for Disease Prevention and Control (ECDC) and the European Medicines Agency (EMA).⁷

This ended up unfolding in the first few months of the pandemic. Specifically, in the first wave of the pandemic, of the 27 EU member states, all but one (France) created and then implemented mobile tracking apps, many of which were interoperable for data exchange with the EU.⁸ While civilians who did not contract or test positive for COVID-19 were not required to download or use the app, anyone that sought to travel to a “high risk” country was required to get tested and install the app upon their arrival back to their home country. Likewise, anyone that tested positive for the virus was also required to install and use the app. These apps thus provided governments with a newfound ability to monitor citizens. Data from people’s geolocation(s) were monitored by the state, which allowed authorities to identify whether public gatherings were taking place (potentially against restrictions) and if an infected individual left his/her place of residence. In this regard, at the height of the pandemic, there was an interplay between surveillance and restrictions which varied according to context and country. In February 2020, Commissioner Stella Kyriakides explained why cooperation among member states, Brussels, and the WHO was obligatory. The commissioner noted, “as a follow-up to this meeting, the Commission will produce a model for information for travelers coming back from risk areas or traveling to them – information we see an increased need for within the EU”.⁹ Likewise, it was noted that, “this is a situation of concern, but we must not give in to panic. We must also be vigilant when it comes to misinformation and disinformation, as well as xenophobic statements, which are misleading citizens and putting into question the works of public authorities”.¹⁰

⁷ European Commission (2019), “Speech by President von der Leyen at the EU Health Summit”, December 1. Accessed on 10.01.2020, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_2267.

⁸ European Commission (n.d.), “Mobile Contact Tracing Apps in EU Member States”. Accessed on 10.01.2022, at https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/travel-during-coronavirus-pandemic/mobile-contact-tracing-apps-eu-member-states_en.

⁹ European Commission (2020), “Speech by Commissioner Kyriakides on COVID-19”, February 26. Accessed on 10.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_337.

¹⁰ See previous footnote.

These two statements are underpinned by important discursive meaning(s). The first statement stipulates that policy makers had already been crafting tracking and monitoring systems to gauge the extent of civilian travel across states. This is a monumentally significant development because by April, a policy toolbox on technology and data guidelines was formed.¹¹ The discourse theoretic concept that can account for this is referred to as an empty signifier which subsides in every single discursive structure (Laclau, 2005). Empty signifiers do not have any predetermined substance or meaning, and according to a given historical context, these signifiers remain empty due to the contingent nature of discourses. As described by MacKillop (2018: 190), empty signifiers are signifiers that are “tendentially emptied of meaning, representing/signifying an impossible fullness”. By the autumn of 2020, a fully solidified set of guidelines surrounding restrictions was already in practice. For example, in October 2020, EU Commission President von der Leyen summarized what measures were taken,

The Commission last month set out how measures taken by Member States should be coordinated and communicated. We now have common criteria and thresholds when deciding whether to introduce travel restrictions. We have a map with a single set of colours where everyone agrees which regions are red, orange or green. And we now need a single set of rules for what testing and quarantine people have to do if they are travelling from a high-risk zone.¹²

The rationale behind these policies was introduced approximately six months earlier. Discourse theorists have identified five conditions that can account for the emergence of empty signifiers: 1) an element of meaning must be available and credible; 2) a signifier has to be able to signify a broad arrangement of demands; 3) a signifier has to be strategized by actors “within their political project”; 4) empty signifiers need an “unequal division of power” to suit various grievances and demands; 5) empty signifiers need “historical and empirical documentation” about the process surrounding the signifiers’ emergence (including both why and how) (MacKillop, 2018: 190). A report issued by the EU Commission in April 2020, titled “Guidance on Apps Supporting the Fight against COVID-19 Pandemic in Relation to

¹¹ European Commission (2020), “Communication from the Commission. Guidance on Apps Supporting the Fight against COVID 19 Pandemic in Relation to Data Protection”, C(2020) 2523 final, April 16. Accessed on 10.01.2022, at https://ec.europa.eu/info/sites/default/files/5_en_act_part1_v3.pdf.

¹² European Commission (2020), “President von der Leyen at the World Health Summit”, October 25. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_1983.

Data Protection”, reveals how these five conditions were met and specifically how an app-inspired surveillance empty signifier was articulated. Below, we will focus on how these policies were instilled. The introduction of the report notes that,

Digital technologies and data have a valuable role to play in combating the COVID-19 crisis. Mobile applications typically installed on smartphones (apps) can support public health authorities at national and EU level in monitoring and containing the COVID-19 pandemic and are particularly relevant in the phase of lifting containment measures. They can provide direct guidance to citizens and support contact tracing efforts.¹³

Attention must first be paid to the anticipatory nature of language used such as “have a valuable role to play,” or “can support public health authorities,” or “are relevant,” or “they can provide”. This preliminary character of app-based tracking reveals how EU actors articulated ideas about both the availability and credibility of app-based surveillance. The words, “can” and “should” are frequently used throughout the report. Second, the report notes that,

The purpose of the Recommendation is, inter alia, to develop a common European approach (“Toolbox”) for the use of mobile applications, coordinated at EU level, for empowering citizens to take effective social distancing measures, and for warning, preventing and contact tracing to help limit the propagation of the COVID-19 disease.¹⁴

Here, a broad range of elements are incorporated into app-based surveillance processes. Usage of the specific term “Toolbox” exemplifies this range. Thirdly, actors from the EU Commission clearly strategized these policies within their political project – the report notes that its aim is to develop a common EU strategy for “for the use of technology and data to combat and exit from the COVID-19 crisis”.¹⁵ Strategically, the scope of guidance here is linked to the European Data Protection Board in which another regulatory document was put forward in April 2020 featuring very detailed rules on “epidemiological surveillance, monitoring, early warning of,

¹³ European Commission (2020), “Communication from the Commission. Guidance on Apps Supporting the Fight against COVID 19 Pandemic in Relation to Data Protection”, C(2020) 2523 final, April 16. Accessed on 10.01.2022, at https://ec.europa.eu/info/sites/default/files/5_en_act_part1_v3.pdf.

¹⁴ See previous footnote

¹⁵ See footnote no. 13.

and combating serious cross-border threats to health”.¹⁶ These rules encompassed Commission coordinating with member states “to ensure coordination and information exchange between the mechanisms and structures established”.¹⁷

Fourth, when it comes to the unequal division of power, this condition is very salient in the context under attention and warrants little explanation because those in the EU Commission (along with member state governments) exercised an unprecedented degree of power over more than half a billion people during the pandemic. Along these lines, policy makers in Brussels admitted that “no single Member State can succeed alone in combating the COVID-19 crisis. An exceptional crisis of such magnitude requires determined action of all Member States and EU institutions and bodies working together in a genuine spirit of solidarity”.¹⁸ Finally, the fifth condition on historical and empirical documentation surrounding a signifier’s emergence was met. The aforementioned report noted that the virus posed an “unprecedented challenge to its health care systems, way of life, economic stability and values”.¹⁹ EU Commission President von der Leyen, who heads the executive branch of the EU, addressed the European Parliament on March 26, 2020 noting that the pandemic will put the EU’s “fundamental values” to test, “Today, in the face of our invisible enemy, these fundamental values of our Union are being put to the test. We must all be able to rely on one another. And we must all pull each other through these tough times”.²⁰ This statement purports that the “values” of this supranational organization had already been established.

Together, these five conditions enabled EU policy makers to quickly and effectively articulate an empty signifier of app-based track and trace surveillance. This signifier was still operational in the third and fourth waves of the pandemic when quarantined and unvaccinated segments of populaces were being traced – meaning that this empty signifier became both stable and fixed due to the success of EU actors’ ability to hegemonize it into

¹⁶ European Commission (2020b), “Commission Recommendation of 8.4.2020 on a Common Union Toolbox for the Use of Technology and Data to Combat and Exit from the COVID-19 Crisis, in Particular Concerning Mobile Applications and the Use of Anonymised Mobility Data”, C(2020) 2296 final, April 8. Accessed on 10.01.2022, at https://ec.europa.eu/info/sites/default/files/recommendation_on_apps_for_contact_tracing_4.pdf.

¹⁷ See previous footnote.

¹⁸ See footnote no.16.

¹⁹ See footnote no.16.

²⁰ European Commission (2020), “Speech by President von der Leyen at the European Parliament Plenary on the European Coordinated Response to the COVID-19 Outbreak”, March 26. Accessed on 10.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_532.

socio-political reality. To understand how this occurred, we now turn to a key floating signifier that enabled policy makers to negate other competing meanings and ideas.

4. Floating Signifiers

Conceptually, the empty signifier stands in contrast to the floating signifier which can take on many heterogeneous meanings in different and often opposing projects. The floating signifier serves and functions as a “means of constructing political identities, conflicts and antagonisms” (Farkas and Schou, 2018: 300), and “is positioned within different signifying systems of conflicting political projects” (*ibidem*: 302). This brings us back to the statement made by Commissioner Kyriakides who equated political opposition to the vaccine with xenophobia in her statement, “we must also be vigilant when it comes to misinformation and disinformation, as well as xenophobic statements, which are misleading citizens and putting into question the works of public authorities”.²¹ Xenophobia takes on a discursive function of a floating signifier because there are different active conceptions of what constitutes it, and often, these conceptions originate to political battlegrounds where both right wing and left-wing projects collide and attempt to articulate constructs that may become hegemonic. As Laclau (2005: 132) pointed out, the floating dimension of signifiers “becomes most visible in periods of organic crisis, when the symbolic system needs to be radically recast”. The crucial usage of the term xenophobia at the beginning of the COVID-19 crisis demonstrates how xenophobia functioned alongside another floating signifier of disinformation to negate and strip legitimacy away from oppositional political forces.

Both the floating signifiers of xenophobia and disinformation were associated with opponents of the political status quo that Kyriakides identified. These ideas were not new (hence their floating nature), and if we consider the course of the last decade and especially the time period since the refugee crisis of 2014-2015, a great many discursive articulations have been made on both the level of the EU as well as in national parliaments (of member states) pertaining to rising tides of nationalism, right wing politics, anti-immigration rhetoric, xenophobia, and disinformation. This conjunctural stream of grievances, outcomes, and demands take on different meanings according to context. Xenophobia has been used in discourses to criticize

²¹ European Commission (2020), “Speech by Commissioner Kyriakides on COVID-19”, February 26. Accessed on 10.01.2022, at https://ec.europa.eu/commission/presscorner/detail/de/speech_20_337.

anti-immigrant stances in countries such as Poland or Hungary, while disinformation has been used to antagonize and negate attempts to disturb political status quo, often with reference to outside actors such as Russia (meddling in elections or supporting right wing parties) or China (alleged 5G network spying). Principally, the early (relative to when the pandemic started) discursive articulations by Kyriakides caught on and eventually allowed a hegemonic discourse to emerge about the virus, its vaccines, with the aforementioned floating signifiers playing significant roles in legitimizing these ideas, ones that were voiced to be a part of the “truth”.

Around the exact same time as Kyriakides’ speech, President von der Leyen made a speech in which she noted that, “you cannot overcome a pandemic of this speed or this scale without the truth. The truth about everything: the numbers, the science, the outlook – but also about our own actions”.²² Further, in a speech on disinformation carried out in June 2020, Vice-President of the EU Commission Josep Borrell stated that “facts are one thing and opinions are another. Opinions are free; facts are facts. We have to fight for the facts to be the right and true ones in order to fuel a fair democratic system”.²³ These statements echo a cognitive template and regime of truth. On January 27, 2021, Commissioner Stella Kyriakides made a statement on vaccines that stressed their moral nature. The commissioner noted that “Pharmaceutical companies, vaccine developers, have moral, societal and contractual responsibilities, which they need to uphold”.²⁴ Conceptually, Laclau and Mouffe (1985) drew heavily from Foucault’s contributions to scholarship on power, discourse, and what he referred to as “regimes of truth”. In contrast to Foucault, Laclau and Mouffe did not assume that there is only one regime of truth active in a given historical period, but rather, they assumed that multiple competing discourses exist that seek to establish regimes of truth (Barnard-Wills, 2016). The examples above illustrate how a hegemonic conception of truth was articulated by elites in the EU Commission based upon ideas of morality. This conception still remains

²² European Commission (2020), “Speech by President von der Leyen at the European Parliament Plenary on the EU Coordinated Action to Combat the Coronavirus Pandemic and Its Consequences”, April 16. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_675.

²³ European Commission (2020), “Response to Disinformation around COVID-19: Remarks by High Representative/Vice-President Josep Borrell at the Read-out of the College Meeting”, June 20. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_1036.

²⁴ European Commission (2021), “Remarks by Commissioner Stella Kyriakides on vaccines”, January 27. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/it/speech_21_267.

hegemonic, yet there also exist competing discourses such as anti-vaccination movements or segments of populaces who have been differentiated from the common “people” and linked to disinformation, xenophobia, and right-wing elements. This brings us to the crucial topic of identity.

5. Antagonisms and Identities

Establishing a hegemonic discourse necessarily comes with articulating constructions and ideas about what constitutes a “people” (Laclau, 2005). Empirically, this is accomplished through the specific exclusion and antagonization of political opposition in the form of an “other”. This means that the relational view of political identity is linked to a constitutive outside – a concept that ensures the contingency of every and any discourse as well as the identities inherent to them. Along these lines, just like discourse, identity is assumed to be negative and relational. It is always “threatened by something external to it” (Howarth, 2000: 106). Rather than assuming that identity is frequently constant, predefined or empirically unchanged, identity is radically contingent and is an outcome of reoccurring discursive articulation. A given “empirical agent at any given point may identify himself or be simultaneously be positioned” according to different social classifications such as black or middle-class or as Christian or as a woman (*ibidem*: 13). A person may identify themselves as a proletariat, but at the same time, they may also identify as religiously conservative.

In the context under attention, language used by high-ranking EU officials throughout the course of the pandemic resulted in the construction of a “we” (the vaccinated) who have been brought into the articulated regime of truth based around institutionalized and “scientific” responses to the pandemic. To understand how this occurred, we must turn to the concept of a subject position. Subject positions enable us to account for 1) how subjects are positioned within a given discursive system and 2) how individuals may uphold more than one of these positions according to a given temporal and discursive configuration. What this implies is that identity take on qualitative forms and is not homogeneous across time. New identities were articulated during the pandemic through the creation of the “vaccinated” and “non-vaccinated” social groups. The former enjoyed, and by and large continues to enjoy, privileges that the latter is unable to access and experience. Indeed, from the outset, when vaccines for COVID-19 were approved then released into medical facilities throughout member states, high ranking EU officials (for instance, Commission Vice-President Maroš Šefčovič) ironically stressed that vaccination would be voluntary because some could not be inoculated for health reasons while

others would be offered the simple choice to refuse the job. Yet into the fourth wave of the pandemic (Fall/Winter 2021/2022), Austria began to force lockdowns for unvaccinated segments of its population, with this representing around 20% of the populace, that is two million people in total. The *New York Times*' journalists described this as follows, "The extraordinary step shows that governments desperate to safeguard public health and economic recoveries are increasingly willing to push for once unthinkable measures".²⁵

If discursive characteristics that were voiced early on in the pandemic are considered, it becomes clear that the aforementioned decisions are to be expected, rather than "once unthinkable". For example, in the March of 2020 speech by Ursula von der Leyen, the President noted that, "[...] what is unique about this fight is that every single one of us has a role to play. Every single one of us can help repay that debt. By keeping our distance we can slow down the spread of the virus. The numbers in the last few days have shown that we can bend the trend – but only if we all do our share".²⁶ Likewise, it was described that, "We must look out for each other, we must pull each other through this. Because if there is one thing that is more contagious than this virus, it is love and compassion. And in the face of adversity, the people of Europe are showing how strong that can be".²⁷ These statements exemplify how an equalized chain of elements was articulated by the head of the EU Commission by establishing common traits of behavior that belong to hegemonic elements in this newly articulated pandemic discourse.

Ursula von der Leyen even went so far as to say, "The truth is that it did not take long before everyone realised that we must protect each other to protect ourselves. And the truth is too that Europe has now become the world's beating heart of solidarity. The real Europe is standing up, the one that is there for each other when it is needed the most".²⁸ Here, the idea of a "real" Europe (which since the statement was made, ended up being

²⁵ Horowitz, Jason; Eddy, Melissa (2021), "Austria Announces Covid Vaccine Mandate, Crossing a Threshold for Europe", *The New York Times*, November 19. Accessed on 05.01.2022, at <https://www.nytimes.com/2021/11/19/world/europe/austria-covid-vaccine-mandate-lockdown.html>.

²⁶ European Commission (2020), "Speech by President von der Leyen at the European Parliament Plenary on the European Coordinated Response to the COVID-19 Outbreak", March 26. Accessed on 10.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_532.

²⁷ See previous footnote.

²⁸ European Commission (2020), "Speech by President von der Leyen at the European Parliament Plenary on the EU Coordinated Action to Combat the Coronavirus Pandemic and Its Consequences", April 16. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_675.

mostly a majority of populaces in most EU member states) is pinned against the false, xenophobic, populist, and disinformed Europe (the unvaccinated minority, lingering somewhere around 20-35% of the population). President von der Leyen likewise noted that, “Of course, there are still some who want to point fingers or deflect blame. And there are others who would rather talk like populists than tell unpopular truths”.²⁹ The negating of political opposition here is evident and pertains to the earlier mentioned signifiers of xenophobia and disinformation, which as readers will note, are frequently associated with populist figures and parties across EU contexts.

Similar attempts at articulating a “common” people based around the “shared purpose” of prescribed forms of behavior can be observed in von der Leyen’s speech given at the onset of the pandemic.

The moment to put behind us the old divisions, disputes and recriminations. To come out of our entrenched positions. The moment to be ready for that new world. To use all the power of our common spirit and the strength of our shared purpose. The starting point for this must be making our economies, societies and way of life more sustainable and resilient.³⁰

Even into the third wave of the pandemic, language used by Commission members frequently built upon earlier articulated notions and the identity of “we”. For instance, in February 2021, Kyriakides, while at the Plenary of the European Parliament on the EU Vaccine Strategy, noted that, “We will only meet this challenge if we all stick together. We are all fighting to defeat a common enemy: the COVID-19 pandemic. The vaccines against the pandemic are the key to unlock the door out of this crisis”.³¹ Likewise, in April 2021, President von der Leyen made a statement on developments in the vaccines strategy, “At a certain point in time, we might need booster jabs to reinforce and prolong immunity; and if escape-variants occur, we will need to develop vaccines that are adapted to new variants; and we will need them early and in sufficient quantities”.³²

²⁹ See previous footnote.

³⁰ See footnote no. 28.

³¹ European Commission (2021), “Remarks by Commissioner Stella Kyriakides in the Plenary of the European Parliament on the EU Vaccine Strategy”, February 10. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_21_525.

³² European Commission (2021), “Statement by President von der Leyen on Developments in the Vaccines Strategy”, April 14. Accessed on 23.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/statement_21_1741.

In late 2020, the Commission president forged the guidelines for the future establishment of a European Health Union.³³ Similarly, greater institutional securitization was forged in 2021,

Politicians and the public have understood that national solutions alone are not enough to fight a pandemic. And even more importantly: We've understood that mutual preparedness is everything in a global health crisis. The European Union drew its lessons and acted. We have created a new Health Emergency preparedness and Response Authority, HERA for short.³⁴

The aims of HERA were identified by Kyriakides in October 2021 as,

HERA's core mission is to strengthen EU health security coordination. It will allow us to look down the line, to identify and prevent potential health emergencies, and to be ready for them when they do occur. HERA will also have an important global role involving surveillance, production, and cooperation around the availability and accessibility of medical countermeasures.³⁵

On August 31, 2021, the Commission President stressed, "We need more. I call on everyone who can to get vaccinated. And we need to help the rest of the world vaccinate, too".³⁶ Just several months later, Austrian Chancellor Alexander Schallenberg declared that vaccines would be near-mandatory starting in 2022, meaning that citizens would have to choose to be vaccinated voluntarily or face being forced into lockdown. Although major court hearings on the latter topic have yet to emerge on the EU level, legal experts note that such policies can implicate citizens' rights to private family life and their right to freedom of association which form Article 8 of the European Convention of Human Rights (Greene, 2021).³⁷ Likewise,

³³ European Commission (2020), "Speech by President von der Leyen at the S&D Event 'A Strong and Inclusive Health Union'", December 1. Accessed on 19.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_20_2274.

³⁴ European Commission (2021), "Speech by President von der Leyen at the World Health Summit", October 24. Accessed on 23.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_21_5521.

³⁵ European Commission (2021), "Opening Speech by Commissioner Kyriakides to the 2021 World Health Summit", October 26. Accessed on 23.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/speech_21_5622.

³⁶ European Commission (2021), "Coronavirus: 70% of the EU Adult Population Fully Vaccinated", August 31. Accessed on 23.01.2022, at https://ec.europa.eu/commission/presscorner/detail/en/ip_21_4362.

³⁷ Greene, Alan (2021), "Austria's Lockdown for the Unvaccinated: What Does Human Rights Law Say?", *The Conversation*, November 17. Accessed on 05.01.2022, at <https://theconversation.com/austrias-lockdown-for-the-unvaccinated-what-does-human-rights-law-say-171911>.

though restrictions eased heading into summer 2022, it is foreseeable that new upticks in the virus every flu season will result in similar logics manifesting themselves alongside these previously articulated policies.

Conclusion

The COVID-19 pandemic brought about a massive dislocation and exposed the contingent nature of social reality. It led policy makers to exercise power and articulate new policies, identities, and responses to impending crises. The pandemic brought about a contingent moment in which decisions were made on what would be included and excluded from newly articulated discourse. This study has deployed a discursive theoretical approach to analyze ideas and language that were formulated by EU officials during the first two years of the COVID-19 pandemic. It drew attention to how specific identities were constructed throughout the height of the pandemic and leading into its second and third waves. Through assessing speeches given by high profile political actors that head the European Union, much has been revealed about the justifications that were used to put forward what turned out to be among the most wide-reaching restrictions on human movement in the history of liberal democratic societies. While many of these restrictions were reliant on previously established and functioning digital systems of surveillance, the implementation of these policies was, at the time, unprecedented. The pandemic marked a new period of history in which the interplay of restrictions and surveillance was formalized on a populational level across a continent of 500 million people. This analysis has revealed that EU commission members articulated policies in response to a health crisis in a fashion very similar to how political actors articulate ideas and messages in political domains.

Nearly two years removed from the onset of the pandemic, it appears that discursive articulations have been solidified and two new identities have emerged – the vaccinated, who constitute the “people” of the EU, and the unvaccinated, who are the civilians misinformed by disinformation, populism, and xenophobia. This study, like any, is not without its shortcomings. The analysis was limited to speeches and statements made by EU Commission members while speeches from other policy making bodies were not assessed. Along similar lines, attention was not given to the other side of the issue, that is, discourses in support of non-vaccination or from anti-restriction groups. Scholars in the future should be encouraged to carry out such an inquiry as this will lend support to how the chain of equivalence established by EU leaders – one in which they articulated a new regime of truth surrounding vaccination and “self-sacrifice” during the pandemic – was and currently is being combated by counter-hegemonic discourses.

Analyses of opposing discourses, such as those put forward by groups who protested against restrictions or vaccination policies, should also be performed to understand how certain discourses were victorious over others. Finally, comparing competing discourses (both from policy makers and opposition groups) will also be beneficial if the scope of analysis is expanded to other regions of the world, including North America and Asia.

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Discurso, antagonismos e identidades durante a pandemia de COVID-19

Este estudo utiliza a teoria da Essex School of Ideology and Discourse Analysis (IDA) e investiga discursos e declarações feitos por altos funcionários da Comissão Europeia, bem como documentos orientadores. A investigação revela que foi usada linguagem antagonista para justificar o rastreio e o acompanhamento de civis através da articulação de um significante vazio de “rastrear e acompanhar” e a articulação de novas identidades baseadas nos vacinados e não vacinados. Os decisores políticos articularam novas ideias à volta de um regime da verdade e de um “povo” comum enquanto negavam simultaneamente os oponentes às políticas pandémicas ao articular significantes flutuantes, incluindo xenofobia, desinformação e populismo. O exercício de poder nas políticas de saúde durante a pandemia funcionou de acordo com lógicas semelhantes às empregadas nos domínios políticos tradicionais.

Palavras-chave: Comissão Europeia; COVID-19; liberdades civis; União Europeia; vigilância.

Discours, antagonismes et identités pendant la pandémie de COVID-19

Cette étude utilise la théorie de l'Essex School of Ideology and Discourse Analysis (IDA) et examine les discours et les déclarations de hauts fonctionnaires de la Commission européenne ainsi que des documents d'orientation. L'enquête révèle qu'un langage antagoniste a été utilisé pour justifier le suivi et le traçage des civils par l'articulation d'un signifiant vide « suivi et traçage » et l'articulation de nouvelles identités ayant pour base les vaccinés et les non vaccinés. Les décideurs politiques ont articulé de nouvelles idées autour d'un régime de vérité et d'un « peuple » commun tout en niant simultanément les opposants aux politiques pandémiques en articulant des signifiants flottants, notamment la xénophobie, la désinformation et le populisme. L'exercice du pouvoir dans les politiques de santé pendant la pandémie a fonctionné selon des logiques similaires à celles employées dans les domaines politiques traditionnels.

Mots-clés: Commission européenne; COVID-19; libertés civiles; Union européenne; vigilance.