

Chapter 10

Covid-19 and the Politics of Migration Policy in Estonia



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10.1 Introduction

Since 2020, the coronavirus (Covid-19) pandemic has significantly impacted the governance of various areas of life across the world. It has clearly left its mark on international travel, movement and migration, but it is worth further examining the extent to which the influence is visible in migration policy. A recent article (Jakobson & Kalev, 2020) discussed the influence of the first Covid-19 wave on labour-migration policy in Estonia but, as several new trends have recently come to light, the issue merits further study. In this chapter I study a broader range of migration and mobility policy initiatives and management measures, especially from the perspective of the politics of migration policy.

Migration is one of the party-politically highly sensitive policy fields, possibly impeding policy evolution. This makes it interesting to study in terms of the Covid-19 policy response. The coronavirus outbreak was so widespread and explicit that it was not possible to rebrand it or talk it away. It necessitated a clear crisis response and intervention by the government but to what extent did this lead to actual or attempted policy changes?

Covid has also added to the cascading migration crisis and the related turbulent times and anxieties (see Chap. 1 by Jakobson et al. in this volume). Anxieties need not exist only at the level of migrants or host-society citizens – front-line bureaucrats, policymakers and implementers, politicians and media actors can also have anxieties and these are reflected in political and administrative processes and decisions concerning migration and integration. In this chapter I discuss the anxieties prevalent at the heart of policy politics – a political elite in policy contestation. The first waves of Covid provoked wide-ranging anxieties which affected the relative

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politicisation of the policy field. This then prompts the question of how these anxieties influenced political initiatives on policy content and their success.

Estonia is a good case for this study as it has had a relatively consistent migration policy evolving from its nationalist protectionist tradition towards the contemporary neoliberal setting. Migration has also been a highly politicised topic in Estonia (see Jakobson & Kalev, 2020). Furthermore, in January 2021 the national government changed from a conservative-leaning one to one based on a liberally oriented coalition. Thus we have a kind of natural experiment where the policy responses for the first and the subsequent Covid-19 waves evolved in a quite different political setting. This enables me to study the continuity and change of migration policy in different political contexts. I discuss both the extent of political influence over policy and the more- and less-influenced aspects in migration policy.

I start with a theoretical discussion where the concept of the politics of migration policy will be elaborated and operationalised for this study. Then the empirical approach will be developed and the Estonian case contextualised, studied and discussed, before the conclusions.

10.2 The Politics of Migration Policy

10.2.1 Conceptualisation

To study the politics of migration policy it is necessary to define and operationalise it. The political can be characterised as politics and policy in a polity (Sørensen & Torfing, 2017). *Polity* refers to the locus of politics, usually territorial and in the form of a nation state. This has only a contextual role in this chapter, while politics and policy are the main focus.

Politics is the political contestation over how public values and goals are defined, produced and allocated. This is based on the competition and collaboration, discussions, clashes and compromises between various political actors, such as government offices, political parties, interest organisations, social movements and citizen groups who seek to influence public priorities, regulations and activities. Politics is also the art of the possible, a person's partisan view of the public interest – in interaction with the others but also being active and using the power resources s/he has. People need to develop a convincing agenda and find allies, build majorities, aim for political power, gain and retain sufficient legitimacy and, if successful, also be competent and active enough to decide, regulate and implement policies.

Policy refers to the concrete problem-solving strategies that are produced through politics taking place within a particular polity. This is the key activity in the governing dimension of the political. Governing can be seen as a matter of both producing and renewing order. Renewal is about managing the process of change, constantly

innovating and dismantling the old solutions. Here, governing is the process of formulating and implementing public policy, in other words, the process of formulating, elaborating, implementing, evaluating and renewing regulation, policy programmes and measures on a political basis, based on agreements and legitimate power. Policy is thus the productive, innovative aspect of the functioning of public authorities.

We can study political activity based on several perspectives and premises (e.g. Hay, 2007). For this chapter a relevant distinction is made between the broad and narrow understandings of the political. In a narrow sense it takes place in formal public-governance institutions while, in a very broad sense, every human thought and activity can be seen as political. While the narrow definition is limited in omitting various political actors with political influence, the broad one is flawed in diverting attention away from key public decisions. Chatting about your personal hygiene to influence that of a friend can be seen as political but this is not a substitute for the politics of public-health policy.

Here, I pursue a middle course linking policy initiatives, decisions and implementation to public-governance institutions while seeing political contestation in broader terms: various societal, political and administrative actors seek to influence public policy and, while the political and administrative actors are focal, the others also have their opportunities. This is the key to the notion of the politics of a public policy: all kinds of political activity aimed at influencing the decisions and implementation in an area of public policy by public-governance institutions.

Migration policy is policy in the field of migration (Giugni & Passy, 2006). In this chapter, I understand migration in a relatively broad sense, encompassing both traditional international migration, cross-border commuting and mobility while leaving out internal movement. Thus the politics of migration policy encompasses various political activities designed to influence the decisions and implementation by public-governance institutions in traditional international migration, cross-border commuting and mobility – and the related administrative activities.

The politics of migration policy is both influenced by and, in turn, influences the migration regime (Eule et al., 2019; Pott et al., 2018). A migration regime forms the practical context in which the politics of migration policy is enacted, while the official version in force (i.e. legislation and regulation) provides the key content and foci of the migration regime.

There are various accounts of the politics of migration (e.g. Spencer, 2003), migration policy (e.g. Giugni & Passy, 2006) and governance (Carmel et al., 2021) and its relations to migrant participation (e.g. Odmalm, 2005) as well as migration governance (e.g. Betts, 2012) or the political aspects of administrative practices (e.g. Kretsedemas, 2012). At the same time, my understanding is that scholarly discussion in the field would benefit from a more elaborate utilisation of the literature on public policy – and especially the politics of public policy. Some perspectives relevant to this discussion I outline and operationalise below.

10.2.2 Operationalisation

The practice of political activity can be characterised at two levels. At the system level, it broadly follows the Baumgartner and Jones (2009) model of punctuated equilibrium, i.e. periods of incrementalism punctuated by periods of rapid change. Incremental adjustment has various sources such as negative feedback, i.e. the counter-reaction of others to some actors' success; policy monopolies or the hegemonic position of certain actor(s) in a field and the corresponding inertia – i.e. the tendency to maintain the existing situation. Rapid change is based, for example, by focusing events such as sudden external factors necessitating action and positive feedback – i.e. the realignment of other actors in support of change and encouraging further similar changes. Here, agenda-setting and control are of key importance, depending on the interactions of actors over policy images and structured by policy venues. Some actors seek to foster a policy agenda; others to oppose it.

This brings us to the agency perspective (e.g. Zittoun, 2014). Actors can be more idealist or pragmatically oriented but, whatever the considerations, they will act in support or against a policy or remain neutral. To foster or avoid change, a promoting actor needs to have a convincing message and a sufficient supporting (advocacy) coalition. There is a trade-off: to attract more actors into the coalition, the promoter of change needs to broaden its message; however, when the message becomes too broad, it will not persuade the general public. This is broadly similar for the opponents of change. As actors, both politicians, parties and public officials develop various contacts seeking to foster a policy line or meet personal ambitions. More ideologically oriented actors also have to find strategies for the cases where their policy images are not appealing enough.

The stakeholders in policy processes are not just participants. They are also target groups of public policy, positive and negative beneficiaries of policy initiatives and measures. Like this, the politicians are consciously or unconsciously building up the benevolently and negatively treated groups (Schneider & Ingram, 1997). We can distinguish between the groups perceived as strong or weak, deserving or undeserving. Politicians have the tendency to promote strong and deserving groups while punishing the weak and undeserving, creating spirals of (over)growth and marginalisation that are detrimental for democracy. The other groups are a mixed political target.

In migration policy, too, some groups can be seen as almost universally positive (e.g. rich and collaborating expatriate investors) while most are seen negatively. However, the temptation to restrict or ban immigration is further balanced by some powerful interest groups – e.g. entrepreneurs who are internationally active or need foreign labour. So, for most parties, migration is a mixed terrain, although extreme nationalist or globalist parties seek support based on their strong agenda in this domain.

This is taking place in the context of a wider shift in democratic politics and governance, which is affected by growing societal fragmentation, mediation and the divergence between front and back politics. The fragmentation of citizens'

preferences leads to more manipulative relations between political parties and their members and voters. This is amplified by mediation – i.e. the adaptation of politicians to the thirst for colourfulness of the commercialised mass media and their enhanced ability to manipulate it. Politicians specialising in spectacle politics and power relations do not have enough time to develop substantive policy and governance, so they engage in technocratising initiatives such as agencification, marketisation, juridisation and justicialisation (Papadopoulos, 2013).

As a result, frontstage politics aimed at voting deviates from backstage politics aimed at governing. A kind of double game develops, knit together by strategic communication management (Louw, 2010). This could explain some of the stability in various policy areas that are managed mainly via backstage politics. In other words, they are depoliticised, taken out from public political debate in various ways. This initiates the counter-reaction of anti-politics (Fawcett et al., 2017) and the rise of new populist movements and parties challenging the mediatised technocratic management (De Vries & Hobolt, 2020; Kaltwasser et al., 2017). The immigration issues are of particular importance for the new nationalist right (Eatwell & Goodwin, 2018).

On the one hand, all this is just part of the contemporary dynamics of party politics. On the other, it much defines the political opportunity space for politically initiated migration policy change. As the nationalist conservatives have a strong interest in restricting immigration and the centrists are willing to compromise for power, the current playground generally favours political initiatives towards more restrictive immigration policies. This is, in turn, balanced by administrative inertia and the relatively strong economic interest groups seeking more affordable workers.

10.2.3 Covid-19 as a Focusing Event

Focusing events are situations that raise policy-makers' awareness of a problem. These might include disasters or crises, tragic incidents, terrorist attacks and disruptive changes in technology – or more routine events such as elections. Events do not directly result in policy change but present an opportunity for people or coalitions to exploit, and so could be the basis for policy change.

There are different approaches to the concept of focusing event (DeLeo et al., 2021). This chapter is based on a broad approach (Baumgartner & Jones, 2009; Kingdon, 2003) where focusing events are relatively sudden and external to the policy process but have an impact on it. As the originator of the concept, John Kingdon posited that: 'problems...need a little push to get the attention of people in and around government'. Pushes come in the form of a focusing event or a 'crisis or disaster that comes along to call attention to the problem, a powerful symbol that catches on, or the personal experience of a policy-maker' (Kingdon, 2003, 94–95). Focusing events are thus an important contributor to policy change, highlighting the salience of some policy issues.

Not all focusing events lead to policy change. It may be insufficient just to have an event – windows of opportunity open as experience accumulates with events over time (O’Donovan, 2017). However, they should also not be downplayed. In order to have more influence and open a window for policy change, a focusing event needs to have a significant effect – e.g. in terms of the number of people affected and the geographic extent of harm caused – or be recurring, thus accumulating attention (Birkland, 2006; Kingdon, 2003; O’Donovan, 2017). Suddenness and claims of unforeseeability enable the responsible policy actors to shift culpability from human frailty to chance occurrence (Stone, 2012). Framing and the institutional arrangements within a policy domain can also influence the power of the event (DeLeo et al., 2021). Focusing events tend to be easily dramatisable, attractive to the media and able to dissolve policy monopolies (Baumgartner & Jones, 2009).

Focusing events have long been related to migration. For example, the great depression of 1929, the oil crisis of 1973, the 9/11 terrorist attacks, the financial crisis of 2008 and many others have been seen as focusing events followed by restrictions to labour immigration (Koser, 2010). While the Covid-19 crisis differs from these in many respects, there are at least two similarities which can be conducive to focusing events: the magnitude of the crisis and the high probability of long-term effects. Here, I focus more on the more immediate utilisation of this event by political actors. Covid-19 created a crisis and undoubtedly forced governments to respond and take measures. It was also an event of unexpected characteristics, scope and impact. In this sense it was clearly a potential focusing event that was also well dramatisable and usable as a basis for political initiative. So what happened more precisely and from the operationalised perspective of the politics of migration policy?

10.3 Empirical Approach

To answer this, I study the political processes in migration policy in Estonia that unfolded as Covid-19 spread. After discussing the development and main factors of Estonian migration policy as the contextual background, I focus on government-related policy initiatives and changes, either by the government or the coalition parties.

I mainly adopt a process-based view of the political dynamics, as the proposals and measures were hectic and of diverse content. I take the existing migration regulations, policy and measures as the basis and study the policy initiatives and changes in two periods: March 2020 to early January 2021 – the Ratas government, the first Covid wave and the beginning of the second wave – and January to July 2021 – the Kallas government and the main part of the second Covid wave. It is thus a single case-study with two timepoints (periods).

Based on considerations of clarity and scope, I focus on the government-initiated policies and measures and the related politics. Most of the regulations, political debate and dynamics are in labour immigration policy – which will also be at the

core of the analysis. This will be complemented with other areas where policy changes or government initiatives have occurred in recent years. In addition to the time-based view, I examine the key general characteristics of Covid-19 policies and measures – e.g. whether the situation of emergency was declared and compensations enacted and the ways in which movement was restricted. I pay special attention to regulatory changes and their sources, as well as the accompanying political debate.

For the first wave, I base my analysis on the empirical material gathered for the previous study (Jakobson & Kaley, 2020). A timeline of key events, policy changes and initiatives was constructed by studying the key web media channels (Postimees, Delfi/EPL and ERR), complementing this with government press releases and legislation. I include in the timeline and content the wider policy lines and measures of relevance for migration policy and some aspects of politics relevant for the framework.

I primarily base the second wave on studying government Covid-19 news websites (valitsus.ee, kriis.ee), looking at both the content and the timeline and complementing it with legislation if needed and some additional mass-media news on political contestation on the key events. My main method is to qualitatively analyse these web texts to establish the timeline of events relevant for the parameters of the politics of migration policy established in the theoretical part.

I study the above-mentioned questions focusing on selected aspects. This enables an in-depth view and insights into the practical dynamics of migration policy-making. My approach is abductive: being theoretically informed, I look at the development of events broadly inductively. On the one hand, the scope of explanation is limited by such choices; however, on the other, the resulting in-depth knowledge can be the basis for analysing other countries and contexts.

The selected aspects of study are the government regulatory initiatives on migration policy and the accompanying political debate. This demonstrates the stability of the dominant policy direction or the interest in changing it. I focus on the regulatory initiatives as presented in press releases and media content and on the related mass-media discussions of key political actors, including political parties and key interest groups, which all informs the main political lines and strategies of key actors.

One key interest is to see how the politics of policy plays out in a politically loaded policy field during a crisis. Here I examine the existence and success of the political initiatives to change migration policy, the relationship of frontstage and backstage politics, the difference between governments with a conservative and those with a liberal orientation, the possible relevance of a national populist party being in government, the significance of policy coalitions beyond political parties and the relative ease or difficulty of manipulating policy target groups for party-political profit.

The other key interest continues from our previous study (Jakobson & Kaley, 2020) which demonstrated that Covid-19 had the properties of a focusing event but, as migration-policy change was still unfolding, further research was necessary to establish whether it produced results. This chapter also elaborates on the

perspective of major policy changes and discusses them not only in migration policy but also in other relevant policy aspects.

10.4 Estonian Migration Policy and Politics: Background Context

The key influences on Estonian migration policy are Soviet-time traumas and post-independence international openness (e.g. Jakobson & Kalev, 2020). State-led resettlement measures from other parts of the Soviet Union produced fears of persisting as a nation backed by the fact that around 40 per cent of the population was Russian-speaking at the end of the Soviet era (it was less than 10 per cent before the Soviet arrivals). At the same time, Estonians embraced free international mobility after regaining independence in 1991 – and especially the free movement after joining the European Union in 2004.

Thus, on the one hand, Estonia introduced a strict annual immigration quota of 0.1 per cent of the resident population – 1314 permits in 2020. On the other, around 10 per cent of 1.3 million Estonian citizens resided permanently abroad (Statistics Estonia, 2020), while a similar proportion worked abroad but then returned: according to the European Social Survey, 10.5 per cent of Estonia's respondents had worked abroad for at least six months in the preceding 10 years, one of the highest shares in all of Europe according to the European Social Survey. This indicates that there is also notable return migration as well as constant labour-related commuting, particularly between Estonia and neighbouring Finland.

In migration policy, Estonia is relatively open to student migration: students accepted by accredited universities are allowed to live and work. Family migration is mostly outside the regulatory domain and the quota is not applied to them as it is considered a basic right for Estonian citizens and permanent residents. Estonia does not have an emigration policy but has a compatriots' policy and a general concern over demographic sustainability. Most of the regulations, political debate and dynamics are in labour immigration policy.

Over the years, Estonian immigration policy has become increasingly flexible and pragmatic as the structural labour-force shortages within the country have been alleviated by gradually increasing immigration and mobility. Although the number of residence permits for remunerated activities is still regulated by the quota and a wage criterion to avoid the usage of low-skilled immigrant labour (foreign workers have to be paid at least the national average salary), numerous exceptions have been made to the quota to foster labour immigration with higher added value, such as start-up entrepreneurs, IT specialists, engineers, researchers or other highly skilled specialists, who earn at least double the average salary and are exempt from the quota (Aliens' Act 2021, §115).

In addition to the residence permits issued for up to five years, labour migrants can also work in Estonia while holding a visa or being in Estonia based on a

visa-free regime, provided that they register their short-term employment with the Police and Border Guard Board (PBGB) and that they are paid at least the national average salary. Since 2018, third-country nationals can work in Estonia for up to one year in a 1.5-year timeframe (Aliens' Act §106) and the duration of the D-visa has been extended from six months to one year (Aliens Act §60).

After the transposition of the respective EU directives, labour migrants can, from 2017 onwards, also come to Estonia as seasonal workers in select sectors – agriculture, forestry, fishing, food and non-alcoholic-beverage production, hospitality and catering (Government Decree, 2017). While there is no average salary threshold for seasonal workers, their employers have greater obligations (e.g. providing housing or the obligation to pay a salary even if the contract is terminated prematurely) and the period of stay is shorter (nine months during one year).

The Estonian labour immigration system is relatively flexible and easy to administer. The system can be seen as beneficial for the host society and employers in sectors of higher financial added value as well as some special pockets that benefit from seasonal-work migration, most notably agriculture, while the migrants' situation is more precarious: only a limited number of labour migrants (mostly white-collar specialists) have access to a longer-term residence permit that also makes them eligible for greater social benefits. In practice the incoming mobility of third-country labourers has also picked up, along with the shrinking of Estonian emigration in recent years (Jakobson & Kalev, 2020).

Migration policy is politically highly loaded in Estonia, based on the already-mentioned trauma of the Soviet-time settlement and the fears of survival as a nation. Since regaining independence, the national cleavage has been one of the key factors in Estonia's party politics (Saarts, 2017) and the 'Russian card' is a resource in national election campaigns. The existential fears have, over the years, been rhetorically used and were later also extended to new immigrants. A notable case was the European Union resettlement and reallocation quotas in 2015, whereby the governing parties had to popularise a scheme which they had opposed in the elections some months earlier. This boosted the nationalist conservative populist party EKRE, where criticism of the new immigration flows gained ground along with the Russian card and demographic survival (e.g. Jakobson et al., 2020).

EKRE made a significant breakthrough in the March 2019 national elections, gaining 19 per cent of parliamentary seats and entering a coalition government led by Jüri Ratas of the social-liberal Centre Party while the other coalition partners were conservative – the EKRE and Pro Patria Party. Thus, the government marked a shift to the nationalist-conservative direction. Among other aspects, the neoliberal trend in migration issues lost political support. Such debates had already taken place under the previous government on the United Nations Organisation migration compact between Pro Patria and the Social Democrats, which had resulted in a crisis at the end of 2018. Now Pro Patria was reinforced by EKRE and more-restrictive migration policy gained momentum.

10.5 The First Wave

During the early stages of the Covid-19 outbreak, the government did not react strongly. While most of the rhetoric appealed for calm and for trusting the professionals and government, EKRE's leaders originally imitated a Trumpist downplaying rhetoric. As late as 27 February 2020, EKRE's then leader, Mart Helme, made a later much-ridiculed statement at a government press conference claiming that, in his youth, the virus would not have been diagnosed separately from the common cold and would have been successfully treated by warm socks, goose fat and blue-tongue patches (GPC 27.02.2020).

This was paralleled by the easy-going position of the public-health authorities which included controversial decisions such as allowing Northern Italian athletes to compete in a 2019–20 CEV Challenge Cup volleyball game on Saaremaa Island, where a major first wave of the virus in Estonia broke out (ERR 6.04.2020). As a result, Estonia became an early hotspot of Covid-19 with the first confirmed case on 27 February 2020, confirmed cases rising rapidly from mid-March to mid-April and a general uncertainty because of the relatively slow start and limited testing (most cases were probably not registered).

The government rapidly changed course and, on 12 March 2020, an emergency situation was declared nationally that lasted until 17 May 2020 (valitsus.ee eriulukord). A special Government Emergency Committee was set up, headed by the prime minister and making use of the additional powers of emergency legislation (Emergency Act). Restrictions included bans on public gatherings – including sports and cultural events – and on visitors to care homes, hospitals and detention facilities, and the closure of schools and universities (ERR 13.03.2020).

As EKRE opted for an emergency agenda, Covid sceptics had little political leverage. There was widespread political support for containing Covid across the political spectrum. This enabled the government to make major changes in economic and social policy, as large-scale public support measures were introduced as compensation for Covid damages for enterprises and people mostly funded by national debt (valitsus.ee toetused). Estonia's earlier crisis response had been neo-liberal austerity. The support measures helped various groups of people to alleviate Covid-related hardship and most weathered the crisis in economic terms.

With regards to the movement of people, the government originally restored its border control, with health checks at every crossing and entry point. Full border controls were set up from 17 March on, with only citizens of Estonia, permanent residents, their relatives and freight transport workers allowed to enter the country (ERR 15.03.2020). Thus, workers with temporary residence permits and visa-based workers could not enter Estonia but those who were already inside the country could continue working if allowed under the general restrictions. The stay of temporary workers was extended by various legal instruments up to 31 August 2020 (Aliens Act §309.12, order by the Minister of the Interior 1–3/59 from 18. May 2020).

The government decided to halt the issuing of visas to third-country nationals, reintroduce border controls and close the border to everyone except Estonian

citizens, permanent residents and transporters of essential goods, repairers of essential equipment and those providing essential services (Government Order, 2020). Subsequently, international air travel as well as the ferry traffic between Tallinn and Helsinki essentially stopped. From 16 March, the issuing of visas in Estonia's foreign embassies was halted (GPC 16.03.2020) and a 14-day self-isolation requirement was introduced (Order of 16.03.2020).

Those third-country nationals who were already in Estonia could apply to extend their visa or residence permit until 31 July 2020 (later extended to 31 August 2020). If they became unemployed or their period of short-term employment (365 days in the past 455 days) was exhausted, their visa was terminated prematurely (Aliens Act §52 (1)⁹) but they could remain in the country until 31 July 2020 (later, this was extended by a month), even though the Aliens' Act was amended so that the short-term employment period could be extended by two years in 2.5 years (Aliens Act §106 (1)⁶). The amendments were made in order to avoid having to deal with a considerable number of irregularly staying immigrants later.

As the farming season was starting, a further exception was made and the extension of the employment period was granted to those short-term labour migrants who were already working in agriculture or were willing to take up employment in this sector (European Commission, 2020). Yet, as only a few seasonal workers had arrived by March and many farmers already had prearranged contracts with their farmhands in Ukraine, the agricultural entrepreneurs became the most vocal critics of the restrictions. The farmers claimed to be short of at least 2000 seasonal workers and, while the unemployment rate in Estonia rose slightly (from 4.4 per cent in the last quarter of 2019 to 7.1 per cent in the second quarter of 2020), they were sceptical about whether the recently unemployed would be willing to work in agriculture before the autumn (EPKK, 2020a).

The Ministers of Rural Affairs and of the Interior – and other politicians from EKRE – opposed seasonal labour migration in principle and tried to reframe the argument in more structural terms by claiming that entrepreneurship models depending on cheap migrant labour were outdated and that the employment of 50,000 newly unemployed Estonians and returnees from Finland needed to be prioritised (Ivask & Matsalu, 2020). Practical steps were also taken with draft bills that would allow the recently unemployed to temporarily work in agriculture without losing their unemployment benefits (Aller, 2020). The farmers accused politicians of endangering the sustainability of domestic agriculture and gave the example of Finland, where seasonal workers were allowed into the country as essential workers despite travel restrictions (EPKK, 2020b).

There was no consensus in the governing coalition over migration policy. While EKRE and the Minister of the Interior, Mart Helme, in particular, were trying to enhance restrictions on immigration, the other partners did not approve of extensive restrictions, as they would negatively affect the Estonian economy: short-term labour migrants had already become a notable group of taxpayers and an indispensable workforce (Delfi 8.08.2019, ERR 9.04.2019, 20.01.2020, 7.10.2020). The proposals also drew criticism from societal actors – for example, employers' organisations were critical of changes (ERR 15.01.2020).

With regard to labour mobility and migration, the restrictions introduced by Finland were clearly the most painful, as it has for decades been the major host country for Estonians working abroad. Latvian restrictions were also a point of concern, especially for the border city of Valga-Valka (GPC 16.03.2020).

Finland declared a state of emergency and, on 19 March (becoming effective 22 March), the Finnish government halted entry for those workers whose permanent residence was in Estonia (cross-border labour migrants). Estonian workers registered to reside in Finland were allowed entry but subjected to 14 days' quarantine. There were some exceptions (e.g. for medical workers, family reasons etc.) but, for most people, the cross-border opportunities ceased (vm.ee soome). However, Estonian workers were given the opportunity to return to Finland if they wished and were able to continue working there during the pandemic lockdown, which many of them did. Apparently, many sectors in which Estonian commuters worked did not shrink but even grew during the pandemic – for instance, the construction sector began to receive even more orders, as many schools ordered renovation work during the period when in-class learning was halted (Kortelainen, 2020).

While the Estonian government made attempts to counter-persuade its Finnish colleagues (Pealinn 20.03.2020), this did not succeed. Reopening the Finnish border for labour migration was a continuing concern for the government (Good News 29.04.2020). The Finnish government lifted restrictions for labourers in Estonia from 14 May (Delfi 4.05.2020) and restrictions for everyone were fully lifted on 15 June (vm.ee).

As the spread of virus was fairly effectively stopped and confidence rose, Estonia started to gradually ease the restrictions as of spring 2020 and the emergency situation ended on 17 May. For travel, a major liberalisation took place from 1 June: Estonia allowed entry to individuals without symptoms arriving from a member state of the European Union, the Schengen area or the United Kingdom of Great Britain and Northern Ireland. This was later extended to other countries, based on government decisions and with a regularly updated list available from the web. The coronavirus emergency gave way to the usual politics and policy-making.

While EKRE tried to use the closed-borders situation to shift Estonia towards a more restrictive migration policy, the other coalition partners opposed the suggestion and were, instead, working towards opening borders. The government vetoed Helme's initial plans for enhanced restrictions on study and labour migration after the state of emergency had ended and, consequently, the borders were opened again for such migrants in July. For instance, the Ministry of Foreign Affairs, led by a minister from Pro Patria party, coordinated the opening of the so-called Baltic bubble in late March, a free-movement region for the residents of Estonia, Latvia and Lithuania and later also persuaded Finland to join.

At the same time, under the justification of fighting Covid-19, EKRE managed to utilise its political control over the Ministries of the Interior and of Finance to introduce some procedural blockages and create inconvenience in migration-related aspects – e.g. uncertainty about universities accepting students in the admissions period in order to apply pressure on their government coalition partners. Finally, in July, the government agreed to some enhanced regulations on study and labour

migration, such as the obligation for the receiving institution (e.g. the employer) to ensure the testing, transportation and a 14-day period of self-isolation of newly arrived immigrants before they can start work, as well as new restrictions on seasonal migration – i.e. the salary requirement for seasonal workers and the reduction of the time limit of seasonal work from nine to six months per year. The bill was drafted and sent to parliament (Draft Law 617).

10.6 The Second Wave

10.6.1 The Ratas Government

Covid cases increased somewhat in September and significantly in November 2021. In early autumn, measures were mostly related to the wave in many European countries – for example, a faster testing procedure was introduced in addition to the 14-day quarantine requirement (kriis.ee 18.10.2020, 13.01.2021). Testing opportunities were expanded at Tallinn airport and harbour (kriis.ee 31.08.2020) and the quarantine period shortened to 10 days from the end of October (kriis.ee 29.10.2020).

While the government urged people to behave responsibly (kriis.ee 22.09.2020) and introduced some domestic restrictions (kriis.ee 24.09.2020), it endeavoured to keep cross-border movement open, especially with Finland, Latvia and Lithuania (kriis.ee 25.09.2020), although introducing an exception for the Valga-Valka border town. Estonia also supported the European Union Council initiative on harmonising the basic framework for travel (kriis.ee 9.10.2020).

In November and December, several sets of Covid restrictions were introduced that were broadly similar to those in the spring (kriis.ee 12.11.2020, 3.12.2020, 4.12.2020, 9.12.2020, 29.12.2020, 7.01.2021). Additional support measures were also introduced (kriis.ee 18.12.2020, 23.12.2020).

In migration policy, too, the spring rationalities and measures were broadly followed with the exception that the extraordinary situation was not proclaimed and the practical restrictions were somewhat milder. The key to the government policy in the area, the reform package on students and seasonal migration agreed in spring, was slowly moving through the parliament and the agreement within the coalition held, so there was just the usual opposition and interest-group critique but limited debate. By the beginning of 2021, the package was close to adoption. There was no significant need for seasonal workers in winter and hence practically no debate.

10.6.2 The Kallas Government

In January 2021, the government changed. This was based on the tensions in other political issues, especially the referendum on defining marriage as only between a man and a woman in the national constitution and the fiery soundbites by EKRE, as

well as the corruption charges against the Centre Party and EKRE officials. On 13 January, Jüri Ratas resigned as Prime Minister. The new Prime Minister, Kaja Kallas and her government were sworn in on 26 January (valitsus.ee 26.01.2021). The new coalition was headed by the Reform Party and the Centre Party remained a coalition partner. The orientation of the new government was liberal, and the nationalist and conservative EKRE and Pro Patria ended up in the opposition.

The new government was initially somewhat optimistic about the Covid situation. The Reform Party had criticised the government for its too-extensive restrictions and now employed a liberalising rhetoric. Some restrictions were discontinued and children returned to schools. Such initial optimism drew criticism from a former health minister, Ossinovski, from the opposition (ERR 8.03.2021).

Cases of Covid surged swiftly and the second wave arrived in Estonia with unprecedented infection numbers. As a year earlier, the government swiftly changed course and imposed severe restrictions (kriis.ee 29.01.2021, 2.03.2021, 9.03.2021). Public compensation measures were continued (kriis.ee 4.03.2021), a remarkable difference from the former Reform Party agenda.

As the number of cases started to fall, the government gradually eased restrictions in May (kriis.ee 20.04.2021, 29.04.2021, 13.05.2021).

With the change in government the migration reform package fell off the legislative agenda, thus the political initiative and bargaining came to nothing. As the political initiative waned, several judicially and administratively oriented activities moved onto the agenda. For example, the National Court voided the paragraphs in the Aliens Act that prohibited complaints on the decisions to revoke the temporary right to stay (*Riigi Teataja* 20.04.2021). A ‘super-database’ of the personal data of inhabitants and travellers was legislated amid considerable public outcry (Postimees 29.06.2021) while the Covid super-database was delayed over the summer (EPL 29.06.2021).

EKRE aligned itself with public dissatisfaction, participating in the demonstrations and partly taking on the role of the promotor of the demonstrators’ agenda (Delfi 14.04.2021). However, the foci were domestic, so the migration agenda was also on the backburner for EKRE. The former battles over seasonal migrants and students faded from public debate.

In administrative practice, some changes were introduced to better account for the increasing number of vaccinated or cured persons moving across borders (kriis.ee 5.04.2021). The government supported similar European Union initiatives on the easier movement for fully vaccinated people and those who had fully recovered from Covid (kriis.ee 8.06.2021).

10.7 Discussion and Conclusions

The main contextual factors are summarised in Table 10.1. We can see a broad continuity in the policies and measures and a gradual decline in political initiative. The decline in initiative already started under the Ratas government and became clearly

Table 10.1 Main contextual factors

Measure\Period	First wave	Second wave	
	Ratas 2020 Spring	Ratas 2020 Autumn	Kallas 2021
Situation of emergency	Yes	No*	No*
Movement restrictions	Yes	Yes	Yes
Special attention to neighbouring countries concerning movement	Yes	Yes	Yes
Public compensation for Covid-19 restrictions funded by loans	Yes	Yes	Yes
Migration-related legislative initiatives	Yes	Yes	No
Political debates leading to or accompanying the legislative initiatives	Yes	No	No
Migration-related judicial and administrative changes	Yes	Yes	Yes

visible in the Kallas government. This may be related to a decline in the novelty of Covid or the resurfacing of the administrative agenda, but there are also political aspects. EKRE was unable to make significant policy changes over its term in government and, thus, when the Reform Party re-entered government, it was also satisfied with the migration policy that was legislated earlier, during its own long term in government. At the same time, these Covid-related new measures that were legislated or introduced – such as public compensation measures for crises damages – have also stayed, at least initially. This indicates the relative difficulty in making political change.

The Covid-19 outbreak had a clear impact on the operation of the government and administration in Estonia. With the first unexpected wave and still underprepared in the second wave, the government took various emergency measures, restrictions and compensation for these. This was also the case in governing migration, where travel was restricted, the issuing of visas stopped (during the first wave) and several other extraordinary or temporary measures were taken. In this sense, the Covid-19 crisis was not only a potential but also a practical focusing event in its first and second waves.¹

However, all this mostly concerned the administration. For migration policy, the situation is more ambivalent. We saw a clear political initiative to restrict migration throughout the first wave and Ratas' government. This was spearheaded by EKRE and supported by the coalition partners. However, it took time for EKRE to define the target groups that enabled it to continue with its rhetoric and that the other government coalition partners accepted as being restricted. In this process the

¹With later waves, the moderation of the virus, spread of vaccines and the increasing resilience of people to Covid, we notice an increasing normalisation of the disease and the crisis it caused. The practices and politics of normalisation could be a separate interesting topic of research. In this chapter the focus has been on the clearly more crisis-generating first and second waves of Covid that were accompanied by large-scale emergency measures.

emphasis shifted towards politically weaker groups: while seasonal workers remained a target group, students and their family members were seen to become an additional burden in the bill. We can note the tendency of restricting the weaker migrant categories while being cautious with the stronger ones, seen as more 'desirable'. We are thus reminded of the cautions posited by Schneider and Ingram (1997) on the potential dangers of the spiralling bias. However, the coalition partners' support for the initiative was quite modest and based on a broader compromise (Postimees 6.07.2020).

So, the political initiative only gradually found its feasible targets and measures as well as its supporting coalition. We see a Zittoun-style (2014) logic in the step-wise building up of the agenda and the supporting coalition. However, the counter-coalition involved many experts and powerful business actors besides opposition parties; thus the government's interest in change was quite weak. EKRE managed to use its position in government both to bargain with the coalition partners and to take some administrative emergency measures in line with its agenda.

However, the political agreement was not legally enacted by the time the national government changed; the migration reform bill was discontinued and the issue fell off the core political agenda. The new coalition was broadly satisfied with the existing regulations and its political emphases were elsewhere. Thus Covid-19 was sufficient as a basis for policy change but, as making the change depends on politics, it eventually did not happen. This is in line with the idea of focusing events as opening only potential windows of opportunity.

The conservatively and liberally oriented governments were broadly similar in their Covid-19 containment measures but had a clear difference in migration policy preferences. While EKRE and, more broadly, the conservatives, pursued migration-policy change, the liberal coalition was satisfied with the existing one and took policy initiatives off the table. However, the financially much-more-interventionist crisis-relief policy of the Ratas government endured during that of Kallas – it is much easier to stay with an existing policy than to change it.

Its government experience somewhat moderated EKRE, as it has toned down its political rhetoric and initiative, at least in the field of migration. Also, as EKRE was in government and adopted the idea of fighting the crisis, the possible Covid-19 sceptics lost their potential party-political promotor: even in its new opposition role, EKRE has not adopted a straightforwardly anti-Covid containment agenda. This is an encouraging signal that the contemporary new political forces seem to be at least somewhat reflective based on their practical government experience. While immigration is a traditional target for aspiring nationalist-populist political parties, keeping it politically profitable for these parties that aim to govern seems to require a nuanced restrictive approach.

Migration regulations and policy remained quite stable during the first waves of the pandemic. The extraordinary measures were mostly temporary and when they were discontinued the pre-pandemic situation returned. There were some changes based on judicial and administrative initiatives such as enacting super databases and voiding the regulation prohibiting complaints on the decisions to revoke the temporary right to stay. These support the idea of backstage politics and mostly emerged

during the second wave, when Covid-19 was seen as manageable. It also supports the idea of a top-down-driven technocratisation and the accompanying depoliticisation. The initiatives on ‘super-databases’ created a societal counter-coalition supported by EKRE from the opposition that can be seen as anti-politics.

As for turbulent times, too many anxieties do not necessarily support political policy initiatives. A policy field regularly entails anxieties due to the nature of political process – the first waves of Covid added a new crisis layer to the existing anxieties. Based on the case under analysis, these increased anxieties could build up momentum for policy initiatives for some interested actors but not necessarily generate broader support for political decisions on legislative changes. Anxieties could also lead to cautiousness among the political elites.

All in all, this study indicates that the heavy politicisation of a policy field does not necessarily support the success of politically driven policy change. Instead, policy remained quite stable and the successful changes were technocratic. Such backstage politics leads to popular counter-reactions but anti-politics achieves little. This is not the whole picture as, in 2012–2015, migration policy was significantly reformed based on a combined initiative of government politicians, business actors and administrators (Kalev, 2015). Nevertheless, it is clear that the politicisation of a policy field is not necessarily favourable for a politically driven policy change.

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