

# THE DEMOCRATIC DEFICIT IN EUROPE: WHICH WAY FORWARD?



## Vivien A. SCHMIDT

*Member of the FEPS Scientific Council and Jean Monnet Professor of European Integration, Professor of International Relations and Political Science at Boston University, United States*

The Eurozone crisis is not just economic; it is also political. Eurozone policies and processes of crisis management have exacerbated long-standing problems related to the EU's democratic legitimacy. The question is: Can these be fixed, even as the Eurozone crisis rolls on? And what is the way forward for democracy in Europe?

### HOW THE CRISIS EXACERBATES THE DEMOCRATIC DEFICIT

During the Eurozone crisis, decision-making has become more and more remote from the citizens, as EU member-state leaders in the Council have taken most of the initiatives. This has altered the EU's 'democratic' settlement (which expects a relative balance among major EU institutional actors), by sidelining the European Parliament (EP) and turning the EU Commission into little more than a secretariat tasked with technocratic oversight of automatic rules coming from more and more stringent pacts for fiscal consolidation. Moreover, national parliaments have had little role other than to rubber stamp intergovernmental treaties at the risk, if they failed to do so, either of sanctions from the markets or, for countries under IMF or Eurozone loan bailout strictures, a loss of access to further financing.

European leaders engaged in intergovernmental decision-making, whether in the European Council, in the Council of Ministers, in Summits, or in negotiating Treaties, often tout

themselves as most legitimate because they indirectly represent their citizens. What they fail to recognize is that however crucial intergovernmentalism may appear in the heat of the crisis, it is actually the least democratic of processes because it gives those leaders with the greatest bargaining power an undemocratic advantage in the closed door negotiating sessions of the Council. That 'ordo-liberal' (neo-liberalism with rules) austerity policies focused on a 'Culture of Stability' dominate the Eurozone, and remain predominant even as Eurozone countries have slid into recession and worse, is testimony in no small measure to the power of one country in the intergovernmental decision-making process.

Such increasing intergovernmentalism, added to the hesitant EU leadership that has failed to solve the crisis, only further fuels citizens' disaffection from the EU as well as disillusionment with their leaders, whose discourses do little to legitimate EU action, let alone to promote a sense of Europe-wide social solidarity—if they don't at the same time also stoke the fires of nationalism. Citizens find themselves increasingly unable to influence decision-making, whether as voters who express their dissatisfaction by throwing their governments out of office with increasing frequency—only to find the subsequent government implementing the same policies—or as protesters in the streets. Is there any wonder, therefore, that we see the rise of extremist parties on the right and the left, ready to jettison the euro and, possibly, the EU?

The legitimacy crisis, then, is not a problem just for the EU but also for national polities. **At the national level, we increasingly find 'politics without policy' in domains of EU competence,** as more and more policy decisions have moved to the EU level while leaving the political debates of the left and right to the national arena. At the same time, **the EU level appears to be 'policy without politics,'** as member-state leaders in the Council eschew the language of the left or the right when speaking of their national interests, the EU Commission uses the language of technocracy, and the EP, if not left out of the game entirely, uses the language of the public interest. But while the language may be apolitical, the policies in response to the crisis are in fact highly political—and largely conservative and ordo-liberal. But they have not been subject to the kind of political debate at the EU level that citizens would normally expect, and which at the national level traditionally serves to legitimize policy.

**The question therefore is: Should one politicize EU institutions in order to legitimize its policies. If the answer is yes, how?** Through an elected European President—of the Council or the Commission? By shifting the balance toward the European Parliament? By allowing more discretion to the Commission?

### CAN THE EU POLITICIZE TO LEGITIMIZE?

The election of the Council President via universal suffrage, suggested by German Finance Minister Wolfgang Schäuble among others, would certainly appear to confer the greatest representative



legitimacy on the Council while bringing the EU closer to the people. But it is premature. The danger in the short term is that in the absence of a mature European citizenry with a common sense of identity as *ademos*, the election becomes a plebiscite, with the winning candidate the one with the greatest name recognition—a pop star, a football hero—who would win over less colorful but more competent and seasoned politicians. Moreover, without any thought to the powers the Council President would exercise, having the legitimacy of popular election would either remain largely symbolic, leaving that person too little power if nothing were altered in the job description, or it might radically alter the EU institutional balance by appearing to confer too much power to that person, to the detriment of member-state leaders in the Council and possibly the EP.

By contrast, the election of the Commission President via European Parliamentary elections—the preference of major EP party groupings for the EP 2014 elections—might work to the advantage of all institutions. In the scenario envisaged, each main European party grouping would name its candidate for Commission President, set out a party platform, and then campaign in member-state after member-state, debating with the candidates from other European parties about their visions for how to solve the crisis. This could be enhanced were national parties to name potential Commission candidates to head their party lists, thereby enabling national electorates to put a national face on the EU campaign, and get the chance to elect *their* Commissioner. It would have the added value of encouraging top national politicians to run for the EP, and then to serve as Commissioners. The leader of the winning party would naturally be named President of the Commission by the Council, while the new Commission President could then apportion the Commission portfolios in line with the winning majority coalition, naming Commission members in consultation with the Council on the basis of their talents and paying attention to gender parity issues (and not only their nationality—further encouragement for quality candidates from the member-states).

This alternative would help rebalance the EU system by giving the Parliament along with the Commission President greater representative legitimacy, at the same time that it would make the Commission more accountable to the EP as well as better able to legitimately exercise administrative discretion when implementing Council policies, by orienting them to the political preferences of the EP majority. But most importantly, the elections themselves would help bring real (left/right) political debate back into the EU policymaking process, in principle spurring citizen interest and serving to legitimize policy.

One caveat, though, in the line of ‘be careful what you wish for.’ The EP elections of the Commission President could themselves become a losing gamble were they to remain what they have long been, second-order affairs of little interest to citizens, and if the different parties in the elections fail to come up with clearer visions and better narratives to legitimize ‘more Europe’ to the citizens. The gamble would be lost entirely, however, were the only interest to come from the political extremes, leaving the EP with a thinning center hemmed in by extremists of the right and left. Under these circumstances, such elections would politicize only to delegitimize the Commission and the EP. To ensure against this eventuality, along with increasing national political

volatility, best solve the Eurozone crisis before 2014.

Importantly, however, elections are only the tip of the iceberg when it comes to remedying the problems of the EU. EU leaders in the Council would also need to be able to negotiate solutions more effectively, which requires governance processes that get beyond the unanimity rule, say via supermajorities and opt-outs done on an informal basis (since a Treaty would demand unanimity to get rid of the unanimity rule). The use of much more enhanced cooperation (as defined in the Lisbon Treaty) could be another way forward. But beyond these EU level institutional reforms, opening up additional avenues of communication between EU and national levels would also help national democratic legitimacy, including more direct links between the EP and national parliaments as well as more direct channels of communication between member-states ministries and the citizenry.

Finally, EU leaders need to craft a political discourse that legitimizes the deeper political integration that any such solution entails. EU leaders require narratives to help build a sense of European identity and solidarity as they seek to legitimize 'more Europe' to the citizens of Europe. At the same time, however, for citizens' sense of identity and solidarity to grow, voting in first-order EP elections for the Commission President can only be one small part of the identity-building process. The other would be making the EU part of everyday national discourse, parliamentary debate, public deliberation, and, yes, contestation—and not solely on Eurozone issues.

## Conclusion

What Europe needs most, in short, **is better leadership across its institutions, one that returns the EU to more political debate, reduces technocracy, and brings citizens into the decision-making process.** It may very well be that only once the political crisis is solved, with new institutional avenues to channel debate on policies, that the economic crisis will also slowly find a solution.

### VIVIEN SCHMIDT

*Is Jean Monnet Professor of European Integration, Professor of International Relations and Political Science at Boston University, and Founding Director of BU's Center for the Study of Europe. She has published widely on European political economy, institutions, and democracy and has been a visiting professor or scholar at the Free University of Berlin, Sciences Po in Paris, LUISS in Rome, Free University of Brussels, Oxford, Cambridge, European University Institutel, among others. Recent books include Democracy in Europe (Oxford 2006; in French—La Découverte in 2010), Debating Political Identity and Legitimacy in the EU (Routledge 2011), and the forthcoming Resilient Liberalism: European Political Economy through Boom and Bust (Cambridge 2013).*

