

# Democratic developments in the European Union

Europe at a crossroads



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30 July 2014

International Public Management and Public Policy (IMP)

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Word count 20.774 words



**Preface**

Thesis-writing is a painful journey. If the pain is not in finding a subject, it is in finding a fitting theory, getting the correct data, writing the research paper in a cohesive and understandable way or in any other part of the process. The fact that writing a thesis is always a painful journey was pointed out by my thesis supervisor, Dr. Stapelbroek right in the first meeting. And his prediction became reality in the months that followed.

This time the writing process was painful and the struggle was difficult. The subject ‘democracy in the EU’ is broad and I struggled finding the correct focus. There are so many interesting elements that are related and interesting to incorporate in the thesis. Then the writing process was difficult since the overview can be lost in a document of this size. Writing all of these words alone in my room in the Hague was a challenge and a struggle with myself. However, in the end this Master’s thesis process was rewarding and satisfying. I managed to write the thesis on a topic of my choice, although the topic is wide and has many sides. I wrote a thesis that I feel satisfied with and that makes me very happy.

I want to thank Dr. Stapelbroek for his supervision of my thesis-writing process. His input was very much focused on the content of my work, less on the form and the details. This way of working was very helpful. It made my argument stronger and my thesis more complete. I enjoyed some of the discussions we had on the subject and this often gave me new energy to work on the thesis.

I also want to thank the three other students in my thesis circle. Muein Abadi was far ahead of us all from the very beginning and had a lot of patience in the thesis meetings. The elaborate work that he presents in his thesis has been an example that was hard to match. Alied Sijpkens was highly motivated for her own thesis and tried to give advices to me to improve my thesis process and content. Her enthusiasm, dedication and drive worked as an inspiration for me. Boy Noordijk has been very supportive and he tried to help me through my struggles. His company made me feel better and gave courage to pull through. I want to thank my parents and my sister for their patience and their support. This Master thesis is the end and the closure of my academic education. I am glad that it is finished and I will look back on good memories.

Judith Vlagsma

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**List of abbreviations**

ECSC	European Coal and Steel Community
EEC	European Economic Community
EP	European Parliament
EU	European Union
EUR	Erasmus University Rotterdam
Euratom	European Atomic Energy Community
IMP	International Public Management and Public Policy
IO	International Organization
MEP	Member of the European Parliament
NPM	New Public Management
SEA	Single European Act
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
US	United States

## Summary

The European Union (EU) struggles with its democratic identity. European citizens are more and more critical about the actions of the EU and the distance between citizens and the EU seems to widen. Euro skeptical parties have a considerable part of the electorate behind them throughout Europe. In academic literature, the 'democratic deficit' is a hot topic that leads to a vivid discussion. Academics are not unitary and there are arguments to be found in favor and against the existence of the democratic deficit in the EU. However, these arguments often depart from assumptions about democracy that are based on democracy in states. The EU is not a state, and this leads to friction between the theory, the arguments and the everyday reality of the EU. Through a reconstruction of the development of the EU, it becomes clear that the EU was not a democratic organization in its foundation. The need for democratic legitimacy grew over time. The development of democratic tools always seems to be lagging behind the integration process and the expansion of powers. A new theory on democracy, which is not based on the idea of a state, seems to be necessary to explain the current situation of the EU. The conclusion leads to two possible paths for the future democratic system of the EU. Either the EU will drift in the direction of a federal state, with the democratic institutions that belong to a state. Or the EU will develop into an international organization with a considerable impact on its member states, but without having a democratic system of a state. It is important to be aware of these two directions when making decisions, because a change to the democratic system can steer the EU into one direction or the other.

## 1. Introduction

The European Union (EU) is one of the governance layers in the current political systems of European member states. On the EU level, which is a relatively new level of governance, a significant amount of legislation is produced through complicated procedures involving the different European bodies. The European Commission proposes legislation and keeps member states in check. Every member state has one Commissioner and each Commissioner has its own policy field. The Commission is seen as the most European body, since it is supposed to act with the European interest on mind. The European Council and the European Parliament both have the task to accept or decline the proposed legislation. In the European Council, national ministers take place as representatives of the member states. The European Parliament (EP) is the only directly elected body in the EU. This gives the European Parliament an important role and an undeniable power in the policy process.

### Discontents in the EU

The elections for the European Parliament took place on the 22<sup>nd</sup> of May 2014 in the Netherlands, other EU member states organized the elections a few days later. The European election is the moment when the citizens of the EU can cast their votes on the national candidates for the European Parliament in Brussels/Strasbourg. It is also the moment that the EU gets an exceptionally large amount of attention in the media, where European Union news is normally an issue that receives relatively minor attention. All of the sudden the newspapers are filled with European Union facts and figures. Politicians try to persuade voters to vote for their party in Europe. They try hard to



Illustration 1: Dutch posters for the European election campaign

distinguish themselves from the other parties taking part in the elections. Only few parties manage to bring their message very clear and without any confusion. Illustration 1 shows some examples of posters that were used in the Dutch campaign for the European elections. Political parties visibly struggle to tell the story of the EU and have an even harder time trying to explain to the electorate their distinct position in the European political arena.

The elections have a nature of a double level game, where national politicians interfere with the relatively anonymous European politicians. In the Netherlands, we saw the discussions and debates first hand in the newspapers and on television. There are discussions about the future of Europe, about the euro, about the benefits and costs that the Netherlands have from the EU. Some political parties are explicitly against the EU and against any further integration, as the Dutch posters in illustration 1 clearly show. The European candidates try their best to build an image for the European citizen. However, this does not have an enormous impact. The turn-out on this recent election day in the Netherlands was only 37% (Europa Nu, 2014). In other European countries, the turn-out for the European elections was not much more. For example in France, the turn-out was 43,5%, in the United Kingdom 36% and in Spain 45% (EurActiv, 2014). Slovakia had the lowest turn-out, a dramatic 13% (EurActiv, 2014). Overall, the average turn-out in all member states was 43,1%, significantly less than half of the electorate. This fact tells something about the relation between the European Union and the people that live in the European Union. What exactly it tells is dubious, but the citizens seem to be reluctant to cast their vote for the EP.

Interesting to see is that the elections have a very much national character. The national media pays attention to the elections, but only covers the national candidates. The international, overall elections are not the focus that is chosen. Adding to this sentiment is the fact that the elections for the European Parliament are not organized on the same day in all EU member states. Most states organized the elections on Sunday, but some states voted on Thursday, Friday or Saturday. Results from states that voted earlier were made public only when the last polling stations were closed.

Recently, euro skepticism is growing in many countries. At first glance the countries that develop euro skepticism are mainly countries that have been involved in the Europeanization process from the start or for a long time. Clear examples are the Netherlands and the United Kingdom. On the other side, the newer member states seem to have a much more positive attitude towards the European Union. Maybe this is due to the fact that their expectations of membership are much higher than those of the older member states. Another possible reason is that the critical member states are often richer and contribute more to the EU than the newer member states, that often receive benefits from the EU.

The discontent of citizens with the current organization of the EU becomes visible in several ways. There is a general rise of parties that are explicitly euro-skeptical in the recent decade. Examples of these parties are the Dutch PVV and the Belgian Front National. It seems somehow contradictory that these parties that are explicitly and firmly euro-skeptical are still represented in the European Parliament. Despite their goals of leaving the EU, the parties are members of the European Parliament and absolutely involved in the EU decision making processes. They benefit from the salaries and facilities of the EU. The role of euro-skeptical parties that are part of the EU themselves is interesting. The next elections for the European Parliament in May have again reshuffled the numbers and changed the composition of the only directly elected body of the EU. Among euro-skeptics, there is a fear that the EU means a loss of national traditions and changing national values. They also fear the influence of unelected elites (Featherstone, 1994).

There might be a difference between countries that are net contributors and countries that are net receivers. It is logical that net contributors will be more skeptical of the EU than net receivers, since their benefits of the system are smaller than those of net receivers. An example of this euro-skepticism can be seen in the Netherlands. The Netherlands was one of the first European member states and Dutch politicians have always been strong advocates of European integration and the EU. Only smaller parties expressed opposition to the European ideals and the EU was not an important subject of public debate (Hanf & Soetendorp, 1998). In more recent years, the enthusiasm for the EU declined. Politicians and policy-makers have begun to have doubts regarding the benefits of the EU. The main source of this reluctance for further integration is the fundamental change in the financial relationship of the Netherlands with the EU (Hanf & Soetendorp, 1998). Since the 1990s the Netherlands has become a net contributor.

The expression of doubts towards the EU has become common among the Dutch policy-makers and politicians. More political parties became explicitly anti-EU and the traditional parties adjusted their views on the EU. Traditional political parties have shifted their standpoints and have become more euro-skeptical as well. This might be due to the fact that parties have electoral gain through shifting their ideas, or it might be due to a real change of mind of politicians. Politicians that were in favor of the EU in the beginning, have come to realize that the European integration also leads to some major problems, for example when speaking of the Greek crisis.

Connected to the differences between net contributing countries and net receiving countries is the issue of expectations of a country. The level of skepticism might differ between countries that have been a member state of the EU from the beginning or for a long time, such as the Netherlands or France, and



countries that have joined the EU more recently, such as the Baltic States. The new member states have high expectations from the EU and are glad to have joined the union. The older member states have invested and contributed extensively to the building of the union, but also experience the problems and constraints that it brings.

Another angle that is interesting when investigating the democratic deficit of the EU is the framing of the EU. Framing of the EU is done by the EU itself first of all. This is determined by their way of communicating to citizens, their appearance, what they say, how they say it and who represents the EU. On a different level, the EU is also framed by the national government. The way they frame decisions from Brussels and implementation of EU regulations shapes the perception of the citizens of what the EU is and does. Then the media plays an important and very significant part in the framing of the EU. The media coverage, the choices in what to cover and what not to cover and even the choice of words is determining the view that citizens have on Europe. By no means these frames have to be a bad thing. It is however important to keep them in mind and work with them from the EU perspective.

### **The academic democratic deficit**

When turning to the academic literature for insight in the democratic functioning of the EU, there is a tremendous amount of literature on the question if the EU is a democratic body, or not democratic enough, or even too democratic. Central in this debate is the question about the existence or non-existence of a democratic deficit in the EU. In literature, the term ‘democratic deficit’ is commonly used for the perceived shortage of democracy. Different definitions of ‘democratic deficit’ are used. One of these definitions is the following. “... *the term ‘democratic deficit’ is used to express the discrepancy between the material and political state of integration of the EU, on the one hand, and the democratic quality of its political and institutional system, on the other.*” (Decker, 2002).

The term ‘democratic deficit’ is often used to bundle together different aspects that can be found in the EU, such as lack of transparency, insufficient public participation and technocratic decision-making (Wincott, 1998). This makes the term broad and complicated. The general belief is that the EU suffers from a so-called ‘democratic deficit’, although there are also scholars who argue that the EU is democratic but uses new or other forms of democracy (Keohane, Macedo & Moravcsik, 2009). The traditional type of democracy might even be very impractical in the current EU construction. The alternatives to the current, indirect forms of democratic accountability in the EU are limited (Moravcsik, 2008). In the debate around the democratic deficit, there are also scholars that strongly defend the stand that the EU is democratic enough and that the democratic deficit does not exist. Their argument is that multilateralism can even enhance democracy (Keohane, Macedo & Moravcsik, 2009). The international

organization can restrict the power of special interest factions, it can help to protect the rights of individuals and it can improve the quality of democratic deliberation. This would mean that the European Union is not suffering from a democratic deficit but rather adding value to the national democracies and enhancing democracy through introducing new forms of democracy. A valuable note to this argument is that national democracies are often seen as the point of comparison, while the domestic democracies are not perfect.

There are more arguments in favor and against the existence of a European democratic deficit. Academics do not agree on the question whether the EU has a shortage in democratic legitimacy and representation or not. Some authors argue that there is a democratic deficit, other authors argue that the EU is certainly democratic. The EU might also be seen as a system where new forms of democratic governance take shape (Bellamy, 2010). Other authors argue that the EU institutions do not have reliable mechanisms to ensure that the preferences of the EU citizens influence the policy outcomes (Follesdal & Hix, 2006). This implies that the democratic deficit is an institutional problem. Research on the representation of EU citizens in the European Parliament shows that there is a reasonable level of congruence between the preferences of voters and members of the European Parliament (Vasilopoulou & Gattermann, 2013). This is an argument against the democratic deficit, because the parliament has gained more and more influence on decision making in the EU and the directly elected MEPs represent the citizens of the EU.

The element of democracy in the European Union has been weak since the very start of the union. The institutions in the EU have been regarded as falling well short of the standards of democratic accountability and transparency (Norris, 2011). The low democratic legitimacy of the European Union is one of the weak spots in the construction of the EU. This makes the democracy in the EU an interesting subject for research. Now that the EU has become larger, more influential and more important for policy making, the problem of low democratic support for the actions of the EU becomes more salient. Moreover, since the financial crisis and the euro crisis, the public opinion has become more critical about the EU as a whole. The EU seems to lose legitimacy and is not perceived as a beneficial system by default by the citizens.

Democratization of the EU is desirable for a number of reasons. Five reasons are given by Hix and Hoyland (2011). First of all, democratization guarantees that the officials keep the preferences of citizens in mind when taking decisions. Second, the political dynamics of more democratic institutions leads to cross-institutional coalitions and this means that policy gridlock is more likely to be avoided or overcome. Third, the democratic process can give the EU policy makers a mandate for policy changes.

Fourth, more democracy in the EU institutions has a powerful effect on the gradual evolution of political identities, for example when the general governing coalition changes from the right to the left side of the political spectrum. The last reason why more democratization is beneficial according to Hix and Hoyland is the amount of media coverage. The media is more interested in a political union and the media coverage will increase when the EU becomes more democratic. As Hix and Hoyland (2011: 136) put it: *“Until there is genuine political drama in Brussels, with identifiable winning and losing personalities, news editors will not have an incentive to cover EU politics”* The media have an interesting role in European processes. Media have a profound influence on the public opinion and the choices on what to publish and what not can determine the public attention for a certain event or topic. The national politics and decisions have been the most important focus of the media, and it still is. There are many journalists in Brussels present to bring the European news, but this media attention is still relatively small. Besides the limited amount of coverage, the EU does not have its own media platform. Almost all EU media coverage is done by the regular, national media. The channels for European news are fragmented along the lines of nations.

### **Connecting the dots**

As seen in the everyday practice of the EU in the minds of its citizens, the EU is not a flawless governance body and the EU is even perceived as a very negative institution. Euro skeptical parties have a considerable amount of voters behind them, the turn-out for European elections is low and the participation of citizens in the EU decision making process is perceived as marginal. Citizens do not feel connected to the EU, the distance between citizens and the EU is large and there is a lot of discomfort and discontent about the functioning of the EU. This in spite of the EU that seems to function relatively well seen on its own.

The academic debate about the democratic deficit brings several arguments why the EU is or is not a democratic body of governance. However, these arguments are mainly based on expectations of democratic systems in states. The EU is not a state and the EU is not likely to become a state in the near future. The arguments that are formulated about the democratic deficit cause friction between the theoretical democracy models and the practice of the EU.

A problem can be defined as a discrepancy between the perceived current situation and the situation that is wished for or needed. A problem is a gap between a fact and a norm that is in need of a solution. There are gaps between facts and norms that do not lead to a problem, because there is no necessity to fill the gap. However, when there is a gap between a fact and a norm and there is an urgency to fill the gap, the gap becomes a problem and a solution is needed.

The actual situation of democracy in the EU is not directly the problem. The problem is that citizens of Europe want to be more involved in the EU and feel like they are not part of the institutions. There is a feeling that the current democratic system in the EU does not fit the expectations of the citizens in it. There is a gap between the actual situation and the situation that is wanted and there is an urgency to find a solution, to improve the democratic system. This is how the democratic deficit can be defined. There is no need to technically analyze whether or not the interests of European citizens is represented through the EU institutions. The problem of democratic legitimacy rises from the perception of European citizens on the current situation and the need to change this situation.

The satisfaction with the performance of democracy in the EU diverges from public aspirations (Norris, 2011). The democracy models that currently exist struggle to explain the democratic system of the EU. Through the history of the EU, there have been many changes in the way democracy was incorporated in the system. Citizens in the EU are not satisfied with the current procedures of the EU and they want a change. These frictions lead to an interesting democratic status quo that is worth further investigation. In order to investigate the democratic developments of the EU, the following research question is formulated.

### **Research Question**

What is the nature of the problem with democracy in the EU?

In this research, the EU is seen as an organization with its own democratic system that is built on the main EU bodies, namely the European Commission, the European Parliament and the European Council. The democratic system of the EU legitimizes the EU legislation. The member states have their own national democratic systems. These systems have an influence on the democratic system of the EU, but the national democratic systems are seen separate from the EU democratic system in this research.

Finding out the nature of the problem means that this research tries to find a reason that is behind the problem of democracy in the EU. The nature of the problem cannot be seen immediately. It can be found when looking further into the deeper reasons and causes behind the obvious facts. The nature of the problem is on the basis of the problem. In order to answer the research question in a structured way, the following three subquestions are formulated.

What are the theoretical aspects of a functioning democracy?

How did the EU develop its democratic aspects from its foundation onwards?

What are possible changes to make the EU more democratic?

## **Social and theoretical relevance**

Do people care about the subject of the research? An answer to this question leads to the social relevance of this research (Lehnert, Miller & Wonka, 2007, p. 25). This includes the question whether people are affected by the research subject and whether people are interested in the outcomes of the research. *“Socially relevant research furthers the understanding of social and political phenomena which affect people and make a difference with regard to explicitly specified evaluative standards”* (Lehnert, Miller & Wonka, 2007, p. 27).

Applying this to the subject of democracy in the EU, there is a clear social relevance to this subject. The EU has an important influence on the policies in the member states and therefore directly affects the citizens of Europe. This means that it is important for the citizens to be represented and have a voice in the EU decision making process. The democratic system of the EU faces a problem in satisfying the citizens. Citizens are not content with their perceived limited influence on the decisions that affect them. Research on the democratic system of the EU can help to gain insight in the causes of low democratic legitimacy and this is relevant for society since it can help improve the legitimacy of the EU. Citizens will feel more involved in the EU and can participate more. In 2014 there have been elections for the European Parliament, the only directly elected body of the European Union. This brings the democratic problems of the EU back in the centre of attention. The social relevance of this research is therefore evident.

In this thesis, the focus is on the problem of democracy in the EU, the legitimacy of the democratic system and the perception of the citizens on the EU. This also leads to theoretical questions. How does the link between the EU and its citizens look like? Why is the EU a democracy? How can EU citizens influence the decision-making in Brussels? What exactly is the democratic deficit and which factors influence it? The role of the democratic system in the EU is under pressure, both in academic literature and among the citizens of the EU. This research has theoretical relevance, because it adds to the theoretical debate around the EU. Academics do not agree on the interpretation of democratic aspects of the EU and this research tries to summarize the arguments and take a stand in the debate. This paper is about the difficult relation between democracy and the EU. This relation is very relevant for both academic theory and the European society.

## 2. Theoretical Framework

Democracy is a much debated issue in the European Union, as described in the introduction. In order to find out whether the EU can be seen as a democratic union and whether the EU is or could become a democratic union, the existing theories on democracy are described in this chapter. In the first part, the classical theories of democracy that focus on democracy within states are described. Secondly, theories on democratic aspects that can be found in organizations are explained. Democracy in organizations takes different shapes than democracy in states. Third, the functions of democracy are shortly described. The norms that are presented shed a light on the principles of democracy. This part presents different aspects that determine the quality of a democracy. In the rest of the thesis the aim is searching for these democratic norms in the European Union. In this research, the norms that are needed for a functioning democracy are checked in the European Union. Finally, models about the EU are put forward. These models are classical models on the EU which look at the EU either as a supranational or as an intergovernmental body of governance.

In its simplest form, a democracy is a system where the people have ultimate power over decisions. This is captured in the word ‘democracy’ itself, stemming from the Greek words *demos* (people) and *kratos* (rule) (Held, 2006). This in contrast to a totalitarian regime where the king, despot, emperor, sheikh, the aristocracy or any other kind of absolute ruler or elite group has the ultimate power over all decisions. Although the definition of democracy seems clear and straightforward, there is a huge amount of variety in ‘democracies’. Cities and states can be democratic, but also international organizations (IOs) can have democratic elements. Other differences can stem from the representation system that is used and the institutions that are in place. Sometimes a state or an organization calls itself a democracy even though it does not show the signs that are commonly expected in a functioning democracy. Whether or not and under what conditions a governance system can be called a democratic system is examined in this chapter.

### **Democracy in the state**

There are different ways of defining a democracy. For example there is a difference between the formal characteristics of a democracy and the more soft definition of democracy that also involves perception and actual influence of citizens. The first way is to see if there are formal bodies, procedures and mechanisms in place that are necessary to build a solid democracy. This method focuses on procedures such as elections, referenda and representation in the government. The other way of defining a democracy is to look at the extent of citizen’s involvement in the policy-making process (van Gunsteren,

2006). The quality of the decisions made through the democratic processes is an important but complicated indicator for democracy. That is why the formal, superficial expressions of democracy are often the main points of focus in studying democracy in a country or an organization.

In almost all academic literature, Western democracies are the most ideal democracies. The types of democracy as described below are derived from the Western democracies. These democracies exist for a long time and are considered to be stable. However, the current Western democracies have seen a lot of development over the centuries. The views on democracy within states changed over time and the political systems have seen transitions. This shows that thinking about political systems and democracy was and still is subject to change.

The concept of democratic decision-making was developed in the cities of ancient Greece, in particular Athens, where important decisions were taken by the people of Athens using direct voting procedures (Held, 2006). This first democratic system is often used as the source of inspiration for all modern democracies in the world. Citizens of the city Athens gathered on a central square and discussed the topical issues of government. They were able to make speeches and try to convince each other through rhetoric, arguments and counterarguments. Ultimately each citizen voted and the option with a majority was chosen. This form of democracy however was very limited. Only wealthy men who were official citizens of the city were allowed to vote. This means that the vast majority of people living in Athens were excluded from voting, among them all women, slaves, poor people, children and foreigners. The voting was very time-consuming for the voters had to be present for every decision. Politics was not practiced by professional politicians, but it was expected of citizens to be actively involved and concerned with all political issues in the city (Held, 2006). In cities larger than ancient Athens, let alone countries, it is impossible to gather all citizens on one square to vote for every important decision. The democratic society in Athens is often seen as the starting point of modern democracies but the modern democracies are miles apart from the ancient Greek democracy. It is clear that there have been huge developments in the way we see democracy and the functions that it has.

In medieval times, there was not much democratic development. Most government was ruled by despots, aristocracy, kings and other nobility (Held, 2006). Under the catholic church, which was widely spread over Europe and very influential, citizens had the obligation to obey the ruler that was appointed by divine intervention. The society mainly thrived on agriculture. When cities became richer and the society developed itself, democratic systems became more common practice. With the development of the press and the increasing wealth, citizens became more informed and demanded more influence on the decision-making.

Nowadays, different types of democracy in states has developed. Six different types are mentioned here. First of all, there is the representative democracy. The member states of the EU all have a national representative democracy. This is a classical form of democracy in which adult citizens have the right to vote for a representative body that controls the government and has a legislative function (Bekkers et. al., 2007). Usually this form of democracy is used in states with a parliamentary democracy. Besides this 'traditional' type of democracy, there are different types of democracy possible. The second type is a pluralist democracy. This democracy functions by trading off the demands of numerous interest groups and organized interest representation groups (Bekkers et. al., 2007). The third type provides democracy through free public deliberation, and is therefore called a deliberative democracy (Bekkers et. al., 2007). Then there is the direct democracy in which decisions are made through referenda and citizens' initiatives (Bekkers et. al., 2007). The fifth type is an associative democracy, that gives citizens the opportunity of direct participation in the regulation of various public organizations (Bekkers et. al., 2007). And the last type of democracy is the consumer democracy, that uses the needs and demands of citizens to establish the public service delivery (Bekkers et. al., 2007).

Although in general, democracy is seen as a positive thing and something that should be maintained, there can also be downsides to a democratic system. A democracy in a state can bring instability and uncertainty when citizens are not fully informed. It is evident that not all voters are thoroughly aware of the consequences of their votes. Their votes are based on short-term impressions, media coverage and the personalities of the candidates (van Gunsteren, 2006). Another reason is that a democracy can lead to tyranny of a majority. A small majority can impose its will on the relatively large minority and make decisions without taking the minority into account.

Seeing these different types of democratic state designs, it is clear that the state has a central position in all of them. The state makes itself accountable through democratic processes and the state is the only actor so far that has this democratic legitimization and political representation of its citizens. "*The state is the undisputed vehicle for democratic government...*" (Pierre & Peters, 2000; p. 112). In society, there are no other actors that can assume the role of democratically justified actor besides the state. "*When the state exits the stage, so do responsive government and democracy*" (Pierre & Peters, 2000; p. 13)

### **Democracy in organizations**

With new developments in political thinking and changes in bureaucracies came new insights in democracy. Since the 1990s, when the traditional government structures was seen as less effective and less efficient, new ideas about how to govern became dominant (Pierre & Peters, 2000). One of the most



influential new paradigms was the New Public Management (NPM). In this modern way of thinking, the focus was on governance instead of government. Many aspects of the traditional government structures were challenged and new organizing structures became popular. The state was placed in a broader frame, connected to the political economy and the society. The line of thinking was that the state should no longer have the absolute authority over society, because the execution of policies was too often inefficient. The capabilities of the state were declining and an ideological shift took place (Pierre & Peters, 2000). The solution for more efficiency was the market, which is supposed to deliver a natural equilibrium between supply and demand. In NPM, the state became an actor in a larger network of other organizations, international organizations, interest groups and citizens. The absolute authority was no longer for the state, but the state had a steering role in the policy processes.

This change in the role of the state had consequences for the views on democracy. Actors that were not states were given important roles in policy-making and execution of policies. Another important process that started was globalization of the economy. National economies became more and more linked and interdependent. The intertwined economies led to more political globalization (Pierre & Peters, 2000). Globalization has had a direct effect on the steering role of the traditional national governments. States have transferred steering capabilities and authority from the national level to the international, for example European level (Pierre & Peters, 2000). The EU is a clear example of an organization that is not a state, but explicitly has the power to implement policies in the member states. It is the result of international cooperation and intertwined economies and politics.

This new sources of governance asked for a re-think of the old structures. Governance implies that actors that are not directly accountable are involved in the policy processes (Pierre & Peters, 2000). The new governance actors still have to be accountable for what they do, be transparent about their actions and the democratic legitimacy was still a valuable asset. Good governance was the key word. The direct linkage between democratic accountability through elections and the power of implementing policies is weakened by governance. However, there are other possibilities to organize democratic accountability in the new governance system. Citizens can voice their interests and opinions through different channels besides the traditional channels of elections. Democracy was no longer only a feature of a state, the organizations involved in governance were also after democratic legitimization.

Keohane, Macedo and Moravcsik (2009) argue that the new forms of governance are not necessarily of a distant, elitist and technocratic nature. They see multilateral institutions such as the EU as a way to enhance the quality of national democratic processes in three different ways. First of all, the new governance organizations can restrict power that special interest factions can have on national politics.

Secondly, the international organizations help protecting the individual rights of citizens. The EU for example has adopted extensive legislation on the human rights of citizens. The argument here is that *“When multilateral institutions push in the direction of human rights protection, even weakly, they are democracy-enhancing. When they restrict human rights or provide legitimacy for governments to do so, they degrade the quality of democracy.”* (Keohane, Macedo & Moravcsik, 2009: p. 18). Thirdly the new governance layers can help improve the quality of democratic deliberation (Keohane, Macedo & Moravcsik, 2009). This entails that the national democracies can profit from information and expertise provided by international organizations. The optimistic view of Keohane, Macedo and Moravcsik about the democracy-enhancing functions of multilateral cooperation is bound to certain specific circumstances. The assessment of the democracy-enhancement must be based on *“the analysis of whether, on balance, international cooperation improves these four aspects of constitutional democracy – control over factions, minority rights, epistemic quality, and participation”* (Keohane, Macedo & Moravcsik, 2009: p. 23)

The concept of democracy has changed over the years. Since the notion of governance became more popular and the older forms of government slowly changed into governance, the role of democracy changed. Governance undermines the old representative democracy, since the structures of accountability and responsibility are different (Bevir, 2010). The execution of policy is further away from the original organization of bureaucracy controlled by democratically elected politicians. Representative governments struggle with the governance aspects in their policy processes.

### **Different functions of democracy**

The democratic system embodies important values in society. Democracy gives these values a structure for existence. The most common reason for democracy is the legitimization of government actions. This means that the democratically elected parliament checks the policies that the government executes. New legislation also has to reach a majority in the parliament. Citizens have influence on the decision-making process and the execution of policies through this democratic system. The democracy gives legitimacy to the government. When a democratic government takes actions, they are considered legitimate. The citizens chose for these actions because of the democratic system. Democratic legitimization makes government actions appropriate.

Democracy can be seen as a political system that guarantees political freedom (Bekkers et. al., 2007). In a democracy, members have equal and effective input into the making of binding collective decisions (Bekkers et. al., 2007). The three important inputs for the democratic system are political freedom, equality and responsiveness of the government. These three aspects are fundamentally required

for a functioning democracy. Besides these three basic elements, there are several other norms that are important for the functioning of a democracy. These norms can be divided into input-norms, throughput-norms and output-norms (Bekkers et. al., 2007: p. 43-46)..

The input of a democratic system is determining for the functioning of the democratic system as a whole (Bekkers et. al., 2007: p. 43-44 ). The opportunities for citizen participation is the first norm that determines the functioning of the system. Minimal participation in a democracy is taking part in the elections, but the participation of citizens can be much broader. Examples of participation in a democracy are expressions of opinions such as demonstrations, petitions and political debates. The media can play a determining and activating role in the participation of citizens. Citizens' participation in a democracy is often also indirectly organized through organizations and NGOs. Related to the opportunities for citizens to participate is the quality of the representation. Especially when the participation of citizens is indirect via interest organizations, the quality of representation can be a difficult point. A good quality of representation in the organizations is important for the functioning of the democratic system. The last input-norm that is important for a functioning democracy is the openness of the agenda setting process (Bekkers, et. al., 2007). This openness refers to how easy or difficult it is for citizens to have access to the political agenda and how responsive the government is to specific needs in society.

Within the democratic system, in other words for throughput legitimacy, there are several norms that add to the quality of the overall democratic system (Bekkers et. al., 2007: p. 44-45). The throughput legitimacy concerns how the decisions are made and what rules are followed. The first norm is how the collective decision-making is realized. This can be done on the one hand simply by counting votes, in a simple collection of individual preferences. The other option for collective decision-making is through debate and deliberation. Both ways of collective decision-making have their own benefits. Secondly, the quality of participation in a democracy determines the quality of the democracy. Lastly, the quality of checks and balances that constrain the powers of politicians and institutions add to the quality of the democracy (Bekkers et. al., 2007).

The last part of the democratic process is the output. This is the last phase of the democratic system, and has its own important norms (Bekkers et. al., 2007: p. 45-46). Firstly, the performance of the government is a norm that is clearly an indicator for the quality of a democracy. The performance of a government can be described in terms of efficiency and effectiveness of its actions. Besides that, the responsiveness of the government to the interests and opinions of the citizens is also part of the performance of a government. The second norm is the organization of accountability, where the actor that initiates and executes the policy is also accountable for the decisions and the results that they have.

Closely linked to the norm of accountability is the norm of transparency (Bekkers et. al., 2007). Information has to be provided to the citizens, in order to show what decisions were made and what results were realized. This adds quality to the democratic system.

A feedback loop connecting the output legitimacy to the input legitimacy would be expected in this framework of norms. However, this is not described by Bekkers et. al. All the norms are in a way interconnected. The norms have influence on each other and in a way a balance needs to be found between them. The norms can have competing aspects, which need to be in balance for a stable democratic system. On the EU level, democracy may have a different balance of norms that does not exist in states (Van Schendelen, 2013).

The norms in all three phases of the democratic system are important for the eventual quality of the democratic system as a whole. In Table 2, the norms for input-, throughput-, and output-legitimacy are summarized. The three phases can be summarized as norms for the openness and access, norms regarding the quality of deliberation and norms of efficiency and effectiveness (Papadopoulos & Warin, 2007). In all three phases, transparency and accountability towards the citizens is needed. The EU has to deal with multilevel legitimacy, because the EU policies have to be legitimate to the member states and the member states have to implement the policies with legitimacy towards the citizens. Besides this, the EU is dependent on the member states' voluntary compliance with the policies that are agreed, in the same way as the member states are dependent on the compliance of citizens (Scharpf, 2009).

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*Table 2: Norms for the quality of a democratic system (Bekkers et. al., 2007)*

<b>Input legitimacy</b>	<b>Throughput legitimacy</b>	<b>Output legitimacy</b>
Opportunities for citizen participation	Collective decision-making	Performance of government (effectiveness and efficiency, responsiveness)
Quality of representation	Quality of participation	Accountability
Openness of agenda setting process	Checks and balances	Transparency

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As described in this theoretical chapter, there are different types and different functions of democracy. On the one hand there is a variety of democratic systems in states. Most theories on democracy are based on the democratic system in a state. On the other hand there are different democratic systems in organizations, which developed together with the idea of governance. The quality of a

democratic system can be assessed using norms for input-, throughput- and output-legitimacy. In the next chapters, the theory on democracy will be applied on the case of the European Union.

### **Theories on the European Union**

The EU is a special case since the beginning of its existence. The nature of the EU is somehow ambiguous and therefore it is difficult to catch the EU in a theory. The theories about supranational and intergovernmental organizations are often used to describe the theoretical place of the EU (Gallagher, Laver & Mair, 1995). An international organization (IO) can be supranational or intergovernmental. Supranational means that the organization is above the member states in hierarchy. The legislation of the supranational organization is binding for all member states and the organization can overrule the member state. The member states have given up a part of their own autonomy to the supranational organization. In the EU, the supranational bodies are the European Parliament and the Commission and the EU law takes precedence over domestic laws and constitutions (Gallagher, Laver & Mair, 1995, p. 113).

An intergovernmental organization is not above the member states, but embodies a platform for cooperation between the member states. The member states are still the most powerful actors in this situation and every member state has a veto power. The intergovernmental organization can only function when the member states are willing to collaborate and the member states have not given up part of their autonomy to the intergovernmental organization (Gallagher, Laver & Mair, 1995, p. 115).

Although it is clear that the EU is not a state, the following examples underline this fact once again. A state has the power to declare a war, enforce the law on its territory and raise taxes on the income of its citizens. The EU does not have an army and is unable to declare a war. The EU does not have a police or its own prisons. The EU does not have the right to raise its own taxes. Therefore, the EU is definitely not a state (Hoeksma, 2009).

The European Union has aspects of both an intergovernmental as a supranational organization. It is a unique case in which intergovernmental and supranational elements are mixed. The union is the only international organization that has its own citizens (Hoeksma, 2014). It also has a directly elected parliament and a democratic system. The construction of the EU cannot be found in another international organization. The new form, in between an intergovernmental and a supranational organization, cannot be categorized in one of the two common forms of international organizations. Still, despite the EP and the citizens of the EU, the EU is also not a state.

### **3. Methodology**

The theories on democracy and the EU have been stated in the previous chapter. As seen, there is a multitude of democratic forms and democratic systems. The theories on the EU shed light on the situation that the EU is in. What now follows is the application of the democratic theories to the practice of the EU and its democratic system. This methodology chapter gives an overview of the research conducted in this thesis. It shows why certain choices were made and how the theoretical framework is applied on the empirical evidence.

#### **Research methods**

Clearly this research can be classified as a qualitative research. The sources that are used demand a qualitative approach and the subject of democracy also demands a more qualitative approach. Democracy is a difficult object to study, since measuring the elections is not sufficient when trying to find out more about the functioning of the democracy. If this was the case, every authoritarian regime that organizes elections would be considered as a democracy that works perfectly fine. But there are more subtle elements that are necessary for a functioning democracy. Democracy as a topic of research asks for more complicated and detailed measuring. Qualitative research methods are therefore more suitable for this research.

The findings in this research are mainly based on literature research into academic literature, texts of EU treaties and documents of the EU. This literature is analyzed with a focus on the democratic aspects of the EU. As the European Parliament is the only directly elected body in the EU, the EP will be studied in particular. In addition to this extensive literature research, a few interviews were held with persons that are either experts on the field of European democracy or work in close relation to the European Parliament. The interviews add personal views and personal opinions of people actually experiencing the European democratic aspects on a daily basis. This makes the interviews a valuable addition to the literature research. In order to add some inside information and a feeling for the ideas of people that witness the everyday functioning of the EU, two interviews were held. The first interviewee is a public information officer for the EP in the Netherlands. A reference to this interview shall be made by mentioning 'Interview 1'. The second interviewee is a policy officer for the Dutch political party D66 in the EP. A reference to this interview shall be made by mentioning 'Interview 2'.

Attending a lecture of professor Beate Kohler-Koch was also important for the research. It added a new view on democracy, in particular on participatory democracy in the EU. Besides the content of the lecture itself, the added value of the lecture was the debate between public policy academics of the EUR

and the professor. In combination with her articles, her academic view on the democracy in the EU is an valuable addition to the research.

In addition, some sources from Eurobarometer are used for more empirical evidence. The statistics from these sources add insights in trends and fluctuations in citizens' opinions. Eurobarometer surveys are surveys that the European Commission executes in all member states to find out what the public opinion of citizens in the EU is. It is a source of many different quantitative studies and it gives a good overview on the general opinions that citizens have on the EU. This source is used in this research to add extra information and to show the voice of the European citizens. What makes the research stronger is that several different sources of information are used. Combining the methods of literature study, interviews and some statistics helps to strengthen the validity of the research.

### **Validity and reliability**

The qualitative research method in this research results in a lower verifiability and repeatability of the analysis than a quantitative research method would have given (Van Thiel, 2010). The internal validity of the research is enhanced by using a large amount of academic literature to support the ideas about the democracy in the European Union. When repeating the research, the information found could vary slightly, but overall this research gives a good reflection on the most common ways of thinking about the European democratic status. Of course in qualitative research there is always room for other interpretations and different analyses. The researcher has put in effort to explain her choices and ways of reaching an argument as careful as possible. The reliability of this research is therefore on a reasonable level.

The theoretical framework is as complete as possible in this context, taking into account that the democratic theories are based on states and a theory that fits the EU is not available yet. The norms for the quality of a democratic system are stated in a clear way. This makes these norms reliable for deductive use, apart from the freedom of interpretation that every researcher has. The quality of a democratic system is still a difficult concept for measurement, despite the efforts of establishing norms for it. This limits the validity of the research. The fact that nine norms are taken into account means that the measurement of democratic quality is spread over multiple norms. This makes the research more valid.

### **Limitations**

As every research has, this research has its limitations as well. These limitations come from the limited amount of time, capacity and access to certain people and documents. The research could have

been stronger when more interviews were conducted in more fields of expertise. There is for example no interview with an academic. This is due to the fact that many people that were approached for an interview did not reply to the question. On the other hand, several people that were approached and did not want to be interviewed, sent some very valuable information, tips and interesting articles to further the research. The lecture by professor Kohler-Koch also brought the view of an academic expert into the research.

The research could have been stronger if more literature was studied. This is true for many researches and of course it is impossible to integrate all existing literature on democracy and the EU into this research. However, the research covers the most important literature and the main views on democracy and the EU. The research incorporated literature that supports the current democratic system of the EU as well as literature that is critical about the current democratic system. This makes the research balanced and more valuable.



## 4. The evolution of the EU and its democracy

After seeing the different types of democracy in states, democracy in organizations and models for Europe, it is time to turn to the question how the democracy in Europe developed. How did the EU and its democratic aspects evolve? What can we learn from the history of Europe when we are facing the difficulties concerning democracy today? Does the development of Europe explain the situation that we see in the current EU? This chapter will give a short overview on the emergence of the EU, the development that the EU has seen and a detailed look into the emergence of the democratic aspects of the EU.

### Origins of the EU

The history of Europe is one of war. During many centuries in Europe, different European people and different powers tried to conquer one another and expand their own territories. On a continent divided in many small states and divided by different cultures and languages, this often led to large or small wars, unrest and changing borders (Nugent, 2010). There was no enduring peace on the European continent. National identities and the feeling of belonging to a nation was strong in every small state in Europe. The First World War brought a lot of misery and the economies of European states were left in ruins. Especially Germany, that lost the war, was punished by the Versailles Treaty. This caused resentment and hostility. In 1939, when the dictator Hitler had accumulated absolute power in Germany, the Second World War started in Europe. This had a profound impact on the nation-states in Europe. After the failed Versailles Treaty, it was clear that the solution to prevent war was not to punish the states that lost the war. Instead, the idea emerged that cooperation and integration on the European continent might lead to a more peaceful situation in Europe.

The idea that a new war in Europe should be prevented, was widely supported. Even the notion of the European states becoming one federal state was supported by the representatives of the European states on a congress in The Hague in 1948 (Hoeksma, 2014). This aim of a federal Europe was soon subject of discussion. The French president Charles de Gaulle and the Dutch president Willem Drees among others, were in favor of collaboration between the European states, but they were hesitant to aim for a federal Europe (Hoeksma, 2014). President Charles de Gaulle called for a '*Europe des Patries*', and Prime Minister Margaret Thatcher for a Europe with distinct, sovereign nation states (Gallagher, Laver & Mair, 1995). As seen in the theoretical framework, the EU cannot be classified as an intergovernmental organization, but it can also not be classified as a supranational organization. This ambiguity in the EU is due to the disagreement about the aim of the EU. Should the EU become a federal state or not?

In this debate, a pragmatic solution was chosen. The EU started out as a union between six states in Western Europe. The exact goal of the EU, whether it was becoming a federal state or an intergovernmental collaboration platform, was not set in stone. The process of more European integration began as a reaction to the Second World War, as an attempt to prevent a similar war forever in Europe. The idea behind the EU was to prevent a new war through connecting the states and making them interdependent (Nugent, 2010). This was first done through a union concerning coal and steel, two basic ingredients for warfare. This predecessor of the EU was called the European Coal and Steel Community (ECSC). Two other unions were also established, namely the European Economic Community (EEC) and the European Atomic Energy Community (Euratom) (Gallagher, Laver & Mair, 1995: p. 81).

The original idea of Monnet was to start cooperation in Europe without a direct European democracy in place. The goal of the founding fathers of the EU was to form a solid organization that is not threatened by democratic instability (Warleigh, 2003; Gallagher, Laver & Mair, 1995). The cooperation organizations, predecessors of the EU, were meant to prevent a new war after World War II through economic interdependence and cooperation between European countries that used to fight each other. From the beginning, the cooperation between Germany and France was especially important. The functional cooperation on the European level was considered to be a matter of international politics, in which the national governments represented their own people. The integration of Europe started through the elites and there was no direct need to add democratic procedures to the organization (Warleigh, 2003). The idea was that later in the integration process, the EU would adopt more forms of democracy into the system. The original aim was not to form a democratic institution, but to form a strong institution that will survive. Later in the process, the democratic aspect would have been added as the EU would progress towards a political union. The construction of the EU was purposefully not democratic in that sense that the focus was on pragmatic cooperation in concrete fields of policy. However, the EU is a political institution nowadays, and the democratic aspects of the EU are still neglected. This has become a more pressing problem, as described before. Citizens of the EU do not feel connected to or involved in the European decision-making processes. In short, the EU was constructed as a pragmatic institution that was not necessarily democratic, with the idea to make the institution democratic when it was well established and became a political institution. Currently, the EU is a well-established political institution. It is more doubtful if the EU is a functioning democratic institution.

The notion of the democratic deficit already came to the surface early in the process. Monnet, the architect of the EU, had the idea to construct the EU as an organization that was not particularly democratic. The democratic aspects of the EU was not the core concern of Monnet. He wanted to build a stable and functioning union in the first place and he decided to be pragmatic in his approach

(Featherstone, 1994). Additional to this is the fact that the organizations that preceded the EU such as the European Community of Coal and Steel and the Euratom were organizations with a specific goal. These organizations were not directly political, so the democratic aspect of these organizations was not immediately an issue. The democratic aspect became an issue when the EU became more political and expanded its scope of issues. When the relative lack of democracy in the EU became a sensitive issue, a democratically elected parliament was created to ensure democratic accountability. This parliament had a weak role, since it only had a consulting task and not a binding vote on the proposals from the European Commission. Over the years, the European Parliament gained power and since the Maastricht treaty the parliament has a binding vote on the proposals of the Commission that follow the ordinary legislative procedure.

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**Table 3: Timeline development of the EU**

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1952	ECSC comes into operation, members are Belgium, France, West Germany, Italy, Luxembourg and the Netherlands.
1957	Treaties of Rome signed, establishing the EEC. Members are Belgium, France, West Germany, Italy, Luxembourg and the Netherlands.
1965	Signing of the 'Merger Treaty'
1973	Denmark, Ireland and the United Kingdom are added to the Union
1981	Greece becomes part of the Union
1986	Portugal and Spain become member states of the EU The SEA is signed in Luxembourg and The Hague
1992	Signing of the Maastricht Treaty
1995	Finland, Austria and Sweden join the EU
1997	Signing of the Amsterdam Treaty
2001	Signing of the Nice Treaty (came into force in 2003)
2004	The largest enlargement took place when ten new member states joined the EU: Czech Republic, Cyprus, Estonia, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia.
2007	Bulgaria and Romania join the EU Signing of the Lisbon Treaty
2009	Implementation of the Lisbon Treaty
2013	Croatia becomes member of the EU

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Source: Nugent, 2010

## **New treaties and the changing role of the European Parliament**

The EU developed quite rapidly from the beginning. This development was accomplished and enforced through the signing and implementation of treaties. These treaties shaped the EU and determined how the EU functioned. A chronological overview of the development of the EU can be found in Table 3. With every treaty, there were important changes in the democratic system. The consecutive treaties will be discussed in short.

The separate European communities that existed alongside each other were merged into one organization in 1965. The Treaty Establishing a Single Council and a Single Commission of the European Communities was signed that year and the European Community became one organization. The legislative procedure used in the EU was the cooperation procedure. In this procedure, the European Parliament (EP) has the right to give its opinion and advice to the European Council. However, this advice is not binding and the European Council can still decide without considering the advice of the EP.

The Maastricht Treaty marked an important change in democracy in the EU. This treaty addressed the problem of the democratic deficit. This problem was increasingly seen as needing attention, because the policy fields of the EU had broadened. The power that the EU exercised over its member states was not held in check through democratic accountability (Nugent, 2010). The Maastricht Treaty introduced a new legislative procedure, namely the co-decision procedure. This changed the role of the EP drastically by giving a veto power to the EP. If the EP does not agree with the proposed legislation, it can veto the proposal. This finally gave the EP a real tool to influence the European legislation and to balance the power of the European Council. The implementation of a European citizenship was also an important step that was made in the Maastricht Treaty (Hoeksma, 2014). This meant that inhabitants of member states were not only the citizens of a European state, but also the citizens of the EU as a whole. This step was important for the democratic development of the EU.

The Amsterdam Treaty meant a further empowerment of the European Parliament. It was agreed that the co-decision procedure would be further expanded to another 23 policy areas. The new treaty also streamlined the co-decision procedure, and the position of the European Parliament was strengthened (Nugent, 2010). Where the EP already had the right to approve the Commission President in practice, this right was made official in the Amsterdam Treaty. This treaty set the maximum amount of seats for the EP at 700 seats.

The Nice Treaty came into force after turbulent negotiations and difficulties with ratification. In Ireland, the treaty was rejected in a referendum, but after a second referendum a majority of the Irish

population voted in favor (Nugent, 2010). The Amsterdam Treaty had set the maximum amount of members of the European Parliament (MEPs) at 700, but under the Nice Treaty this was raised to 732. This was due to the fact that the new member states also needed national representations and the member states did not want to reduce the number of seats per state too much (Nugent, 2010). Under the Nice Treaty the co-decision procedure was introduced in more policy areas, such as judicial cooperation in civil matters and specific industrial policy support measures (Nugent, 2010). However, in some other important policy areas the co-decision procedure was not introduced, leaving the EP with the role to give advice and without real policy-influencing power. The consultation procedure remained in place for for example agricultural legislation and competition legislation.

When the Lisbon Treaty was signed in 2007, the EU officially became a democracy, but it still was not a state (Hoeksma, 2014). The treaty mentions that the functioning of the EU is based on a representative democracy in article 8 A, Treaty on the European Union. The article states the following:

*1. The functioning of the Union shall be founded on representative democracy.*

*2. Citizens are directly represented at Union level in the European Parliament.*

*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.*

*3. Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen. (EU, 2007).*

### **Democratic changes in the EU**

It is evident that the decision-making has become more Europeanized over the last decades. Decisions on a EU-level have direct influence on national policy making and the EU has become more relevant for member states (Hanf & Soetendorp, 1998). The EU has become more important and more determining for the policy making processes in the member states since its creation. The EU as a body, consisting of several organs such as the European Commission, the European Parliament and the European Court of Justice, is functioning in a rather stable, predictable and functional way. After about 50 years of developing a European Union, the question is no longer how to design the organs to make the body function, but how to involve the European citizen in the process. The citizen is somewhat neglected in the original process. Currently the EU is losing legitimacy because of its difficulty to connect to the

European citizens. The democratic legitimacy of EU decisions is jeopardized when the national governments use the EU decision making process to escape domestic mechanisms of democratic accountability (Wincott, 1998).

In more and more policy fields, sovereignty was shared between the member states and the EU. The transfer of sovereignty to the EU level guaranteed peace, but it also led to pressure for democratic legitimacy and control (Hoeksma, 2014). A dilemma emerged between further European integration and less democratic control. The successful cooperation between member states caused the problem of democratic control in that way (Hoeksma, 2014).

The new policy fields that the EU started to cover asked for more and more political legitimacy. The EU grew from a union purely focused on steel and coal to a much wider union involved in many aspects of the daily life of its citizens. This urged the need for a more political system. The EU level of governance needed to be democratically legitimized to justify its policies.

Since the late 1950s, the EU has evolved into an ever closer union. The EU has become a governance power that should be taken seriously. As a reaction to the growing tasks and powers of the EU, there have been developments to strengthen the democratic legitimacy of the EU. However, it seems that the development of power always preceded the development of EU democracy. The democratic aspects of the EU have been reactions to the accumulation of powers. For many years this was considered acceptable to the citizens of the EU. In more recent years, the tide has turned and the European citizens are voicing their discomfort with the current state of the EU more loudly.

Since 1945, the end of the Second World War, there have been no armed conflicts in Western Europe (Nugent, 2010). This sudden change to peace in Europe in comparison to the centuries of war in Europe can be seen as an accomplishment of the EU and the European integration process. While the tasks and powers of the European Union as a whole kept on accumulating, the democratic justification of legislation always came at a second place. It is clear that during the history and development of the European Union, the first goal has been to establish a solid union and a stable platform for European cooperation, instead of creating a platform where European citizens can voice their needs and interests. Democracy is subordinated to pragmatic cooperation.

The empowerment of the democratic institution of the EP has been central in the development of the democratic system of the EU. While the treaties greatly increased the EP's competences, nothing much has been done to improve its popular legitimacy (EurActiv, 2011).

## **5. Democracy in the contemporary EU**

The EU and its democratic system has changed drastically over time, as described in the previous chapter. The status of the democracy at this moment is a result of the developments in the history of the union. In the EU in present time, the consequences of choices and actions in the past are visible. This path dependency leads to the complicated situation of the democratic system that we see today. In this chapter, the current status of the democracy in the EU will be assessed, the role of participatory democracy in the EU will be described specifically and the possible opportunities for improvement for the democratic system are discussed.

### **Assessment of the current status of democracy in the EU**

The current status of the democratic system of the EU can be seen in a subjective light. The interviews that were held with two persons closely related to the EP in their work, gave subjective information on the status of the EU. According to the representative of the EP in The Hague, the democracy in the European Union is in a very good state (Interview 1). He does not see any need for major changes to the system and he is satisfied with the status quo. He is convinced that there is no such thing as a democratic deficit, because the democratic system is functioning properly. When asked about the problems that citizens seem to have with the EU, the argument is that the institutions are functioning as they should. The elections are fair, the EP has significant power in the decision-making process and the citizens of the EU have several other ways of influencing the decision-making process. The conclusion can therefore be drawn that the EU does not have a democratic deficit (Interview 1). In this view, the frictions that can be seen between the citizens and the European Union are completely due to the fact that the citizens of Europe do not act as they should. This is in the opinion of interviewee 1 not the problem of the EU, but a choice of citizens.

The policy officer for the Dutch political party D66 in the EP was more critical about the current situation of the EU. His message was that the EU could and should be much more democratic. His political party is explicitly pro Europe and had a clear and strong message in the campaign of the last elections. There is much more potential for the EP, in a sense that the system should be changed to give the EP more power. The EP is the real source of democratic legitimacy in the EU (Interview 2). The EP can make a difference in the decision-making process since the changes in the treaties. It can break through the power that the member states have and give the democratic voice of the citizens (Interview 2). The EP is also the place for public debate and the actor that stands up for the interests of the European

citizens. The power that the EP has at this moment can be extended in order to improve the democratic system of the EU (Interview 2).

The low turn-out for European elections did not concern the representative of the EP in The Hague. He did not expect the citizens to identify themselves with the local, national and European government to the same extent (Interview 1). The low turn-out is not really a problem, unless it would become very low, for example under 20% (Interview 1). The other interviewee said that the low turn-out percentages were a pity and he wanted to encourage everyone to vote for the EP (Interview 2). The low turn-out was however not directly a problem for the democracy in the EU, because it is up to the citizens themselves to cast their votes. The citizens that did vote, have relatively large influence with their vote (Interview 2). Voting for candidates from different member states instead of for national candidates is a possibility that should be explored (Interview 1).

The idea that the EU has to be a democratic union is vital for both interviewees. It is clear that they both see the importance of democratic legitimacy for the decisions that are made on the EU level. Interviewee 1 says that he finds it very important that the EU is a democratic layer of government, because decisions are made at the European level. These decisions need to be democratically legitimized. In the EU there is a double legitimization, directly via the EP and indirectly via the Council that represents the indirectly elected governments of the member states (Interview 1). It is evident that the EU is a democratic layer of government, because all layers of government have a democratic legitimacy (Interview 2). The function of the democracy in the EU is to give legitimacy to the European policies (Interview 2) and for the citizens to participate in the governance (Interview 1). The EP can legitimize the European policies through giving a counterbalance to the voice of the member states in the Council (Interview 2).

A frequently mentioned option to improve the democratic legitimacy of the EU is to give the EP the right of initiative (Interview 1&2). Every other parliament can initiate legislation on its own, but the EP is not able to do so. It is completely dependent on the European Commission. The right of initiative should be given to the EP, because the mandate that the MEPs received with the elections should be turned in actual initiatives (Interview 2). This method gives a stronger voice to the citizens of Europe instead of an indirect voice via the national governments. The EP is the strongest representative body of the EU for the European citizens and the most influential mouthpiece for citizens, and therefore very important for the democratic system (Interview 1&2).

The role of national parliaments is interesting in the political system of the EU. National parliaments are supposed to control the national ministers in the European Council. The parliament has



too little insight in the developments on EU level and it has too little time to keep up with the developments (Interview 1). The national parliaments give the ministers a task for the Council, but the ministers are not sufficiently controlled by the parliaments (Interview 2). The national parliaments could control their national ministers much more than they do now (Interview 2). There is a shortage of indirect democratic legitimacy via the European Council. Therefore democratic legitimacy on the EU level is important (Interview 1).

The democratic level of the EU is also correlated with the transparency of the institutes (Interview 2). In particular the procedures in the Council mostly take place behind closed doors (Interview 2). This can also be improved in the EU as a whole. Options for improvement are to make documents more accessible and available for everyone and to classify different types of documents and information better (Interview 2). Another option to improve the transparency is to strengthen the media in their coverage of European affairs and decisions. The EU is not a sexy topic that is easily explained on television or in newspapers, but the media have a responsibility to explain the European decision-making in the member states (Interview 1).

Research has shown that there are in fact problems with the democratic representation in the EU. This is supported by the statistics from Eurostat and Eurobarometer, and by extensive literature. The representation in the sense of 'accountability representation' in the EU is just not functioning properly (Kohler-Koch, 2010). The direct relation between the citizens and the representatives is problematic.

When looking at the Eurobarometer statistics, the opinion of citizens on democracy in the EU is concerning. The opinion poll shows that a staggering 46% of European citizens is dissatisfied with the way in which democracy works in the EU (Standard Eurobarometer 79, 2013). In this poll, 11% of the respondents expressed no opinion and 43% was satisfied with the democracy in the EU. Member states where citizens are most satisfied with the way in which democracy works in the EU are Poland (66%), Denmark (64%) and Belgium (63%) (Standard Eurobarometer 79, 2013). In figure 4, the blue line that indicates the percentage of citizens that is satisfied with the way democracy works in the EU is steadily decreasing.

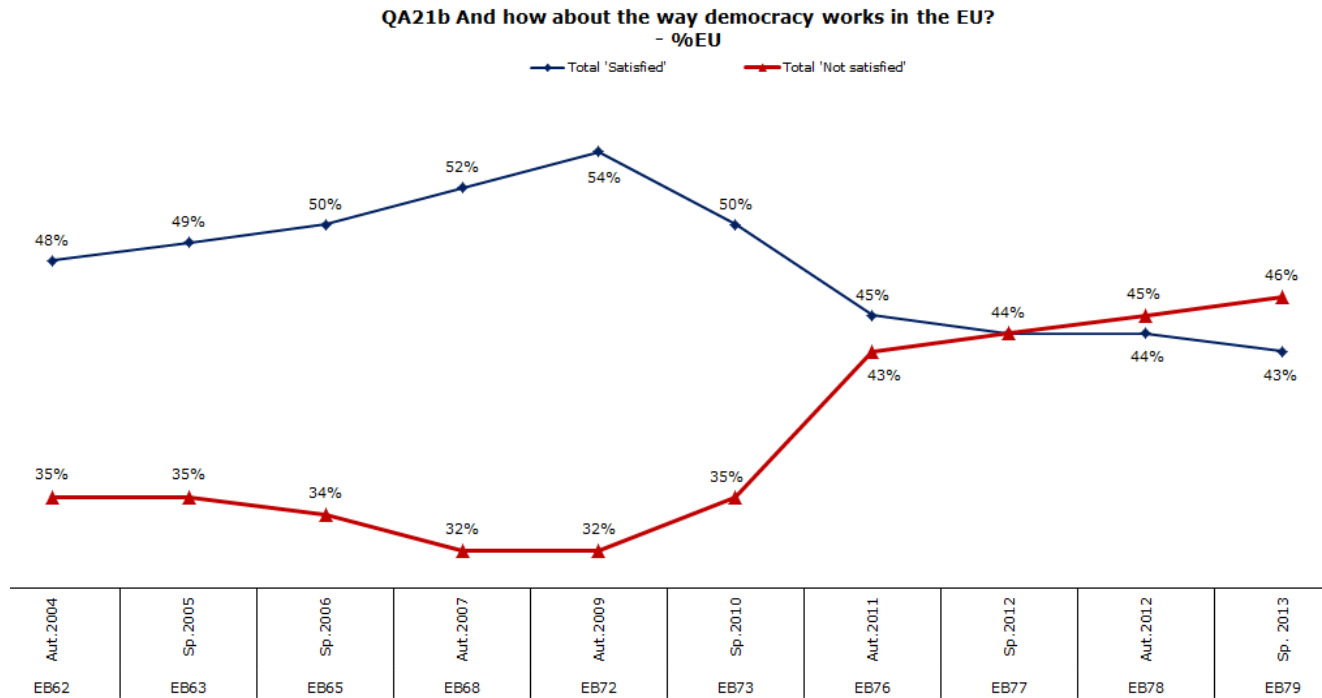


Figure 4: Citizens' opinion on the way democracy works in the EU (Source Eurobarometer, 2013)

There is strong support (69% of respondents) for the President of the European Commission being elected directly by EU citizens (Special Eurobarometer, 2014).

The democratic deficit is a multi-dimensional term that consists of different claims. In short, these claims can be summed up in the following arguments (Weiler et al., 1995). The national governments have transferred significant powers and autonomy to the EU-level. On the EU-level, the decision making process is not controlled by the national parliaments and therefore the democratic control over decisions has decreased. The European Parliament is perceived as a weak actor, despite the formal power it gained over the years. The citizens do not feel connected to the European Parliament. This makes the European Parliament inappropriate to replace the controlling function of the national parliaments. Therefore the EU is not sufficiently democratic and it suffers from a democratic deficit. The transfer of sovereignty from the member states to the EU leads to the hollowing out of the democratic accountability mechanisms (Kohler-Koch & Finke, 2007). In short, the idea is that national parliaments are by-passed by EU decision making, and the European Parliament is not an adequate substitute (Kohler-Koch & Finke, 2007).

The EU has a structure that causes a lot of 'hidden' processes. This is due to the many committees and national experts that temporarily give their advice on policy topics. The committees are on the sidelines of the decision-making process of the EU, but are deeply involved in the decision-making

(Brandsma, 2010). This gives the EU less transparency and it makes the processes complicated. It is a risk for the accountability of the EU (Brandsma, 2010).

In a libertarian conception of democracy, democracy is a way to provide government with limitations to the arbitrary and corrupting power of the state (Moravcsik, 2008). Moravcsik (2008) argues against the idea that the EU is a superstate. The compromises that need to be made in Europe are tight constraints to the policy-making possibilities. The European treaties cannot be changed without the consent of all member states, often including public ratification. Also in areas of European policy-making, the EU is very restricted by “*exceptional checks and balances*” (Moravcsik, 2008: p. 174). These checks and balances are due to the separation of powers between the EU bodies and also between the local, national and international level. The EU lacks many powers that normal states have, such as taxation, a police force and an army. Moravcsik disagrees with critiques on the representativeness of the EU. The EU has important and robust mechanisms that ensure the representation of European citizens, namely the European Parliament and the elected national officials that are in the Council. Making the EU more democratic and making the citizens more active and participating could be done through giving the citizens “*a far greater stake in creating new political cleavages based on self-interest...*” (Moravcsik, 2008: p. 180). This would be an impractical solution in comparison with the current indirect forms of European democracy. In short, Moravcsik argues why there is no need to talk about the democratic deficit in the EU: the EU is not a superstate and therefore does not need much democracy, there is sufficient control of power and the possibilities for more democracy are impractical. “*The EU’s greatest tactical advantage is that it is, in a word, so boring*” (Moravcsik, 2008: p. 182)

In Moravcsik’s article from 2002, he is possibly even more clear. The EU is a legitimate institution in his eyes and there is no need to search for ways to improve the democratic legitimacy. The matters that the EU handles are not very interesting for the general electorate. More importantly, there is an extensive system of checks and balances in place to control the policy-making powers of the EU.

When comparing the EU to other democratic systems, the outcome of several researches is that the EU does not suffer from a larger democratic deficit than states such as the US or Switzerland (Zweifel, 2002). The EU is compared to federal states here. Although the EU is not a federal state, the comparison is justified because the term ‘democratic deficit’ that is used in the context of the EU implies that the EU is or should be a polity with a representative system for the citizens. Therefore it can be compared to other polities with representative structures (Zweifel, 2002: p. 834). This argument shows that the quality of the democratic system is comparable to the democratic systems of functioning federal states. Still, the US and Switzerland do not have the ideal and perfect democratic systems. What the

comparison shows is that the problem of a democratic deficit is not exclusive to the EU, but might be more common in federal states. It also shows that the system of the EU is or could become a functioning democracy, since the US and Switzerland have functioning democracies as well, despite the flaws in it.

The EP elections produce at least an illusion of democracy (Cooper, 2014). Scholars often explain the tensions in the European democratic system by the presence of a democratic deficit. However, there is a second possible way to explain the difficult relation between democracy and the EU. Some argue that there is a democratic surplus (Cooper, 2014; Meunier-Aitsahalia & Ross, 1993). The reason for the problems in the democratic system of the EU is in their view that the EU has too much democratic institutions. There are too many layers that ask for democratic legitimacy that the citizens are overwhelmed by the amount of democracy. Citizens are not inclined to vote anymore, because of the large amount of elections. This way, the democratic system is not functioning properly and one can argue that there is a democratic surplus. The argument of the democratic surplus still acknowledges that there is a problem within the democratic system of the EU.

An even more specified argument is made by Bellamy and Kröger (2013). They argue that there is a delicate balance between representation and democracy. This balance is hard to achieve in the EU, because there is a representation surplus and a democratic deficit. The aspect of representation of the different people in the EU is prominent, and therefore the democratic aspect is weaker.

Professor Hoeksma (2014) argues that it is not necessary any longer to determine whether the EU is an international organization, a state or a state-to-be. The important question is whether the European Union offers guarantees on rule of law and citizens' influence on the policies that are comparable to the guarantees of a nation-state (Hoeksma, 2014). This new way of seeing democracy in the EU lets go of the classical theories about democracy in which the state is central. The state is no longer the only form in which democracy and governance have a place. This gives space for new forms of democracy that are not based on the classical idea of a democracy in a state. In this new way of thinking, the emphasis is on the democratic control over sovereignty instead of on the democratic system that is used in states. In the case of the EU, sovereignty is shared between the member states and the EU. This means that the democratic control also has to take place on the national level and on the EU level. The democratic system of the EU differs from the original state-centered theories, because the sovereignty is shared between two government levels and the democratic control on this sovereignty is also shared between the two government levels (Hoeksma, 2014). What emerged cannot be described in terms that are used in the classical theory on democracy.

It can be stated that the EU is in between a state and an international organization. This follows from the facts that the EU has its own citizens as if it was a state, and at the same time the EU has member states, which point in the direction of an international organization. Existing theories have difficulties with this ambiguity. A new term that can describe this phenomenon is the *union of states and citizens* (Hoekstra, 2014). To explain the nature of the EU, the classical paradigm of the state needs to be replaced by a new view of democracy from a citizens' perspective (Hoeksma, 2014). The democracy in the EU can be seen as a new, experimental form of democracy. The democratization process has only just begun (Hoeksma, 2014).

In the whole research, there is an emphasis on the official governance bodies and on the 'state actors'. However, these interest groups can play a strong role in the functioning of the EU and form an important access for citizens to the EU. The democracy of the EU can be seen as an interest-group democracy, because of the large influence that interest groups have on the EU policies. The relation between the EU democracy and the interest groups is however complicated (Van Schendelen, 2013; p 348). Some of the impacts that interest groups have, add to the democratic quality of the EU. Other impacts cannot directly be seen as democratic or are at odds with the current notions of democracy (Van Schendelen, 2013; p 349). The interest-group democracy brings difficulties, because the current democratic theories do not include the influence of interest groups. In the further development of the democratic system of the EU, the interest groups can play an important role.

### **Participatory democracy in the EU**

The most common, most well-known and most visible form of democracy is the representative democracy. This involves the process where politicians are influenced by the electorate through the elections. In order to get enough votes, it is necessary to convince the electorate of your vision as a politician. The citizens then have the power to decide which politicians will have a seat in the parliament and therefore which visions are most represented. Through this mechanism, the citizen has influence on the policies. Besides the representative aspect of democracy, the participatory aspect of democracy also gives the citizen the chance to influence politicians.

There are several attempts to enhance the participatory side of European democracy. These initiatives can be categorized into four main types of attempts, as explained in the lecture by professor Kohler-Koch. First of all participation through communication. This involves the attempt of the EU to inform citizens about its actions and its structure. This may involve social media and other types of media and communication channels. The idea behind it is that through rising awareness, citizens will become more empowered and more active in their participatory activities. However, professor Kohler-Koch

argues that this attempt of the EU does not lead to more participatory democracy. In practice, the communication comes down to the EU informing its citizens and giving them information. Although it might bring more transparency, this does not lead to direct involvement of citizens in the EU. The Commissioners are not taking up the possibilities of the social media. Participation through communication is at this moment mainly focused on educating citizens about the EU, and this is not participation.

The second attempt for more participation are participatory experiments for direct citizen participation, for example through opinion polls and organized debates. The problem here is that the citizens are selected and not all citizens have equal opportunity to influence the policies. Citizens are asked to give their opinion and participate in the experiment.

The third attempt for more participation is through consultation. This method makes the process more open and transparent. The opinion polls are often accessible via the internet. This method is frequently used, but in practice the consultations are mostly used by NGOs, interest groups and other organized groups, not directly by citizens. This initiative for citizens participation therefore misses its goal. All three options to enhance participation mentioned until now are examples of participation by invitation. This means that the EU is the actor that initiates the participation of citizens and invites them to contribute to the policy-making process.

The fourth form of participation is the only one that has a bottom-up approach and gives the citizens the chance to participate without inviting them directly. This form of participation is the citizens' initiative. The citizens' initiative is consolidated in the Treaty on the European Union (TEU) (Treaty of Lisbon), article 11, paragraph 4, as follows:

*“Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties”*(EU, 2007).

This article from the TEU also points to Article 225 of the Treaty on the Functioning of the European Union (TFEU), where the need for further, more detailed legislation is stated. This legislation is further elaborated in a regulation by the EP and the European Council. This regulation gives more details for the functioning of the citizens' initiative. The citizens' initiative is further specified as follows:

*(1) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to*

*participate in the democratic life of the Union by way of a European citizens' initiative. That procedure affords citizens the possibility of directly approaching the Commission with a request inviting it to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties similar to the right conferred on the European Parliament under Article 225 of the Treaty on the Functioning of the European Union (TFEU) and on the Council under Article 241 TFEU.*

*(2) The procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible. They should strike a judicious balance between rights and obligations.*

*(5) It is necessary to establish the minimum number of Member States from which citizens must come. In order to ensure that a citizens' initiative is representative of a Union interest, while ensuring that the instrument remains easy to use, that number should be set at one quarter of Member States.*

(EU, 2011)

The requirements for a successful citizens' initiative ask for a solid organization. Requirements are 1 million signatures from at least one quarter of the member states (that is seven member states at the moment). When all official requirements are met, the Commission is obliged to consider the citizens' initiative. This may have a strong and direct bottom up influence on the European policies. On the other hand, the Commission is not obliged to actually take an action and propose legislation in accordance to the initiative. This weakens the power of the fourth form of participation. It is proven to be difficult to organize the citizens' initiative in a successful way, since only two attempts have been successful up to now. It seems that the current participation of European citizens on the EU level does not live up to the democratic standards, since the efforts made by the EU to enhance participation do not in fact lead to more citizen participation.

### **The quality of the democratic system of the EU**

As described in chapter 2, there are norms for input-, throughput- and output-legitimacy. All norms for the three categories can be found in Table 2. Considering the information in this chapter and the previous chapter, and applying the norms for the quality of a democratic system to the case of the European Union, there are several problems for the democratic system that come forward. The three categories of norms will be discussed one by one.

First of all, the norms for input legitimacy are the amount of opportunities for citizen participation, the quality of representation by interest groups and the openness of the agenda-setting process. The EU has introduced a considerable amount of possibilities for citizens to participate in the democratic process. This does not only concern the direct voting for the European Parliament, but also the citizens' initiative and participation through consultation for example. There seem to be sufficient opportunities for citizens to participate. The quality of the representation in interest groups is more difficult to address. It is certain that there are many interest groups lobbying for the interests of the ones they represent. Some interest groups are better organized, have more resources and get more done than others. What quality of representation these interest groups have, is uncertain. The openness of the agenda setting process is relatively low in the democratic system. The methods for citizens' participation rarely lead to actions from the EU bodies. For example, the Commission is not obliged to take action on a successful citizens' initiative. The media does not have a major agenda-setting role, because there is no strong overarching European media platform. The EU news is covered by national media and they have limited influence on the European agenda. The European Parliament does not have the right of initiative and is dependent on the Commission to put forward new legislative proposals. The European Commission is the only body that has the right of initiative. This makes the agenda-setting process very closed.

The norms for throughput legitimacy that determine the quality of the democratic system are the way of collective decision-making, the quality of the participation of citizens and the checks and balances in the system. The decision-making process in the EU can take different shapes, depending on the policy area. In some policy areas the member states have more influence, in other cases the individual states do not have a veto. The collective decision-making is aimed at consensus between the actors. The process towards a consensus is often held behind closed doors. There is little debate in public on the decision-making process in the EU. As seen throughout the research, the quality of the participation of citizens is not high. This is clearly visible by the turn-out for European elections, but also by the lack of knowledge of the EU that the citizens have. Citizens do not participate in the democratic system of the EU with great enthusiasm. They are not that much involved in the decision-making processes. The quality of citizens' participation is a problem in the democratic system. The system of the EU is stronger when looking at the internal checks and balances to keep control over the powers of different actors. The decision-making process is complicated because of the checks and balances and the bodies of the EU keep each other in balance. The legislative, judicial and executive powers are divided over the EU bodies. The system of checks and balances in the democracy seems to work well.

Lastly, output legitimacy can be measured by the performance of the government, the accountability and the transparency of the actions and decisions. In the case of the EU, the performance of



the EU in terms of effectiveness, efficiency and responsiveness to citizens is not measured in this research. It can be said that the EU seems to function quite efficient, because of the relatively small size of the total organization in comparison to the size of national governments. The performance of the EU and its policies cannot be assessed properly in this research. This is possibly a topic for further research. It can be argued that the accountability of the EU is sufficient. The actor that initiates and executes the policy in the EU, mainly the European Commission, is held accountable by the European Parliament for the decisions and consequences of the decisions. The transparency of the decision-making processes in the EU is not very high. Many discussions and negotiations between member states are held behind closed doors and the standpoints from the member states are often not entirely clear for citizens. The systems with cabinets, committees and external experts make the process complicated. The complicated procedures lower the transparency of the EU for citizens and this is a weak spot in the democratic system of the EU.

In short, the EU democratic system shows shortages in all three categories of norms. The quality of the democratic system is lowered in particular by the agenda-setting process that is not very open for the European citizens, the low quality of participation by the European citizens and the lack of transparency of the decision-making process. There is room for improvement of this democratic system. On the other hand, the EU offers a range of opportunities for citizens to participate and there is a system of checks and balances between the different actors. This is positive for the quality of the democratic system.

### **Opportunities for improvement**

The democratic system of the EU is by no means flawless, as seen previously in this chapter. People working in or close to the EU see opportunities for improving the European democracy. Different solutions or improvements are suggested by people in or close to the EU. These suggestions are not major changes to the current system, but rather minor steps in a direction of more integration, more democracy and more influence for citizens. The opportunities could all be considered as possible steps in the direction of further strengthening the democratic system of the EU.

One suggestion that is mentioned by both interviewed persons is to give the European Parliament the right of initiative. This right is now solely in the hands of the European Commission. National parliaments often have this right to initiate legislation. A right of initiative gives the EP more power to initiate legislation and to give a voice to the citizens of Europe. It makes the EP more powerful and also more similar to a national parliament. In a way, this strengthens the democratic system by empowering the democratically elected EP. Martin Schulz, the President of the EP is also in favor of a reform that

gives the EP the right of initiative. He especially gave this option attention in the context of the euro crisis, saying that the EU would have been much more effective and efficient if the EP had had the right of initiative. Schulz sees no necessity to change the treaties, in his opinion the Commission can choose to act upon parliamentary initiatives (EurActiv, 2012).

There are many voices that agree that the current European party system does not sustain the European unification in a democratic and efficient way (EurActiv, 2011). A suggestion for further improvement that is mentioned by the interviewees and in the EurActiv article by MEP Andrew Duff is the introduction of election lists that are based on idealistic divisions instead of nationalities. This would mean a European-wide list that contains candidates from different nationalities. This adjustment gives the European citizen the opportunity to vote for ideals instead of national parties and it gives the EU a stronger identity that is overarching the member states. A risk of this system could be that smaller member states will become a small minority in the EP and the larger member states will have more MEPs. However, when the EU is really integrated, this would not be a problem, since all elected MEPs are representatives of the citizens of the EU.

In most of the mentioned solutions, the European Parliament plays a vital and central role in the democratic system. The EP is already in place and considered the most appropriate body to represent the citizens and the democratic system. Besides adjusting the EP, there are other possible options for improvement. There is a role for the media in the way that the European democracy functions. A functioning democracy is in need of a population that is well-informed and has access to information. The media in the EU is divided along the lines of the member states. There are some attempts for European media, such as EuroNews, but these initiatives do not have a large share in the media world. The news from Brussels is covered in the media, but only on a small scale. There is more attention for the national politics than for the European politics. Partly, this small amount of media coverage and lack of European media channels is due to the many languages that the EU contains. This makes it more difficult to share the news and spread it over all the member states.

Small possible steps in the direction of a more integrated EU with more participating citizens could be to make the voting procedure easier by voting online. Only one election day can also add to the feeling that we are one EU. The anthem of the EU could get a more prominent role in ceremonies such as the European football games or some other international activities and events. These minor details can help to make the European citizens feel more integrated. It will bring the EU closer to the people and this might help the process of an ever closer union.

## 6. Conclusion

In the previous chapters, the historical path of the EU and the current situation has been discussed extensively. This analysis shows that the problems with democracy that the EU faces today are a result of the developments of the EU in the earlier stages of integration. The current democratic situation shows friction between the idea of the EU to be democratic in order to legitimize legislation and the fact that the EU is not a state. This analysis results in a conclusion and an answer to the research question in this final chapter.

### Theory for the EU

The current theories on democracy in states are not useful in the EU since the EU is not a state. It is necessary to formulate new theories on the special case of the EU, since the current situation of the EU is that the EU is not a state but it has a certain degree of democratic legitimacy. *“The EU is a problem for democratic theory insofar as it cannot be democratic according to modern accounts of democracy”* (Bellamy & Kröger, 2013; p. 493). The special democratic system of the EU therefore needs a new view on democratic theory.

Professor Hoekstra has made a start with theory that sees the EU democracy as a completely new form of democracy that does not fit within the classical theories of democracy in a state. His term *union of states and citizens* (Hoekstra, 2014) recognizes the fact that the EU does not fit into existing theory and is in need of its own theory. The EU is an experiment for new forms of democracy and this makes it inescapable to reconsider the classical models for democracy (Hoekstra, 2014).

### Development of democracy

The questionable state of democracy the EU faces today is a result of the way the EU developed. It is therefore not directly a disaster. The origins of the EU shaped the democratic system of the EU in a way that made democracy subordinate to functionality and pragmatism. Only once the EU started to develop further and accumulated power over a multitude of policy areas, democratic aspects were added. The European Parliament started out as a weak organ that represented the citizens in the EU without having real power to influence decision-making. In every following treaty, the system of democratic legitimacy was strengthened by giving more influential power to the EP. The new system has made the European Parliament much more important and essential for decision-making. In theory, one could say that the EU is an organization that is democratic and has legitimacy. However, as shown in this research, there are a lot of flaws and elements that are not optimal in the democratic system of the EU. The

evolution of democracy in the EU will not stop now. It is necessary to keep on developing the EU, towards a system of democracy that has a better fit. This will consolidate the role of the EU as an influential governance organization.

### **The future of the EU**

In order to become more stable and sustainable in the future, it is important for the EU to decide on the future directions for development. It is clear that the democratic system is not satisfying for the European citizens at the moment. There is no use for the EU and its citizens to remain in the current vague situation of a parliamentary democracy while the EU is not a state. It has become clear that this situation leads to misunderstanding and discomfort by the European citizens. The current situation also does not lead to better decision-making. Change in the system is required. The classical theories on democracy do not fit the EU, because the EU is not a state. When seen very objectively, these conditions lead to two possible solutions. Either the EU needs to become a state with a functioning democratic system that fits in the classical democratic theories, or the EU needs to abandon the idea of the classical democratic system. The development of democracy in Europe can go in two different directions.

One option to make European democracy better is simply to make the EU a state. This could be a state like the United States of America, which is a union of many states that remain their own identities and partly their own autonomy. The states within the union are however part of the larger union and are subordinated to the supranational government of the union. Many policy areas that are now in the hands of the member states will be transferred to the EU. The foreign policies and defense policies will be in the hands of the EU. All member states will have the same currency. The rules on travelling, trade and migration within the union will be eased even further. The member states will have to give up their sovereignty to the federal state of Europe. Overall, this option for further integration and even the status of a state for the EU does not sound like a scenario that is likely to happen anytime soon. Even a gradual introduction of further integration towards eventually becoming one state is not likely. One could say that this process is going on at this moment, but in fact it is not. There is no further investment from member states or from the EU itself for becoming one state. There is no aspiration from the member states to form one state. Not at all, or even on the contrary. Every change in the treaties causes a lot of trouble in the negotiations, on many important policy areas all member states have a veto vote which they are not willing to give up. There is no political support for the integration of the EU into a state.

Another possibility to make the democratic system of the EU better, is to abandon the idea of the EU as a state. Stretching the argument that the EU is not a state and the EU will not be a state any time soon, leads to the conclusion that the EU does not need a classic democratic system. This means that the

EU does not need to have a democratically elected parliament which represents the people. At the moment, the European Parliament is trying very hard to be a parliament that represents the people of the EU, but there are many signs mentioned in this thesis that the EP is in fact a weak representation of the European people. Abandoning the convulsive idea that the EU has to be a democratic body in the classical theory of democracy takes the pressure off the EU and gives space for new forms of democracy. These new forms of democracy can be much more appropriate for the purposes of the EU and the

This conclusion that offers only two options for the future of the EU is very black and white. The EU has always balanced between conflicting ideas. This leads to uncertainty for the parties involved, both member states and citizens. The difficult balance between being a state and being an international organization is on the basis of the problems that the EU experiences. The nature of the problems in the democratic system lays in this difficult balance. The ambiguity that is in the core of the EU cannot be clarified through more education for citizens, more deliberation or more European elections. Only a fundamental choice can bring clarification. Then, the goals of the EU will become transparent.

The conclusions that are put forward in this thesis are rather harsh conclusions. There seems to be no space in between the options for the EU and it poses an either/or question for the future of the EU. Such a choice leads to conflict rather than to cooperation and peace. In reality such a radical conclusion cannot be made. There are too many forces involved in the EU, so that a radical choice for the one or for the other is not a reachable goal. Besides this, the EU functions at this moment, despite the ambiguity. This does not mean that the question is irrelevant. The question about the future of the EU still remains valuable. The question cannot be answered in any direct way, it is much more likely that the EU will drift towards one of the two options in the future. The democratic system of the EU will continue to evolve. This will probably happen in a slow and gradual process, similar to a process of evolution.

### **Further research**

There is more research needed to find out how the democracy in the EU fits into democratic theories. It is highly likely that the European democracy is in need for its own democratic theory, since the circumstances are extraordinary and the system does not fit in the classical democratic theory that is focused on the state. This research has tried to summarize the existing theories and explain why the existing theories do not fit with the current practice of the EU. Further research into the nature of the democratic system of the EU is useful.

When new forms of democracy take place in the EU, other than the well-known representative democracy that is common in a state, it is also interesting to do more research into these novelties. The

opportunity that the EU offers for democratic experiments gives a large potential research area. The idea that democracy only belongs in a state does not hold anymore, but there is the need for a new theory that explains and describes the functioning of the democratic system of the EU that we see in practice.

## 7. Recommendations

This final chapter of the research is called 'Recommendations'. However, it does not offer clear-cut options or solutions for the challenges that the EU faces. It is not the aim of this thesis to instruct the EU or other actors involved in the EU decision-making what to do next. This research cannot oversee the consequences of choosing either an EU that becomes a federal state or an EU that acts as an important international organization. Under this header, a number of frequently mentioned improvements for the democratic system of the EU will be discussed. The proposed improvements lead the EU into different directions. This will be discussed here.

The general message in this thesis is that it is important in the future of the EU to be consistent and to be aware. Consistent in the sense that the choices that are made in the EU have to go in the same direction. Decisions that go in opposite directions are not bringing the EU any further. It will only confuse the citizens and undermine the system. Awareness about the direction in which the EU is developing is therefore essential. The choices that will be made in the future about the developments of the democratic system have a direct influence on the direction the EU will be heading. It is good for decision-makers and the citizens of the EU to be aware of the choices that they have and the possible ways that the EU is heading for.

### **Towards a state**

The first frequently mentioned option to strengthen the democratic system of the EU is giving the European Parliament the right of initiative. Currently, only the European Commission has the right to initiate legislation. In parliamentary democracies in states, the parliament commonly has a right of initiative. Clearly, this option to change the system leads to a democratic system that is more similar to that of a state. Therefore, this option leads the EU further in the direction of becoming a state.

The possibility to vote for MEPs originating from other member states than the citizen is a second option for changing the democratic system. At the moment it is only possible to vote per member state on a national list of candidates for the EP. The national fractions later form international fractions together with fractions from different member states. Changing this system in a way that every citizen can vote for every candidate, no matter what nationality the citizen or the candidate, gives a situation where the member states are far more integrated.

Thirdly, the direct election of the President of the European Commission is an option to change the democratic system. The President can become a more political instead of technocratic function and the

citizens of the EU can cast their votes on the candidate that they think is most appropriate. The citizens have a direct influence on the election of the President. This system would have large similarities to a presidential system. Therefore, the direct election of the President is an option that leads in the direction of the EU as a state.

### **Towards an international organization**

The fourth option to enhance democratic legitimacy is to improve the procedures for the citizens' initiative. As discussed previously, the citizens' initiative gives the citizens the direct opportunity to put policy issues on the political agenda. However, the thresholds for a successful citizens' initiative are high and until now only two initiatives were successful. The European Commission is not obliged to take action when a successful initiative is presented to them. When the European Commission is forced to take action after the presentation of a successful citizens' initiative, this would make the citizens' initiative a stronger and more effective method. The citizens' initiative is a form of democracy that is not common in the democratic system of a state. The success of an initiative needs the support of citizens and it is therefore a bottom-up method. Citizens can voice their interests and concerns directly to the EU. This option brings the EU more in the direction of an international organization, where the EU plays a role as a platform for exchanging information, trading off interests and reaching compromises between member states.

Fifth, an option is to empower the national, democratically elected parliaments to control the actions of their national ministers on the European level. The national ministers of the member states take seats in the European Council and decide on behalf of the member states on legislation and actions. Their actions have to be checked and controlled by the national parliaments. The national parliaments have democratic legitimacy and by controlling their ministers, the national parliaments provide legitimacy to the decisions of the European Council. This option leads the EU in the direction of an international organization, in which the member states reach decisions and the national parliaments provide democratic legitimacy. This improvement adds to the accountability structure of the EU.

In order to enable the citizens of the EU to participate actively in the democratic system, the sixth option is to raise awareness for the EU. Raising awareness improves the quality of the democratic system. This can be done for example through providing knowledge and improving the levels of transparency of the EU decision-making. This option aims for more active citizens in the EU and for a higher quality of the democratic system. It can strengthen both a system that leads towards the EU as a state and a system that leads towards the EU as an international organization.



All options that are mentioned for changing the democratic system of the EU are listed in table 5. Table 5 also gives an overview of the directions in which the different options lead. What is needed in the EU is a debate about the nature of the EU and the direction in which the EU wants to proceed. Meanwhile, it is necessary to be consistent in new actions to improve the democratic system and to be aware of the consequences of these choices.

*Table 5: Options for changing the democratic system of the EU*

	Towards State	Towards IO
Giving the European Parliament the right of initiative	X	
Voting with international lists instead of voting for national candidates	X	
Direct election of the President of the European Commission	X	
Improving the procedures for the citizens' initiative		X
Empowering national parliaments to control the national ministers in the European Council		X
Raising awareness and providing knowledge and transparency to the citizens of the EU	X	X

### **The theoretical challenge**

The conclusion has shown that the EU can proceed in two directions, either towards a state or towards an international organization. However, the reality at this moment is that the EU is a functioning institution that produces legitimate legislation for its member states. The EU evolved into its current form in a legitimate way and has legitimacy in its functioning. The member states, the European citizens and the historical background gave this legitimacy to the EU. This does not fit into the existing theory. The challenge for academics is to develop a theory that fits the reality of the EU. Even though the EU does not fit the existing theory, it is a functioning phenomenon with a legitimacy in its own right.

In reality, the new developments in governance structures often precede the developments in academic theory. This was for example the case when the state started to regulate education, health care and public transport. The theory that existed then was centered around states that are concerned with defense, external relations and public law (Stapelbroek, 2014). The roles of the state changed in practice and the theory lagged behind. The academic theory did not cover the roles of the state as a supplier of health care and education, although in reality these roles of the state were already visible. A similar gap between reality and theory seems to exist for the EU. The EU can be seen as a new, experimental form of

democracy that functions in practice but is not yet captured in theory. The reality is well ahead of the theoretical frameworks in the case of the EU. What is needed at this point is a theory that inductively describes and explains the functioning of the EU, its legitimacy and its democratic system. The recommendation for academics is to develop a new theory for the phenomenon that we see: a functioning EU with a democratic system that is somewhere in between a state and an international organization.

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