

## **‘The main democratic deficit in the European Union is psychological, not institutional.’ Discuss.**

The term ‘democratic deficit’ refers to the creation and development of the EU without the direct involvement of the citizens. This is a term spawned from the Western understanding of democracy and legitimacy, concepts that the EU is said to infringe.

Democracy and legitimacy are contentious concepts themselves. Democracy is, according to Brigid Laffin (1999) ‘a set of ideals about the exercise of political authority’. In Western society representative democracy is predominant. People are able to choose between different parties at elections, which compete on a near or equal basis, to form the next Government. This Government will govern in accordance with the people’s wishes, remaining accountable to an elected assembly. The European Union is said to lack these features of choice, competition, elections and accountability which gives rise to the issue of a ‘democratic deficit.’

Legitimacy is defined simply as the right to govern. Western Governments are installed by means of elections, indicating public acceptance of their presence and a representation of their will. Dogan (1992) offered the following definition ‘people hold the belief, that ... institutions are appropriate or morally proper’. The EU however, as I will explain later is indirectly elected and does not conform to this idea of legitimacy.

Using the Western ideas of democracy and legitimacy to come to the conclusion of a democratic deficit is over-simplified as it relates to nation-states, yet the European Union is a unique concept and far removed from the model of a traditional nation-state. This begs the question; shouldn’t different versions of democracy and legitimacy apply?

This means an examination of the decision-making process is required to establish/disprove democratic and legitimate elements within the EU. The European Union was brought about by the Treaty of Paris (1951) as a ‘democratic ideal to moderate inter-state relations in Europe’ (Brigid Laffin 1999). Amongst its aims were peace, prosperity and curbing nationalism in the wake of World War II. It was to be a collective project that was both voluntary and consensual, which serves to provide it legitimacy. It evolved further with the Treaties of Rome (1957) that created an economic community (EEC) and even closer relations.

However, it is the policy-making process that has been criticised. Unlike nation-states (e.g. the US) there is not a clear separation of powers but a policy network in which institutions of government are interdependent. Representatives from each institution must co-operate e.g. the role of the legislature is shared between the European Parliament (EP) and the Council of Ministers. The different institutions must work together in order to make policy, meaning an emphasis on making bargains

Bargains occur between the member states in the EU Council and European Council, inside each EU institution and between the EU institutions. It is here that the democratic deficit is most apparent. Indeed, since there is no separation of powers Europe's citizens face an arduous task in identifying 'who governs' and have no opportunity to dismiss them at elections. Furthermore, the bargaining process is shrouded in secrecy, an undemocratic practice that does not lend itself to accountability.

Nugent (1999, p385) points out that policy-making is messy and in contrast to state legislatures, problems are not identified and alternatives not explored. He asserted three models of decision-making. The first is the political interests model, which explores the way that bargaining and compromise is brought about. Since there are competing interests within the EU, with variable amounts of power, decisional outcomes inevitably derive from compromise. This is undemocratic since it gives power to those with money and the ability to employ efficient lobbying techniques.

Secondly, Nugent asserted the political elite model that highlights the concentration of power at official and political levels. In particular, this theory relates to the areas of monetary and foreign policy where secrecy prevails. In addition, proponents of this theory argue that there is a scarcity of mechanisms to ensure direct accountability to the citizens.

The third theory Nugent identified is the organisational process model. This explores the way that minority interests are sidelined in order to speed up the policy process. Indeed, many sectional interests should be consulted in framing policy that renders it slow with an outcome little more than the lowest common denominator. To overcome this, the EU streamlines the consultation process and resorts to quantitative majority voting in order to 'steamroller' the minorities.

Furthermore, it has been noted that the legitimacy of the EU institutions is questionable. In particular, the commission, responsible for policy initiation and law making, has no direct democratic mandate. This is compounded by speculation of fraud and corruption that was confirmed by the report from the College of Commissioners (1999). The Council of Ministers, responsible for making decisions, also lacks a democratic mandate since the people elect it indirectly. It consists of representatives sent by the legislatures of member states. Therefore, if the people do not elect it directly, its legitimacy is highly suspect since there has been no expression of their will. The question of legitimacy has also been asked of the European Parliament, since turnout for its' elections is very low.

Public opinion is a further and significant feature of the democratic deficit. The EU feels remote to the average citizen, a feeling that breeds scepticism towards it. This is combined with a lack of referendums to gauge public opinion on important issues. Indeed, in January 1999 not one of the eleven countries that joined the single currency held referendums on the issue. The German Government pressed ahead with the venture despite opposition from its own people. This example and the fact that referendums are

held infrequently prove that ordinary citizens have little say on European affairs. The European parliament is, ostensibly, a mouthpiece for this trumpet but in reality it exerts little influence. European parties are also not indicative of policy preferences in each country e.g. New Labour amalgamated into Party of European Socialists.

Nevertheless, so far I have only pointed out the so-called 'institutional' aspects of the democratic deficit within the EU. It is important to note that these derive from the Western concepts of democracy and legitimacy that are based on nation-states. As is obvious, the European Union is not a nation state. From this perspective, the deficit appears to be 'psychological'.

Indeed, the large scale of the EU means it is more difficult for effective participation of citizens, with the uncertain public opinion unsurprising in the face of the transfer of policy responsibility from state to the European Government.

Furthermore, the EU has done much work in the establishment of human rights. Both the ideas of citizenship and free movement of workers have been conceived by the commission and European Court of Justice (ECJ). In relation to the opaque policy-making process, the 1996 Intergovernmental Conference gave provisions on increased transparency. For instance, it allows any citizen of the Union access to documents subject to certain limits. It also included a provision for an ombudsman, a figure to receive complaints from citizens where maladministration is said to have occurred.

It is also apparent that I have so far portrayed the policy making process as undemocratic in comparison to the nation states of the EU. Yet Nugent (1999) points out three ways in which this is not so. Firstly, political accommodation and sidelining is common among the EU member states' coalition Governments, meaning that the political interests model does not prove the EU to be undemocratic in relative terms. They are both as bad as each other. Secondly, not all policy processes consist of cobbling together deals to satisfy the current complexion of political forces. The commission aims for co-ordinated forward planning, with a view to initiate not react, and look at medium rather than short term. Thirdly and finally, Nugent points out that a considerable degree of policy cooperation and integration has been achieved at EU level. This can be interpreted as drawing nearer to the EU objective of furthering the interests of those who live in member states.

Therefore to conclude it is difficult to deny the existence of a democratic deficit within the European Union. This is a result of its remoteness from ordinary citizens and a feeling that its directives lack relevance to each member state. Its main policy-making institutions (the commission and council of ministers) are indirectly elected and lack a sense of accountability in the same way as the Governments of member states. A weak European parliament and an interdependence rather than separation of powers create a poison of secrecy that infects the liquid of policy-making.

Nevertheless, the democratic deficit is judged in terms of the Western meanings of the words 'legitimacy' and 'democracy', words devised to apply to the workings of the

national governments. The problem with this is that the EU is a unique concept unparalleled anywhere in the world. The psychological aspect of the democratic deficit relates to the way these words are taken out of context. The EU is not a national Government, as the 'United States of Europe' does not exist. To judge it on the same wavelength as a national Government is unfair. Furthermore, the EU is becoming more democratic through slow and incremental change, while its increasing importance brings growing opposition and subsequent accountability. The democratic deficit does exist in the structural features of the decision-making system and barriers to citizen participation. Yet hope remains once the mission of democratising political space above the level of the state is achieved.

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