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The myth of Europe's 'democratic deficit'

Intereconomics

Does the EU Suffer from a Democratic Deficit?

The rejection of the Lisbon Treaty by the Irish electorate has given new vigour to the debate on the European Union's widely perceived democratic deficit. Does the EU indeed have a serious democracy problem? What are the options open to the European political leadership and which of these should be acted upon?

Christopher Lord*

Still in Democratic Deficit

A solution is defined in logic as that set of conditions which are individually necessary and collectively sufficient to produce a desired outcome. So what then would it take to solve the democratic deficit, or for that matter, to make any polity democratic?

First, democracy requires that citizens should be able to understand themselves as authoring their own laws through representatives. Only then can they be said to be self-governing.[1]

Second, democracy requires public control. This goes beyond the previous condition to require that citizens should also be able to control the administration of laws once they are made.

Third, democracy requires political equality. Without this there would not be a straightforward "rule by the people". Rather, there would also be an element of rule "of some of the people by others of the people". Political equality, in turn, comprises equality of votes (one person, one vote) and equality of voice (equal access of all points of view to the political agenda).

Fourth, democracy entails a right to justification. John Dewey observed that it is hard to see how any one would accept the harsh discipline of being outvoted by others without some justification being offered;[2] and, before him, John Stuart Mill argued that a primary purpose of representative government should be to ensure that those "whose opinion is overruled, feel that it is heard, and set aside not by a mere act of will, but for what are thought to be superior reasons".[3]

Fifth, democracy requires a people, or, in other words, a *demos* that is widely understood as entitled to make decisions binding on all. On top of that there must be agreement on who is to be included in voting and opinion-formation, and the citizenry must have the capabilities needed to perform its role in the democratic polity.[4]

With these conditions in mind it is no surprise that the application of democracy to the EU has been so hotly debated. On the one hand, the Union makes laws. Indeed, on some calculations it makes 75% of the new laws binding on European citizens. On the other hand, some of the conditions for democracy seem to be missing. So are European societies locked into a contradiction? Have they become committed to beliefs that presuppose democracy is the only form of legitimacy available to institutions that make publicly binding decisions[5] at a moment in their history when their core values – and the sustainability of their social, economic and environmental systems – have come to depend on solutions to collective problems that, in turn, presuppose a shared polity that is unsuited to democracy? [6]

A False Problem?

For some, though, the notion of a democratic deficit in the European Union is a false problem, not a contradiction or even a dilemma. Consider three variants of this argument.

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[1] For the full development of this argument see J. H a b e r m a s : Between Facts and Norms, Cambridge, Polity Press.

[2] J. D e w e y : The Public and its Problems, London 1927, George Allen and Unwin.

[3] J. S. M i l l : Utilitarianism, On Liberty and Considerations on Representative Government, London 1972 [1861], Dent.

[4] J. M a r c h , J. O l s e n : Democratic Governance, New York 1995, Free Press.

[5] J. H a b e r m a s , op. cit.

[6] F. S h a r p f : Governing in Europe: Effective and Democratic?, Oxford 1999, Oxford University Press.

1. The Union does not need to be democratic. According to this view, the Union is structurally constrained to operate as a consensus system. It does not – and cannot – re-allocate values other than marginally. In the jargon, it can only function, if at all, as an instrument for "pareto-improvement, which, in the round, leaves all its member states more or less better off in terms of their own felt preferences. Even where majority voting is possible, decisions are usually taken by consensus".[7] Indeed majority voting is itself the product of a Treaty framework unanimously approved by member states for their own purposes, and sustained by their continuing consent. Voluntarily entered into, overwhelmingly dependent on the active cooperation of its member states on a day-to-day basis, and prone to base its decisions on the agreement of all, the Union requires little further justification, democratic or otherwise. At the end of the day it is best understood as a coordination mechanism for its member state democracies, not as a body that needs itself to be democratic. It simply does not exercise power – or require others to do what they would sooner not do – in a way that calls for democratic control of its decisions.

2. The Union is already as democratic as it needs to be. If the previous point is accepted, the only surprise is that the Union is as democratic as it is. It may make more sense to speak of a "democratic surplus" – which sometimes risks interfering with the Union's other purposes and justifications – than of a "democratic deficit". Not only have the normal means of controlling international bodies – through the participation of their member states in their decisions – been elaborated into a remarkable system of day-to-day supervision in the case of the EU. One need only think of the committees the Commission is obliged to consult before exercising its power of initiative or issuing implementing instructions to member states. But on top of all that, member states have accepted a range of other checks and balances.[8] These include a directly elected European Parliament with significant legislative and budgetary codecision and a veto on the appointment of the Presidency and College of Commissioners. They also include a remarkably strong Court. Although obviously not itself a democratic body, the ECJ, together with the Ombudsman, can help to ensure that the Union holds to democratic values, including individual rights protections and the non-arbitrary use of political power.

3. A more democratic Union is undesired or undesirable, since it would presuppose a bigger role for European-level majorities of voters or representatives in making decisions binding on all. Yet publics show little enthusiasm for bonding together into the required sense of political community at European level. In so far, then, as the Union can still be meaningfully described as being in "democratic deficit" after the two previous points are taken into consideration, it is a deficit willingly entered into, made all the more tolerable by the many other ways in which Union power can be constrained, and by possibilities for a division of labour in which democracy operates at the national level, whilst Union institutions are used to achieve desirable outcomes that are not so easily delivered through democratic politics.[9]

There is much wisdom in these arguments. But there is also a deal of complacency, as I hope now to show.

First, we should be careful of the assumption that there is nothing to legitimate (democratically or otherwise) in the case of the European Union. Far from being value neutral, Union policies often appear to have profound ideological biases. Several studies have noted that its institutions are structurally more likely to produce negative, rather than positive, integration, and thus to favour some notions of economic and social justice and efficiency over others.[10] Moreover, far from the coercive power of Union law being imperceptible, member states are famously prone to attribute those unpopular things that "have to be done" to "Brussels". Thus the Union has to absorb the legitimacy deficits of its member states as well as *vice versa*.

Second, it is important not to confuse the member states as "problem" with the member states as "solution". Member state governments are themselves amongst the principal beneficiaries of delegations of powers to the Union. As Joe Weiler puts it, "executive branches" of national governments "reconstitute" themselves as the "legislature" in the European arena.[11] As such they are "agents" in need of supervision, not "principals" who provide it.

Those who believe that the Union can operate as a well-supervised delegation of powers from national democracies need to be able to show that national publics and parliaments can control the range of those

[7] M. Mattila, J.-E. Lane: Why Unanimity in the Council? A Roll-Call Analysis of Council Voting, in: European Union Politics, Vol. 2, No. 1, 2001, pp. 31-53.

[8] A. Moravcsik: In Defence of the Democratic Deficit: Reassessing Legitimacy in the European Union, in: Journal of Common Market Studies, Vol. 40, No. 3, 2002, pp. 603-24.

[9] G. Majone: The Dilemmas of European Integration, The Ambiguities and Pitfalls of Integration by Stealth, Oxford 2005, Oxford University Press.

[10] F. Scharpf, op. cit.

[11] J. Weiler: Legitimacy and Democracy of Union Governance, in: G. Edwards, A. Pijpers: The Politics of European Union Treaty Reform, London 1997, Pinter, p. 274.

who exercise the powers of Union, their own governments included. It is not enough for them to demonstrate that member state governments can control EU institutions. Yet there is not just variation across member states in how far Union issues are electorally salient or subject to parliamentary scrutiny. There are also limits to how far individual control could ever add up to collective control: to how far control of individual governments in the Council can add up to control of the Council. Individual national democracies may be confronted by *faits accomplis* or feel constrained from challenging outcomes they might have better prospects of changing collectively. From the point of view of individual voters, votes cast in national elections on European issues may be at the opportunity cost of voting for a preferred party on domestic issues; from that of representatives, the costly acquisition of expertise needed for effective scrutiny of Union issues may be time that has to be diverted from full scrutiny of domestic issues.

Given such difficulties, sophisticated versions of the "no democratic deficit argument" may be forced in the direction of assuming a kind of "audit democracy" in which the representative and other constraining bodies which make up the system of checks and balances in the European arena are understood as either controlling Union decisions on "behalf of" national democracies or as providing the latter with information for their own scrutiny.[12]

And, yet, third, a democratic deficit cannot be filled by any set of checks and balances. It can only be filled by a democratic system of checks and balances. The notion that the European Parliament can check and balance the Council of Ministers at the level of the EU's political system itself (while national democracies control the contributions of their own governments to the EU system) presupposes that the EP is itself adequately democratic. Reasons for doubt include the sometimes haphazard definition of its powers. It is not always clear why some matters are codecided and others not (especially in relation to the budget); nor, indeed, where law-making ends and administration begins. In successive reports the EP has complained that comitology committees do not "merely implement" but "modify and supplement" legislative texts.[13]

Above all, though, the Parliament's claim to control on behalf of publics is somewhat compromised by the second-order character of its elections. Now, there are some who argue there is little problem here, since, even accepting that European elections do little to structure electoral competition and choice around questions relevant to the Union itself, there would still seem to be a high correlation between the preferences of voters and those who represent them in the European Parliament.[14] I doubt, however, that this can ever be an adequate answer. To the extent that democracy requires a public that actively exercises control over those who make decisions on its behalf, it is a weakness of European elections that they are not about the institution that is in fact being elected: that they are so hard to interpret as judgements either on what representatives promise for the next five years or on their performance over the previous five years.

Fourth, any democratic control of the Union has to be equal to the complexity and originality of its decision-making structures. Perhaps the central difficulty is that the Union's executive order is built on a partial substitution of governance for government. It rests on a proliferation of executive practices away from hierarchies that can easily be held accountable by conventional means to politically appointed leaders and, through them, to representative bodies and the voters. Morten Egeberg and Deidre Curtin identify at least the following elements in the complexification of the Union's "new executive order": first, a dispersion of executive responsibilities between the Commission, the Council, agencies of the one or the other, and "satellites" of the two (comitology); b) the comparative autonomy of those bodies; c) a feedback to the fragmentation of national administrations themselves as its various parts are sucked into highly specialised and segmental forms of policy cooperation at the European level and d) a partial re-integration of the whole, but not, it should be noted, into a new form of administrative hierarchy. Rather, if re-integration does occur, it is through informal networks which traverse formal divisions between the Union institutions, geographical levels, and even the public-private divide.[15]

Such a structure hardly removes all possibility of control at either the Union or national levels. But it does constrain the latter. It creates asymmetries of knowledge in favour of those who are "inside" any one

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[12] This is developed as "Recon Model 1" in E.-O. E r i k s e n, J.-E. F o s s u m: Europe in Transformation. How to Reconstitute Democracy?, Oslo 2007, Recon/ARENA.

[13] European Parliament: Report on the Moderation of Procedures for the Exercise of Implementing Powers – Comitology (Aglietta Report), Brussels 1998. Also European Parliament: On the Proposal for a Council Regulation adapting the provisions relating to committees which assist the Commission in the exercise of its implementing powers (Frassoni Report), Brussels 2003.

[14] H. S c h m i t t, J. T h o m a s s e n: Dynamic Representation: the Case of European Integration, in: European Union Politics, Vol. 1, No.3, 2000, pp. 340-363.

[15] D. C u r t i n, M. E g e b e r g: Tradition and Innovation: Europe's Accumulated Executive Order, in: West European Politics, Vol. 31, No. 4, 2008, pp. 639-661.

"loop" of European Union policy-making. It raises the costs to principals of monitoring what has been decided, by whom, when and where. But, above all, necessity has been the mother of invention in the evolution of the EU's new executive order. It is a response to the dispersion of resources, instruments and legal authority across levels of executive power; and the various committees and networks need some margin of autonomy – to operate according to an internal discipline of mutual persuasion and not just according to external instruction – if they are to attain their full problem-solving capacities.

What Is To Be Done?

So what is to be done? I would suggest we accept some of the premises of the "no democratic deficit argument" but reject its conclusion. Amongst the premises I would accept are, first, that the Union will – and should – remain a consensus system for the foreseeable future; and, closely related to that, any democratic control should be distributed across its multi-level structure. In addition to the concerns set out in the preceding paragraphs, my main quarrel with the argument that there is no democratic deficit is quite simply that, even accepting that the Union should continue to be based on a consensus of its member states and avoid the centralising implications of overly empowering Union-wide majorities of voters or representatives, there is more that could be done to make it more democratic, including the following:

1) Make the Council visible to the point at which citizens can literally see themselves as authoring their own laws through representatives. By this I do not just mean that it should legislate in public, but that it should film its own proceedings and its meetings should be chaired in a manner which requires each position taken to be publicly justified. This may itself create new opportunities for political entrepreneurs within member states to compete for power on the basis of criticism of what their own governments are attempting within the European arena. But those challenges should themselves be open to challenge, and required to justify themselves in relation to all other points of view; hence, my next two suggestions.

2) Establish an "open method of coordination" between the parliaments of the European Union. This should build on the insight that even those parliaments which are dominated by their executives can have a significant "forum role", whilst encouraging *jeux sans frontières* in debates about Union issues. Rights of audience to delegations from other parliaments, coordinated tabling of resolutions in several parliaments, and an exchange of documents should all be considered.

Above all, the parliaments of the Union should aim to replicate what Christian Joerges claims is a feature of comitology: namely, a "respect" for "the state's constitutional legitimacy" which, "at the same time, clarifies the commitments arising from its interdependence with equally legitimised states".[16] In other words there comes a point where living together with other democracies in a condition of close interdependence at least requires that the views of those others be taken into account in forming attitudes to any shared policies or institutions.

3) Introduce measures aimed at making European elections more European. Some have proposed a form of "shock therapy": a qualitative jump in the powers of the European Parliament – such as the power to choose the Presidency of the Commission – aimed at shocking parties out of the habit of fighting European elections on domestic issues, at catalysing political competition, and at structuring voter choice around rival programmes for the policy development of the Union policy. Such suggestions assume that fights do not always divide, and may even foster acceptance where they produce clear winners in fair combat.[17] Nor need a moment of contestation be incompatible with a norm of consensus. The overall College of Commissioners would presumably continue to be a multi-state and cross-party coalition; and the Commission would continue to operate within a dispersion of powers in which it would need to build agreement with the Council and Parliament.

To my view, though, a solution needs to be found that would give the Parliament more control without taking the appointment of the Commission Presidency away from member states, whose confidence remains essential to the effectiveness of that office. An alternative might be to treat EP votes on the Commission's annual programme as votes of confidence that would occasion its resignation in the event of a failure to reach inter-institutional agreement within a specified time period. Without removing the Commission's monopoly of initiative in framing individual proposals, the proposal would go some way to meet the real difficulty that the Community pillar operates with an unelected agenda-setter, even though modern political science understands that role as an autonomous source of power with often decisive influence over outcomes.

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[16] C. J o e r g e s: Deliberative Political Process Revisited: What have we Learnt About the Legitimacy of Supranational Decision-Making?, in: Journal of Common Market Studies, Vol. 44, No. 4, pp. 779-802.

[17] A. F ø l l e s d a l, S. H i x: Why there is a Democratic Deficit in the European Union, a Response to Majone and Moravcsik, in: Journal of Common Market Studies, Vol. 44, No. 3, 2006, pp. 533-562. See also Notre Europe: Politics: the Right or the Wrong Sort of Medicine for the European Union? Two papers by Simon Hix and Stefano Bartolini, Paris 2006.

As a footnote the Union may be some way from exhausting more banal measures aimed at making European elections more European. Even a measure which encouraged national parties to indicate in brackets on ballot sheets the European parties to which most belong, would help clarify the link between those parties which structure voter choice in European elections and those which structure the work of the European Parliament.

4) Introduce an audit trail for all decisions which records in one place all the institutions and committees which considered it, together with justifications for positions reached at each stage. Again, this is an intentionally banal suggestion, but it is aimed at undermining a common alibi for poor accountability in complex systems. Whilst the multiplicity of actors may create a "problem of many hands" in which it is hard to attribute outcomes to any one in particular, it is no reason not to require actors to demonstrate, if challenged, that they followed procedures in their individual contributions to decisions.[18]

5) Remove unnecessary political *ine*qualities in the design of Union institutions. A multi-level system such as the Union has little choice but to trade political equality of member states and political equality of citizens off against one another in the allocation of Council votes and Parliament seats. But any trade-off should be consistent and principled. By basing qualified majority voting on a simple calculation of percentage of member states and population the Lisbon Treaty would be a huge improvement on the present arbitrariness in the distribution of decision-making powers.

6) Make greater use of sun-set clauses in Union decisions. An obvious weakness of consensus systems is that, once decisions are made, they can become a cross between "rule by ancestors" and "rule by minorities". Minorities of veto holders may be able to exploit decisions taken by yesterday's majorities to hold today's majorities to decisions they no longer want. Failing a change to the one decision-rule which treats defenders and opponents of the status quo symmetrically – simple majorities[19] – the difficulty can only be mitigated by making time-limited policies.

Recalling the conditions for democracy with which I started, proposal 1) is most directly aimed at allowing citizens to see themselves as authoring Union laws through representatives, though 3) could also help by better aligning the EP's legislative powers with European elections. Proposals 1-4) could all strengthen public control over the administration of Union policy and law. Likewise, 1-4) could all strengthen public justification of Union measures. Proposals 5-6) are both aimed at improving political equality. Proposals 2-3) could help promote a European *demos* in so far as that can be done endogenously (through the operation of democratic practice, rather than prior to it). However, even if it is more hope than science, the heavy emphasis that is put here on building obligations to justify opinions and decisions into institutional solutions is based on a belief that practices of mutual sensitivity and respect can do something to substitute for strong bonds of political community. Democracy is after all a decision-rule that can in principle be adopted by any group of people, provided it is prepared to understand its legitimacy as deriving from the procedural equality of voice and of votes it uses to reconcile the autonomy of individuals with the demands of collective decision, rather than from prior bonds of loyalty or affection.

[18] J. March, J. Olsen, op. cit.

[19] F. Scharpf: The Joint-Decision Trap Revisited, in: Journal of Common Market Studies, Vol. 44, No. 4, 2006, pp. 845-64.

Jacques Thomassen*

The Dutch and the European Union: a Sudden Cold Shoulder?

On 1 June 2005 Dutch voters rejected the constitutional treaty with a devastating majority of 62%. Also, and this was equally impressive, turnout at this referendum was no less than 63%, almost 25% higher than the turnout at the last European elections in 2004. The outcome of the referendum came as a total surprise to both Dutch and foreign observers. As one of the founding member states the Dutch were rightly known as being among the staunchest supporters of European integration throughout the history of the EU and its predecessors.

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One of the few questions which have continuously been asked in the Eurobarometer since the early 1970s is whether people think the EU membership of their country is a good thing or not. In Figure 1 the development of the positive answers to this question in the Netherlands is presented next to the development on average in the other five founding member states. Three clear observations can be made from this figure. First, throughout the whole period since the early 1970s a vast majority of Dutch citizens always thought that the membership of the EU was a good thing. Secondly, support for membership declined throughout the 1990s, but this decline did not continue in the new millennium. Thirdly, throughout this whole period support in the Netherlands was always higher than the average in the other five founding member states.

In light of this obvious support the outcome of the referendum was remarkable, totally unexpected and hard to understand.

But the outcome of the referendum was not only remarkable, it also was a painful one, painful at least for the political elites. It revealed an enormous gap between the political elites and the mass public. Almost all parties in parliament, together holding 85% of the 150 seats, were in favour of ratifying the constitutional treaty. Only a few smaller parties on the left and the right were against it.

The outcome of the referendum was all the more remarkable as it was not forced upon the government, parliament or political parties. The Dutch constitution does not even provide for a referendum, let alone an obligatory one. It was the very first time in history that a referendum was held in the Netherlands. It was initiated – against the will of the government – by a majority of the parties in parliament, which apparently were confident that their voters would follow them, which they subsequently did not.

Against this background I will address two questions in this paper:

• Why did the Dutch people reject the constitutional treaty?

• Did the outcome of the referendum have a lasting effect on Dutch politics?

The Rejection of the Constitutional Treaty

How could it happen that the Dutch, who really were, and still are, among the most Europe-minded people of the Union, rejected the constitutional treaty?

There are several factors involved here that apparently strengthened each other. First, people's attitudes towards Europe. It is undoubtedly true that the Dutch in general always had a positive attitude towards the European Union, but this is not to say they did not have their reservations or criticisms. On a few subjects attitudes were far more negative. The first one is the euro. The Dutch had their misgivings about the euro, both before and, probably even more so, after its introduction.

In a study Hermann Schmitt and I did in the mid-1990s we clearly showed that people across Europe were anything but enthusiastic about the introduction of the euro. Had there been referenda on this issue we would still have our national currencies. In several member states sentiments against the euro were even much stronger than in the Netherlands, in particular in Germany. Already in the 1990s this was an issue in which the gap between the political elites and the mass public was enormous.[1]

Also, just after the 2004 enlargement people were concerned about a possible influx of cheap labour from the new member states. The proverbial Polish plumber was as popular in the Netherlands as elsewhere. Finally, the possible accession of Turkey as a new member state developed into a real issue.

As many observers and in particular politicians kept saying, these issues had nothing to do with the constitutional treaty. That observation is correct, of course, but at the same time it is not very relevant if the debate about the constitution is framed in terms of these issues. To a large extent this is exactly what happened.

Both the government and the political parties in favour of ratifying the treaty conducted a lousy campaign and left the initiative and the battlefield to the parties and organisations against ratification. As observed above, the initiative for the referendum was taken in parliament, against the will of the government. As a consequence, several cabinet ministers refused to campaign for a yes vote. They were very reluctant to see the referendum as their problem and were inclined to say to parliament, "This is your problem and you may keep it." Secondly, the major parties in favour of the Treaty were divided between government and opposition. In particular the opposition parties found it hard to define their position in the campaign. Although

[1] H. Schmitt, J. J. A. Thomassen (eds.): Political Representation and Legitimacy in the European Union, Oxford 1999, Oxford University Press.

they were on the same side as the parties in government, it was difficult for them to support the government enthusiastically.

As a consequence the opponents and in particular the populist parties from the left and the right managed to set the agenda of the debate and to frame it in terms of the issues on which people's feelings were known to be negative, like the admittance of Turkey, the negative social consequences of enlargement and the euro.

Also, because this was the very first time a referendum was held in the Netherlands, for many people this was the very first opportunity to express their feelings on the process of European integration. And that is exactly what many of them did. In the weeks before the referendum most TV channels broadcasted an endless number of street interviews. A typical interview went more or less like this:

Interviewer: "Are you going to vote in the referendum?"

Man in the street: "Yes, I am."

Interviewer: "And what will you vote?"

Man in the street: "No, of course."

Interviewer: "Why?"

Man in the street: "Because of the euro and Turkey."

*Interviewer:* "But that has nothing to do with the constitution, has it?"

Man in the street: "Maybe that's true, but they never asked me anything and now I'm going to tell them."

This example and, more generally, the campaign for the referendum seem to indicate that the Dutch were far more critical about specific aspects of the EU than Figure 1 would suggest. To what extent did people's attitudes on specific issues have an impact on the outcome of the referendum?

In a survey conducted after the referendum people were asked several questions about these issues. No less than 94% of the people agreed with the statement that "as a result of the introduction of the euro, prices have gone up in the Netherlands". Also, only 27% of the people agreed that "the introduction of the euro is favourable for the Dutch economy".

What was the effect of the latter statement on people's choice in the referendum? Of the people who thought that the euro was good for the Dutch economy only 40% voted against the Constitutional Treaty whereas 75% of the people who thought it had a neg-

Figure 1
"Membership of the European Union a Good Thing?"
Percentage of Positive Answers 1974-2008
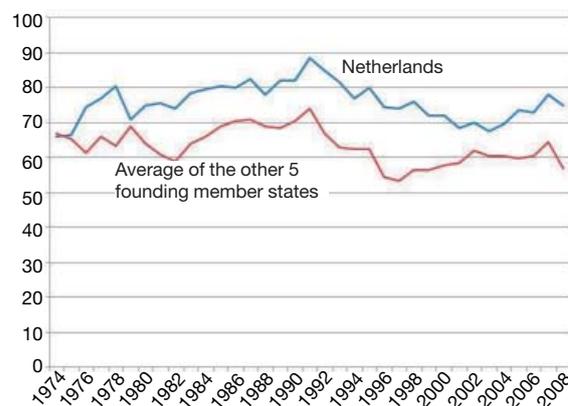
ative effect voted no. That's a big difference. A similar effect can be observed of people's expectations with regard to the effects of further European integration on prosperity in the Netherlands. Of the people who were convinced that it would have a positive effect 35% voted no but of the people who expected a negative effect 74% did so.

Finally, although not more than 42% of the people agreed with the statement that "our national identity and culture will disappear", people's feelings about national identity and culture had an enormous effect on their voting behaviour. Almost 90% of the people who agreed with this statement voted no, compared to just over 40% of the people who did not agree with the statement.[2] This is in line with several other studies showing that more and more people's attitudes towards the European Union are no longer mostly defined by economic considerations but by feelings of identity. In particular the eastward enlargement and the possible membership of Turkey has strengthened the feeling that European integration is threatening national identity and culture, in particular because of the expected migration from cheap labour countries and even from Muslim countries.

So the negative outcome of the referendum was at least partly due to true negative feelings among a majority of the electorate, but the effect of these feelings was strongly reinforced by an unbalanced campaign in which the effect of the opponents of the treaty was disproportional to their numbers.

[2] These data are based on C. W. A. M. A a r t s, H. v a n d e r K o l k: Understanding the Dutch "No": The Euro, the East, and the Elite, in: PS: Political Science and Politics, Vol. 39, 2006, pp. 243-246.

Enduring Consequences of the Referendum?

Does the referendum have any enduring consequences? Is the ghost of anti-European sentiments out of the bottle or are these sentiments subdued again?

Looking at Figure 1 once more might easily give one the impression that the referendum in 2005 was just an incident that was immediately forgotten afterwards. A large majority of the Dutch still think that their country being a member of the EU is a good thing. That majority has even increased after the referendum. Also, the Dutch remain above the average of the five other founding member states. In other words the referendum and the negative campaign preceding it had no visible effect on people's attitudes towards Europe.

That's a conclusion the political elites, in particular of the major political parties, would like to hear. If they got their way the whole debate about the referendum and the European Union in general would be buried and forgotten as soon as possible.

In a survey among members of the Dutch parliament in 2006 the question was asked what members of parliament thought was the major lesson to be learned from the referendum. The most frequent answer was "that we should never have a referendum on such an issue again"! If the referendum had proven anything according to a great number of MPs, it was that people simply were not well enough informed to decide on such an important issue and had based their vote on issues that had no relation whatsoever to the constitutional treaty. 65% of the MPs interviewed declared themselves against another referendum on any further treaties, i.e. 65% of the same parliament that took the initiative for the 2005 referendum.[3] Obviously, because the people did not vote the way their representatives wanted them to vote, the representatives decided the people should not get another chance.

And completely in line with this sentiment, the present coalition government that came to office in 2006 agreed in its policy agreement that future treaties would not be put to the people by way of a referendum. And therefore the proposal to ratify the Lisbon treaty passed the lower house of parliament without any problems in June 2008.

Does this mean that the referendum did not have any effect on Dutch politics? For two reasons this conclusion would be premature. First, Figure 1 is somewhat deceptive. It is undoubtedly true that the Dutch people

in general are still convinced that being a member of the European Union is a good thing for their country. Also, compared to other member states this conviction is deeply rooted. However, as argued before, being convinced that the membership of the Union is a good thing does not necessarily mean that people are not critical about the Union and don't have their misgivings about an ever broader and deeper Union. In the Dutch National Election Studies of 2003 and 2006 a question was included which asked people to position themselves on a seven-point scale running from "European integration should go further" to "European integration has gone too far".

Two of the lines in Figure 2 show the simple frequency distribution of the answers to this question for both years. The two lines clearly differ: between 2003 and 2006 the distribution has moved towards the eurosceptical end of the scale, showing that more people have become convinced that integration has gone too far. But there is a second reason why it would be premature to conclude that the referendum did not have an enduring effect. The same question was asked in surveys among all members of the Lower House of Parliament in 2001 and 2006. Figure 2 shows the frequency distributions from these studies as well. Obviously, Members of Parliament have moved in the same direction as the voters. Therefore, the conclusion might be that politicians, despite their misgivings about the referendum, nevertheless got the message. Political parties in the Netherlands have become far more critical about the EU than they used to be. And this shows not only in these surveys. It also shows in party manifestoes and the public debate. Candidates running for a ticket on their party's list for the European Elections in 2009, even in the major parties, are increasingly competing by taking a eurosceptical position.

One might wonder to what extent this development is a direct consequence of the referendum. To some extent it undoubtedly is, but I am more inclined to say that the referendum was no more than a catalyst bringing to the surface eurosceptical sentiments that otherwise might have been neglected like they had been for such a long time. The referendum led to a sudden politicisation of the issue of European integration. But that politicisation might have occurred in any case. The major political parties had and still have all sorts of reasons for not politicising the issue of Europeanisation. First, they hardly differ on the main aspects of this issue dimension. Political parties tend to emphasise the issues on which they differ from one another, not the issues on which they agree. Secondly, the major political parties, being in favour of European integra-

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[3] R. Andeweg, J. J. A. Thomassen: Binnenhof van binnenuit. Tweede Kamerleden over het functioneren van de Nederlandse democratie, Den Haag 2007, Raad voor het openbaar bestuur.

Figure 2
Should European Integration Go Further or Has It Gone Too Far?
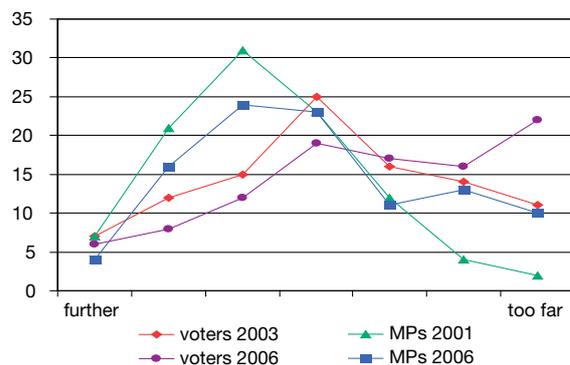
tion, have nothing to win by politicising the issue. They are well aware that a large part of their potential electorate is not with them on this issue and therefore they have nothing to win and much to lose by politicising it.

For a very long time the major political parties managed to keep the issue of European unification off the political agenda. However, this is obviously changing, not only in the Netherlands but all over Europe. Populist parties on both sides of the left-right dimension successfully take advantage of people's fear of the effects of globalisation and manage to link the issue of European integration to issues of globalisation like immigration, the loss of jobs to cheap labour coun-

tries and the loss of national identity. Since the major established political parties, being on the pro-globalisation and pro-European side of this dimension, have nothing to win by politicising these issues, they are inclined to leave the battlefield to the – so far mostly small – parties on the anti-globalisation/anti-European integration side of the dimension. Given the big gap between the major political parties and a large part of the mass public on the issue of European integration, this one-sided politicisation can only lead to a mobilisation of euroscepticism.[4] Also, the more successful populist parties are – and they are very successful in the Netherlands – the more the major political parties see themselves forced to move in the same direction and become more eurosceptical. And this is exactly what has been happening since the referendum.

Whether this is good or bad depends on one's perspective. Apparently, there is a tension between an ever closer and wider Union and a stronger involvement of the people. Involving the people in major decisions on the European project will almost certainly slow down and probably even set back the process of European integration. Yet, as long as political elites will not accept that it is not only for them to decide what is good for the European people, the European Union will never become a Union of the people.

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[4] J. J. A. Thomassen (ed.): The Legitimacy of the European Union after Enlargement, Oxford 2009 (forthcoming), Oxford University Press.

Amitai Etzioni*

EU: Closing the Community Deficit

The main challenge currently facing the EU is a community deficit: the low valuation the majority of its citizens accord the evolving collectivity. The EU is challenged by the mismatch between its increasing supranational decision-making and the strong loyalties of its citizens to their respective nation states.[1] To deal with this community deficit, the EU must either introduce strong measures of community building or else significantly scale back its plans for action in unison.

I first briefly cite illustrative data to show that there is a considerable level of disaffection from the EU project and the EU institutions. I then turn to examine the first set of measures needed to reduce the strain on the EU by scaling back *for the near future* those provisions that alienate many citizens. A second set of measures is needed to build up citizens' commitment to the EU, by fostering public dialogues, developing a common European media and language, and holding EU-wide elections.

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[1] On supranational communities see Amitai Etzioni: From Empire to Community, New York 2004, Palgrave Macmillan.

Signs of Disaffection

Given that it is widely agreed that there is a considerable level of disaffection from the EU project and the EU authorities, I merely provide a few illustrative pieces of evidence rather than review the considerable literature on the subject.[2]

A 2002 study shows that "a majority of West Europeans does not believe that the EU represents them; these perceptions not only increase dissatisfaction with the current EU-framework but also lower support for a future, EU-wide government."[3] Those few nations in which the majority felt well-represented by the EU are small and possess limited political clout, such as Luxembourg, Belgium and Ireland. (Notably, Ireland recently endangered the movement toward deepening by voting down the Lisbon Treaty in 2008.) The largest and most powerful nations such as France, Germany and the UK had much lower rates.[4] More recently, a study has shown that "the largest group of Europeans remains hesitant about European integration, either expressing support or opposition for either deepening or widening."[5]

This "Euroskepticism," as it is commonly referred to, seems to be on the rise and is reported to be tied to national identities that have become both stronger and more exclusive.[6] This trend is especially significant in Germany, in which people had long shied away from national identification after WWII, preferring to see themselves as European. True, citizens of several EU

member states with weak, corrupt or inefficient national institutions – Italy for instance – are more likely to favor EU institutions, viewing them as less corrupt and more efficient.[7] This, however, is not the case for the majority of EU citizens.[8] True, many Europeans would like the EU to do more in matters concerning foreign policy; for instance some suggest that a majority of Europeans would likely favor the creation of a common EU diplomatic service, a European FBI, and common EU representation in international organizations to speak with one voice. However, support for such moves might quickly recede if "Brussels" were to take specific steps in these matters, for instance by ruling that EU involvement in Afghanistan must be doubled and demanding that each member nation commit a given number of troops to the effort, or by confronting Russia regarding its intervention in Georgia, or by substantially increasing defense spending.

In the 2004 European Parliament Elections, anti-EU parties had their strongest showing yet. The United Kingdom Independence Party (UKIP), which demands Britain's full withdrawal from the EU, took 12 seats in the parliament, while the mainstream but largely euroskeptical Conservatives took 27. In Poland, the anti-EU League of Polish Families took more seats than all parties but one. The Movement for France, which rejects both the euro and France's EU membership, held onto its three seats, and the Swedish anti-EU June Movement won 3 seats.[9]

True, the treaties that were rejected first by the French and the Dutch and later by the Irish, lost by a small margin. But one cannot ignore that, in 2008, 26 out of 27 national governments did not allow their citizens to vote on the Lisbon treaty, presumably fearing their rejection – including 11 governments that had previously committed to doing so. Most recently, the Danish government decided to defer "indefinitely" a referendum on 3 measures that would have deepened Danish involvement in the EU.[10]

Others have reached similar conclusions. Andrew Moravcik, of Harvard University, writes "For the first time in a generation, European elites and public outside the extreme Right and Left expressed fundamental doubts about the desirability of major steps toward

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[2] For a review of this literature, see, e.g. Lauren M c L a r e n: Explaining Mass-level Euroscepticism: Identity, Interests, and Institutional Distrust, in: Acta Politica, Vol. 42, Nos. 2-3, July 2007, pp. 233-251.

[3] Robert R o h r s c h n e i d e r: The Democracy Deficit and Mass Support for an EU-wide Government, in: American Journal of Political Science, Vol. 46, No. 2, April 2002, pp. 463-475, here p. 472.

[4] Ibid.

[5] Jeffrey K a r p, Shaun B o w l e r: Broadening and deepening or broadening versus deepening; the question of enlargement and Europe's 'hesitant Europeans', in: European Journal of Political Research, Vol. 45, 2006, pp. 369-390.

[6] See, e.g., Adam L u e d k e: European Integration, Public Opinion and Immigration Policy: Testing the Impact of National Identity, in: European Union Politics, Vol. 6, No. 1, 2005, pp. 83-112; Sean C a r e y: Undivided Loyalties: Is National Identity an Obstacle to European Integration?, in: European Union Politics, Vol. 3, No. 4, 2002, pp. 387-413; Liesbet H o o g h e, Gary M a r k s: Europe's Blues: Theoretical Soul-searching after the rejection of the European Constitution, in: PS: Political Science and Politics, Vol. 39, 2006, pp. 247-250; Liesbet H o o g h e, Gary M a r k s: Calculation, Community and Cues: Public Opinion on European Integration, in: European Union Politics, Vol. 6, 2005, pp. 419-443; Juan D i e z M e d r a n o: Framing Europe: Attitudes to European Integration in Germany, Spain and the United Kingdom, Princeton 2003, Princeton University Press; Richard H e r r m a n n, Marilynn B r e w e r, Thomas R i s s e (eds.): Identities in Europe and the Institutions of the European Union, Lanham MD 2004, Rowman and Littlefield; Lauren M c L a r e n: Public Support for the European Union: Cost/Benefit Analysis or Perceived Cultural Threat?, in: Journal of Politics, Vol. 64, 2002, pp. 551-566.

[7] R. R o h r s c h n e i d e r, op. cit.

[8] Ibid.

[9] William H o r s l e y: Eurosceptics storm the citadel, in: British Broadcasting Corporation, 14 June 2004. http://news.bbc.co.uk/2/hi/europe/3806503.stm. Accessed: August 20, 2008.

[10] Hoist by its own policy, in: The Economist, 16 August 2008, pp. 53-54.

European Integration … The polarization of public and elite opinion appears to be eroding the broad consensus that supported integration for the past three decades."[11]

And he concludes that, "There is considerable evidence that [European voters] oppose integration today. Hence, in the short term, democratization is almost certain to undermine integration."[12]

Some argue that popular alienation from the EU stems in large part from political cues given by national elites who see the rise of the EU as a threat to their power.[13] Others propose that economic factors are key in explaining popular opinion.[14] Such explanations speak not to the end state but merely to the causes of disaffection, of which there are clearly several. The fact, though, remains that a substantial and seemingly growing number of European citizens are alienated from the EU project and the EU institutions.

To reiterate, the evidence presented here is intended merely to illustrate the point at issue, which, in any case, seems to be fairly well established.

Measures that Reduce Strain and Alienation: a Grand EU Pause

To treat this disaffection, the EU needs to adopt the following measures, amounting to a consolidation period or a grand "pause," before further steps can be taken that significantly diminish national sovereignty.

(a) Defer enlargement: The EU needs to defer additional enlargement for a decade to allow for consolidation. Given that the negotiations for new membership strain the EU long before the members are actually admitted, such considerations also need to be suspended. Enlargement strains the community in two significant ways: (i) increasing the sheer numbers of any group renders collective decision-making more difficult,[15] and (ii) given the cultural, historical, political and linguistic differences between the current and potential members, further enlargement would increase the already high level of heterogeneity of the EU, which, as Communitarians have

long shown, is antithetical to community building.[16] Only after reducing the current high level of heterogeneity can more members be added – or even considered – without further undermining community building.

Many scholars and public officials who favor enlargement point to the several commendable effects that the offer of potential EU membership has on the countries that are keen to join and expect to become members of the EU. Some have shown that the prospect and/or conditions of accession to the EU provide sufficient incentives for significant democratization and liberalization.[17] However, it is far from obvious that the EU should endanger its future in order to advance reforms in other countries. Moreover, saving the EU from its own altruism by introducing a temporary pause on enlargement is needed not merely for the sake of its current members, but also to nurture the community which these other countries seek to join. While it may be, in some sense, noble to tear down the pillars that uphold your house in order to provide logs for a new friend's fireplace, this is hardly the case if you have just invited him to move into the same house.

(b) Delay deepening: Several analysts and leaders have correctly identified a need for significant increases in the scope and import of supranational decision-making.[18] They seek a state of affairs wherein EU organs could speak in one voice for the whole community and could render more important decisions on the basis of majority rule, rather than requiring the unanimous consent of all the member states. However, the significant reduction in the sovereignty of the member nations that such changes entail requires a

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[11] Andrew M o r a v c s i k: Europe's Integration at Century's End, in: Andrew Moravcsik (ed.): Centralization or Fragmentation?: Europe Facing the Challenges of Deepening, Diversity and Democracy, New York 1998, Council on Foreign Relations, pp. 1-58, here p. 4.

[12] Ibid, p. 50.

[13] Liebet H o o g h e, Gary M a r k s, op. cit.

[14] Lauren M c L a r e n: Explaining Mass-Level Euroskepticism, op. cit.

[15] Sociologists/political scientists?

[16] Cf., e.g., Amitai E t z i o n i: Political Unification Revisited: On Building Supranational Communities, New York 2001, Lexington Books.

[17] Cf., e.g., Wojciech S a d u r s k i, Adam C z a r n o t a, Martin K r y g i e r (eds.): Spreading Democracy and the Rule of Law?: The Impact of EU Enlargement for the Rule of Law, Democracy and Constitutionalism in Post-Communist Legal Orders, Dordrecht, The Netherlands 2006, Springer Publishing Company; Tim H a u g h t o n: When Does the EU Make a Difference? Conditionality and the Accession Process in Central and Eastern Europe, in: Political Studies Review, Vol. 5, No. 2, 2007, pp.233-246; Geoffrey P r i d h a m: European Union Accession Dynamics and Democratization in Central and Eastern Europe: Past and Future Perspectives, in: Government and Opposition, Vol. 41, No. 3, June 2006, pp. 373-400.

[18] I use the term "supranationality" to characterize a political body that has acquired some of the attributes usually associated with a nation, such as political loyalty and decision-making power – based not on an aggregate of national decisions or those made by representatives of the member states, but rather on those made by the supranational bodies themselves. It is useful to think about supranationality as a composite of several elements. For more discussion, see Amitai E t z i o n i: From Empire to Community, ch. 12.

higher level of citizen commitment to the EU than currently exists.[19]

Deepening entails exacting considerable sacrifices by some members of the collectivity which predominantly benefit others. Thus, for example, if stronger EU-wide measures were adopted to slow down inflation, some members would as a result likely experience much slower growth while others, whose growth was slower to begin with, might not be much affected. If stronger anti-terrorism measures were introduced across the EU, some member nations would have to adopt considerable changes to their domestic laws and in the way authorities conduct themselves – changes that nations with strong civil rights traditions are likely to find very troubling – while other nations that had already recalibrated their anti-terrorism regimes would be relatively unaffected. Moreover, for EU-wide programs, financial costs and benefits will also be unequally distributed; some nations will mostly pay while other member nations mostly benefit from EU-wide income and wealth transfer.

Such inequalities of burdens and benefits are routinely accepted within well established nations. Thus, in the United States, few complain that southern states contribute less to federal revenues while gaining a disproportional share of federal outlays. After reunification, Germany's western states contributed very large amounts to the "new lands," the eastern states. However, if the beneficiaries are not considered part of one's community, there is a much lower tolerance for such reallocations and wealth transfers. Given that the majority of the EU citizens seem not ready to make such sacrifices on a growing scale, deepening has to be delayed until community commitments are enhanced.

(c) Slow down the Commission: The EU institutions, especially the Commission, have acted on a significant number of occasions in ways that alienate the citizens from the EU project, including:

• Negotiations about major additions and changes to EU treaties and institutions have often been conducted in off the record meetings, employing highly legalistic and technical terms or obfuscating language. French President Nicholas Sarkozy expressed the preceding point well when he interpret-

ed the 2008 Irish "no" vote on the Lisbon treaty as a rejection of a "… certain Europe that is too technocratic, too abstract, too distant."[20] To reduce citizen alienation, important decisions are best preceded by consensus-building (discussed below). Granted, this democratization would substantially reduce the speed and scope of the actions that the Commission can undertake. This tradeoff, though, can no longer be avoided.

• The EU Commission has often acted below the radar, introducing numerous EU-wide measures with little or no prior public notification, consensus-building, or even public disclosure after the fact. To reduce alienation the Commission will have to become more transparent, through measures such as conducting more open meetings; posting advance notice; granting time for public commentary; and laying out its plan for action in terms readily understood by the public.

• Enforcement of the measures already in place has been highly uneven (sometimes referred to as the "compliance gap").[21] Hence, citizens of nations with relatively high compliance levels feel exploited. To reduce citizen alienation, the EU best dedicate more resources to reduce the compliance gap. This, in turn, may entail reducing the number of regulations, instructions and other measures the Commission can issue each year – again, a tradeoff that it seems cannot long be avoided.

• EU officials, as well as national leaders who support the EU project, have shown by word and deed a disrespect for the people – and the democratic process.[22] I already referred to the broken promises of submitting new treaties to referendums. The same disrespectful attitude is revealed when a treaty is resubmitted for a vote soon after being voted down, with only minor modifications, if any. One gets the impression that some EU officials would like to repeatedly submit the same measures to the electorate time and again until they get the desired result. Four weeks after Ireland's voters had rejected the Lisbon Treaty, French president Nicolas Sarkozy privately

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[19] For a discussion of the strains on the EU caused by integration discussions, see Richard H. R o b e r t s : Gaia and Europea: Religion and Legitimation Crisis in the 'New Europe', in: Ralf R o g o w s k i , Charles T u r n e r (eds.): The Shape of the New Europe, New York 2006, Cambridge Univeristy Press; Andrew M o r a v c s i k : Europe's Integration at Century's End, op. cit., pp. 3, 5.

[20] Nicolas Sarkozy's European apotheosis, in: The Economist, 28 June 2008, p. 56.

[21] For four examples of ineffective implementation of EU policy, cf. Christoph K n i l l : European Politics: Impact of National Administrative Traditions, in: Journal of Public Policy, Vol. 18, No. 1, January-April 1998, pp. 1-28.

[22] For more discussion, cf. Marion D e m o s s i e r : Introduction, in: M. D e m o s s i e r (ed.): The European Puzzle: The Political Restructuring of Cultural Identities at a Time of Transition, New York 2007, Berghan Books, pp. 2-3.

stated that the Irish would have to vote again.[23] Lest one think the recent Irish vote is a singular occurrence, the same treatment was given to Irish voters when they rejected the Nice treaty in 2001 and to Danish voters when they rejected the Treaty of Maastricht in 1992.[24] Beyond the often cited democratic deficit,[25] an attitude of superiority among some officials and leaders is hurting the EU project. Following Ireland's recent vote against the Lisbon treaty, German interior minister Wolfgang Schäuble grumbled publicly about "letting a few million Irish make decisions for 495 million Europeans."[26] The Commission and other EU authorities best not promote policies and changes in institutions that the majority of the citizens of the EU have shown they reject.

At the same time, if leaders feel that the public sentiments are untutored and antithetical to the common good, they need not simply yield to these preferences. EU officials can work to gain the support of the citizens to the courses of action they believe ought to be followed. If, at the end of the day, these officials fail to be persuasive, they best give way. Although extended EU-building requires greatly reducing the democratic deficit through the measures listed above, these by themselves will not suffice unless the community deficit is curtailed.[27]

Measures that Build Community

(a) Foster EU-wide public dialogues. Societies, even ones as large as the United States, engage in dialogues about public policies. Typically, just one or two topics top the public dialogue agenda, for instance whether or not to allow gay marriages or whether the death penalty should be tolerated. These dialogues mainly concern values and are not dominated by consideration of facts. They often seem endless and im-

passionate, but actually frequently lead to new, widely shared public understandings. Such understandings, in turn, often provide a well-grounded basis for changes in public policy and institutions; they generate new sources of legitimacy. In the United States, for instance, public dialogues prepared the ground for new legislation to protect the environment and for the creation of the Environmental Protection Agency. Such dialogues also preceded the abolition of legal segregation and the forming of the Equal Employment Opportunity Commission.[28]

The fact that the majority of EU citizens feel ill informed about the EU and the actions of its various institutions only enhances the need to promote dialogues.[29]

Referendums have long been criticized as anti-democratic for, among other concerns, their tendency to express the passion of the moment rather than the results of deliberations.[30] Hence the need to allow for dialogues that provide periods during which people can consult with each other and their leaders before referendums take place. Announcing that a given matter will be subject to a binding vote a number of months down the road is an effective way to trigger dialogues.

Public dialogues and some referendums do take place in Europe, but they are, as a rule, conducted within each nation. This is in part because people still see themselves as primarily citizens of this or that nation rather than as Europeans, and in part because the points of closure – the endpoints or changes in public policy that these dialogues lead to or support – often are on the national level rather than EU-wide. To build the support needed for enhanced supranational institutions and decision-making of the EU, public dialogues and referendums best take place in all member nations at the same time and be tied to decisions to be made on the EU and not the national level.

The issues to be dialogued and voted on at an EU-wide level need to be salient enough to draw the people into participating. Suggested changes in immigration policies are an obvious example. Finally, to succeed, participating citizens must be able to trust that the results of these referendums will be fully bind-

[23] Vote Early, Vote Often, in: The Economist, 24 July 2008, available at: http://www.economist.com/world/europe/displaystory.cfm?story_id=11792298.

[24] Ibid.

[25] Cf., e.g., Jonathan B o w m a n: The European Union Democratic Deficit: Federalists, Skeptics, and Revisionists, in: European Journal of Political Theory, Vol. 5, No. 2, 2006, pp. 191-212; Andreas F o l l e s d a l, Simon H i x: Why there is a democratic deficit in the EU, in: European Governance Papers C-05-02, 14 March 2005; Myrto T s a k a t i k a: Governance vs. politics: the European Union's constitutive 'democratic deficit', in: Journal of European Public Policy, Vol. 14, No. 6, September 2007, pp. 867-885.

[26] Derek S c a l l y: Minister suggests Ireland take a 'break' from EU. CDU distances itself from comments, in: Irish Times, 16 June 2008. http://www.irishtimes.com/newspaper/ireland/2008/0616/1213369968838.html

[27] For more discussion, cf. Amitai E t z i o n i: The Community Deficit, in: The Journal of Common Market Studies, Vol. 45, No. 1, 2007, pp. 23-42; cf. A. M o r a v c s i k, op. cit., p. 50.

[28] For more discussion on Moral Dialogues, cf. Amitai E t z i o n i: The New Golden Rule, New York 1996, Basic Books.

[29] EU Barometer Future of Europe 2006; Barometer "Parliament".

[30] For more on this and other failures of the EU referendum process, cf. Gary M a r k s: The EU's Direct Democratic Surplus, paper delivered at American Political Science Association Annual Meeting, Boston, MA, 28-31 August 2008.

ing, that the EU officials will heed them rather than seek to work their way around them.

(b) Develop EU-wide media and language. Citizens see the EU largely through their respective national and cultural lenses. For a shift in orientation to occur, for more people to adopt a community-wide perspective, some form of a shared media is needed, which can be accessed by citizens in different parts of the EU. Unfortunately, various attempts to fashion a European newspaper have not truly taken off. The same holds for other media, such as television and radio. The Internet fragments the public more than it builds one shared audience. The EU should create a sort of European Broadcasting Agency, modeled on the BBC, which would draw on public budgets but have autonomous control of the content of the broadcasts. Its mandate would be to provide news and interpret it from a European perspective. (From this viewpoint it might be of interest to compare *Foreign Affairs*, which is published from an American perspective, to *Foreign Policy*, which deliberately recast itself to adopt a global perspective.) It would also include brief items about what is happening in the various member states, as if they were parts of the same country, somewhat the way the American newspaper *USA Today* provides news about the fifty American states.[31]

Initially, EU-wide broadcasts may well have to be translated into the 23 languages that are the spoken by the EU citizens. However, if the EU is to move toward becoming more of a community, it would be much assisted if all the citizens would learn the same language. Historically, coming to share a language has played a key role in many community building endeavors. In the EU, though, reference is *not* to developing *one* primary tongue, *but to one in addition to it*, in other words, a common second language. English is the only serious candidate for this position, but so far France, Germany and Italy, among others, have strongly opposed this development, thus slowing down the development of a shared European second language.[32]

(c) EU-wide voting. As EU consensus solidifies, the EU should move toward EU-wide voting on EU candi-

dates, rather than the current system in which votes for the EU Parliament are still conducted largely for national candidates, on national bases. Currently, most candidates running for a seat in the European Parliament are put up by national parties, and campaign only in their home country. In the European Parliament, most "European parties" are largely made of alliances among pre-existing national parties; they function less like political parties and more like international coalitions. A switch to European parties and candidates raises numerous issues concerning whether different weights should be assigned to the voters of various countries and ways to protect minorities, two complex points that require a separate treatment.

(d) Functionalism and symbolism are lagging factors. Two factors that some hypothesized would serve as community-builders have carried little weight so far, but are likely to carry more as EU-wide shared public understanding, dialogues, media, language and voting evolve.

First, some expected the shift of decision-making power to "Brussels" to lead to a shift in people's commitment to the EU (a thesis referred to sometimes as neofunctionalism).[33] So far, though, when functions were shifted to EU-wide institutions without first building up consensus and legitimacy, these shifts generated more alienation than enhanced commitment to the community. If the ground was properly prepared, neofunctionalism would be much more likely to succeed. Neofunctionalism, thus, turns out to be a lagging rather than a leading factor.

The same holds for symbolism. The EU has tried to build community by promoting symbols that express the new collectivity, such as the EU flag, a European hymn, EU markings on motor vehicle license plates, the marking of cultural and historical sites, and others.[34] So far these symbols have not carried much

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[31] For another perspective on the media's role in building trust for European institutions, cf. Patrick B i j s s m a n s , Christina A l t i d e d s : Bridging the Gap between EU Politics and Citizens? The European Commission, National Media and EU affairs in the Public Sphere, in: Journal of European Integration, Vol. 29, No. 3, July 2007, pp. 323-340.

[32] For more discussion, cf. Amitai E t z i o n i : A Global, Community Building Language, in: International Studies Perspectives, Vol. 9, No. 2, May 2008, pp. 113-127; A. E t z i o n i : Lost in too many translations, in: The European Voice, 17 July 2008.

[33] Ernst H a a s : The Uniting of Europe, Stanford 1958, Stanford University Press; Lee M c G o w a n : Theorising European Integration: revisiting neofunctionalism and testing its suitability for explaining the development of EC competition policy?, in: European Integration online Papers, 25 May 2007; Andrew M o r a v c s i k : The European Constitutional Compromise and the neofunctionalist Legacy, in: Journal of European Public Policy, Vol. 12, No. 2, 2005, pp. 349-386; Joseph N y e Jr.: Peace in Parts: Integration and Conflict in Regional Organization. Boston 1971, Little Brown; P. C. S c h m i t t e r : Three Neofunctional Hypotheses about International Integration, in: International Organization, Vol. 23, 1969, pp. 297-317; P. C. S c h m i t t e r : Ernst B. Haas and the legacy of Neofunctionalism, in: Journal of European Public Policy, Vol. 12, No. 2, 2006, pp. 255-272.

[34] For a collection of scholarly essays on various issues raised by efforts to construct a European identity not based on Christianity and anti-Islamic sentiments, cf. Marion D e m o s s i e r (ed.): The European Puzzle, op. cit.

weight in terms of building a commitment to the EU.[35] Such symbols can *express* commitments once they are in place, and even *enhance* them to some extent once they are evolving. They cannot engender such commitment when the basic underlying public support is lacking.

Jurgen Habermas has argued that forming a constitution would lead to a crystallization of Europe in the sense of developing a unified identity and culture.[36] Others have pointed to the unifying, identity building power of "constitutional moments," of the kind the American colonies experienced in Philadelphia in 1787. Reference is to historical occasions in which different segments of a new collectivity rose to find a common cause and institutionalize an evolving core of shared values. Such "moments" do not occur in a vacuum, but typically reflect the culmination of long social and political developments that preceded them. Moreover, much of the consolidation often follows later. When neither the preparatory nor after-the-act developments are present, constitution-writing does not possess some kind of magical power to build new shared identity. The persistence of political strife and inter-tribal violence after the ratification of new constitutions in Iraq and Afghanistan, two long-established nations, is evidence for this point.

(e) Unprecedented but … Many doubt that the EU can be turned into a collectivity that has many of the elements of a national community – into a United States of Europe. There are strong reasons to expect that this opinion is a valid one. All previous attempts to form supranational communities have failed, including those of the United Arab Republic, the Federation of the West Indies, and even a much less ambitious coming together, the Nordic Council.[37] When nations were forced into a federation, for instance by Russia in the Soviet era, the federation came apart and the member nations were restored to full autonomy as soon as the coercive vise was broken. The same holds for Yugoslavia.

One may suggest that history is rich with cases in which previously autonomous communities merged, one way or another, to form more encompassing ones. Germany was formed by the unification of some 39 independent states; Italy, by the unification of numerous provinces and areas. The United States itself was composed of thirteen colonies (though its two regions did not coalesce into one society until after the Civil War). However, all these instances of community building took place *before nationalism took root and before the masses became actively involved in the political process.* That is, before the sense of self and the identity of the citizens became deeply associated with their nation state. Indeed, it is the building of nations, largely in the nineteenth and twentieth centuries, which allowed the integration of pre-national communities into the new, national one.

To reiterate, there is no precedent for the citizens of a fully formed *nation* to consent to its being absorbed into a more encompassing community, or for allowing loyalty to the new community to take precedent (in cases of conflict) over current national loyalties which are deeply held. One scholar's observation about Northern Ireland applies much more widely: "… national identities so dominate the cultural identifications of border people, of all people … that, to the extent that it is acknowledged as a possible alternative, European identity is often scoffed at as little more than a tactic to get funding, or to support the European stance of a local political party".[38]

That communities with weak identity and shared sense of self often jell only around negative causes, for instance in opposition to some real or imaginary enemy or outsider is a regrettable but undeniable sociological fact. Many new nations jelled in opposition to colonial powers. Hence, it is revealing that when the majority of the European citizens strongly opposed the course the United States followed in Iraq in 2003 and in the years that followed, the EU was still unable to build on this consensus to speak in one voice, to form a shared identity and policy.

One may suggest, again with regret, that the European identity is largely Christian and anti-Muslim. Soledad Garcia put it as follows: "The increasing consensus on what is considered dangerous in Western Europe (terrorism, pollution, drugs consumption, ur-

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[35] Demossier writes, "The European Union has, over the years, put increasing emphasis on the cultural construction of the mythical figure of the European through a range of cultural policies, but it has largely failed in its attempt to construct a shared sense of Europeanness." Marion Demossier: The Political Structuring of Cultural Identities, in: Marion Demossier (ed.): The European Puzzle, op. cit., p. 50; cf. also C. Shore: Building Europe: The Cultural Politics of European Integration, London 2000, Routledge.

[36] Jurgen Habermas: Why Europe needs a Constitution, in: Ralf Rogowski, Charles Turner (eds.): The Shape of the New Europe, New York 2006, Cambridge University Press, pp. 25-45; Richard Roberts, op. cit., p. 148.

[37] For a comparative analysis of these three failed unions, cf. Amitai Etzioni: Political Unification Revisited, op. cit.

[38] T. M. Wilson: Agendas in Conflict: Nation, State and Europe in the Northern Ireland Borderlands, in: I. Bellier, T. M. Wilson (eds.): An Anthropology of the European Union, Oxford 2007, Berg, pp. 137-158, quoted in Ralph Grillo: European identity in a Transnational Era, in: Marion Demossier (ed.): The European Puzzle, op. cit., p. 78.

ban crime, on one side, and Islamic fundamentalism, uncontrolled immigration from certain parts of the world on the other) constitutes a substantial common ground for sharing perceptions of what we need to be protected from, not only as individuals but also as Europeans."[39]

As Professor Ralph Grillo of the University of Sussex notes, "Already by the early 1990s, fundamentalism had become 'Europe's latest 'other' ' … Islamism is constructed as what Europe is not, and an exclusionary European identity is projected as its opposite."[40] Margaret Thatcher even went so far as to refer to fundamentalism as the "new Bolshevism".[41] So far, however, such consensus has served mainly those who

wish to exclude Turkey from the EU, limit immigration, and other such policies, but has not provided a new normative foundation for building a more communal EU.

If the EU is unable to engage in much stronger and more affirmative community building, if there is no significantly greater transfer of commitments and loyalties from the citizens of the member nations to the new evolving political community, the EU will be unable to sustain the kind of encompassing, significant, and salient collective public policies and endeavors it seeks to advance. The EU needs either to move up to a higher level of community or retreat to being a free trade zone enriched by numerous legal and administrative shared arrangements, but not much more.

The world is watching both because of the importance of the EU *per se*, and because several other regional bodies, in much earlier states of supranational development, want to learn the best ways to engage in community building when the members of the community are nation states.

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[39] S. Garcia: Europe's Fragmented Identities and the Frontiers of Citizenship, in: S. Garcia (ed.): European Identity and the Search for Legitimacy. London 1993, Pinter, p. 14, quoted in Ralph Grillo: European identity in a Transnational Era, in: Marion Demossier (ed.): The European Puzzle, op. cit., p. 78.

[40] Ibid.

[41] Margaret Thatcher: ?, in: The Guardian, 12 February 2002, cited in R. Grillo, ibid., p. 78.

Andrew Moravcsik*

The Myth of Europe's "Democratic Deficit"

One hears everywhere today that the European Union suffers from a "democratic deficit." It is unaccountable and illegitimate. It is a distant technocratic superstate run by powerful officials who collude with national governments to circumvent national political processes, with regrettable consequences for national democracy. Some critics focus on the extent to which EU institutions fail to provide for objective democratic controls, as measured by transparency, checks and balances, national oversight, and electoral accountability. Others focus on the extent to which EU institutions generate a subjective sense of democratic legitimacy, as measured by public trust, popularity and broad public acceptance. The two are linked. Lack of opportunity to participate in EU politics, it is said, generates disillusionment, distrust and dislike of the EU, which further reinforces ignorance and unwillingness to participate in EU politics. The EU is caught in a vicious circle that may be fatal unless major reforms are undertaken to expand popular participation.

This perception has dominated EU politics for the last decade. The belief that the EU's "democratic deficit" must be redressed was among the primary justifications advanced by Joschka Fischer and other "founding fathers" for launching the EU's recent and ill-fated constitutional project.[1] That is why it was designed with a symbolic "convention", inspirational rhetoric and a major public relations push – all explicitly aimed at securing the involvement of disillusioned Europeans.[2] Rejection of the constitution (*cum* treaty) in referendums in France, the Netherlands and Ireland has only bolstered such perceptions. Commentators and politicians lined up to intone that "the people have spoken". Deliberative democrat Jürgen Habermas, who previously called on fellow citizens to find a com-

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[1] J. Fischer: Vom Staatenverbund zur Föderation. Gedanken über die Finalität der Europäischen Integration. Vortrag an der Humboldt-Universität zu Berlin, Berlin 2000; P. Norman: The Accidental Constitution. The Making of Europe's Constitutional Treaty, Brussels 2005; A. Duff: The Struggle for Europe's Constitution, London 2006. This view is strongly supported by the interviews I conducted at the time.

mon identity around shared social values, now calls for Europe-wide referendums.[3] Others call for European officials to be elected directly.[4] Today the EU's democratic illegitimacy is all but taken for granted among European policy-makers, journalists, scholars and citizens.[5]

Yet the European "democratic deficit" is a myth. Such criticisms rest on a vague understanding of what the "democratic deficit" is, ignore concrete empirical data about whether one exists, and hold the EU to the impossible standard of an idealized conception of Westminsterian or ancient-style democracy – a perfect democracy in which informed citizens participate actively on all issues. This paper takes a different approach. It carefully specifies what is meant by public accountability and legitimacy, using six alternative understandings drawn from the EU's critics. It uses empirical evidence and the latest research to measure the state of EU democracy along these dimensions. And it assesses the results using reasonable and realistic standards drawn from the empirical practice of existing European democracies.

The result of this analysis is unambiguous: *across nearly every measureable dimension, the EU is at least as democratic, and generally more so, than its member states.* Efforts to "redress" the democratic deficit through participation-enhancing institutional reform, moreover, are likely to be counterproductive. As the recent constitutional episode illustrates, they tend to generate greater public dissatisfaction and mistrust, as well as less representative policies.

The analysis below considers six alternative definitions of the "democratic deficit", capturing the full range of criticisms aimed at the EU today. Empirical evidence demonstrates that in each case the EU meets prevailing standards of real-world democratic governance. Regardless of how it is defined, the "democratic deficit" is a myth.

Political Accountability and the Democratic Deficit

The first three definitions of the "democratic deficit" considered here focus on objective measures of political accountability and limited government. Each focuses on claims that the EU has become an expansive technocratic superstate run by powerful officials who collude with their national counterparts to defeat the popular will and to circumvent national political processes and the popular will.

Is the EU an Encroaching "Superstate"?

Myth One: The EU is a powerful superstate encroaching on the power of nation-states to address core concerns of their citizens.

For some, the "democratic deficit" means the ever-expanding scope of EU governance encroaching on the rights and prerogatives of national citizens – in other words, an emergent European "superstate." In 1988, Jacques Delors famously predicted that "in 10 years … 80 percent of economic, and perhaps social and fiscal policy-making" would be of EU origin.[6] Today Delors' statement is often misquoted as a "factoid" in public discussion: one often hears that 80 per cent of *all* European policy-making on *every* issue *already* comes from Brussels.[7] This is one reason why many Euroskeptics – particularly those on the libertarian right – are concerned about what they see as the rise of a European superstate that aims to impose harmonized technocratic governance on diverse national

[2] European Council: Laeken Declaration on the Future of the European Union. Annex I to the Presidency Conclusions, European Council Meeting in Laeken, 14 and 15 December 2001; J. Fischer, op. cit.; A. Moravcsik: Europe Without Illusions, in: Prospect July 2005.

[3] J. Habermas: Wacht auf, schlafende Mehrheiten für eine Vertiefung der Europäischen Union – Ein Interview mit Jürgen Habermas, 2008, available at: http://www.perlentaucher.de/artikel/3795.html. Habermas had previously suggested transferring high-salience issues, notably a European social policy, to the European domain in order to generate the conditions for ideal debate. J. Habermas: Why Europe Needs A Constitution, in: New Left Review, Vol. 11, 2001, pp. 5-26. Yet this puts the cart before the horse. Habermas believes common values make for useful deliberation. But he evades the fact that a viable common policy is required as well. There is little point in transferring a policy to the European level in an area where there is only violent disagreement. Europeans may, as Habermas points out, be social democrats as compared to Americans, but they neither agree on a common social policy in practice, nor want one in theory. (See e.g. Eurobarometer 68, p. 108; A. Moravcsik: In Defence of the "Democratic Deficit": Reassessing Legitimacy in the European Union, in: Journal of Common Market Studies, Vol. 40, 2002, pp. 603-24) Even social democratic critics agree on this. F. Scharpf: Governing in Europe. Effective and Democratic? Oxford 1999. For further discussion of what would be required see the "modest proposals" suggested by P. Schmitter: How to Democratize the European Union ... And Why Bother, London 2000; A. Moravcsik: In Defence of the "Democratic Deficit", op. cit., pp. 616-617.

[4] A. Follesdal, S. Hix: Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik, in: Journal of Common Market Studies, Vol. 44, 2006, pp. 533-62; S. Hix: What's Wrong With the European Union and How to Fix it, London 2008.

[5] Cf. e.g. L. Siedentop: Democracy in Europe, New York 2001; A. Follesdal, S. Hix, op. cit.; J. Lodge: The European Parliament and the Authority-Democracy Crisis, in: Annals of the American Academy of Political and Social Sciences, Vol. 531, 1994, pp. 69-83.

[6] Jacques Delors, Debates of the European Parliament, 6 July 1988, No. 2-367/140.

[7] For some recent abuse of this incorrect factoid, see R. Herzog, L. Gerken: Europa entmachtet uns und unsere Vertreter, in: Die Welt, 13 January 2007; Lord Pearson of Rannoch, Lords Hansard, 27 October 2006, Column 1415-1416; Michael Bruter of LSE cited in: S. Lyall, S. Castle: Ireland Derails a Bid to Recast Europe's Rules, in: New York Times, 14 June 2008. For a response, see A. Moravcsik, A. Töller: Brüssel regiert nicht Deutschland, in: Financial Times Deutschland, 10 February 2007.

systems.[8] Even moderate criticisms of the "democratic deficit" often rest on the view that an ever-increasing number of core national political issues are being transferred to Brussels.

This always was, and remains, nonsense. Recent academic studies show that the overall percentage of national laws that originate in Brussels total no more than around 10-20% – and they are not increasing rapidly.[9] Just a moment's reflection reveals that the "Delors 80% myth" is absurd on its face. While a powerful force in trade, monetary and certain regulatory matters, the European Union plays little direct role in areas involving government spending or direct administration: social welfare provision, health care, pensions, active cultural policy, education, law and order, family policy, and most infrastructure provision – and this is most of what modern states do. None is a likely candidate to be "communitarized" anytime soon.[10] Other areas of EU activity, such as immigration, defense, indirect taxation, foreign policy, consumer protection, remain modest compared to comparable national powers.[11] Even within core EU economic areas, studies reveal, Brussels only rarely dominates national activity.[12]

[8] L. Siedentop, op. cit.; J. Gillingham: European Integration, 1950-2003. Superstate or New Market Economy, Cambridge 2003; J. Rabkin: Law Without Nations: Why Constitutional Government Requires Nation States, Princeton 2005; R. Herzog, L. Gerken, op. cit.

[9] For discussions of quantitative studies, see A. Moravcsik, A. Töller, op. cit. Also Denis MacShane in Hansard, 8 October 2008, Column 297. Such studies of Britain, France, Austria, Germany, Denmark and the Netherlands are based on data of new legislative output, which generate the numbers I cite. Such studies raise complex methodological questions, but probably tend to exaggerate the EU's impact on national life, since they overlook: (a) the stock of existing legislation; (b) trivial changes; (c) a large amount of domestic non-legislative (i.e. bureaucratic) rule-making; (d) the importance of fiscal reallocation and regulatory interpretation in de facto domestic policymaking. In any case, the rough magnitude of the overall result is not in doubt: in almost all issues, autonomous domestic legislation dominates policy-making.

[10] Nor is there much evidence, even from committed social democrats, that the EU is undermining social standards in Europe. Cf. e.g. F. Scharpf, op. cit.; A. Moravcsik: In Defence of the "Democratic Deficit", op. cit.; A. Moravcsik, A. Sangiovanni: On Democracy and Public Interest in the European Union, in: W. Streeck, R. Mayntz (ed.): Die Reformierbarkeit der Demokratie. Innovationen und Blockaden, Frankfurt 2002.

[11] The impression left by the overall scholarly literature on EU politics is quite misleading in this respect. Scholars tend to be drawn to "new" and innovative policies and institutions (selecting on the dependent variable of future possibility, rather than current reality). This has generated enormous literatures on EU activity in areas such as, for example, social policy and the Open Method of Coordination (OMC). Yet actual cooperation in social policy remains negligible. Similarly, OMC has generated an enormous legal, social scientific and policy literature, despite the fact that even its strongest advocates do not claim that they have yet had any significant impact on substantive policy outputs. E.g. J. Zeitlin, P. Pochet: The Open Method of Co-ordination in Action: The European Employment and Social Inclusion Strategies, Brussels 2005.

[12] See footnote 6.

This division of labor is striking: Not only does the EU do less, but what it does do is relatively unimportant to voters. Despite all the hand-wringing about globalisation, issues like trade liberalization, business regulation, phylo-sanitary regulation, stabilizing Macedonia, and other EU matters remain of relatively little interest to the average European – certainly as compared to national issues. (Even in Britain, where Europe is debated more hotly than anywhere else, only 4% of citizens report considering anything connected with the EU "important".[13]) What voters care about are issues like taxes, labour policy, welfare, healthcare, pensions, education, transport, defence and immigration. These are what political scientists and polling experts call "salient issues": those that shape voting decisions and fundamental political alignments.[14]

Reality: There is no superstate. EU policy-making is limited to around 10-20% of national decision-making, largely in matters of low salience to voters, while the national polities retain control over most other, generally more salient issues.

Is the EU a Runaway Technocracy?

Myth Two: The EU is an arbitrary, runaway technocracy operated by officials subject to inadequate procedural controls, such as transparency, checks and balances, and national oversight.

Even if we accept that the EU is active only within a relatively small range of issues, some critics of the "democratic deficit" remain worried. They fear that these few issues are subject to unfettered and arbitrary rule by national and supranational technocrats – a system Oxford's Larry Siedentop calls "bureaucratic despotism" in Brussels.[15]

This despotic European "technocracy" is as much of a myth as the European "superstate". First, the EU lacks the capacities of a modern state. It cannot tax and spend, coerce, or implement. Its tax base is miniscule, totaling under 2% of European public spending, over which officials enjoy little discretion, since broad spending priorities are laid down by interstate consensus or, occasionally, by the Parliament. The EU has no army, police or intelligence capacity. Its bureaucracy totals some 20-30,000 officials, of which perhaps 1/4 are actually decision-makers – an administration

[13] A. Moravcsik: "Don't Know? Vote No!", in: Prospect, July 2008.

[14] For further discussion of salient issues, and a distinction between them and important issues, see the discussion of Myth Six below. The only important exception – an exception that proves the rule, as we shall see in discussing Myth Three – is the monetary component of macroeconomic management.

[15] L. Siedentop, op. cit.

equaling that of a medium-sized European city.[16] Thus EU officials cannot, and do not, implement most of European regulations, even where the EU enjoys unquestioned legal competence. Instead they are forced to rely on far more numerous and expert national administrations.[17] The only characteristic of the modern state possessed by the EU is the power to promulgate regulations – it is a "regulatory state" – even if it cannot implement them.[18]

Yet even in promulgating regulation, the EU acts under the procedural straightjacket of extreme transparency, exceptional checks and balances, and tight national oversight. Unlike the many unitary national parliamentary systems of Europe, the EU is a separation of powers system, more like the USA or Switzerland. Political authority and discretion are divided vertically amongst the Commission, Council, Parliament and Court, and horizontally among local, national and transnational authorities. The result: any basic constitutional change in the EU requires unanimous consent from 27 member states, followed by domestic ratification by any means of the members' choosing – a threshold far higher than in any modern democracy, except perhaps Switzerland. The current travails of the relatively innocuous European constitution illustrate how tight the constraints are.

Normal "everyday" legislation in Brussels must likewise surmount higher barriers than in any national system. Successively, it must secure: (a) consensual support from national leaders in the European Council to be placed on the agenda, (b) a formal proposal from a majority of the technocratic Commission, (c) a formal 2/3 majority (but in practice, a consensus) of weighted member state votes in the Council of Ministers, (d) a series of absolute majorities of the directly elected European parliament, and (e) transposition into national law by national bureaucrats or parliaments. Following that, implementation requires action by 27 sets of nation-state officials under oversight by national courts, under general guidance by the European Court of Justice, with any Commission action overseen by member state officials acting within the *comitologie* system.[19]

Such a set of barriers would be unimaginably high in a national context, where elected unitary parliamentary governments can often legislate effectively by a single majority vote and bureaucratic mandate.

One implication is that the EU is more transparent than most national systems. With so many actors in the mix, it is utterly impossible for Brussels to legislate secretly, quickly, or in the interests of a single narrow group. In addition, the EU has imposed state-of-the-art formal rules guaranteeing public information and input; studies show these protections are stronger than those of the USA or Switzerland.[20] It's all in the Financial Times, or any one of the many publications and websites – including the EU's own – that track legislation. The days when the Council deliberated in secret are long gone, if they ever really existed.

Such a system functions only where an extraordinarily broad policy consensus reigns, and it remains quite deferential to the exceptional concerns of individual states – functioning by de facto consensus rather than voting most of the time.[21] Far from being a tool of tyranny or technocracy, as conservatives critics claim, it is close to the ideal type of Lockean or Madisonian "limited government."

Reality: Far from being an arbitrary technocracy, the EU functions under greater restrictions on fiscal, coercive and administrative capacity, transparency requirements, narrower checks and balances, and a wider range of national controls than do the national governments of its member states.

Is the EU Electorally Unaccountable?

Myth Three: EU decisions are made by unelected officials not subject to meaningful democratic accountability.

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[16] The member state officials in the sprawling Council buildings outnumber their permanent Commission and Parliament counterparts. Cf. D. S p e n c e : The European Commission, London 2006; M. K l e i n e : All Roads Lead Away From Rome? A Theory of Informal Institutional Adaptation, Unpublished manuscript, Princeton 2008.

[17] Competition and now monetary policy are exceptions. Cf. F. F r a n c h i n o : The Powers of the Union. Delegation in the EU, Cambridge 2007.

[18] G. M a j o n e : The rise of the regulatory state in Europe, in: West European Politics, Vol. 17, 1994, pp. 77-101.

[19] On the decision-making process, see S. H i x : The Political System of the European Union, New York 2005.

[20] T. Z w e i f e l : Democratic Deficit? Institutions and Regulation in the European Union, Switzerland and the United States in comparative perspective, Lanham MD, 2002; T. Z w e i f e l : International Organizations and Democracy, Boulder 2005. Cross-national analysis of regulatory systems shows that EU transparency, public comment and access rules compare favorably with those of Switzerland and the USA. (For this reason, any scholar, journalist, or lobbyist has experienced that researching ongoing EU legislation is much easier than conducting similar studies on most national governments.) Another result of this, along with the absence of significant discretionary EU funding, is that the EU is less corrupt than most national systems. Even minor improprieties – such as the case of Commissioner Edith Cresson's contract to a local notable – result in punishments unheard of in most, if not all, European domestic systems.

[21] J. L e w i s : The methods of community in EU decision-making and administrative rivalry in the Council's infrastructure, in: Journal of European Public Policy, Vol. 7, 2000, pp. 261-289; D. H e i s e n b e r g : The institution of 'consensus' in the European Union: Formal versus informal decision-making in the Council, in: European Journal of Political Research, Vol. 44, 2005, pp. 65-90; A. H é r i t i e r : Policy-Making and Diversity in Europe: Escape from Deadlock, Cambridge 1999; M. K l e i n e , op. cit.

Even if one concedes that the EU's scope is limited, and its officials subject to tight procedural controls, some nonetheless worry that those who make EU decisions are not held electorally accountable for their actions. One can never, as the populist American phrase has it, "throw the bums out." The decision-makers are often bureaucrats, ministers, diplomats, and independent Brussels officials, who meet, sometimes in secret, in far-off capitals. Surely, then, there is a "democratic deficit" compared to more "political" national systems.

Again the charge is nonsense. Let's start with constitutional changes in the EU treaty. Any such major change is subject not only to approval by all governments, but to domestic ratification by any means member states choose. The recent referendum result in Ireland is just one example of how tight the constraint can be: a negative margin of less than 10% among a population totaling only 1% of Europeans has stalled continent-wide reform indefinitely.

In the everyday legislative process, democratic control is just as tight. Nearly every critical decision-maker – national leaders, national ministers, European parliamentarians, national parliamentarians – is directly elected. The most important formal body in the legislative process is the Council of Ministers, a forum where (elected) national ministers and their subordinate officials reach decisions, subject to any democratic constraint national governments see fit. Sweden and Denmark, for example, require *ex ante* parliamentary assent before national ministers vote in Brussels.[22] The second most important body in the formal process, the European Parliament, is comprised of directly elected members: any European citizen can vote their representative out. Thereafter, European law is translated into domestic law by the same national parliamentarians, officials and governments who handle domestic statutes.

The only actors in the legislative process who are not directly elected, or directly responsible to someone who is, are European Commissioners and their officials. Ostensibly the Commission is a unique and important source of formal proposals: Euroskeptics make much of its power.[23] Yet the Commission's power has steadily declined in recent decades: Its *ex ante* agenda control has been usurped by the European Council, where (directly elected) national leaders meet to chart the EU's course, and its *ex post* control over the amendments and compromises has been assumed by (directly elected) European Parliamentarians.[24] The European Council is shearing off its informal foreign affairs and bureaucratic powers. Except in a few regulatory areas, such as competition policy, its authority is weak.

The dominance of directly elected politicians explains why the EU constantly responds to public pressure. In matters such as agricultural support, genetically modified foods, trade negotiations, services deregulation, labor market reform, energy policy and environmental protection, European policy responds to broad national electorates and powerful interest groups rather than national policy elites or Brussels technocrats.[25] Even in exceptional areas – EU enlargement, for example – where European leaders seek to pursue enlightened policies in the face of public skepticism, their actions today are both visible to all and clearly constrained by anticipated public reactions.
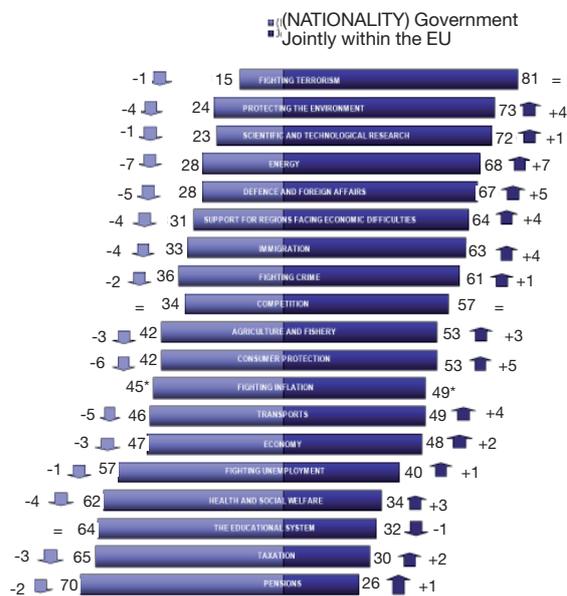
It is thus no surprise that Europeans today are getting the mix of EU and national policies that they say they want. Today, according to polls, "silent majorities" of Europeans favor stronger EU policies in areas such as defense, anti-terrorism, environmental, regional, immigration, crime, agricultural, consumer protection and anti-inflation policies. Similar majorities want member states rather than the EU to take the lead on pensions, health care, taxation, education, social welfare, and unemployment. Europeans favor balanced action on the economy and transport. (Cf. Figure 1) This approximates the institutional mix we observe on the agenda today.

Certain European decision-making institutions, to be sure, enjoy a unique level of insulation from direct democratic control. These include the European Central Bank, European Court of Justice, competition authorities, trade negotiators and fraud investigators. Yet there is nothing specifically "European" about these exceptions: they are *precisely the same governmental functions that national governments customarily insulate from popular pressure.* Publics everywhere insulate these activities such as central banking, constitutional

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[22] My own interview data suggest that most EU issues are of little concern to Danish and Swedish legislators and citizens – thus supporting the argument below, under Myth Six, about the non-salience of EU politics.

[23] To be sure, Commissioners are named by member state governments, and increasingly reflect the partisan leanings of those who named them, but still have some autonomy once named. Cf. H. Kassim, A. Menon: European Integration since the 1990s: Member States and the European Commission, in: ARENA Working Paper 06/2004.

[24] J. Werts: The European Council, London 2008; M. Pollack: The Engines of European Integration, Oxford 2003; M. Kleine, op. cit.

[25] National positions on EU issues have long reflected the sort of political economic and regulatory concerns one would normally expect national leaders to espouse. A. Moravcsik: The Choice for Europe: Social Purpose and State Power From Rome to Maastricht, Ithaca 1998; A. Moravcsik: The European Constitutional Settlement, in: The World Economy, Vol. 31, 2008, pp. 157-82.

Figure 1

For each of the following areas, do you think that decisions should be made by the (NATIONALITY) Government, or made jointly within the European Union? – % EU27

■ (NATIONALITY) Government
■ Jointly within the EU

	(NATIONALITY) Government		Jointly within the EU	
FIGHTING TERRORISM	-1	15	81	=
PROTECTING THE ENVIRONMENT	-4	24	73	+4
SCIENTIFIC AND TECHNOLOGICAL RESEARCH	-1	23	72	+1
ENERGY	-7	28	68	+7
DEFENCE AND FOREIGN AFFAIRS	-5	28	67	+5
SUPPORT FOR REGIONS FACING ECONOMIC DIFFICULTIES	-4	31	64	+4
IMMIGRATION	-4	33	63	+4
FIGHTING CRIME	-2	36	61	+1
COMPETITION	=	34	57	=
AGRICULTURE AND FISHERY	-3	42	53	+3
CONSUMER PROTECTION	-6	42	53	+5
FIGHTING INFLATION		45*	49*	
TRANSPORTS	-5	46	49	+4
ECONOMY	-3	47	48	+2
FIGHTING UNEMPLOYMENT	-1	57	40	+1
HEALTH AND SOCIAL WELFARE	-4	62	34	+3
THE EDUCATIONAL SYSTEM	=	64	32	-1
TAXATION	-3	65	30	+2
PENSIONS	-2	70	26	+1

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S o u r c e : Eurobarometer 68 (March 2008), p. 109.

adjudication, civil and criminal prosecution, and trade negotiation in order to achieve widely accepted public purposes: to assure expert decision-making, long-term vision, proper deference to individual and minority rights, and objective decision-making free from special interest pressure. The proper normative and policy-analytic question to ask about such acts of delegation is whether the resulting insulation of policy-making is greater than one observes in most national systems and, if so, whether there is a general constitutional justification of the sort mentioned above – protecting minority rights, offsetting special interests, improving the epistemic quality of decisions – for such insulation.[26] (The only European institution that lacks *prima facie* constitutional justification of this type is the European Central Bank, which is more independent than any national counterpart with no obvious technocratic or normative justification.) Overall, European institutions clearly lie within the norms of common Western constitutional practice.[27]

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[26] R. K e o h a n e, S. M a c e d o, A. M o r a v c s i k: Democracy-Enhancing Multilateralism, in: International Organization, Vol. 63, 2009 (forthcoming).

[27] A. M o r a v c s i k: In Defence of the "Democratic Deficit" ... , op. cit., p. 621, for the argument that the ECB deserves closer scrutiny.

Reality: Nearly every individual EU decision-maker is subject to democratic accountability, and due to their large number, the overall level of direct accountability is greater than in national decision-making.

Points 1-3 demonstrate that the EU does not suffer from an objective "democratic deficit". Far from being a technocratic superstate filled with arbitrary officials immune from procedural limitations and democratic constraints, the EU is narrowly constrained by its narrow substantive mandate, limited institutional power and tight requirements of democratic accountability – more so, in fact, than its constituent member states.

Political Legitimacy and the Democratic Deficit

A demonstration that EU institutions provide adequate public accountability and limited government does not satisfy all of its critics. Some understand the term "democratic deficit" to mean something different. Even if EU institutions are open, democratic, and procedurally fair, they protest, Europe is widely *perceived* as being democratically illegitimate. It is seen as too distant, insulated, and un-participatory to be properly democratic. Europeans seem neither to like nor trust the EU, and thus it lacks a "subjective" sense of democratic legitimacy. Some believe this contributes to apathy and a degradation of the democratic spirit necessary to bolster good governance. What is needed, it follows, is fundamental institutional reform to bring the public "closer" to EU policy-making, to enhance participation, and to increase involvement in European discourse.

Yet this understanding of the "democratic deficit" as "legitimacy crisis" lacks empirical support, just as arguments for the existence of a democratic deficit did – and institutional "fixes" for it are misplaced, if not counter-productive. Three forms of the argument for the existence of a "legitimacy crisis" deserve consideration.

Do Referendum Defeats Signal Public Dissatisfaction?

Myth Four: Negative referendum results in places like France, the Netherlands and Ireland expressed the fundamental dislike or mistrust of European citizens for the EU and its policies.

In the wake of the Irish referendum, Johannes Voggenhuber, Vice-chairman of the European Parliament's Constitutional Affairs Committee, warned, "For the EU, the No signifies a crisis that threatens its existence."[28] It is tempting to read referendum defeats in various countries as a considered public vote of

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[28] T. B a r b e r: Europe's rocky road: An Irish rebuke leaves leaders bereft of answers, in: Financial Times, 15 June 2008.

"no-confidence" in the EU. Most analysts do. Those who followed high-minded debates over referendum issues in Le Monde, NRC Handelsblad, or the Irish Times often assume citizens cast their votes for the reasons that were discussed there. Citizens have deliberated, and they have spoken.

Yet the truth is that there is almost no connection between voting behavior on referendums (or any other elections) and public attitudes on Europe. Almost no one in these countries votes – and in particular, votes "no" – on the basis of specific European issues or grievances.

Consider, for example, the recent Irish referendum, where 42% of "no" voters admitted to pollsters (thus surely an underestimate) that they opposed the treaty because they were ignorant of its content. (A popular slogan ran: "If you don't know, vote no!") A substantial group admitted voting "no" because they believed the constitution contained specific clauses that were not in it, e.g. the EU would be able to reinstate the death penalty, legalize abortion, conscript Irish into a European army, impose taxes by majority vote, force in floods of immigrants, imprison three-year-olds for educational purposes, and undermine workers' rights – all matters *entirely* outside Brussels' legal competence. The only genuine issue of significance that appears to have affected a significant number of "no" voters was the loss of an Irish Commissioner – and even this was taken out of context.[29] Other, general, EU issues appear to have played similarly little role, with the possible exception of agricultural trade liberalization.[30]

The French and Dutch referendums of 2005 display similar dynamics, but also underscore another disturbing tendency: voters often use Euro-elections to cast protest votes on national issues: opinions about the ruling party, globalization or immigration involving non-EU countries, and other matters not involving the EU.[31] Similarly, it has long been noted that elections to the European Parliament generate relatively low turnout and are hardly influenced by European issues.

Instead voters use them as a chance to cast protest votes against national parties.[32] In national elections in Western Europe, EU affairs have played almost no significant role for over a generation.

Even if we did take the referendum results seriously, we should remember that a vote against the constitution is a vote in favor of the status quo. This reflects an important fact: in no member state (not even the UK) does any significant portion of the electorate or any major political party favor withdrawal from Europe or any one of its major policies.[33] In Ireland today, for example, nearly 70% of voters have a "positive" (rather than neutral or negative) image of the EU.[34] As we have seen (see Myth Three), most Europeans favor the incremental changes in the EU proposed in the constitution. Whatever the referendums demonstrate, therefore, it is not a basic public antipathy toward the European Union.

Reality: Voting on European issues in referenda, Euro-parliamentary elections, and national elections, are not driven by any informed antipathy toward Europe.

Does Low Participation Cause Public Distrust and Dissatisfaction?

Myth Five: European institutions are disliked or mistrusted by publics because they do not encourage mass public participation. More public participation would enhance the EU's popularity and public trust.

While some Europeans are coming to understand that referendums are a poor forum in which to debate concrete issues and grievances, many still believe that poor referendum results – and voter apathy in European Parliament elections – taps into a general dissatisfaction with the EU. Much public commentary and scholarship assumes that this disillusionment stems from the widespread perception that EU institutions are distant, elitist and non-participatory.[35]

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[29] Millward Brown IMS: Post Lisbon Treaty Referendum, Research Findings, September 2008.

[30] This is an ironic result, since much of the misinformation was the work of Libertas, an opposition organization funded by anti-tax millionaire Declan Ganley – a militant opponent of the CAP who posed as a friend to Irish farmers long enough to secure their votes. A. M o r a v c s i k : "Don't Know?" ... , op. cit.

[31] The only EU issue of any consistent weight was opposition to future Turkish enlargement, an event unconnected with the constitution, perhaps 15-20 years away, and in any case only a primary motivating factor in less than 10% of "No" votes. Even the close link between globalization and negative attitudes toward the EU, which some might interpret as the beginnings of a new cleavage, is more pronounced in France than elsewhere.

[32] Political scientists refer to EP elections as "second order" national elections. K. R e i f , H. S c h m i t t : Nine Second-Order National Elections. A Conceptual Framework for the Analysis of European Election Results, in: European Journal of Political Research, Vol. 8, 1980, pp. 3-44. We should not exaggerate the low turnout for Euro-parliamentary elections. At around 50%, it is low by European standards, yet it is roughly average for a US presidential election.

[33] This status quo bias helps explain why the constitution was and remains a conservative document, containing little major reform – certainly nothing approximating what the French term a "grand projet", akin to the single market or single currency. The constitution cum treaty adjusts voting weights and consolidates the foreign policymaking structure, while retaining (even strengthening) its intergovernmental nature. It moves a modest number of policies toward qualified majority, of which only home affairs is truly significant.

[34] Eurobarometer 68, Final Report, pp. 99-101.

[35] E.g. A. F o l l e s d a l , S. H i x , op. cit.

Little empirical evidence supports this view. Rather than speculating, consider what we learn from asking citizens what they actually think. Direct polling reveals that only 14% of Europeans currently have a negative image of the EU, while around half (49%, down 3% from the preceding quarter) see its image as positive and 34% (up 3%) are neutral.[36] Moreover, Europeans trust EU political institutions *as much or more* than their national political institutions. (Cf. Figure 2) (Trust fluctuates year-to-year but has generally remained high: in Autumn 2007 48% trusted the EU; Spring 2007 saw a record total of 57%.[37]) This compares favorably with national institutions: The European Parliament is significantly more trusted than national governments, the EU (and UN) significantly more than national governments, and the European Court of Justice slightly more than national legal systems.
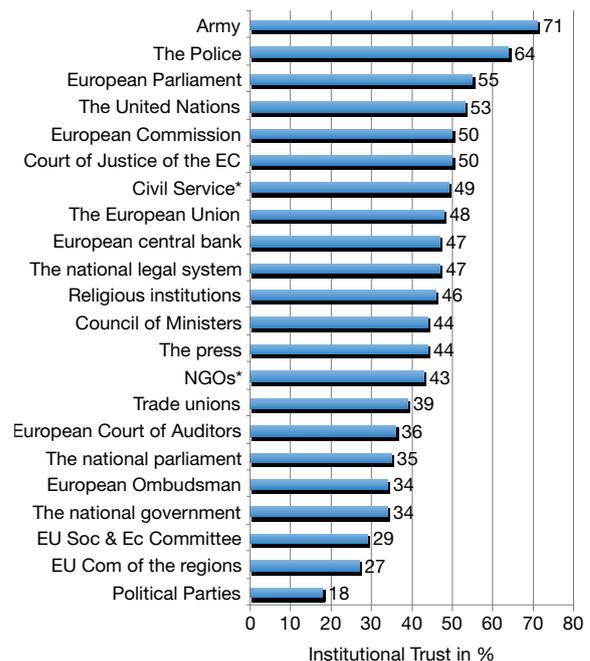
Even if there were a problem with trust in EU governance, moreover, it would almost surely be unrelated to the fact that EU institutions afford less *direct* public participation than national governments and more indirect democratic control. This is because, despite what many believe, *participation in democratic institutions does not foster public trust.* Studies of the democratic political systems of the EU reveal no positive correlation between political participation and trust. (Cf. again Figure 2) Indeed, the correlation, if any, appears to be *inverse*: in Western democracies, citizens tend to trust and favor non-participatory institutions (e.g. the military, courts, the central bank, bureaucracies) *more than* "political" ones (e.g. the national government, parties and politicians, NGOs, the press). Thus it is precisely those political actors most closely involved in EU politics who enjoy the greatest public trust. This may be one reason why the EU is more trusted than national governments.

Certainly there is no reason to believe that encouraging more participation in EU policy-making will generate trust or popularity. Rather the reverse is likely to be true, though not because of any antipathy towards Europe. Institutional reform to "democratize" Europe is likely to be counterproductive, generating opportunities for Euroskeptical demagogy, rather than more public trust.

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[36] Eurobarometer 68, Final Report, p. 100.

[37] These results appear stable. Table 1 is quite similar to parallel 2001 data analyzed elsewhere. See A. Moravcsik: What Can We Learn from the Collapse of the European Constitutional Project?, in: Politische Vierteljahresschrift, Vol. 47, 2006, pp. 219-41, and full discussion of this line of argument there.

Figure 2
Institutional Trust Among EU-27 Publics (2007)

Institution	Trust %
Army	71
The Police	64
European Parliament	55
The United Nations	53
European Commission	50
Court of Justice of the EC	50
Civil Service*	49
The European Union	48
European central bank	47
The national legal system	47
Religious institutions	46
Council of Ministers	44
The press	44
NGOs*	43
Trade unions	39
European Court of Auditors	36
The national parliament	35
European Ombudsman	34
The national government	34
EU Soc & Ec Committee	29
EU Com of the regions	27
Political Parties	18

Institutional Trust in %

Sources: Eurobarometer EB 68, Final Report, Chapter I-3.3, II-3.2, 3.3. * Civil Service and NGO questions were not repeated in the 2007 study, so are inserted from 2001 EU-15 data from Eurobarometer 56.2 (October/November 2001). Other results are otherwise broadly similar. Responses are from the question: "… For each of the following institutions, please tell me if you tend to trust it or not to trust it?".

Reality: European political institutions generate as much or greater popular trust than national ones, probably in part because they are non-participatory. Institutional reform would likely reduce the EU's public trust and popularity.

Do EU Institutions Stifle Legitimate Political Participation?

Myth Six: Voters fail to participate actively and intelligently in European politics because existing EU institutions disillusion or disempower them. Institutional opportunities should be created to increase participation.

If Europeans have ample opportunity to debate European issues and influence EU policy-making – via national elections, elections to the European Parliament, referendums, and public debate – why do they resolutely refuse to do so? We have seen that referendums, Euro-parliamentary elections and national elections do not generate voting or serious discussion on the basis of European issues. Some critics of the "democratic deficit" argue that the problem lies in the tendency of EU institutions to stifle active,

intelligent public participation. By providing insufficient opportunities for participation in EU politics, institutions disillusion and disempower European citizens, dissuading them from active involvement in its politics. Publics come to believe participation would have no impact on policy and further resent the EU for it. A vicious circle sets in. The solution to this problem, many argue, is to reform EU institutions so as to provide for more public participation, via pan-European elections, referendums on a simplified constitutional text, or direct elections for the Commission.[38]

This final interpretation of the democratic deficit has no more empirical support than its five predecessors. Institutional opportunity is not the binding constraint on public participation. As we have seen (Myths Three and Five), opportunities to influence EU politics abound, yet Europeans refuse to engage in political learning, organization-building, mobilization and voting behavior *no matter what the institutional forum*. This lack of interest is not driven by a perception among citizens that efforts to influence policy via European institutions are inefficacious or futile. Polls tell us citizens are fully aware of – indeed perhaps exaggerate – the increasing importance of the European Parliament, and yet they turn out for direct elections to it in low and declining numbers, and treat them as "second-order elections" in which protest votes are cast on national issues – something scholars find baffling.[39] Surely citizens must believe that voting in national elections for national politicians – say, Margaret Thatcher, Helmut Kohl or Nicholas Sarkozy – makes a difference for the EU, and yet the British, Germans and French almost never take account of European matters in such elections. And it is downright absurd to argue that the outcomes of referendums, such as the recent one in Ireland, have no impact, or are unclear in their consequences. Institutional design is not the problem.

Non-participation and apathy result instead from citizens' attitudes toward European issues. From the perspective of citizens, the critical fact about EU politics is that it is boring. Few Europeans know or care about the substantive content of the issues involved.[40] Recall (Myth One) that almost all the "salient" issues in

European politics remain national.[41] In roughly declining order of importance, the only issues able to mobilize public organization, voting behavior, are: social welfare provision, pensions, health care, macroeconomic management, taxation, education, infrastructure spending, family law, law and order, immigration, defense spending, and the environment.[42] There is good reason to believe that European citizens refuse to participate meaningfully – regardless of the institutional forum – because the issues they care about most are not handled by the EU. They are rational, choosing to allocate their time and energy to other matters.[43]

It follows that *efforts to mobilize voters around European issues will be counterproductive.* Consider the last decade of "constitutional" politics in the EU. The constitution contained no major reforms. It was, rather, a public relations exercise, an effort to appeal directly to voters – to mobilize, politicize, and thus to inform them through a high-profile, idealistic document.[44] Without salient issues, however, voters (unlike the Euro-policy wonks and parliamentarians who designed the scheme) had no rational incentive to become engaged in the process, or to inform themselves about the document when it had to be ratified. They were confused by the document's content and purpose – doubly so because of the striking incongruity between its modest content and its grandiose rhetoric. Without salient issues, as we have seen, rational voters either act on the basis of ignorance or import national issues they do care about.

Future efforts toward forcing participation in the context of widespread popular apathy would simply hand the European issue over to extremists. Again the constitutional debacle is an instructive example. Ideologues, Euro-enthusiast or Euro-skeptical, were among the only citizens who cared deeply about

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[38] S. Hix, op. cit.

[39] J. Blondel, R. Sinnott, P. Svensson: People and Parliament in the European Union: Participation, Democracy, Legitimacy, Oxford 2008.

[40] A. Moravcsik: Why Europe Should Dare to be Dull, in: European Voice, Vol. 12, 2006.

[41] By salient issues I do not mean those issues that are, in some objective sense, "important". Obviously many European issues have a significant redistributive impact. In these cases citizens make their views known by traditional means: through interest groups, national parties, and such. By salient issues, I use the term as voting behavior and polling experts do: to designate issues that citizens consider important enough to motivate the sort of major shifts in mass voting, political learning or political organization that would be necessary to generate a shift of organization, allegiance, education, and behavior required to politicize EU decision-making at the mass level. Hix and Follesdal miss this distinction entirely in their JCMS article, accusing those, such as myself, who argue that EU issues are "non-salient" of necessarily holding the view that EU policies lack socially redistributive consequences – a view of politics so absurd that it does not require rebuttal. Cf. A. Follesdal, S. Hix, op. cit.

[42] Even by the end of this list, with issues like defense, we have reached the tail of the distribution, with relatively few voters actually casting ballots on this issue.

[43] For further discussion, see A. Moravcsik: Why Europe ... , op. cit.

[44] Cf. footnote 2 for references.

the outcome. The resulting debates, dominated by believers in a centralized "ever closer union" on the one side and skeptics of Europe on the other, ignored the pragmatic middle favored by most Europeans. A small Eurosceptic minority, excluded from politics everywhere for a generation – the UK being only a partial exception – saw the chance of a generation and grabbed it. As we saw in the discussion of Myth Four, such groups easily manipulated the public with ideological appeals. This sort of ignorant, ideological demagogy and debased democratic deliberation is hardly something either political philosophers or common citizens would consider desirable in their own domestic politics, where referendums are rarely held and are often unconstitutional. In the context of low-salience issues, any future effort to induce greater participation is inherently condemned to generate (at best) continued apathy and (at worst) another explosion of plebiscitary populism.

Reality: Voters fail to deliberate meaningfully about EU affairs not because they are prevented from doing so, but because they do not care enough about the EU's (non-salient) issues to invest sufficient time and energy. By generating uninformed debate, encouragement of more participation is likely to be counterproductive.

Conclusion: A Return to Reality

There is no "democratic deficit" in Europe. Whether we define it as an absence of public accountability or as a crisis of legitimacy, the empirical evidence for the existence of a "democratic deficit" is unpersuasive. Certainly Europe is no worse off, overall, than its constituent member states. Reform to increase direct political participation, moreover, would almost likely undermine public legitimacy, popularity and trust without generating greater public accountability.

The policy conclusions are equally clear. Radical critics of the democratic deficit like Habermas and Hix, in seeking to cure the faults of populist democracy by importing even more populist democracy – either through pan-European elections or by introducing salient issues like social policy to the EU in defiance of European public opinion – are defying both political science and common sense. Rather than toying with radical democratic reform, Europe should embrace the mode of indirect democratic oversight currently employed, whereby national governments representing national parties manage EU policy via the European Council, the Council of Ministers, and the directly elected European Parliament.

For those who care about maintaining healthy national democracies, there is something normatively comforting about current democratic arrangements rooted, first and foremost, in elected national governments.[45] The issues that matter most to voters remain overwhelmingly national, both in word and deed. Citizens continue to define their partisan allegiances on the basis of salient (thus largely national) issues, but have good reason to trust politicians and parties to represent their interests in Brussels. This system has worked well for a half century – and continues to do so. Despite the misguided constitutional experiment, the EU has just completed an extraordinarily successful period of 15 years: the completion of the Single Market, the establishment of a single currency, the expansion of the Schengen zone, the enlargement to 27 members, and deepening of crime prevention, foreign and defense policy cooperation – to name only a few recent achievements.[46]

To some, this sanguine view might appear to be unorthodox and extreme, even deliberately provocative. But it is not. It rests on elementary political science and basic common sense. As applied to national political life, there is nothing controversial about the empirical claims on which it is based. At home, we do not generally treat referendum defeats on non-salient issues as threats to the basic legitimacy of the political system. We do not view indirect democratic accountability via ubiquitous constitutional institutions like constitutional courts, central banks, regulatory authorities and foreign policy authorities as illegitimate or undemocratic. We do not expect non-salient issues alone to motivate informed voting or meaningful democratic mobilization. We do not believe that increased political participation will be a panacea for the ills of political systems.

Only within the curious rhetorical universe of EU politics does all the conventional wisdom – familiar to first-year political science undergraduates and newspaper columnists alike – go out the window. It is time we stop holding the European Union to a democratic double standard, a standard no nation-state can meet, on the basis of innuendo. We should view European politics as normal everyday politics, and judge it on the basis of hard evidence. When we do, the "democratic deficit" will be exposed for the myth that it is.

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[45] A. M o r a v c s i k: The European ... , op. cit.

[46] Some have speculated that the European Union is unstable, but this claim seems more theoretical than empirical. Cf. e.g. A. E t z i o n i: The EU as a Test Case of Halfway Supranationality, in: EUSA Review, Vol. 17, 2004.

Democratic deficit, an insufficient level of democracy in political institutions and procedures in comparison with a theoretical ideal of a democratic government. The expression democratic deficit may be used to denote the absence or underdevelopment of key democratic institutions, but it may also. { "1921054": { "url": "/topic/democratic-deficit", "shareUrl": "https://www.britannica.com/topic/democratic-deficit", "title": "Democratic deficit", "documentGroup": "TOPIC PAGINATED MEDIUM" ,"gaExtraDimensions": {"3":"false"} } }.

Democratic deficit. political science. Article. ^ "The Myth of Europe's Democratic Deficit" (PDF). Princeton University. Retrieved 10 April 2017. ^ a b c "Press release no. 72/2009. Judgment of 30 June 2009" (Press release). German Federal Constitutional Court â€" Press office. 30 June 2009. Reif, K and Schmitt, S. (1980) â€˜Nine second-order national elections: a conceptual framework for the analysis of European election resultsâ€™ European Journal of Political Research. Vol 8, Issue 1. This page is based on a Wikipedia article written by authors (here). Text is available under the CC BY-SA 3.0 license; additional terms may apply. Images, videos and audio are available under their respective licenses. The democratic deficit debate thus has implications that reach beyond the EU and touch upon crucial issues of future developments within democratic theory. This review distinguishes between three different types of legitimacy, namely procedural, efficiency and social legitimacy, and authors are discussed according to which type of legitimacy that underlines their analysis of the democratic deficit. Most authors invoke one type of legitimacy as their basis, but a new strand is emerging that mixes different types of legitimacy when establishing normative criteria for the EU. The literature on the democratic deficit in the European Union (EU) is remarkable for its heterogeneity. Even the central ques-tion as to whether a democratic deficit indeed exists remains un-settled.