Efficient and Democratic Governance in the European Union

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CONNEX Report Series Nr 09
ISSN 1864-1539 / 9
Online: http://www.connex-network.org/series

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Mannheim, August 2008

Cover, Layout & Typo by: Thomas Schneider, Oliver Schommer (MZES)
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Chapter 13

The Legitimacy of the EU After Enlargement

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The main objective of the 2004 European Election Study (EES) was to assess the effect of the 2004 enlargement on the legitimacy of the European Union.

Basically, there are two different methods for assessing the legitimacy of a political system. First, by evaluating the political system against criteria derived from normative theory. Secondly, by assessing to what extent the political system is right in the eyes of the beholders, i.e. the members of a particular polity. In the 2004 EES we did both, but in this paper I limit myself to the first method. In order to apply this method, it is necessary to elaborate a normative theory and then to specify criteria against which political reality can be evaluated. In our study we developed a set of criteria with regard to three dimensions of legitimacy: Identity, representation and accountability, and performance. Here I limit myself to the representation aspect.

In most contemporary theories of democracy, democracy is tantamount to electoral democracy. Of course, the idea of electoral democracy has been developed in the context of the nation-state and it is still a matter of dispute
whether it is applicable to the European Union. At least the Treaty on European Union as amended in the Lisbon Treaty of 2007 leaves little room for doubt. In article 10, the principle of representative democracy at the European level, with a key role for European political parties, is explicitly recognized:

1. The functioning of the Union shall be founded on representative democracy.
2. Citizens are directly represented at Union level in the European Parliament.
3. Member states are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national Parliaments, or to their citizens.
4. Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union².

In this article two different channels of political representation are recognized. In addition to the national channel, ‘Citizens are directly represented at Union level’.

In contrast to the national level, the necessity of a full blown system of representative democracy at EU level is still a matter of dispute. There is an ongoing debate in the literature on the question whether or not electoral democracy at the European level is needed. Different answers to that question are related to different views on the kind of organisation the European Union is and to different normative views on democracy. This is not the place to review this literature, but once one accepts the argument that electoral democracy at the level of the EU is needed, one can specify more specific criteria against which the daily practice of EU politics can be evaluated.
The view on representative democracy expressed in the treaty is remarkably consistent with the *model of party government*, the dominant model of political representation in the political science literature. According to this model, elections can function as an instrument of democracy when the following requirements are met:

1. Voters do have a choice, i.e. they can choose between at least two parties with different policy proposals.
2. Voters do vote according to their policy preferences, i.e. they choose the party that represents their policy preferences best.
3. The internal cohesion of parliamentary parties is sufficient to enable them to implement their policies.
4. The party or coalition of parties winning the elections takes over the government.

It might be obvious that this is a set of stringent and perhaps unrealistic requirements – even at the national level - but they offer a useful conceptual framework to evaluate the effectiveness of the process of political representation in any polity.

According to the dominant political science literature, none of these essential requirements of the process of political representation operates effectively at the European level. First, despite the increased - and perhaps underestimated - powers of the European parliament, it does not form and control a European government, for the simple reason that there is no such thing as a European government, at least not in any traditional sense of the concept. Therefore, it hardly needs to be argued that at least one requirement of the system of party government, the formation and control of the government by a majority in parliament, is not met.

In our study we focus on how well the remaining requirements of the model of party government are met, i.e. the requirements referring to political parties and voters, both before and after enlargement.
The traditional verdict on this process is hardly less negative. According to the party government model, political parties are supposed to supply different policy platforms for the voters to choose from. At the European level this does not occur. European political parties as such do not compete for the votes of a European electorate. European elections are still the arena of national political parties which compete mainly on national issues. Also, voters make their choice on the basis of their opinions on national issues and their perception of the position of national political parties on these issues. As a consequence, European elections fail as an instrument of democracy at the European level, i.e. they fail to express the will of the European people on European issues, i.e. issues with regard to the process of European integration itself.

The remedy, according to some observers, is for political parties to organise themselves at the European level and try to win elections on European rather than national issues. However, as argued before, this argument is disputable. The idea that elections for the European Parliament should be campaigned for on so-called European issues is based on a fundamental misunderstanding. Formal decisions on a further transfer of sovereignty from the national to the European level and on enlargement are subject to the intergovernmental regime of European decision-making. They need the consent of national governments and are, at least in principle, under the control of national parliaments and national electorates. Therefore, the interesting paradox is that what usually are called European issues are basically national issues. As far as the existing party system fails to offer a meaningful choice to the voters, this is a problem at the national rather than the European level.

Therefore, the crucial test for the effectiveness of the European system of political representation is the extent to which it is effective with regard to more substantive policy areas where the European Parliament is competent. However, this argument can hardly change the verdict on the European
system of political representation. It is still true that European political parties as such do not compete for the votes of a European electorate, that European elections are run by national political parties and mainly on national issues, that voters make their choice on the basis of their opinions on national issues. This, however, does not necessarily mean that European elections fail as an instrument to ‘express the will of the citizens of the Union’. Once we accept the argument that the European level of governance is mainly responsible for substantive rather than constitutional issues there is no reason to assume that issues on the European agenda are very different from the policy agendas at the national level. Quite the contrary, the effectiveness of a European system of political representation depends on its ability to aggregate and integrate national political agendas and the national cleavage structures at the European level. The major challenge for an effective democratic political system at the European level is to overcome the traditional dividing lines in Europe, the national borders. The more political differences coincide with national borders, the more disruptive is the politicization of these differences. But the more political parties base their policy appeals on cross-national cleavages rather than on national interests, the better they can serve their function of ‘expressing the will of citizens of the Union’.

Even though there is not much of a process of political representation at the European level, elections for the European parliament – following the requirements of the party government model – might still serve this function if:

a) Political parties of the same party family across member states develop similar party manifestos and profiles during their election campaigns;

b) Their voters across Europe have similar policy priorities and vote according to similar considerations;
c) Being a member of a particular party group rather than national background defines the policy views and the roll call behaviour of members of the European Parliament.

Previous research has shown that these requirements are amazingly well met. The compatibility of national party systems is surprisingly high due to a roughly similar cleavage structure across Western Europe. The manifestos of parties of the same party family are strongly constrained by the same ideological dimensions and in particular by the left-right dimension. Members of the European Parliament are organised in political groups rather than in national delegations, whereas roll call votes can be explained to a large extent by their positions on the left-right dimension. Other dimensions such as the pro-anti-European integration dimension are only of minor importance.

In all countries of the European Union the left-right position is amongst the most significant factors explaining party choice and the effect of left-right is about the same in all countries. In this sense, one might speak of ‘a single European electorate’. As a consequence, the left-right dimension is a suitable vehicle for meaningful mass–elite communication across the European Union and the system of political representation at the European level is functioning much better than often assumed. Despite the lack of a process of political representation at the European level, the aggregation of the outcomes of national processes still leads to reasonable policy congruence between Party Groups in the European Parliament and their electorates across Europe, at least on policy issues related to the left-right dimension.

However, most of the empirical evidence sustaining this conclusion is based on research conducted before the 2004 enlargement. It was still to be seen whether the new post-communist parties and their voters were sufficiently similar to their West European counterparts to fit into the existing party system. If they were not it would no longer be possible to aggregate the national cleavage systems and the national systems of political representation
into an effective process of political representation at the European level. The dominance of the left-right dimension in most West-European democracies is generally attributed to certain historical commonalities, in particular the industrial revolution. Eastern European party systems are of much more recent origins and the nature and relevance of cleavages in these countries is still not totally clear. Therefore, there was a serious concern that the political parties and the dimensions of contestation in these countries would not fit in the existing European party system.

The findings of our project strongly suggest though that the inclusion of the post-communist countries into the European Union did not produce a fundamental change in the left-right structuring of either voting behaviour or the party system. Just like in the older member states, left-right is by far the most important factor structuring the voting behaviour of the electorate in the new member states. Therefore, the idea of a single European electorate, primarily motivated by the same left-right dimension, can still be sustained. However, this is not to say that there are no differences. The effect of left-right orientations on party choice is significantly weaker in the new member states in Central and Eastern Europe than in the older member states. Also, citizens in Central and Eastern Europe in general tend to differ greatly from the citizens of the established European democracies on a number of issues: They are more egalitarian, anti-immigrant and socially conservative than West Europeans. Hence, even though the differences between the voters of different parties follow the same pattern in new and old member states, at the electoral level the East-West differences within the party groups are in a few cases even larger than the differences between them. This means that although the left-right dimension still is a suitable vehicle for mass-elite communication across the European Union, the issue space that needs to be represented by a single European Party Group is further stretched (Van der Brug et al. 2008).
A similar conclusion can be drawn with regard to the development of the European party system. The 2004 enlargement hardly had an effect on it. An analysis of party manifestos and expert judgments leads to the conclusion that the parties from the new member states fit very well in the existing party system and do not seriously affect the cohesiveness and distinctiveness of the party groups. With or without the new members, the party groups in the European Parliament look very much the same (Schmitt and Thomassen 2008). This is largely confirmed by an analysis of roll calls in the European Parliament since 2004. The left-right divide is by far the most important dimension explaining roll call behaviour, just like it has been before enlargement (Voeten 2008).

Nevertheless, there are indications of an increase of latent tensions within the major party groups. Just like the voters from Central and Eastern European countries, MEPs representing them tend to be less libertarian and more traditional or authoritarian than their colleagues from Western Europe. In particular the PES, the socialist party group, has become less cohesive in this respect. But as a general conclusion we can still maintain that the 2004 enlargement had less effect on the effectiveness of the European system of political representation than often expected.

This does not at all mean though that the 2004 enlargement did not have an effect on the legitimacy of the EU. As explained above, representation is only one dimension we took into account in our study of legitimacy. The effect of enlargement on the dimension of identity e.g. is a totally different story. Whatever illusions one might have about the development of a European identity or the sense of a European political community, this development has suffered a serious drawback because of enlargement (Thomassen 2008).
Notes


2 In the treaty of Lisbon replacing the constitutional treaty, this article was maintained (article 8a).


5 This, of course, does not solve the problem. At the contrary, because in most countries opinions on ‘Europe’ are not related to the main dimension of contestation, the left-right dimension, national elections do not serve as an instrument of linkage with regard to this issue either. As a consequence, time and again major political parties are taken by surprise by their own electorate in referenda on European treaties.
References


