INTERDISCIPLINARY VIEWS ON POLITICAL REPRESENTATION IN THE EU

EDITED BY SANDRA KRÖGER

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Interdisciplinary views on political representation in the EU

Edited by Sandra Kröger*
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1. Introduction

Not all observers would share the view that the current European crisis is as much a crisis of politics as economics. Yet, it is fair to assume that the EU is currently undergoing a severe political crisis. This crisis relates as much to the democratic legitimacy of its institutions as it does to their broader social legitimacy and that of the European integration project as such. Whether the EU will once again respond to the crisis by pushing integration even further or whether there will be waves of re-nationalisation as current British debates in particular seem to suggest, is unclear. However, what does seem clear is that there is widespread unease with the way democracy in the EU is developing, both in the Member States, and at the EU level.

Much of the recent debate has been on whether decisions should be made at national or European level, and whether they should be made by democratic representatives or experts. At the time of writing, much suggests that the future of the EU and its Member States may look like Italy or Greece – Member States governed by technocrats rather than by party government. Governments may no longer be enforcing partisan electoral promises, but implementing budgetary, economic and other policies decided at the EU level, either in the European Council or, worse, in the newly created Euro-Group, rendering national elections almost irrelevant. Whether a Member State has a right-wing or a left-wing government no longer seems to make much difference for the choice of core policies. What has been said to characterize the EU – policies without politics – may be becoming the dominant governance form in Member States too. The Euro-crisis has certainly increased the opportunity structure for such a development – the further hollowing out of state democracy without establishing democratic government at the EU level.

For some, this development does not pose a severe problem. From such a perspective, EU technocratic governance is a safeguard against government ineffectiveness, and checks and balances at the EU-level are superseding those at the domestic level. Others, in contrast, argue that there is a mismatch between taking policy decisions increasingly at the EU level while politics still mainly operates – so far as it does – at the national level and based on national elections. For democracy to be saved, they contend democratic government should move more consistently to the EU level, in particular to the EP, so as to be responsive and accountable at the level where the policy decisions are being taken. Finally, a third group of scholars and practitioners also acknowledge a democratic deficit in the EU, but consider that it should and can only be countered through strengthening domestic representative institutions.
Some of the trouble stems from the constitutional and institutional status of the EU. Whilst the EU conceives of itself as a representative democracy in the Lisbon Treaty, the meaning of this concept and the relationship between representation and democracy in the EU in both theoretical and practical terms is far from clear. It remains unclear which kind of representative democracy is being developed at the EU level. Still, the EU’s most recent constitutionalist discourse maintains the EU not only needs government for the people, but also government of and by the people. In Title II on ‘Provisions on Democratic Principles’, the Lisbon Treaty highlights two key principles. First, Article 9 states the normative basis for democracy within the EU, namely political equality. Second, Article 10 asserts ‘the functioning of the Union shall be founded on representative democracy’, in which:

2. Citizens are directly represented at Union level in the European Parliament. Member States are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national Parliaments, or to their citizens.

3. Every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen.

4. Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union.

Thus, political equality and representative democracy are the self-proclaimed democratic ‘meta-standards’ (Lord and Pollak 2010: 126) against which we can judge the EU’s democratic legitimacy.

However, the theoretical and practical implications of these two meta principles for the EU, is far from obvious. The Lisbon Treaty distinguishes between an electoral, a territorial, a functional, and a direct channel of representation but it does not clarify the relationship between them. Moreover, political equality in the Lisbon Treaty refers to two different political subjects: individuals and states. These two kinds of subjects involve different normative goals and two kinds of related distributions of rights and obligations (Kröger and Friedrich, forthcoming). Both kinds of subjectivity have different reference points: self-determination, on the one hand, and sovereignty, on the other. The former points towards an integrated European polity with state-like characteristics, while the latter treats the EU as an advanced intergovernmental organization. The former is primarily enacted through electoral, functional and potentially direct representation, whereas the latter is primarily enacted through territorial representation. Thus, the provisions on EU democracy offer two divergent visions of the EU.
However, the EU is neither a liberal democracy nor an international organization. It lacks the preconditions for the former (Kielmannsegg 2003) while it has too far-reaching competences and impacts on its members to be properly characterized as the latter. Instead, there is a co-existence of both forms of subjectivity.

At a recent conference at the University of Exeter¹, some of the most pressing and relevant topics of democracy in the EU were discussed by both practitioners and academics, such as:

- What should be the normative foundation of political representation in the EU?
- Which institutional design best captures this foundation?
- How far does the European integration project contribute to the strengthening or the weakening of the link between democracy and representation?
- How far and in which ways are national parliaments affected by EU governance and can we see increasing evidence of involvement in EU policy-making?
- Can democratic government be realized without partisan politics? Related to this, how likely is it that national political parties will finally start to engage with the EU in non-populist ways and that they accept a strengthening of the EP?
- How do newer arenas and actors, such as regulatory committees and civil society organizations, manage to ‘get in the game’, and is their involvement democratically legitimate?

In order to facilitate dialogue at the conference, all the participants were asked in advance to respond to four questions, in no less than one and no more than three pages. This working paper documents their answers. The remainder of this introduction sketches the themes of the four questions and the main directions of the replies to them.

2. Democratic representation

First, participants were asked what they understood by ‘democratic representation’. The background to this question was obviously the topic of the conference in general. But many contributions to the academic literature dealing with democracy in the EU, and more specifically democratic representation, fail to make it sufficiently clear what the author(s) normatively understand(s) by ‘democratic representation’. I lack the space here to detail all

¹ I would like to gratefully acknowledge the financial support of the conference under the Jean Monnet Programme of the EU, grant reference: 199856- LLP-1-2011-1-UK-AJM-IC.
the differences in the replies of the participants in a sufficiently nuanced way and am therefore limiting myself to giving a rather broad overview of the related debate and their answers.

While most recently, there are indications of a 'representative turn' in EU studies (Crum and Fossum 2009; Kohler-Koch 2010; Kröger and Friedrich 2012a, 2012c; Lord and Pollak 2010), the association of democracy to representation is a historically contingent one that cannot be taken for granted. Indeed, it is under permanent evaluation and re-construction, not least by the actors involved in it professionally, be it as practitioners or as academics. Still, it by and large seems to be accepted today that political representation is a **sine qua non** for the legitimacy of any democratic political system, the EU included, even though it can take different forms and has, consequently, been qualified by a variety of adjectives: parliamentary, territorial, functional, formalistic, substantive, anticipatory, promissory, descriptive, symbolic, and advocacy representation among them (Dovi 2002; Mansbridge 1999; Pitkin 1967; Urbinati 2000). All these different forms of representation point to a common understanding of modern democratic politics as being about representation. Representation is also a central concept in the way in which the EU understands its democratic legitimacy.

Furthermore, standard accounts of political representation describe and justify democratic political representation in the context of nation-states. Their main, if not exclusive, aim is to perfect its territorially-based electoral forms. However, contemporary democracies are evolving in ways that increasingly undermine the adequacy of the standard model. The modern territorial state, and with it the link between democracy and representation, is challenged through a variety of ‘diversification’ processes, including those of supranational (European) integration, that have led to a diversification of competences, and of actors and arenas, which have contributed to the dilution of traditional representative politics (Warren and Castiglione 2004; Kröger and Friedrich 2012b). These diversification processes challenge the contingent link between (national) democracy and representation. In the EU, the relationship between representation and (national) democracy is particularly challenged, given the number of competences that have been transferred to it, and its densely structured multi-level politics, both of which weaken the ability of national democracies to keep decision-making authority in their hands. It is this unsettled and contested nature of the EU and the quest for the right balance between a supranational and an intergovernmental political order and the institutional arrangements that go with it that have provoked fierce debate concerning its alleged democratic deficit (see below).
There are three main axes of democratic representation that participants in the conference – as well as interested scholars and practitioners beyond it – presently take interest in. First, how does the representative relationship work (substantive representation) – or how should it work for that matter – and what are the institutions required to put the relationship in place (formalistic representation)? Traditionally, the relationship has been conceived as either that of a delegate or a trustee. Either way, this conceptualization describes a principal-agent relationship. It is a rather static conceptualization which does not really address what is happening between the formal moments of authorization and control that initiate and end electoral representation in democracies.

Of late, some authors have argued that we need to adopt a more dynamic concept of representation. This development has become possible due to the theoretical abandonment of the necessity of an identity of represented and representative. By and large, it is now accepted that both need not be identical for representation to be democratic. What happens between them, in different temporal sequences of the representative relationship, has in turn moved centre stage. Therefore, it is fair to say that in representation theory there also has been a constructivist turn (Disch 201), a development that was without doubt supported by the increasing attention devoted to non-electoral forms of representation. One approach that has attracted considerable attention is the claims-making perspective developed by Michael Saward (2010). A number of conference participants reflected this development – not least Saward himself, of course.

The second axis participants are interested in concerns that of electoral-non-electoral representation. Indeed, whilst the traditional institutions of representative democracies are facing declining voter turnout, a massive drop in party membership and declining overall trust, other forms of political action (social movements, civil society organisations, local juries and initiatives, blogs, etc.) have firmly established themselves in the political arena. The question, then, is which of these are democratic forms of representation and which are not, and how can they complement the traditional institutions of political representation.

Finally, a major issue of concern is evidently whether or not democratic representation can or should remain anchored at the national level or whether it should be further transferred to the EU level, if only the ‘right’ institutional arrangement could be found. I will come back to this issue when discussing the third question that was put to the participants further below.
3. Problems of democratic representation in the EU

The second question participants were asked was what is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU, and whether it / they had been sharpened by the Euro-crisis – all but two respondents thinking the latter is the case. Given the alleged democratic deficit of the EU has been at the centre of attention of both academic and political debates for the past two decades so far as issues of political representation are concerned, I will focus on that issue here.

Ever since the Maastricht Treaty (1992), an intense debate about what is now called ‘the EU’s democratic deficit’ has been growing, and there is no sign of it ceasing. The EU’s policy-making is seen as distant, non-transparent and not corresponding to institutional checks and balances present within the Member States. The peoples of Europe are felt to have little or no say on the EU’s institutional development, its policy-making, and future objectives, while their lives are increasingly affected by European integration.

This is not the right place to enter into a detailed discussion of the ‘democratic deficit’ of the EU as such. Suffice it here to acknowledge that for many it does exist, be it for institutional or social reasons, and that there have been different proposals as to how to remove it, with some favouring reforming the EU level and others the national level of policy-making, and with some focusing on the traditional actors of representative democracies (parliaments, political parties) and others supporting an increased role for non-electoral actors (regulatory agencies, civil society organisations, social movements and so on).

Certainly, the current debt and Euro-crisis has ensured that the issue of the democratic deficit remains on the political and academic agenda. Indeed, it seems as if one central element of democracy – democratic parties competing for power by offering political alternatives – had been sidelined by the dictates of the markets. Unfortunately, the EU has contributed to this situation and worsened the economic and political crisis by following all too willingly the austerity measures demanded by the German government and sealing off discussion about political alternatives. It has opted in favour of both a depoliticized, technocratic and a more intergovernmental form of governance rather than recurring to parliaments at a moment where the very core of these institutions – budgetary policy – was at stake. Technocratic governance has been increased by creating the Frankfurt group and letting it become the main driving body of fiscal policy as well as by supporting the establishment of technocratic governments in both Italy and Greece. Intergovernmental governance has been strengthened by moving from the ‘Community Method’ to what
chancellor Merkel has called the ‘Union method’, which puts national governments rather than the European Commission, the Council of Ministers and the European Parliament centre stage. What is more, the intergovernmental handling of the crisis has allowed Germany (and, to a lesser degree, France) to dominate fiscal policy over the last few years – a dominance symbolized by the two countries leaders walk on the beaches of Deauville in October 2010 – thereby privileging national interests over a common, European one, whilst the European Parliament (EP) has been completely sidelined. National governments, specifically the Irish, Greek, Italian and increasingly the Spanish - have proved powerless to change the underlying fiscal approach, which instead has been decided in Berlin and Frankfurt.

Therefore, the handling of the crisis, and specifically the fiscal treaty, mark an important break with the existing EU governance architecture. This is all the more severe as the treaty constitutes a significant deepening of European integration in the economic and budgetary sphere without at the same time strengthening either the national or supranational representative institutions and thereby lending democratic legitimacy to the current and future fiscal policy. The Euro- and debt crisis has thereby amplified an existing problem – the lack of a transparent, open political process at the EU level which would be in the hands of democratic representative institutions and therefore, in the last resort, of the European peoples. However, without such a process, not only can citizens have no input into decision-making, but also there is no public space in which political alternatives can be discussed. In short, the fiscal treaty and the different rescue measures lack the democratic legitimacy they so urgently need.

One consequence has been that national electorates have kicked out of office their governments unusually often in the last couple of years, signaling the severe discontent of electorates with their governments throughout the EU. Also, recent electoral results show worrying support for far-right parties – think, for example, of Geert Wilders in the Netherlands, Golden Dawn in Greece and the Front National in France. These parties are all too eager to exploit the prevailing sense of disconnect between the national and the EU levels and of national politicians being powerless vis-à-vis the EU and its technocrats. They structure their politics around opposition to the EU. But hostility towards the EU has also moved from the fringes and closer to the centre more generally.

So, what did the conference participants think is the most pressing problem/are the most pressing problems in regard to democratic representation in the EU and has it/have they
been sharpened by the Euro-crisis? As one participant put it, ‘the problem of ‘democratic representation’ is the problem of the EU’ (Dario Castiglione). It is, Castiglione writes, ‘the key for the EU to find a way of constructing the public interest’ (see also Simona Piattoni). This diagnosis not only holds for the EU, but, as some of the participants point out, also for the political systems of its Member States (Graeme Carter, Tatjana Evas, Sian Jones, Sandra Kröger, Justus Schönlau). There is an existential problem with ‘the state of representative democracy at all levels in Europe. Linked to this is a decline in respect for institutions more generally and in the capacity of the state to solve problems. There is a democratic deficit in Europe, but it is not simply about the EU and its institutions. It is about the gap between citizens' expectations and the ability of elected representatives to respond’ (Carter). In regard to the EU, this general problem is particularly felt by EU citizens, who perceive the EU as being quite distant from their lives and without specific meaning for them (Giampi Alhadeff, Kenneth Fraser, Alessandro Mulieri, Michael Shakleton, Emmanuel Sigalas, Stefano Stortone). One of the likely reasons is that the European public sphere is still weak (John Erik Fossum, Alessando Mulieri, Anne Rasmussen), another one that there are no parties – no national, no European ones – to act as transmission belts between citizens and decision-makers (John Erik Fossum, Anne Rasmussen, Carina Sprungk, Nadia Urbinati).

A considerable number of participants mention the constitutional status of the EU as a pressing problem (Michelle Everson, John Erik Fossum, Kenneth Fraser, Dawid Friedrich, Gordon Keymer, Sandra Kröger, Justus Schönlau, Eline Severs). Indeed, the ‘ambiguity surrounding the EU’s constitutional status and its nature qua polity lead to uncertainty as to the status of democracy, including representative democracy, which requires a proper constitutional footing’ (Fossum). The result is that EU citizens cannot be sure to be ‘the authors of the laws that affect them’ (ibid.) or even to simply understand the political system of the EU (Kenneth Fraser). The constitutional problem that is mostly identified is the ‘in-betweenness’ of the EU: it is more than an international organization, and less than a supranational federation (Friedrich, Kröger, Schönlau, Severs), thereby ‘leaving it open who should be the normative target of democratic citizenship and representation’, states or citizens (Kröger).

For numerous participants, there are a series of institutional concerns. The most prominent one is the lack of proper mechanisms for authorization and control of office-holders: ‘The problem remains that citizens do not perceive that they authorize their various representatives to represent them on European matters, or to hold them accountable for

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2 Given limited available space, I will only report answers which have been mentioned by at least three participants.
what they do’ (Richard Bellamy, see also Vanessa Buth, Sian Jones, Sandra Kröger, Elizabeth Monaghan, Alessandro Mulieri, Johannes Pollak, Emmanuel Sigalas, Nikoleta Yordanova). In other words, there is no ‘electoral connection between citizens and political decision-makers’ (Sigalas, see also Monaghan, Pollak) and therefore a ‘disconnection between European citizen’s preferences and EU decisions’ (Yordanova). Likely consequences are, amongst others, ‘apathy in elections as well as of people in every day political life, lack of interest and support from the public and eventually a lack of solidarity amongst EU citizens’ (Buth). For others, a matter of concern is the limited role parliaments are playing in EU policy-making (Ian Cooper, John Erik Fossum, Sandra Kröger, Johannes Pollak, Carina Sprungk), with specific concern about the ‘diminished influence of national parliaments resulting from European integration’ (Cooper, see also Sprungk), the lack of influence of the EP (Fossum, Kröger, Pollak) or of parliaments at both levels of governance, leading to an ‘increasingly excessive intergovernmentalism’ (Kröger, see also Fossum, Jones). Finally, many participants are concerned with the increased drive towards technocratic governance in the EU (John Erik Fossum, Sandra Kröger, Martino Maggetti, Alessandro Mulieri, Simona Piattoni, Johannes Pollak, Jesper Schunck, Eline Severs, Stefano Stortone, Nadia Urbinati, Nikoleta Yordanova). They worry that ‘political power is being increasingly relocated from governments and parliaments to various non-elected bodies, which are not democratically accountable in the traditional sense of being politically responsive to citizens by means of a chain of political delegation’ (Maggetti). A consequence of politics moving towards technocratic governance, if not only due to that, is that political alternatives are hardly present in the EU. Indeed, the ‘notion of opposition does not even exist with the Union’ (Eline Severs, see also Kröger, Maggetti, Michael Shakleton), implying that citizens don’t have the feeling that they ‘can change the direction of policy’ (Shakleton).

4. Political responses

The third question that the participants of the conference were asked was what would be the most adequate political response to this/these problem(s) identified under the second question. Generally, participants voice a concern about a disconnect between the European political leaders, EU citizens and the direction of the integration process. As a result, they ask for a political vision – to be decided upon in a pan-European referendum (Dawid Friedrich), the full disclosure of political élites’ EU agenda and honesty about the ‘real state of our national democracies’ (Simona Piattoni), more responsiveness of political élites to the European interest (Stijn Smismans), and for the involvement of citizens in debating policies which matter for their own lives (Dario Castiglione). There also is a broadly shared sense
that there should be more transparency and control of EU politics. Beyond these general observations, there is – not unexpectedly – considerable variation if not disagreement on how the identified problems should be best dealt with.

A first group of participants – almost exclusively from the Anglo-Saxon world, and here mostly from the UK – strongly proposes less Europe rather than more, the strict observation of the subsidiarity principle, and greater involvement of domestic institutions, parliaments in particular. So far as less Europe is concerned, what is asked for is a clearer distinction between what the EU should do and concentrate on (mainly the internal market) and those policies that it should not be involved in (Richard Bellamy, Michelle Everson, Gordon Keymer). This goes hand in hand with the demand to strictly observe the subsidiarity principle. In the words of one participant, there is a ‘need for a fundamental restructuring. Decentralization from Brussels should be the aim, with the EU’s monolithic structures being broken up. Move power back to the EU members and have a streamlined bureaucracy that is there to coordinate the achievement of a single market. Subsidiarity is the post-Lisbon buzz word. Why not make it more fundamental’ (Gordon Keymer), with another participant suggesting that it could be ‘the organizing principle that saves the EU’ (Michael Saward). Finally, a number of participants suggested to ‘allow for the increased involvement of national parliaments directly at the EU level’ (Ian Cooper, Lord Stewart Wood), in order for them to become more engaged with EU affairs, to ‘socialize national MPs beyond EU affairs committees and across all party groups (ever more) into EU politics’ (Carina Sprungk), and to give European decision-making a greater visibility nationally (Diana Wallis).

Other participants suggest that the democratic deficit should be tackled primarily at the EU level rather than at the domestic level (Christian Joerges), and that we need more Europe rather than less if the EU is not to disintegrate (Sian Jones). This implies, most fundamentally, the building of the federal institutions necessary to that end (John Erik Fossum, Nadia Urbinati), specifically in view of the debt and financial crisis which calls for a European answer, rather than an answer that was dictated by national interests. Unsurprisingly, many of those focusing on the EU level pay specific attention to further parliamentarisation, arguing that the role of the EP should be increased so as to render political decisions more democratic overall (Johannes Pollak, Jesper Schunck, Eline Severs). Specifically, the EP initiative to have part of its members elected on an EU-wide, cross-border list finds support amongst a number of participants (Lars Hoffmann, Johannes Pollak, Emmanuel Sigalas, Stefano Stortone). Other suggestions include the nomination of candidates by the EP party groups for the post of President of the European Commission (Alessandro Mulieri), so that EU citizens ‘could hope to bring about a change in policy’
(Michael Shakleton) and to improve the ‘nature of political debate at the EU level, with European citizens put nearer centre-stage’ (ibid.; Justus Schönlau); and the direct election of a European president (Michael Saward) or more power for this position anyway (Lars Hoffmann).

Third, there are some participants who suggest that further democratization of the EU should occur at both the national and the EU level (Graeme Carter, Sandra Kröger, Alessandro Mulieri, Kalypso Nikolaidis). In other words, ‘to suggest that democratic representation should either be located at the EU level or at Member State level misses the point’ (Sandra Kröger). There should be both ‘Europeanization of domestic politics’ (e.g. greater involvement of national parliaments) and ‘political mutual recognition and engagement’ (Kalypso Nikolaidis). Members of Parliament and political parties both at national and at the EU level, are key to involving citizens in EU policy-making, not least via transnational parties and transnational lists for the EP (Nikolaidis). The European Council must be further democratized, with greater transparency and citizens being able to hold their ministers to account for their legislative activities (Carter, Kröger), whilst both MEPs and MPs should make a greater effort to develop a public discourse on EU matters (Carter, Mulieri).

Finally, a number of participants focus on actors rather than on levels of democratization. Specifically non-electoral actors such civil society organisations attract attention as it is believed that ‘the role of participatory democracy in Europe is important and can be developed – not as an alternative to representative democracy – but as a partner’ (Graeme Carter, see also Tatjana Evas, Martino Maggetti, Elizabeth Monaghan, Giovanni Moro, Anne Rasmussen, Eline Severs, Stijn Smismans, Stefano Stortone). It is argued that non-electoral forms of political representation ‘may provide the instruments for reconstructing the notion of political representation in a way that is more appropriate for horizontally fragmented governance arenas such as the EU’ (Maggetti), that they help to democratize the public sphere, also nationally, and to hold office-holders to account (Monaghan, Smismans). At the EU level, finally, the paradigm and institutional procedures for the involvement of civil society organisations should be reviewed so as to ensure more equal access to EU bodies and institutions (Moro, Rasmussen). In total, then, these mediating structures, together with civil society more broadly, can work in favour of the trust relationships that the EU so urgently requires, if the latter respects their autonomy (Hans-Jörg Trenz).
5. Research agenda

Last but not least, participants were asked what in their view should be on the research agenda of scholars interested in political representation in the EU. Again, not all suggestions can be listed here. Instead, I shall focus on suggestions that were made by several participants.

First of all, there is a desire, for some of the participants, for a more holistic research agenda of various kinds. To begin with, the development of theory should be more closely linked to the actual practice of political representation in the EU, and through a continued dialogue with the practitioners of political representation (Vanessa Buth, Dawid Friedrich, Sandra Kröger, Alessandro Mulieri). It was also pointed out that issues of democracy and social inequality ought to be researched jointly, rather than separately (Buth, Tatjana Evas, Kröger). Finally, it was suggested the EU should be studied less in isolation, but more in conjunction with both the global and the local levels of governance (Buth, Simona Piattoni, Michael Saward).

More closely related to the topic of democratic legitimacy, many participants suggested that the issue of the legitimacy of the overall system of the EU should be on the research agenda. For some, this includes the development and evaluation of new models of politics, certainly the use of ‘institutional imagination’ so as to ‘reconsider the nature of representation in democracy itself in order to adapt it to Europe’ (Nadia Urbinati). A number of participants are concerned about the right mix of democracy and effectiveness, i.e. in input and output legitimacy (Lars Hoffmann, Gordon Keymer, Alessandro Mulieri, Stijn Smismans, Lord Stewart Wood). As one participant put it, he would ‘like to find out whether people would prefer democracy or effectiveness of the EU as their priority for any reform agenda’ (Lord Stewart Wood). Finally, non-electoral actors are important to a range of the participants for future research. Whilst one respondent warns against the deliberative democratic model at the EU level and its working in favour of technocratic governance (Michelle Everson), seven participants stated that the inclusion of civil society organizations into EU policy-making – and its potential improvement – should be on the research agenda.

Another issue that attracts attention is the workings, i.e. the micro-mechanisms of the representative relationship. Here, some participants are interested in the production of ‘representative claims’, what makes a claim ‘representative’, and what makes them resonate and accepted by a larger public. Others would like to encourage research into the role of political parties (Sandra Kröger, Michael Shakleton, Carina Sprungk, Diana Wallis). Why is it
that they have resisted Europeanization, and could this be slowly changing now? More concretely, what could be their role in improving the discourse on EU matters (Graeme Carter), and how do they chose their candidates (Giampi Alhadeff, Emmanuel Sigalas)?

Finally, the institutional architecture of political representation is obviously of interest to many participants. This first of all includes an interest into improved mechanisms of authorization and accountability (Lars Hoffmann, Jesper Schunck). There is a specific worry about the authorization and accountability mechanisms at play in the Council of the European Union which are felt to be too weak and indirect. For many participants (a quarter), the European Parliament, and the ways it can potentially advance democratic debate, representation and participation, not least through an EU-wide list for some of its members, should be on the research agenda (Graeme Carter, Lars Hoffmann, Alessando Mulieri, Justus Schönlau, Nikoleta Yordanova). Another repeated focus of interest is the way the EP and national parliaments cooperate or could potentially cooperate (Ian Cooper, John Erik Fossum, Alessando Mulieri, Justus Schönlau, Diana Wallis). Other issues of institutional design that are of interest to some of the participants include the newly introduced European Citizens Initiative which is perceived in a rather positive light (Graeme Carter, Justus Schönlau, Michael Saward, Diana Wallis), and the relationship between politics and courts in the EU.

This introduction can obviously only provide a brief overview of the topics of this Working Paper and the views expressed in it. For a fuller picture, I would highly recommend looking at the individual answers of the respondents. I sincerely hope they will provide a stimulating source for further reflection on the important topic of democratic representation in the EU.

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Questions & Answers
Giampi Alhadeff
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1. What, in your view, makes for democratic representation?

Alongside robust political representation the democratic process requires a well-developed social dialogue with employers and trade unions and a well-functioning dialogue with civil society. Political representation and decision-making are the cupola of the process, but to be successful require important inputs from the social and civil dialogue.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

Euroscepticism is on the increase across Europe. No doubt, the Eurozone crisis and the austerity measures backed by most EU Member States have exacerbated the situation. Even those of us who support the EU, and understand the need for regional action in a fast changing world, feel that they cannot support measures which by their logic will punish millions to years of penury. Both the right and the left are bereft of answers which will face up to the multifaceted challenges of the current crisis.

The EU, in spite of its many efforts, suffers from being too far away from the concerns of ordinary citizens and voters. In part this is inevitable, as it is a third level of democratic accountability. Voters relate to their local and national politicians and authorities, because they are affected by the issues they are dealing with, however they often do not perceive what the EU does to be relevant to them. It is also true that European electoral constituencies, often with around 10 million voters, encompassing huge areas, are too large to allow for an effective link between elected representatives and voters. A division of each region into a number of constituencies, with the addition of a regional top up system would help reduce this distance. National politicians do not help matters, with their convenient habit of taking the credit for all that the EU does well, and ensuring that that as much as possible of the blame for what goes wrong is placed at the door of European lawmakers. The distance between political actors and voters is further exacerbated by the actions and words of the European Commission and of many Euro politicians.

At a time when most voters across the EU are worried about their jobs and their standard of living, there is incredulity that for EU civil servants and many politicians it is business as
usual, putting forward excessive budget increases and costly proposals for funding. The slow pace of meaningful reform of the Common Agricultural Policy, 40% of the EU budget, stands out as the action of an institution which puts the interests of a few before the common good. The stubborn reluctance to abandon the costly monthly peregrinations to Strasbourg, is a clear example of putting symbols before practicality or costs.

There is a tendency to do too much. The Parliamentarians indulge in Own Initiative Reports, empty Resolutions which are more to do with vanity than effect. Even some of the legislative reports wander off into areas where the EU has little or no competence.

Finally the language used, is often remote and ham-fisted, often so as to hide compromises, or not create unnecessary enemies. The result however is often illegible and unintelligible and results in alienating voters.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The solution to the current crises will depend on politicians, whilst trade unions and civil society, are and will continue for a while to be side-lined in the debate, but time is short and new ideas continue to be rare.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Academics could help by being involved in research in analysing 50 actions/or pieces of EU legislation for each of the Council, Parliament, and Commission, which have made a positive difference to the lives of citizens; fifty which have had negative impact; and 50 which have been irrelevant. A second piece of research could highlight different systems of organizing the electorate and the effect this would have on results. This could also be complemented by an analysis of the effect of how different parties choose their candidates.
Richard Bellamy
Professor of Political Science, University College London

1. What, in your view, makes for democratic representation?

For representation to be democratic it requires a moment of authorization and of accountability that takes place via a democratic process. The aim of these processes should be to ensure that the concerns of the represented are ‘present’ in the deliberations and decisions that representatives undertake on their behalf. All three of the standard models of representation serve this goal to a degree and to my mind operate best when combined. Of the three models, the first, representation as delegates, where the representatives are instructed what to do, has appeared the most democratic. Yet, if representatives are seen as mandated to support only very specific policy measures, then it becomes unworkable, with all the benefits of a representative system lost. Not only is it impossible to anticipate all the decisions that might need to be made, but also most policy-making among representatives involves some compromise among them as well as reacting to new situations, including the failure or inappropriateness of the policies they initially advocated. As a result, it seems more realistic to regard representatives as delegates with regard to broad policy goals but as trustees with regard to the means needed to achieve them. This second form of representation, where trusted representatives decide what to do, can appear the least democratic. For it seems as if the electorate are exercising at best ex post control over the judgment of their representatives, which they deem as superior to theirs. To a degree, though, professional politicians can claim an expertise on policy matters that most voters simply do not have the time or resources to obtain. The key is that they employ this in ways that are consistent with the ends of the electorate. Yet, these goals may themselves need modifying to reach agreements with members of other parties in a coalition, say, or in the light of changing circumstances. Moreover, their relationship to particular policies may not be clear cut. The third form of representation enters here, representation as copies, where representatives replicate what to do. This view has often ridiculed in requiring that the representatives should form an exact copy in microcosm of the electorate as a whole – an impossible goal given that all individuals can lay claim to combining a distinctive array of traits that cannot be replicated by others. However, elections tend to be organized around broad types of ideological reasoning that need to resonate with the reasoning of voters. In their reasoning about the way ends relate to means and the ways they might be combined with the ends and means of other groups, it is not an impossible demand that representatives reason as their voters – or at least in line with the forms of reasoning they adopted during the election campaign in order to win their votes. Thus, what makes for
democratic representation on this account is that representatives are authorized to pursue certain policy goals by reasoning as their voters concerning the appropriate means and can be held accountable for either a failure to do so or when the electorate alters its goals and reasons in the light of experience, and adopts others advocated by different politicians.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

The problem remains that citizens do not perceive that they authorize their various representatives to represent them on European matters in any of the senses described above, or to hold them accountable for what they do. The euro crisis has certainly enhanced that perception given that the fiscal compact takes key budgetary decisions out of the hands of elected governments, undercutting political competition over what has hitherto been regarded as the key issue of domestic policy.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The EU needs to distinguish more clearly than hitherto between policies and political practices that meet its declared aim of an ‘ever closer union among the peoples of Europe’ and those that pursue or could only be consistent with the creation of a European people. The prospects for the latter seem as remote as ever. Each extension of power for the EP has resulted in a decline in electoral turn out overall, suggesting that citizens do not identify the enhancement of direct control over EU policies as the appropriate means to have their views represented. Rather, there is a growing desire to have these views represented in the national sphere, with the failure to do so fuelling the growth of extreme right and Eurosceptic parties. The success of the EU and its popularity lay in enhancing mutual respect between the contracting Member States, ensuring all were treated equally regardless of size with the promotion of policies designed to avoid discrimination between countries and their citizens and to ensure all were capable of drawing maximum benefit from certain collective goods and could not harm the prospects of other states by burdening them with various negative externalities. The euro crisis has emerged in part because the tricky question of whether it would prove compatible with this scenario was avoided when it was adopted. Instead, policies have now been adopted that lie directly contrary to the raison d’être of the EU in allowing some states to dominate others and impose policies upon them destined to leave them ever weaker. The solution has been said to be to centralize more. Yet that solution would simply deepen the crisis. Instead, a framework for decision-making that retains and makes even more explicit the principle of equality between peoples needs to be adopted.
within which sensible schemes for structural investment can take place that will enable
growth rather than deepen recession.

4. What, in your view, should be on the research agenda of scholars interested in
democracy in the EU?

More attention needs to be paid to the ‘domestication of EU politics’. Citizens need to see
their politicians as reflecting the ideological positions that are adopted in domestic affairs and
acting as their representatives in the manner indicated above. Yet, they must also see this as
a situation in which the EU operates as a Union of democratic states rather than a proto
democratic state, in which each Member State is an equal in the same manner as each
citizen is an equal in domestic politics. Likewise, as a democratic union of states, the aim
should be to promote reciprocal relations between democratic states in the same way that
domestic democratic politics encourages the formation of reciprocal relations between
citizens, encouraging a process of deliberation between them that fosters the development of
polices that serve their avowable common interests. At present, the complexities and
obscurities of the decision-making process risk generating false positives and negatives by
giving too much weight to the vocal demands of partial minority interests while assuming
passive consent on the part of the majority. The key agenda must be the construction of an
appropriate normative and institutional framework to overcome this problem.
Vanessa Buth
Ph.D candidate, University of East Anglia

1. What, in your view, makes for democratic representation?

Representation is about ‘making present what is absent’ (Pitkin 1967). Democratic representation means making the interests of the people present along egalitarian principles, thus ideally every voice has to have an equal opportunity to be heard. The details of what makes for democratic representation and hence how equal opportunities are facilitated in theory and practice depend on the forum in which it is facilitated: what the political context and impact is, who the audience is, what the interests are, who represents whom and how.

Democratic representation is not just constituted by one form. At the heart of democratic government lies the representative system via voting, which gives each individual an equal voice in electing its government; and the more proportionate the representation of the ruling government, the more democratic. The degree of freedom in taking decisions of this government should equally be decided upon by the electorate. Because equal opportunities of influencing governance are restricted in the representative system, civil society has to have further opportunities between and during elections, where it can directly via citizens initiatives and petitions and indirectly through interest groups impact on decision-making. Whilst individually we may not necessarily speak of democratic representation within every type of interest group or with regards to other stakeholders, their collective voicing of interests and views enhances the democratic representation of interests overall. Ideally, every voice should have equal opportunities to be heard by the government. Note that voicing interests carries a different political weight than voting.

With regards to individual groups, these can be representative because a group of people decides to represent an issue which people sign up to i.e. by signature or donations, or because a group of people decides together via formal voting systems on which interests or positions to represent. This is crucial for the very reason of equal access, since some voices cannot “voice themselves”, either because they do not have the ability themselves (i.e. future generations) or because it is in the interest of a cause (i.e. the environment, human rights).

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

I believe that the most pressing problem is the lack of perceived and actual public control over politics and crucially the market and financial sector. The perceived lack of public
control causes apathy in elections as well as of people in every day political life, lack of interest and support from the public and eventually a lack of solidarity amongst EU citizens, crucial to making any political system function efficiently and peacefully. The actual lack of public control I believe is partly a result of the size and multi-levelness of the EU democratic system and partly a result of the financial system based on creating debt as well as neoliberal politics leading to the privatization of public services and the dominance of business in politics, which severely hamper the equal access and influence of public opinion in EU and national politics. The EU crisis has sharpened these problems, because many governments have reacted with an even stronger neoliberal response, in particular with austerity measures instead of tackling tax havens and tax evasion, income and social inequalities, as well as related structural causes, and growing international/EU financial and economic dependence, which lead to even more loss of public control.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

I believe there is a need for a holistic approach, which takes into account politics, economics, environment and society. Scholars have to truly work together to find a solution to the problem of a public control deficit, because a government system cannot be seen separate of its environment and power relations. The decision-making system has to work according to the subsidiarity principle in order to provide for maximum democratic representation and public control. The debate about ‘what representative democracy’ should open up to other forms of democratic government and consider the combination of different forms at different levels. In my view an increasing practice of consensus-type (i.e. 80-90% consensus) politics at a lower level and increased public control over national representative democracy and EU governance during the electoral period is crucial to public solidarity. This is because understanding politics and the agency, at the very least the perception of agency, of people over their own lives, is fundamental for efficient and peaceful government. The first political response to the dominance of the market over public control should be the securing of public control over banks and thus essentially public money, as well as the nationalization of public goods and services such as water services, as well as making sure that public services such as education and public broadcasting are not judged mainly by economic criteria. The EU should encourage moves in that direction. Second, income inequalities must be tackled by addressing obscene bonuses/benefits and tax evasion as well as by redistributing wealth through taxation. Third, the democratic dysfunction must be addressed by designing a system that provides genuine democratic control and transparency at all levels.
4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Research on democracy cannot be disconnected from economic, social and environmental questions. In fact, not having done so until now is the reason for the problems we are facing. The economic crisis of the EU and indeed globally and the reactions of the population in EU Member States and globally show that worries of democracy are closely intertwined with much deeper problems of the system and society we live in and its philosophy. Thus to understand which democratic system may work at the EU level, researchers have to understand the different economic, social and environmental needs of today’s and future generations and the world we live in as well as the dynamics of interaction between these dimensions. This is something that needs to be revisited at all political levels, down to the local level, but equally all levels have to be connected. This is the complexity we are facing. The EU as a governing system cannot be seen isolated from the national, sub-national and trans-national levels. It will require much communication between political, social, environmental and philosophical disciplines to reach a more holistic and genuinely democratic approach that can have a long-term beneficial effect for the whole of society.

Scholars have to look at both democratic theory and the complex reality in which theory shall be applied. The status-quo of the exploitation and dominance of a few large corporations (in particular banks) over government decisions in national democracies but also at EU and global level, as well as their resistance to change, has to be taken into account in the development of a new democratic system for it to be realistic to function. First, the theoretical focus should be on how local democracies should be structured and how this democratic decision-making can be guaranteed on all political levels up to EU level, taking into account cultural differences and the tendency of exploitation by some of those with economic and political power. A promising research focus are democratic systems that base their decision-making on understanding the positions, backgrounds and interests of the different parties engaged and affected by a decision. This could be a form of consensus decision-making at a local/communal level. Ways need to be found how these can best be integrated into national and EU governance. The subsidiarity principle is crucial here. A good starting point might be approaches such as Paul Hirst’s ‘associative democracy’. Second, to ensure that theory is connected to empirical reality, the development of a new democratic strategy at EU level and in general must be undertaken in consultation with all parts of society. It surely is no quick undertaking, but it cannot function without deep understanding of the complexity of European societies. Many movements, such as Occupy, have already created fora within and outside the network itself in which alternative democracies and societies are being discussed.
Graeme Carter
Bureau of European Policy Advisors, European Commission, Brussels

1. What, in your view, makes for democratic representation?

Representative democracy is the cornerstone of democratic representation. In other words, the election of representatives by universal suffrage in a secret ballot who decide laws on behalf of the citizens. In the context of the EU, this is the role of the European Parliament and the elected Members of the European Parliament. However, given the complex intergovernmental and supranational mix that is the EU, it is also the role of the Council of Ministers whose members represent the elected governments and peoples of the Member States. The Parliament is directly elected and should be the focus for citizens' concerns on European public policy issues. The Council of Ministers is composed of national governments who are obliged to represent the national interest of Member States. So, the nature of democratic representation in the EU is made up of differing models which ought to come together to produce democratic legitimacy. For me, representation at EU level should be about the successful fusion of these two democratic strands.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

In my view, there are a number of important questions relating to democratic representation. First, however, I should preface my remarks by noting the long-term decline in political participation, identification with political parties and turnout at elections of all kinds across Europe. In addition, elected politicians are held in increasingly low esteem. First, I believe we should be clear about an existential problem which is the state of representative democracy at all levels in Europe. Linked to this is a decline in respect for institutions more generally and in the capacity of the state to solve problems. There is a democratic deficit in Europe, but it is not simply about the EU and its institutions. It is about the gap between citizens' expectations and the ability of elected representatives to respond.

In the case of the EU, successive treaties have bestowed greater powers upon the European institutions. The Treaty of Lisbon was notable particularly for the extension in the powers of the European Parliament. Yet, in recent times, the turnout at elections to the Parliament has declined. In the face of this dichotomy, measures need to be taken to bridge this growing divide. The European Commission has likewise acquired greater powers under Lisbon and since the financial crisis began. It retains the right of initiative and oversees implementation of laws. The President and Members of the College of Commissioners are, of course,
subject to scrutiny and voting by the European Parliament. The Parliament also has the power to dismiss the Commission. A debate is now underway on ways to make the Commission more democratically accountable. In this context, it has been suggested that the President could be directly elected by Europe’s voters. Others have talked about fusing the role of President of the Commission and President of the European Council and having this post filled by a directly elected person. These are only two examples of the kind of issues that need to be explored if democratic representation in the EU is to advance.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

National Governments and the European Parliament must be at the heart of any response to the democratic deficit. In the case of national governments, there is a clear need for more of them to inform their citizens about how and why they are working with others in Europe to solve common problems. The disconnect that we see today between citizens and the institutions of the EU is, in part, due to the failure at national level to articulate the reasons behind decisions taken at EU level. The European Parliament (or rather MEPs) must take a considerable responsibility for improving the public discourse on European issues. The Parliament is now more powerful than it has ever been and it takes decisions that daily affect the lives of citizens. Political parties at national and European level should co-ordinate in a more effective fashion to generate debate and participation. In addition, the role of civil society ought to be considered. The ‘Citizens' Charter’ has recently become part of the EU consultative process. If we are to overcome apathy and disinterest in the democratic process, generating interest in key issues and causes will be important. In today’s world, people are mostly interested in issues that concern them personally or on which they have strong views. The role of participatory democracy in Europe is important and can be developed – not as an alternative to representative democracy – but as a partner.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Academics might care to consider:

(a) Why voter turnout at European elections is falling.
(b) Whether the development of a proper European public discourse is possible.
(c) The role of the European Parliament in advancing democratic debate and participation.
(d) The role of political parties at national and EU level in improving the public discourse on European policy issues.
(e) Is the Citizens’ Charter the beginning of a process or an end in itself?
Dario Castiglione  
Associate Professor, University of Exeter

1. **What, in your view, makes for democratic representation?**

As Pitkin states in her 2004 article, most people take modern democracy to be tantamount to representation. Both historically and conceptually, this is not true. Politically and theoretically, the problem is how to combine democratic decision-making with the practice of representation. Since the 18th century, this combination has been seen both as a way of promoting the democratization of society and government and as a way of contrasting such a process. The relationship between representation and democracy is therefore contingent, though the question is also how the principles of democracy and (political) representation can be combined (famously, for Rousseau, they couldn’t). So, in order to answer the question of what makes representation *democratic*, one needs to see how the democratic principles can be given a representative form without being weakened unduly. These principles consists in political autonomy – that everyone should have a say in collective decisions that affect them, and should be protected, as far as possible, by the externalities of others’ decisions – and in political equality – that everyone should have a fair, and roughly equal chance of affecting collective decisions. From this normative-based democratic perspective, two things should be noticed about the re-examination of political representation. On the one hand, such a re-examination intersects with deliberative and participatory theories of democracy, contributing to our discussion of how to conceive the very principles of democracy – in other words, about the nature and extent of collective self-government. On the other, there is an important hiatus between principles and institutions, and although there are important senses in which the line of influence is reciprocal, principles are not exhausted by their embodiment in specific institutions, but on the contrary they serve as important criteria to judge institutions’ validity and appropriateness, and to guide political action aimed at institutional change and transformation. In short, both in normative and institutional terms, the debate over the relationship between democracy and representation is not about uncovering how their supposed ‘meanings’ relate to each other, but about the meanings that we can reasonably impose upon them, and what are the institutions and practices that we can put in place for those meanings to acquire political sense.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The problem of ‘democratic representation’ is the problem of the EU. At least, it is the key
through which to address a number of ‘deficits’ that have traditionally been associated with the political construction of the EU as a ‘polity’: the democratic deficit, of course; the legitimacy deficit; but also the ‘constitutional’ and the ‘federal’ deficit. The reason is that each of the theoretical and practical challenges that come from the existence of those so-called ‘deficits’ (non in an absolute, but in a relative sense) needs an institutional solution through which to give voice to political subjects. Representation is such an institutional mechanism, which is functional both to the identification of the political subject(s), and to making their demands political, i.e. capable of being reconciled within a common perception of the public interest. So, democratic representation is the key for the EU to find a way of constructing the public interest. The recent economic crisis has shown that this problem is both crucial and urgent, if the EU has to work, in certain respects, as a unified ‘polity’ (even though its nature, and therefore its structure of governance, is ‘mixed’).

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

One way of addressing the problem is to realize that political action involves both structures and policies, and that both have great relevance for a political project such as the construction of a political transnational space such as the EU. The economic crisis offers an opportunity of sort, by making clear that unless the EU finds a way in which to deal with these problems by involving its citizenry, and by debating the substance of the policies required at a European level, the EU will be anything but a representative democracy. But citizens cannot simply be mobilized by a merely institutional project; they need to see the variety of policies and social projects that the institutional framework makes possible. They also need to be convinced that they count and that by being heard, they can make a difference to their own life. In other words, the most adequate response is to show that Europe is important for their own lives, and that they can shape what Europe decides.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Citizenship, rights, governance have long dominated the discussion about democracy in the EU. I think the turn to representation is important, but not in the narrow sense of the role of traditional representative institutions, such as the EP. The main issue of the new research agenda is to try to combine a description of the micro-mechanisms of representation, with an assessment of the overall system of European representation, and how this can be made legitimate.
Ian Cooper
Senior Researcher, ARENA Centre for European Studies, Oslo

1. **What, in your view, makes for democratic representation?**

Choosing among a broad field of candidates in free and fair elections, citizens elect persons to represent their interests and values at the site where collective decisions are made and political power is exercised.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The most pressing problem is the diminished influence of national parliaments resulting from European integration. The Euro-crisis has exacerbated this problem because it tends to reduce further their control of fiscal policy – the power of the purse – that is central to parliamentary authority.

3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

In my view, powers cannot and should not be transferred back to the Member States. Therefore, the best remedy is to allow for the increased involvement of national parliaments directly at the EU level. The early warning mechanism for subsidiarity control is one small step in the right direction, but it is a weak mechanism due to its negative character and narrow scope. Beyond availing themselves of this mechanism, national parliaments must become more engaged with EU affairs more generally.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

Scholars of EU democracy should reconsider the place of national parliaments in the architecture of the EU. For example, in my own work I posit that national parliaments collectively form a new institution at the EU level, a ‘virtual third chamber’. Other research questions concern how national parliaments relate to the various EU institutions – in particular, the European Parliament – and what, if any, influence they have over political outcomes at the EU level.
What, in your view, makes for democratic representation?

I agree with Mansbridge, Urbinati and other scholars who a) suggest that political representation should not be conceived as a monolithic concept and b) the notion of representation should not be merely reduced to the ‘principle-agent’ relationship between elected representatives and their constituencies. Democratic representation is best conceived as a system of three analytically distinct but interconnected elements: first, ‘norms’ (substantive and procedural); second, ‘institutions’ and third ‘discursive public spaces’.

Norms must provide for an operational system that defines the substance rules and procedures for election, legitimacy and accountability of the representatives. Two levels of norms should be distinguished. Fundamental norms of a constitutional nature, i.e. primary norms (derive their legitimacy from the will of people (constitutive moment) and that are immune to the ordinary legislative process) including for example respect for the rule of law, human dignity, equality, and derivative norms, i.e. secondary norms that are derived from the fundamental norms but could be re-negotiated during the political process (i.e. norms on the political parties, procedures for elections, age when one should be eligible to vote and be elected). The existence and respect for fundamental norms (that are shared by the international community of states and as reflected in the international treaties and customary international law) is a foundation and a minimum formal basis for ‘democratic’ representation. Norms must be clearly and precisely formulated in the law and accompanied by the procedural rules providing for the mechanisms for the re-negotiation of the secondary norms. Importantly, norms must be socially embedded and reflect the societal practices.

The precise content of secondary norms regulating mechanisms for the elections and accountability of the representatives must be stable but not static. For the legitimacy of the norms decisive are not only the validity of formal rules (i.e. specific formula of representation or the number of parliamentarians) but also the results of the application (social embeddedness) of the norms. In other words, the normative framework defining rules and procedures of political representation must always be based on the fundamental norms and not lead to the structural persistent disadvantages of any particular group of the society.

Formal (elected) institutions, understood broadly as including both individual and legal persons that are elected through political processes to represent citizens are necessary...
agents that bring norms to live. They shape and define the practical meaning of the norms. Thus, the organization and functioning of formal institutions is crucial. The formal legitimacy (based on the normative framework) of the institutional actors must be supplemented by the substantive legitimacy. Majone (1996) explains the substantive legitimacy as following ‘[it] relates to such features of the regulatory process as policy consistency, the expertise and problem-solving capacity of regulators, their ability to protect diffuse interests and, most important, the precision of the limits within which regulators are expected to operate’.

**Discursive public spaces** (non-majoritarian institutions) are necessary safeguarding mechanisms that allow for a) constant review and evaluation of the norms and institutions; b) temporary corrections of the imbalances caused by the (mis-)application of the norms or incoherencies of institutional structures; c) representation of minority interests. The existence of ‘discursive public spaces’ that include civil society organization, lobby groups, courts, civic initiatives, blogging (and other forms of internet mediated forms of involvement) are necessary elements of the system of democratic representation (for discussion see Evas, Liebert and Lord 2012, Liebert 2012, Liebert and Trenz 2009). With the decline of mass party politics and election participation rates, the role of unelected political actors that are part of the discursive public space is growing.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

Representation through elections and parliaments is a necessary but not a sufficient condition for democracy. The current system of majoritarian representative institutions cannot secure the translation of preferences of European citizens to the actual decision-making process in the EU and as a result arguably leads to the citizens’ discontent and political apathy. This necessitates increased attention to the alternative or rather additional channels of representation (see recently Evas, Liebert and Lord 2012). Thus, parliamentary representation must work in conjunction with other forms of representation that a) provide additional avenues for engaging and b) safeguard opportunities for expression and protection of minority interests. Consequently, to secure public control and political equality at the EU level a variety of channels of representation (that need to be based on the fundamental constitutional principles and follow certain procedural rules) must work together.

While I agree with Lord (2012) that the multiplicity (i.e. the number) of forms of representation is not an automatic solution that necessary leads to the better representation of the citizens, I argue that our focus should be on the quality rather than on the quantity.
Consequently, in developing a system of representation (applicable to the EU) that enables citizens to exercise influence on the process of decision-making and hold representatives accountable, we must focus on the quality of the norms (constitutional framework and rule of procedure), institutions and practices. This may entail theoretical re-conceptualization of the attempt to fit the EU representative system and measure it against the national systems of parliamentary representation.

The Euro-crisis has on one hand sharpened the dissatisfaction of citizens with the current political system both at the national level (i.e. Greece, Spain, Italy) but also at the EU level and on the other hand has reinforced the role and importance of non-majoritarian institutions (consider judgements of national courts on the Euro-crisis mechanisms; and the role of the Court of Justice of the EU under the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union).

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The EU, as a complex legal-political system that is neither a nation-state nor an international organization, must develop a democratic model that is not based exclusively on the parliamentary model as conventionally understood by the states. A mere strengthening of the European Parliament and/or giving more power to the national parliaments, in general, is not enough to enhance democratic representation at the EU level. Other actors including civil society and courts should be involved. Thus, the normative framework and practice must be developed that would accommodate this necessity.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

- In the EU issues of representation must be considered in the context of the debates on the EU constitutional framework and European citizenship;
- Theoretical approaches must be developed and tested with empirical data on the relationship of electoral models vis-à-vis other forms of representation (i.e. normative validity, preconditions, legitimacy);
- The role of transnational institutions on the understanding of representative democracy, representative mechanisms beyond Member States;
- The role of the judicial branch in the representation of citizens interest, development of public interest litigation at the EU level;
• The impact of socio-economic inequalities in the Member States impacts political participation on the national and EU level;
• Representation and participation of (ethnic) minority groups;
• Use of technological innovations for mobilization, protest and representation of interests on the political level.

References
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Michelle Everson
Professor of Law, Birkbeck, University of London

1. What, in your view, makes for democratic representation?

Democratic representation first needs a concept of ‘Politics’. What do we mean by Politics: contested interests/values which are promoted in coalitions, or processes of opinion formation/alteration? The first tends to a majoritarian mode, the second to a deliberative model.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

Can majoritarian modes of representations be accommodated within a supranational model which has not yet evolved fully fledged federal democratic structures? Probably not – and this is, of course – made even the more pressing by the euro crisis. There is no room for a value filled evolution of a model of democratic capitalism within the current structures. In turn then, this ‘economic crisis’ will surely precipitate a political crisis. If not now, five years down the road.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

A grown up recognition that, in the absence of a constitutive European will, we need less rather than more Europe. Also, some real political courage and technical ability – in one or two European leaders – to make this point and keep markets happy.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

It is time to point out the dangers in the dominant deliberative democratic model at supranational level. It has accentuated a technocratic trend that is clearly untenable. I.e. new models of politics must be evolved and evaluated.
John Erik Fossum
Professor, ARENA Centre for European Studies, Oslo

1. What, in your view, makes for democratic representation?

Democracy is ultimately or fundamentally a principle, or a critical standard. The democratic principle, in other words, sets the conditions for how to get things right in the political sphere of action. The rub is that deliberation, as such, cannot ensure proper democratic legitimation. It is virtually impossible, in a free and open debate, to meet the requirement of having legal norms accepted by all affected parties (see Eriksen and Fossum 2012). Representative institutions that are tailored to law-making procedures and that are properly attached to political institutions that ensure that laws are enacted and implemented are the mechanisms that modern societies have devised to provide citizens with effective reassurance that they influence and program the laws that affect them. These institutions and procedures also enable the citizens to determine whether the reasons provided in their support are good enough. In addition, representative institutions are set up to ensure an on-going communication between the represented and the representatives, so as to align their views and preferences over time, in an on-going manner. In sum, democratic representation is what is generally understood as the form of democracy and that particular form of institutional arrangement that best ensures democracy in a modern context. It is deliberatively encoded and fashioned in such a manner as to be in line with the basic principles in the democratic constitutional state.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

There are three main structural problems, all of which have been amplified by the crisis. The first problem is constitutional. The ambiguity surrounding the EU’s constitutional status and its nature qua polity lead to uncertainty as to the status of democracy, including representative democracy, which requires a proper constitutional footing. Representative democracy must be steeped in a viable democratic constitutionalism that explicates and justifies the basic principles of the polity. In today’s EU there is no agreement on how democratic constitutionalism is supposed to be embedded in the EU; thus there is uncertainty and disagreement as to what level(s) should figure as the main carrier(s) of democratic arrangements. The upshot is that Europe’s citizens do not have access to an explicitly articulated and institutionally entrenched democratic constitutionalism that provides them with proper assurance of being the authors of the laws that affect them. This problem is
greatly exacerbated by countries such as Hungary whose political leadership (the Orban regime) has instituted constitutional reforms that represent blatant violations of core constitutional principles and as such contribute to greatly devalue the democratic constitutional currency in Europe. The EU has proven entirely incapable of launching an adequate constitutional response (sanction) against these deeply disturbing actions.

The second problem is institutional-procedural. As the German Constitutional Court noted in its Lisbon Treaty ruling, the EU ‘[…] cannot support a parliamentary government and organize itself with regard to party politics in the system of government and opposition in such a way that a decision on political direction taken by the European electorate could have a politically decisive effect’. The EU is marked by executive dominance and technocracy (Fossum and Laycock 2012), and the European Parliament is barred from exercising effective influence on the whole range of issues that are now actually (and increasingly) decided at the European level (consider security and defence policy).

The third problem refers to the lack of a properly functioning European public sphere and political party structure that is capable of communicating and channelling citizens’ demands to the EU system.

The crisis has exacerbated the constitutional problem in that the EU leaders have proven willing to sidestep much of the treaty framework in the fashioning of the crisis response. There is no doubt that the treaties were inadequate but a proper constitutional response would have required treaty amendment, not sidestepping the treaties as has been the case. The crisis has also exacerbated the institutional problem in that much of the apparatus for rectifying the crisis (consider for instance the European Semester) will sidestep national parliaments or at least weaken their role; the same applies to the EP. On the public sphere, the crisis politicises the integration process. This can further reinforce populism and populist reactions against technocracy which side-line or undercut democratic arrangements. But it might also spark a more pan-European discourse. If this is combined with a clearer ideological delineation of the different options, that gels European public opinion, then perhaps that might prevent the toxic mix of populism and technocracy – for this to take place there must be political will to take effective actions against the crisis and in favour of reinforcing democracy.
3. Which, in your view, would be the most adequate political response to this / these problem(s)?

There is a need for both constitutional and institutional reform to rectify these problems. This includes providing the Union with a proper fiscal basis to sustain monetary union and to provide the EP with fiscal levers so as to take effective political action. A fully-fledged EU parliamentary system would also have more credibility and capacity to align recalcitrant Member States with core constitutional democratic principles.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

We still need to pay attention to key constitutional and institutional problems and challenges. We need to look carefully at the best way of entrenching a viable system of democratic representation. This in turn raises questions pertaining to the relationship between and among representative bodies, as representative politics in the EU is structured along the lines of a multilevel parliamentary field which raises new questions pertaining to authorization and accountability. In other words, the problem is both political and intellectual: it requires political solutions that in turn must be properly thought through in relation to democratic theory, both of a deliberative and of a representative bent.

References
Kenneth Frazer
Former member, European Economic and Social Committee

1. What, in your view, makes for democratic representation?

The people or their organizations must feel their views are communicated, and that the decisions are fed back with adequate information.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

I believe the biggest problem is that the majority of citizens feel quite remote from EU debate and any decisions taken. The role, authority etc. of the many EU institutions is unclear. The relationship between the Commission, Parliament, Council of ministers etc. is a fog. During the Euro crisis lots of talk, little leadership and poor communications has only made this worse. The many checks and balances built into the EU although admirable do not help understanding.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

National governments’ political machines need to be more in tune with the EU goals. It seems on many occasions it’s the EU v. national needs when very they are the same.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Good governance needs to be simple and understood by all users not just the participants. I know within my social group no one had heard of the EESC!!!

Now that we are 50 year+ of the EU, is it time for reform? Scholars could lead the debate. Is this the United States of Europe, and if so do we need a Council of Ministers? Or an elected President second chamber etc. OR is it a free trade market Council? Then we can simplify the structure - no parliament, easier decision-making etc. My point is that we have at present the most elaborate set-up, poor leadership, apparent inability to make decisions and worst of all a European wide dissatisfaction with the vision.
1. What, in your view, makes for democratic representation?

Representation is a basic principle of political, administrative and economic action. It is, thus, principally unrelated to democracy. In fact, any modern complex, differentiated society cannot be organized without different forms of representation. Representatives, or interactions between representatives, are able to link distant levels of actions, firms, organizations or individuals. This linkage, however, bears a normative requirement, next to the functional requirement of organizing and realizing the interaction itself, namely there must be some responsibility and trust between the representative and the represented. Hence, representation is, above all, a relational context with both normative and functional value.

In a democratic context, responsibility and trust are cornerstones of representation. Representation is the central mechanism to uphold the democratic principle in modern mass societies (Dahl's transformations of democracy). Through the selection of representatives, the people can be optimistic that its concerns are articulated in the making of collectively binding decisions. Yet, the longer the representative relationship needs to hold, the stronger the mechanisms must be to secure the stability of responsibility and trust. Thus, some mechanisms of control and power-limitation are necessary for any representative relationship that wants to be of democratic value (it is a necessary, but not sufficient condition). A second sort of mechanism imperative for democratic representation is the selection of the representatives. In mass societies, it is the election process that is of key importance here. Whether any form of 'liquid' selection processes might be a complement, needs further thinking.

However, modern democracy should not be restricted to the selection of the representatives through elections. Continuous debate in the public sphere is necessary in modern societies in order to guarantee a constant dialogue between the representatives and the represented. This becomes ever more important the more distant the different levels and contexts of democratic/political action become. In contexts such as supranational politics it might be impossible to uphold a strong direct representative relationship, because the borders between who is representative and who is not cannot be easily determined.
Moreover, the representatives should not perceive their political action as the only possible form of democratic action. Representation and participation need to be linked together. Direct forms of participation, the participation in civil society organizations, but also the participation in representative arenas, such as political parties, are important for modern democracies. Yet, most forms of participation also include aspects of representation, such as in functional representation. Again, a relationship of responsibility and trust as well as power-limits need to be established here, either through a direct chain or through publicity. Overall, thus, democracy without representation is impossible, but representation without democracy is possible. But there might be different forms how the representative relationship can be made democratic, such as a direct relationship or a mediated one in the public sphere.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

The key problem with regard to democratic representation in the EU seems to be the ‘in-between’ nature of the EU polity. Neither representative mechanisms known from diplomacy nor those known from federal nation-states seem appropriately implemented. Rather, a mixture of both elements is to be observed. If an International Organization gathers too many functions, as it is the case of the EU, more complex mechanisms of representation are required, blurring the difference between an IO and a state. The Euro-crisis functions as a rainy storm that lays out the inappropriateness of the institutional ‘in-betweenness’ of the EU. As long as there is no political momentum to either of the poles, representation will remain in limbo. Separate representative relationships might be normatively justifiable, but as long as there is no polity-coherence, no overarching system of democratic representation in the EU seems possible.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The EU requires a political vision about its whereabouts in order to strengthen democratic representation. Its institutional ‘in-betweenness’ will not be able to provide for representation to be called democratic. Principally, there are four options: less integration for all; less/more integration for some Member States; more integration for all; keeping the current state of integration with stronger role for national representative practices and institutions. Such an important constitutional decision about the future direction of the EU should be based on a pan-European referendum, in order to trigger a European debate and to avoid nationally segregated debates and punishment of the home governments.
4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

There seems to be sufficient empirical knowledge about the in/adequacies of democratic representation in the EU. One important thing would be for scholars to raise their voice in the public sphere to make it clear to the policy-makers and citizens alike that we cannot much longer avoid following the functionalist trait of integration without substantial politicization, either in the one or the other direction of integration. More technically: there is still much research to be done in order to better understand the relational aspect of representation in different context of political action.
Lars Hoffmann  
**Assistant Professor, University of Maastricht**

1. **What, in your view, makes for democratic representation?**

A system in which there is a clear link between the represented and the representatives. Both should be consciously aware of this link and it should be based on normative democratic values.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The legislative process, although legally much improved, relies in practice too often on secretive tri-institutional talks that prevent second readings. These may increase legislative efficiency but do nothing for democratic representation.

The apathetic relationship between citizens and the European Parliament needs to be improved. Although research has long focused on this area, voter turn-out and media attention remain too low.

The European Council, as the newest institution, has dominated Brussels political life in recent times – especially in the national media. The new permanent president has clearly not challenged the authority of the Member States’ leaders but rather fostered that of the large Member States. The dominance of the European Council is of course partially due to the Euro crisis. But it is still perplexing how little policy-vision the new president provides. This clearly helped France and Germany to take on a very dominant role that – pre-Lisbon – would have been counter-balanced by the rotating presidency.

3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

The role of the Commission regarding the Euro-crisis ought to be strengthened. Although the Commission plays a role in monitoring the compliance with the new treaty, its intergovernmental character puts (too many?) restrictions onto the Commission.

The President of the European Council should become more active and use his powers and his profile to provide a more balanced leadership. Otherwise this new institution runs the risk
of being dominated by the large Member States. Currently, Germany and France (for obvious reasons) are already showing this to be true - especially with view to the Euro crisis. The EP initiative to have part of its members elected on a Europe-wide list should be pursued. Although it is questionable what (if any) concrete impact this may have on its democratic legitimacy, it may very well increase its representative functions from a normative perspective.

The way that the citizens of the Member States (as opposed to the citizens of the Union as a whole) are represented in the Council is questionable. It seems peculiar that the governments are now effectively represented twice: in the European Council as well as in the Council. The Convention on the Future of Europe had launched the idea of having national Europe ministers permanently based in Brussels who would run a legislative Council, replacing the current multi-sectoral Council formations. If anything the idea seems more appropriate today than it did back in 2002/3.

4. *What, in your view, should be on the research agenda of scholars interested in democracy in the EU?*

As mentioned above, research into a single European-wide list for the EP and its impact on democratic representativeness and legitimacy should be investigated.

More scholarship might be needed into the area of indirect representation within the Council of Ministers. Especially the question whether the role of national governments (with only an indirect link back to the electorate) is still adequate considering the new institutional role and seemingly expanding function of the European Council needs attention.

More questions should be asked with regard to legislative efficiency and the need to balance this with representativeness as well as openness and transparency. The tri-institutional negotiations should not remain the norm – even when dealing with issues of low salience. Questions should be asked whether the rotating presidency is the most effective way to run one of the two legislative chambers in the EU. Clearly the effectiveness between the presidencies varies greatly and anecdotal evidence suggests that some countries are over-stretching their capacities when taking on this important role.
Christian Joerges
Professor of Law, University of Bremen

1. What, in your view, makes for democratic representation?

A risk inherent in the first question is that answers to it implicitly refer to constitutionalism as it is institutionalised in democratic nation states or federations and then use these examples as a yardstick in assessments of the EU. In order to avoid this trap I suggest we should take the structural democracy failures of nation states into account. They are twofold. (1) National political systems do not include all those affected by their decisions into their decision-making processes (the external effect failure). (2) Nation states are increasingly unable to autonomous problem-solving. European governance has a potential to compensate these failures. Such a reconstruction of European rule sheds new light on the legitimacy and representation problematic. European governance is justified where it corrects the external effects of national governance and ensures that legitimate concerns of non-nationals are taken into account. European governance is equally legitimate where it organises cooperative responses to problems which nation states cannot resolve autonomously. This re-conceptualisation of European governance affects the framing of representation. Two queries have to be addressed: (1) How can the potential of European law to compensate for the external effects of nation state governance, in particular the non-representation of non-nationals, be developed? (2) How should European law define and organise co-operative problem-solving? This re-conceptualisation of legitimate European governance is less radical than it may at first sight appear. It is too a large degree a reconstructive exercise.3

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

What we witness at present is nothing less than a destruction of the rule of law, of democratic institutions and of social entitlements, which Jürgen Habermas has characterised in his numerous recent interventions quite adequately as the advent of ‘executive federalism’. The institutional background and origin of this disaster is the Maastricht Treaty with its establishment of a rigid legal framework of Europeanised monetary policy which was accompanied by a disempowerment of democratically legitimated nation states in the

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3 It would, however, be too demanding to spell this out here, the more so since I would have to translate my legal concepts into the language of political science. Quite close to my perspectives is, perhaps unsurprisingly, the recent work of Jürgen Neyer: The Justification of Europe (Oxford University Press, forthcoming).
spheres of economic policy and fiscal policy which were bound to affect the legacy of European welfarism profoundly.

3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

‘Ever more Europe’ is the prevailing answer to the crisis. Habermas, Ulrich Beck and other very prominent intellectuals from the left argue that that crisis might be a chance for a decisive democratic move ahead. I share this hope but not the expectation. It seems to me that we are experiencing what Carl Schmitt has called a ‘state of exception’ with ‘commissarial dictatorship’ in which the Union is transforming into an austerity community. Alternatives will be available.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

The impact of the crisis will determine our thinking anyway. What has to be spelled are the institutional reasons, in particular the misconstruction of the law-politics configuration in the European project and the risks of political disintegration which the present crisis management entails. Avenues between ‘ever more Europe’ and failure of the integration project have to be thought. A ‘more modest Europe’ should be envisaged.
Sian Jones  
**Policy Coordinator, European Anti-Poverty Network, Brussels**

1. **What, in your view, makes for democratic representation?**

Parliamentary representation is the most common method of democratic representation chosen by most Western societies – based on the election of representatives and a universal franchise (of adults). The success of this model - choosing a representative to represent the will and views of the people as an agent, depends to a large extent upon the legitimacy and credibility of this figure, the process and the perception by the public of the responsiveness and accountability of the government. Although the Western Parliamentary system requires autonomy of the representatives, it is the issue of legitimacy and representativeness which is currently in crisis. How far the representatives genuinely represent their public – i.e. by their background, profile and their views, as well as how far they are held to be accountable to their public are key to this process, as well as the impact of the policies proposed by the government. The representation has to be seen to be acting on behalf of the common or public good and not to just defend or manipulate power for personal interests and/or the interests of the few (usually the rich and powerful). The ‘fairness’ of the system is also key for legitimacy – how far the poorest, the excluded, the least powerful are able to have their interests adequately defended and represented through this system. Parliamentary representation increasingly needs to be underpinned by more participative, and bottom-up representation i.e. regular dialogue process with civil society and other stakeholders, at national, regional and local level – which can involve directly people facing poverty, and the organizations that support that, to ensure that democracy can do its job and to reinforce trust in the representation process. Recent history has highlighted a growing disenchantment, from parliamentary democratic representation models, and the failure of civil dialogue mechanisms, with new groups, particularly the young and disenfranchised demanding more direct democracy models.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

In the context of the EU, the key issue is loss of credibility and legitimacy of the Community Method, a growing democratic deficit, and an increasing alienation and loss of trust of the general public and civil society of the mechanisms and goals of representation. The breakdown of effective structured dialogue with civil society at national and EU level, further undermines the legitimacy. Who does the EU really represent? How are decisions really
being taken? Who is influencing these decisions? Why do Parliaments (both national and European) appear to be increasingly marginalized from the real decision-making processes? Where is the legitimate channel for ordinary people and civil society organizations, particularly those working with and defending the interests of the poor and powerless, to have a voice?

In the current European context, the democratic representative as the designated agent has increasingly been seen less and less as a valid representative. Some of this is empirically proven, but often it is a question of perceptions by the public. The views and political programmes of the parties are also seen as increasingly convergent. The dominance of the acceptance of the neo-liberal economic model underpinning most political parties’ programmes currently can undermine the belief that voting implies the chance to choose an alternative government. If genuine alternatives are not proposed, why vote? The disconnection between national and EU policy and decision-making further undermines credibility. Most European elections are fought on national issues rather than a genuine European agenda.

But the main real challenge is the declining role of democratic representation in real decision-making. The crisis and the EU’s response has shifted the power further towards an intergovernmental decision-making process, mainly through formal and informal Councils, dominated by the major powers, primarily Germany. Economic governance driving the Euro Plus Pact, the six-pack and now the Fiscal Compact and two packs, are all decisions that have been made primarily by the European Council and the Euro group, often in informal meetings, with scant debate with either the European or National Parliaments. The role of the Commission has been to generally confirm the dominant ideological approach, rather than to support an open debate on causes or solutions. As the main results of this approach has been to enforce austerity on Member States, and increasing capacity to impose direct attacks on social rights and social welfare systems - the question has increasingly arisen – who voted for these policies? How can ordinary people have a legitimate say in these decisions which appear to undermine the social model and the very fabric of the EU? This raises questions about the role of Parliament, but also fuels demands for more increased, and more direct participation.

Stakeholder dialogue with civil society and other groups has traditionally been held by the EU to be a crucial element reinforcing legitimacy and accountability of Parliamentary representation and the Community Method, connecting with ordinary people in the Member States. The Open Method of Coordination was developed as an inter-governmental method
which assumed direct mobilization and engagement of national stakeholders to reinforce coordination of policy across Europe in the areas where the EU had little direct powers: (employment, social protection and social inclusion, Lisbon and now Europe 2020). However, Cohesion Policy and Structural Funds have also been built on strong partnership principles reflecting the recognition of the need to embed parliamentary representation with stronger participative governance models, connecting the national and EU level. For example the Social OMC (Open Method of Coordination on social protection and social inclusion) developed coordination of social policy solutions, through agreeing common objectives, and a common process for implementation, review and adaptation through national action plans for inclusion and later strategic reports on social protection and social inclusion involving regular dialogue with national parliaments and national stakeholders. A key objective was the mobilization of civil society and structured engagement in the decision-making process through regular, on-going stakeholder dialogue including the direct participation of people experiencing poverty and their organizations. Whilst reference to such dialogue continues on paper, in reality the assessments by civil society highlight the increasing meaninglessness of the processes. Instead of a commitment to participation, and even partnership and co-development, which were more core objectives of stakeholder engagement in the period 2000-2005, the main function is increasingly one-way information from governments to stakeholders, with little attempt to debate or take on board concerns or recommendations, nor engage in follow up and review over implementation with stakeholders. EU financing of stakeholders is also under threat, particularly when CSO’s are seen to be in disagreement with the EU decision-makers. The breakdown of civil dialogue and the closing down on dissent, only further confirms the loss of democratic legitimacy of the EU democratic representation model.

The new European Citizen’s Initiative is an interesting new development, but remains to be seen what impact it will have, how the Commission will respond to contradictory and sometimes very conflictive initiatives. Will it play into the hands of the powerful lobbyists or be a genuine instrument to defend the concerns of the weak and vulnerable? It will be key how the initiatives are followed up with the Parliament, but also the structured dialogue mechanisms with social partners and civil dialogue representatives.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

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4 EAPN (2011) EAPN assessment of the NRPs: Deliver Inclusive Growth – chapter on participation
Europe is at a turning point – we need more Europe, or Europe will disintegrate. But what kind of Europe? For Social NGOs, more economic governance without social objectives and without checks and balances through democratic and more participative democracy is not worth voting for. We would see the need for five main types of response:

1) to move towards a federal Europe based on a social and sustainable economic and social model rather than a closer neo-liberal economic vision to promote the interests of the market.

2) to reinforce the role of EU and national Parliaments in the EU decision-making process and achieve a more equal balance with the Council, with more powers to engage and decide on all policy fields and to initiate proposals.

3) to re-enforce civil and social dialogue mechanisms, which allow a structured engagement with key actors, but to ensure that such mechanisms enable a voice to groups representing and working alongside the poor, the vulnerable and the powerless, not simply the powerful.

4) to promote more active participative democracy – i.e. more direct engagement where citizens engage in direct debate on policy challenges and solutions e.g. investing in new types of more direct participative mechanisms, learning particularly from the South e.g. in the development of participative budgeting and economic literacy activities, involving citizens directly in learning about how budgets work then making decisions over how local budgets are spent\(^5\), building on the important examples from Brazil in Porto Alegre.

5) To regulate and disempower the hidden decision-makers. It is difficult to move away from the sensation that governments do not govern. The real decisions are being made behind closed doors by a small group of powerful and wealthy individuals, connected to financial markets and committed to the extension of their own wealth, reinforced through the parliamentary system. The crisis and the responses have made this only too clear. Any attempts to drive a more effective, genuine democratic response will depend on the degree in which power can be consolidated in the democratic system (representative and participative) rather than the invisible hands.

\(^5\) See participative budgeting website http://www.participatorybudgeting.org.uk/, also Action Aid’s ELBAG kit: (Economic Literacy and budgeting Accountability for Governance) http://www.elbag.org/main/index.php?option=com_content&view=article&id=46&Itemid=27
4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

- Research which tracks how decisions are really made in the EU as opposed to the theory: the decline in the role of the EP in the crucial decisions, and the growth in the power of the Council and the inter-governmental method, reinforcing the domination of countries like Germany and two-speed Europe, and undermining legitimacy.

- Who does the EU benefit? More systematic research on the domination of powerful interest groups, and oligarchic/technical control at EU level and how this is done. This means tracking influence pathways and impact, as well as just participation or contact. Analysis of the obstacles for civil society organizations, particularly those working with vulnerable and excluded groups, particularly in the current context.

- The changes/decline in the role of civil dialogue at EU level – undermining of the importance of regular dialogue mechanisms – causes and impact – how this links with changing role of the EP?

- The new demands for more participative democracy – assessing the impact of the new European Citizen’s initiatives and also the new demands for more direct and participative democracy as demonstrated by the 15M, 5 Star, Wall Street movements, the synergies, and how far this is compatible with parliamentary democracy, but also structured dialogue mechanisms with civil and social partners, particularly representing the poor.
Gordon Keymer
Member Committee of the Regions, Brussels

1. What, in your view, makes for democratic representation?

I am a supporter of democracy being the representation of people with whom you work and live closely. I am one of three district councillors in a ward of 4,300 electors in a district of 82,000 people. I have represented my ward since 1987 and, because we have local elections every year, I try to canvass all of my electorate each year. Now I am often greeted with ‘I know who you are’ when I knock on people’s doors. More importantly I make it a point to appear as frequently as possible in my town, drinking coffee sitting at a table outside the local cafes (subject to weather!). I also frequent the local shops as much as possible. As Council Leader I have an office in the town hall which is in the centre of the town. This allows maximum access to me and creates a bond with my electorate. I can be approached easily by my electors and I talk to shopkeepers and traders about how their businesses are faring and what the council can do to help. From all this I lead my council with policies that make Tandridge a great place to live and help economic growth at a time of economic difficulty. As a result, in the latest official residents’ survey, 85% were satisfied with Tandridge as a place to live.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

The most pressing problem for the EU is the democratic structure and its relationship with the Commission. In theory the Commission is there to produce legislation while the European Parliament is there to scrutinize it. In practice it does not work. The situation for MEPs is the reverse of my own in Tandridge. Huge constituencies elected by proportional representation so that millions of votes are cast to bring about a movement of perhaps one on a list. All the candidates can spend the whole election campaign in Barbados knowing their presence in the Euro-constituency is unlikely to make any difference to the election results. Then they spend the next five years based in Brussels trying to create an artificial subdivision of their constituency to try to make their representation appear more personal. The situation is made worse during the euro-crisis since the costly effects of EU regulation suddenly become more damaging and the failure of the EU legislators to recognize this further damages the EU. In the Committee of the Regions I am dealing with proposed EU legislation at the moment that, if introduced, would increase enormously the costs on local government. It is not cost effective yet it is still being pursued.
3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

There is a need for a fundamental restructuring. Decentralization from Brussels should be the aim with the monolithic structures being broken up. Move power back to the EU members and have a streamlined bureaucracy that is there to coordinate the achievement of a single market. Subsidiarity is the post-Lisbon buzz word. Why not make it more fundamental. In the short term there needs to be a Herculean attempt to slow down the regulation producing machinery. A complete stop and then a presumption against regulation. After all, there must come a point at which there is a sufficiency of rules. At least this would stop Member States being able to gold plate EU regulation.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

A concentration on researching past and present experience of what makes the most effective form of democracy. By most effective I mean the most likely to react to the needs of its constituents. In my own view, the more local it is the better. At the same time I believe that a study of City Mayors would show that single elected representatives find it difficult to cope with substantial and widespread powers over how their cities are run and then use them in the best interests of the people who live and visit there. There is a large city in Europe which relies heavily on tourism for the good of its people. Yet petty crime is rife and is turning away those tourists. Why does not the Mayor concentrate more resources on policing? If this happened in Tandridge my council would soon be directing its scarce resources in this direction.
1. **What, in your view, makes for democratic representation?**

Democracy seeks to realize the principles of autonomy and political equality, with democratic representation being concerned with the latter of these two principles in times of mass democracy. Substantively, democratic representation first must involve a demarcation of its constituency. Second, it must involve a principal-agent relationship between represented and representative. I am inclined to favour a delegate model of democratic representation, perceiving of politics more as a competition between diverging interests rather than an open-ended process of opinion-formation. In the EU in particular, with the range of cultural and political diversity there is, rendering the possibility of an accepted ‘common good’ that would go beyond the agreement on common formal rules rather small, proportionate representation seems of order. However, I do acknowledge not all interests can adequately represent themselves (think of weak interests or e.g. the environment), and in these instances, there is room for trusteeship. Third, democratic representation requires the debate and availability of political alternatives, and both electoral and non-electoral forms of representation can contribute in this regard. In regard to formalistic representation, mechanisms are needed that ensure that the represented authorize their representatives and can hold office-holders to account. This can be achieved both by electoral and non-electoral forms of representation.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The main constitutional problem is that the EU unites elements of both an international organization and a federation, thereby remaining without a clear separation of powers and leaving it open who should be the normative target of democratic citizenship and representation. Who indeed should be the constituency of the EU – should it be states (demoi) or citizens (one demos)?

Generally, representative institutions and their actors in the EU are facing a decline in respect. At the EU-level, because of its in-built consensus logic and the lack of one demos to date, there has been too strong a trend towards the deliberative model of politics which has favoured technocratic governance and downplayed the existence of competing interests and available political alternatives. Yet, technocrats are not democratically authorized and cannot
be held to account by the public, whilst technocratic governance is not the a-political activity some like to suggest it is. The result is that its citizens cannot be sure they are the authors of the laws that affect them and don’t necessarily have the capacity to throw office-holders out when dissatisfied with them – not only because they lack the institutional mechanisms to do so, but also because EU decision-making does not seem to allow for opposition.

At the national level, with an increase in technocratic governance and EU competences and no increase in political government, the EU’s Member States are moving away from party government, rendering national elections ever less important, thereby contributing to the declining respect in representative institutions and the state’s capacity to engage in problem-solving. One of the most pressing problems is the behaviour of MPs and party leaders who at best engage in control functions – if they do anything – but have not engaged in communicating to their constituency about the EU, and if so only in terms of blame-avoidance, thereby negatively impacting the views of national or regional constituencies on the EU. And again, their behaviour also feeds into the more general mistrust in politicians – and thereby representative institutions – being able to solve problems. All of these are incentives populists of all kind are only too eager to pick up. This is not to suggest that we only need more information, and support for the EU’s policies will or ought to be assured. But communication and public debate are essential for democratic politics.

The Euro- and debt-crisis has indeed sharpened these long-standing problems and made them more acute than ever. Austerity has been imposed on Member States by Brussels – or, for that matter, by the German chancellor, who has shown no concern as to the use and abuse of democratic power. Markets are what count and technocratic governance has seen a preliminary peak with the governments led by Mario Monti in Italy and Lucas Papademos in Greece, and the Frankfurt Group taking over the economic governance of the EU. Meanwhile, national parliaments have been marginalized and reduced to adapting the austerity policies of their respective executives. The existing constitutional dilemma was thus sharpened by an increasingly excessive intergovernmentalism in which both national parliaments and the EP have hardly any role to play. Worse, many of the national governments seem ready to follow rather blindly the austerity measures demanded by Angela Merkel. Indeed, the move towards excessive intergovernmentalism has completely side-lined the EP which has had no say in the current crisis.

Meanwhile, political debate that clarifies the issues and offers the space for political opposition seemed inexistent for the longest time and only just now seems to surface, suggesting that the measures imposed by Merkel and her technocratic colleagues are
without alternative. The consequence is that German economic and financial interests are seemingly secured whilst those of many other states and many citizens are not. As a consequence, we have already seen that more governments than is usually the case have been thrown out of office in the last couple of years. Democratic politics require political alternatives which always exist – the alternative to having these democratic debates is again an increase in populism and in mistrust in representative institutions.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The EU must find a way of involving its citizens more in its policy-making. Political parties and MPs both at national and European level are key for that. But they do not suffice: citizens must be able to see themselves as the authors of the laws that affect them and must be capable of holding office-holders to account. For that to be achieved, EU decision-takers must be linked more directly to their electorate in their function of EU decision-takers. This concerns both the European Council and the EP. To suggest that democratic representation should either be located at the EU-level or at Member State level misses the point. The EU has acquired too many competences for the EP to not be democratized further. However, states – in which politics mainly operates – will continue to exist as will divided publics to a large degree which is why the involvement of national parliaments in EU policy-making also needs to be strengthened. Democratic representation in the EU must be firmly rooted in both national and European levels – in a way that allows for direct authorization and for accountability, and which opens the door to debating real political alternatives.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Generally, it would seem to me that research would benefit from scholars being in a more regular contact with practitioners of political representation than is often the case. Furthermore, in a complex and unfinished system such as the EU, research in my view would benefit from engaging less in theory-testing and more in inductive or more experimentalist research. Substantially, the relational aspects of political representation in the EU and the micro-mechanisms of its functioning deserve more attention as does the question of why parties and national MPs are not engaging more actively in EU policy-making. Finally, if the current Euro- and debt-crisis made one thing clear, it is that research on and the practice of democratic representation should be linked to economic, social and environmental questions.
1. **What, in your view, makes for democratic representation?**

Following the classical argument developed by Hanna Pitkin, political representation occurs when political actors ‘speak, advocate, symbolize, and act’ on the behalf of others in the political arena (Pitkin 1972). Bernard Manin developed a genealogical approach to narrow down and operationalize this definition by identifying the observable principles of representative government that are invariable over time (Manin 1996): (1) the appointment of those who govern through regular elections; (2) the relative autonomy of decision-making from the wishes of the electorate; (3) the liberty of expressing any political opinion; and (4) the public scrutiny over political decisions. What is more, the rule of law is usually considered a necessary condition to qualify any political regime as democratic (Weingast 1997), while important additional properties of ‘strong democracies’ are political equality (Dahl 1989) and active political participation (Barber 2004).

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The most pressing issue is the possible hollowing out of democratic representative institutions following the progressive shift of decision-making capacity towards the unelected (Vibert 2007). In several countries, and particularly in European Member States, political power is being increasingly relocated from governments and parliaments to various non-elected bodies, which are not democratically accountable in the traditional sense of being politically responsive to citizens by means of a chain of political delegation (Maggetti 2010). Independent regulatory agencies (IRAs) are the most widespread type of these ‘non-majoritarian’ institutions (Majone 1996). In the last twenty years, governments delegated a considerable amount of public authority to these ‘technocratic’ bodies (Levi-Faur 2005; Gilardi 2008). These regulators should promote expert-based decision-making and more credible regulatory policies. The political principals cannot however delegate their democratic legitimacy to agencies, as IRAs are constitutionally isolated from elected politicians and operate separately from the ordinary civil service.

The recent creation of networks of independent regulatory agencies (Eberlein and Grande 2005; Eberlein and Newman 2008) and networked European agencies (Wonka and Rittberger 2010) implied another step away from democratic institutions, which has been
conceptualized as a ‘double delegation’ – from both the EU and national governments (Coen and Thatcher 2005). This network-based mode of governance was at first implemented as an informal ‘second-best solution’ to the difficulty of developing EU-wide regulatory capacity (Coen and Thatcher 2007). Over time, (some) networks have progressively brought into being a new, distinctive, flexible and quite effective level of governance (Maggetti and Gilardi 2011). The financial crisis provided a “window of opportunity” to institutionalize this multi-level system, in a way that remains still unfinished. Regulatory networks are being institutionalized and reinforced with the assignment of further competencies, but independent national authorities are not abandoning their prerogatives. Therefore, at the end of the day, this process is producing an institutional architecture that is increasingly complex and might entail additional drawbacks for democratic representation.

3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

The second and third principles of representative government, which relates to the relative autonomy of decision-making and the protection of political-liberal rights are not undermined but rather enhanced by ‘new governance’ arrangements. From the point of view of policy-makers, it is however crucial to support the transparency and disclosure of non-majoritarian institutions to provide citizens and the media the minimal conditions for ensuring their accountability, in line with the fourth principle of representative government mentioned by Manin, that of public scrutiny over decision-makers. The first principle, concerning the appointment of representatives through regular elections, is negated by design in the case of non-majoritarian institutions. However, new forms of non-elective representation (Yesilkagit and Van Veen 2011) may provide the instruments for reconstructing the notion of political representation in a way that is more appropriate for horizontally fragmented governance arenas such as the European Union polity (Hooghe and Marks 2001). From a theoretical point of view, this endeavour implies the effort of ‘disembedding’ the concept of representation from national practices of electoral democracy and revivify the larger conceptualization of political representation advocated by Pitkin.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

In the view of the arguments developed above, the research agenda on democratic representation in the EU should point to the empirical study of new forms of non-elective representation in different institutional settings, especially in non-majoritarian institutions. The first task will be to determine whose claims of representativeness are made by different unelected actors, such as the managers of independent regulatory agencies, the
chairpersons of regulatory networks and the staff of European agencies. The second step will be to assess whether these claims match with the perceptions of different stakeholders such as consumers, the regulated industries and target groups of affected actors.

References


Elizabeth Monaghan  
Lecturer in Politics, University of Hull

1. What, in your view, makes for democratic representation?

Democratic representation is about making present the preferences, opinions, interests and ideas of citizens in politics and public life. One element of this is making present these preferences, opinions and so on in formal decision-making processes. On this view it is about – or should involve us considering – how existing decision-making structures and institutions can facilitate the making of such preferences and opinions present; and what incentives can be provided to political actors – including political parties, civil society organizations, governmental, parliamentary and bureaucratic actors – to provide the necessary agency for this process. Institutional reform therefore can make for good representation.

However, democracy is about more than just a set of institutional arrangements. The process of making collective and binding decisions is not confined to formal structures and institutional arenas, involving a wide though predetermined set of actors and identifiable issues. Instead, all of this exists in a broader social context. Focusing only on formal decision-making processes might miss a lot of what is important to understand in democratic representation, for example how decision-rules are made and reformed and their underlying assumptions about representation; how actors become agents of representation and constitute themselves; how preferences and interests are formed and transformed.

Fundamentally democratic representation is about the relationships between citizens and society, and political institutions and decision-making. Representation can be a good in and of itself: it can be valued not just as an expedient mechanism for allowing some degree of public control over, and input into the decision-making process, but rather as a valuable component of democratic decision-making in and of itself.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

In the context of the EU, and as may be the case in national situations, many of the most pressing problems can be seen to stem from the limitations of the electoral mechanism for delivering good representation. The electoral mechanism is thought to deliver equal representation in decision-making, but the extent to which it delivers good representation in
practice is questionable (and even the equality function can in practice be distorted by electoral systems, political parties for example). Article 10 of the Lisbon Treaty states that the functioning of the Union shall be founded on representative democracy and frames this in terms of the formal roles of the decision-taking institutions. But closer inspection of the ways in which these institutions actually operate questions the underlying assumption of representative democracy.

A recurring theme in the democratic deficit debate concerns the way in which elections to the European Parliament do not provide a satisfactory means of channelling citizens’ preferences into the decision-making process. The relatively weak control of the parliament on the EU’s policy agenda and the second-order nature of its elections are identified as contributing to this. Like other legislatures, representation is just one of a series of functions that the European Parliament performs and the way institutions are structured provides fewer incentives for this to be performed effectively or taken as seriously as the other roles.

The assumption that Heads of State and Government in the European Council and governments in the Council of Ministers deliver good representation also needs to be examined. Such actors are assumed to be defending national interests but in many cases may actually be defending vested interests of certain powerful (often economic) domestic interests as was the case when in December 2011 David Cameron refused to countenance treaty reform on the grounds that it was not in the UK’s national interest. In this case the national interest turned out to be roughly equivalent to the economic interests of the City of London, a bold move considering that much domestic political debate at the time revolved around the question of whether and why such special interests were being prioritized over the interests of ordinary citizens.

Another pressing problem identified by this discussion is that there are important representation needs which extend further than the democratic mandates of elected politicians. The representation of the interests of future generations does not easily fit into existing electoral cycles and issues such as climate change involve the need for decisive action but in a time frame that extends beyond a four or five yearly election cycle.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

Some of the challenges of democratic representation might be addressed through institutional reform aimed at making existing structures more democratic. At both national and EU levels, enhanced parliamentary oversight of executives could be effective but at the
same time might perpetuate the notion of parliaments as increasingly scrutinizing rather than representing bodies. Working towards democratizing the public sphere by creating the conditions within which preferences and opinions can be formed and examined appears to be a logical initiative for enhancing the transparency of decision-making processes but also opening the nature of representative claims to scrutiny is important.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Scholars interested in democracy in the EU could address previously neglected or under-researched parts of the representation relationship – the nature and status of the relationship between representative and represented; empirical research on claims-making and advocacy models; empirical research on what is being (or claimed to being) represented.

A fruitful area for further research – to analytical and normative ends – might be the content of representative claims made by various political actors in the EU. Given that a large amount of faith is placed in the representative role of national governments, their claims of representing a national interest could be examined. Although not mentioned in Article 10 the Commission is widely viewed to represent some notion of the European interest – but as in the case of national interests this could be examined further. One could ask whether the European interest has a positive character, i.e. is there something identifiable that can be called the European interest? Or is it always defined in negative terms, i.e. it is not national interests or it is having an institution that is not captured by national interests? The way in which national and European interests equate to the general will might also be reflected upon.

Important parts of the representation relationship fall outside formal electoral structures and involve societal actors in a mediating role. Preferences and interests are not simply discovered and reported, especially in the EU context where a European demos is elusive. Instead they are formed and transformed and this will require moving beyond a principal-agent model of representation, viewing it instead as a more iterative process.
Giovanni Moro
President of FONDACA, Rome

1. *What, in your view, makes for democratic representation?*

I see democratic representation mostly as the process through which new constituencies emerge and have the opportunity to be recognized, to influence the political process and to give shape to citizenship both in terms of content and extent. The multiplication of forms of citizenship seems to me strictly connected to new representative relations that give place to, and link each other, new constituencies and new political actors.

2. *What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?*

The most pressing problem regarding democratic representation in the EU is not the democratic deficit but the inclusion of citizens’ organizations in the policy process (I mean those self-organized groups, associations and movements engaged in protection of rights, caring for common goods and empowerment of weak people with reference to European policies). In this case, the question of representation emerges as twofold:

- On one side, these organizations claim to ‘stand for’ and ‘act for’ unrepresented people, but usually without defining or practicing any clear base of the representative relation between them and their constituencies;
- On the other side, while the EU recognizes (though without legitimizing) these new forms of representation, it deals with them using paradigms, tools and criteria that are obsolete, inconsistent or ineffective, mostly coming from the political representation (covered territory) or trade-unionism (number of members), but also leaving the matter to the discretion of public officials and to ‘shadow’ representativeness criteria, in spite of those formally established.

The result is that often the stronger actors (not necessarily the most representative) become stronger, and the weak weaker. This situation is more and more worrying in the light of the Eurozone crisis, which puts under discussion the rights and interests precisely of people not represented by traditional political and labour forms: for example, unemployed youth, women, disabled people, welfare services users, immigrants.
3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The EU would define a general (and widespread practiced) new paradigm enabling ‘informal’ forms of representation to be full part of the policy making cycle. In particular, what is most needed seems to me:

- Establishing effective criteria to assess from time to time the relevance of the organizations that claim to be included in the policy process according to the nature and extent of the question on the table;
- Overcoming the focus on ‘Brussels Civil Society’ and considering the whole territory of the Member States;
- Enlarging the concept of citizens’ participation from the consultation to the implementation phase.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Focusing on the forms of citizens’ participation in policy-making, it seems to me that attention and resources should be devoted on:

- Analysis and evaluation of the representative relationships of citizens’ organizations with their constituencies, taking into consideration not only those operating in Brussels, but all those operating in the framework of the EU policies;
- Study in depth of ‘throughput democracy’ as the form of democratic legitimization more consistent with organized citizens’ participation in EU policy-making;
- Appraisal of citizens’ participation to the EU policies not only as participation in consultation phase, but also in policy implementation;
- Assessment of the deliberative quality of organized citizens’ participation in EU policy-making, with regard both to the inclusion in a real mutual learning process, and to the actual outcomes of participation.
Alessandro Mulieri
Ph.D candidate, University of Leuven

1. What, in your view, makes for democratic representation?

Democratic representation has emerged from the contingent historical and theoretical overlap of democracy and representation. In today’s societies, I distinguish two levels of analysis in the interaction between these two concepts. First, we can distinguish democracy and representation on an analytical or empirical level. Representative claims made by state and non-state actors, public figures, international or supranational entities and representatives of the civil society play a crucial role in today’s complex societies both at the national and trans-national level. In a world where aesthetic, symbolic, figurative representative claims crowd the public sphere, representation dynamics shape the public debate continuously. However, these multiple representative claims cause a problem of legitimacy. In other words, the question that arises from this spread of representative claims in our societies is: what is legitimate representation? What makes a representative claim legitimate or illegitimate? Sketching an answer to this crucial question leads us to a second more normative level of analysis. On this second level, we can argue that the multiple representative claims that we observe in our societies are mostly not democratic and can hardly considered to be so. The question becomes then: what makes these representative claims democratic or not? I tend to see democratic representation as inherently linked to two major aspects. First, a politicization of the agenda that enhances the contestation of the issues at stake and, second, procedural or electoral arrangements that enhance the accountability of the actors involved. I argue that these two aspects help confer a higher degree of democratic legitimacy upon representation.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

There are two pressing problems about democratic representation in the EU. First, no doubt there is a democratic deficit that affects the institutions of the Union. This may be observed in a variety of different instances. Crucial decision-making institutions of the EU are not elected or not directly subject to the scrutiny of elected institutions when acting in Brussels: it is the case of the European Commission, the European Council or the Council of the European Union. We could argue that the Council already has high democratic credentials because it is made up of either people directly elected or belonging to elected executives legitimized by parliamentary votes. However, national parliaments hardly have control on what is decided
during the Council summits. Second, a lot of work in the European Council meetings is in the hands of unelected civil servants who come either from national civil services or the permanent representations of the Member States to the EU. The role of the European Council is crucial particularly in the recent Euro sovereign-debt crisis, which is managed by the Council, the EU Commission and the European Central Bank. The Euro crisis has enhanced the perception that what is decided in Brussels or Frankfurt lacks democratic legitimacy. People in the EU increasingly think of the Union as a mix of unelected bodies that try to influence the national economic, political and social policy-making of some Member States with no legitimacy to do so. Indeed, it is difficult to argue that all the above institutions may be considered democratically representative of the EU citizens. As for the European Parliament, even if it has dramatically increased its power since its first election in the 1979, there are still a lot of important policy areas in which it does not have any say or very little power (for ex. comitology, the right of initiative in legislation and the control of the Commission).

On a second level, we can say that the EU suffers from a democratic representative deficit in terms of its perception among European citizens. Even in areas where the Union has higher democratic credentials, it is not perceived as more democratic. This has to do with the fact that the European public sphere is still weak. As a result, people are poorly informed about the specific decision-making procedures that occur daily in the EU and tend to consider it as the expression of a bureaucratic and technocratic monolith with no democratic accountability. This is partly true but is not the entire picture, which changes according to specific policy areas and decision-making procedures. Most deliberative or consultative processes with civil society actors launched by the EU institutions take place in complete or partial absence of elected actors. It is the case of consultation processes launched by the Commission before initiating legislation or lobbying processes that come with the legislative process of the European Parliament and the Council. It is also the case of the comitology procedures where the ‘technical’ implementation of laws attracts the attention of actors of the civil society like companies, NGOs, lobbying groups. These latter lack democratic accountability mechanisms and even a precise constituency to address in order to legitimize their role. However the EP and some national parliaments have attempted to enhance their role in these decision-making procedures, for example in the ordinary procedure and comitology.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

I think that adequate responses to this lack of representative democratic credentials should be part of a proper supranational agenda proposed by scholars, practitioners and the
peoples of the EU. There are various ways of enhancing the electoral accountability of most actors involved in the EU decision-making processes. An idea, which has been proposed by Follesdal and Hix, could be to elect the European Commission and the president of the EU Commission. Also, it could be good to link more closely the work of the EU Commission to the scrutiny of the European Parliament. Another crucial factor should be to enhance the stake of European issues in the internal political debates of the Member States and the European level (for example involving more and more the national parliaments) and find new ways to democratize the ‘deliberative’ processes to which NGOs, companies and lobbying groups participate.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

I think that this agenda should consist of two issues. First, one of the most problematic aspects of future research on democracy in the EU is to tie as closely as possible academic reflection to the actual policy-making that takes place daily in the EU. Academic scholarship is often considered distant from the real dynamics of EU politics. I think that this gap should be a major concern for academics. As for the topic of democracy in the EU, scholars should engage in a constant dialogue with practitioners or people who work in the EU to link their reflection to the actual practices of EU multi-level governance. Second, on a more theoretical level, scholars should focus on one of the most challenging aspects of EU multi-level governance, namely the relationship between technical and political issues. This research agenda should be aimed at analysing concrete case studies in the EU to show what are, if there are any, the boundaries between technical and political decisions and what are the most appropriate decision-making procedures for different types of policies. This could help understand the broad picture of where and how to address the problem of democracy in such a highly complex decision-making system as the EU. Where the political aspects of the issues at stake are higher, democratic credentials should be enhanced accordingly. More empirical and theoretical research is also needed on representation dynamics in the EP, the relationship between national parliaments and the EP and, finally, the deliberative processes that we can observe in the EU (for ex. consultation procedures before the right of legislation of the Commission).
Kalypso Nicolaïdis  
Professor of International Relations, University of Oxford

1. **What, in your view, makes for democratic representation?**

Democratic representation is both an idea and a practice and theories serve to ground the former in first principles and - at their best - suggest how to link the two. There are many theories of (democratic) representation, competing or overlapping, to which Sandra Kröger and Dario Castiglione, the intellectual spirits behind our conference, have brilliantly contributed. What we ask is what makes for truly ‘democratic’ ways of turning greatly disparate arrays of interests into collective decisions. The basic intuition in my view is to combine political equality and inequality - representation is democratic if:

i) it reflects the imperative of universal human worth and equality of its citizens which in turns calls for mitigating asymmetric distribution of power within society through voting equality, inclusiveness and effective participation. This is the principle of formal political equality;

ii) it allows for ‘constrained discretion’ on the part of the representatives. This I would call the principle of actual political inequality.

iii) The two logics above are linked by accountability mechanisms through the mediation of political parties, institutionalized opposition, parliamentary rules of procedure and the likes. In this logic other forms of democratic expression (deliberation, participation and contestation) support and enhance representative democracy.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

As we explore the connection between democratic representation and the Euro-crisis, we first need to consider the broader context. I argue that the issues we are facing today are first intrinsic to the European construct. Conceptually we need to assess the quality and implication of the third transformation of the tenets of democratic representation as summarized by Robert Dahl:

What made the second transformation possible was an idea and set of practice we now tend to regard as essential to democracy - representation. Democracy came to be understood not as assembly democracy in the city-state but as representative democracy in the national
state. As a consequence of that transformation in scale and form, a set of political institutions and practices, which taken as a whole were unknown to the theory and practice of democracy up to that time, came into existence (…)

(…) Just as democracy on the scale of the national state required a new and unique historical pattern of political institutions radically different from the ancient practices of assembly democracy that the small scale of the city-state made possible, desirable, and even self-evident, will democracy on a transnational scale require a new set of institutions that are different in some respects, perhaps radically different from the familiar political institutions of modern representative democracy?

(…) Like the second transformation, then, the third is associated with a great increase in the scale of the political system. And as with the second, this third change in scale will have important consequences for certain values. (Dahl 2001)

I argue that this transformation in the EU should be analysed through the lens of ‘demoicracy’ as both a positive and normative concept which can be defined as follows:

A demoicracy is a Union of peoples, understood as both states and as citizens, who govern together but not as one. It represents a third way against two alternatives which both equate democracy with a single demos: as a demoicracy-in-the-making, the EU is neither a Union of democratic states as ‘sovereignists’ would have it, nor a Union-as-a-democratic state to be as ‘federalists’ would have it. A Union-as-demoicracy should remain an open-ended process of transformation which seeks to accommodate the tensions inherent in the pursuit of radical mutual opening between peoples (Nicolaidis 2012).

We can consider this emergent kind of democracy in Europe as challenging the core tenets of democratic representation spelled out above.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

Dahl would say that we need to consider explicitly the trade-offs in democratic values involved in a change in scale, in my words, the transformation towards demoicracy. What does this mean?
• Europeanization of domestic politics. Drawing on Castells’ parallel communicative power, progressive political organisations (such as parties, trade unions, associations, bureaucracies, local government, socially responsible enterprises) must harness the concerns of contestatory politics at home, not just in Brussels. *Inter alia:*
  o national referenda;
  o role of national parliament;
• Political mutual recognition and engagement. European countries need to better take account of the democratic externalities that they create. *Inter alia:*
  o transnational parties and transnational lists for the EU;
  o openness of national political processes;
  o instating a symbolic shared and rotating presidency for the EU as a whole;
• Reinventing democratic forms including to better connect the logics of deliberation and participation to democratic representation; contestation by allowing collective ‘wisdom’, ‘reasoning’ ‘opinion’ to better influence the decisions of liberal democracy. *Inter alia;*
  o Harnessing the power of e-democracy and social networks;
  o Agora Europe or the Woodstock of European politics (virtually and physically).

4. *What, in your view, should be on the research agenda of scholars interested in democracy in the EU?*

To continue debating the qualities and pathologies of democracy in the EU including through the lens that I advocate e.g. European democracy.
Simona Piattoni
Professor of Political Science, University of Trento

1. What, in your view, makes for democratic representation?

I adopt Pitkin’s (1967) definition of ‘political representation’ as ‘substantive acting for others’: ‘representing means acting in the interest of the represented in a manner responsive to them’ (209). Later, she states that ‘the representative must pursue his constituents’ interests in a manner at least potentially responsive to their wishes, and that conflict between them must be justifiable in terms of that interest’ (213). This definition entails ‘discretion and judgment’ both on the part of the representative and on the part of the represented. The represented, therefore, do not divest themselves of their capacity for independent judgment and even direct action. Should the actions of the representative be at odds with the wishes of the represented without good reason or without explanation, then the representative relationship would come under stress. Indeed, disagreements between representative and represented are justifiable only insofar as the representative can claim that his actions are inspired by making the interests of the represented.

This implies that people – and not ‘unattached interests’ (Burke) or ‘values’ (as some theorists of ‘public interests’ argue) – are represented, otherwise disagreement would be unconceivable. Therefore, ‘their [these people’s] say in their interest is relevant’. It may be possible that decisions must be made in areas in which represented know absolutely nothing, and that consequently representatives must decide uniquely on their own wits. In this case, we ‘leave the realm of representation altogether, and we end up with an expert deciding technical questions and taking care of the masses as a parent takes care of a child’ (210). Such an aristocratic (paternalistic) notion of representation – only the representative knows what is good for the represented – is clearly not democratic. But even the statement that there might be technical questions on which the represented knows nothing about and that, in this case, the representative can indeed decide solely on his/her own wits can be challenged: behind most ‘technical questions’ are more general questions that everyone can understand and form an opinion on. ‘Political issues, by and large, are found in the intermediate range, where the idea of representing a substantive acting for others does apply. Political questions are … questions about action, about what should be done: consequently they involve both facts and value commitments, both ends and means. … It is a field in which rationality is no guarantee of agreement. … But this is precisely the kind of context in which representation as substantive activity is relevant. For representation is not needed where… no judgment is needed’ (212). But what if ‘disagreement remains despite
deliberation and justification and argument? … the possibility of a substantive acting for others breaks down’ (213). In this case, represented may fall back on descriptive representation, symbolic representation or even cling onto ‘formal and institutional arrangements even when they seem devoid of substantive content’ (213).

This notion of ‘political representation’ is akin to Urbinati’s (2006) notion of ‘democratic representation’. Representation had been seen with suspicion by many political theorists, as a poor substitute for direct participation and, moreover, as an inherently aristocratic mechanisms for selecting the rulers. According to Urbinati, Pitkin examines it as a form of political agency and does not inquire into its relation to sovereignty and democracy or the kind of political participation that representation brings about in a democratic society, yet their definitions of representation are similar. ‘I argue, first, that representative democracy is neither an oxymoron nor merely a pragmatic alternative for something we, modern citizens, can no longer have, namely direct democracy; and, second, that it is intrinsically and necessarily intertwined with participation and the formal expression of popular will. … I propose we stretch the meaning of representation and see it as a political process and as an essential component of democracy’ (10). And again, democratic representation is ‘a middle path between an unconditional delegation and the refusal of any delegation, or between electoral authorization of an aristocracy and direct democracy’ (11).

Urbinati’s insistence that the represented do not give up their right to participation and judgment is fundamentally akin to Pitkin’s point that represented must continuously engage in a dialogue with their representatives. The idea, in both cases, is that representation is not exhausted by the choice of the represented (through elections), but that the represented is always involved in judgment, surveillance and, if necessary, revocation. For Urbinati, too, the relationship may break down.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

The Euro crisis has strengthened the feeling that very important decisions for the life of millions of EU citizens are made either by state and government representatives that cater only to their own domestic constituents (they do not have a ‘communitarian’ enough vision) or even only to some national constituents, and by unrepresentative experts removed from democratic accountability. On the one hand, people do not necessarily question the competence of these experts, but the fact that they apply their technical recipes without ever questioning the solidity of the conventional wisdom that they uphold. In acting in a detached
and technical manner, experts really engage fundamentally political issues which cannot be entrusted to them alone (see above). On the other hand, even the democratically selected governmental representatives do not seem to be engaging in ‘substantive acting’ for their citizens (and the citizens of Europe). Their level of interaction with their national constituents is limited to ‘referring’ what was done, rather than ‘explaining’, ‘listening’, ‘counter-arguing’ and hopefully ‘convincing’.

This is a general problem: governmental representatives do not have the incentive, hence fail, to engage in communicative discourses with their national constituents. EU issues are still treated in ‘cartoon-like’ fashion, by sound-bites and through stereotypes, more than through serious dialogue. Constructing a new vision of the Union and offering it to national constituents and the international (EU and beyond) community is the most pressing problem. The Union will implode – will not be normatively sustainable – unless we engage in an open and honest debate about what we expect from it and why we want it or don’t want it.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

One must distinguish between what would be ideally desirable and what might be practically done. Ideally, as stated above, national governmental élites should address directly their constituents and explain why they believe that certain compromises are necessary, why certain decisions have been made in the past and which decisions they plan to make in the future. Their EU agenda – assuming that they have one – should be fully disclosed. They should also be honest about the real state of our national democracies. I believe that people have not fully appreciated the implications of globalization and still reason as if the clock might be turned backwards at any time. Paradoxically, it might indeed, if the economic crisis were to trigger nationalistic feelings and retrenchment from collaboration. In that case, no scenario could be ruled out. More realistically, national leaders should at least be punctually honest, explain which options are possible at any given time, which consequences they may have and why they think that one specific course of action is more desirable. They should engage in ‘substantive’ and ‘democratic’ representation!

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

The normative justifiability of the Union is definitely the most pressing issue, right now. If the Union is not perceived as legitimate (which means, in the end, democratic) it will not survive. For it to be assessed with equilibrium, it must be known. So, in parallel, the Union must also
be studied and described, and its policies analysed. Moreover, the debate on the constitutional structure of the Union must go on, because a democratic and legitimate polity is in part a question of perception, debate and education, but also in part a question of institutional provisions.

The agenda should be broadened to include not just the Union, but also our national democracies and the entire global system. While many scholars are already engaging in issues of global governance and transnational constitutionalism, paradoxically the study of the individual political systems is still carried out as if each state were autonomous. Comparative politics has changed relatively little in the last few years. The 'international factors', including the EU, are normally relegated to the last chapter of textbooks on individual political systems as add-ons.
Johannes Pollak
Professor in Politics, Head of Department, Institute for Advanced Studies, Vienna

1. What, in your view, makes for democratic representation?

Representation means ‘acting in the best interest of’. Beyond that there is however huge disagreement and complexity in how representation is understood. Various models of representation have developed over several centuries, differing in what they assume about the locus of sovereignty, the authorization of representatives, the power of representatives, the style of representation, the scope of representation and the modes of accountability. Systems which are described as representative show different combinations of those dimensions. In her classic work, Hanna Pitkin (1967) remarked that representation is a Wittgensteinian concept. In other words, any one representative practice is like a game whose rules change with use, and, taken together, representative practices are like members of families who often resemble one another without having any one feature that is completely common to all of them. Indeed, Michael Saward (2003, 2006) convincingly develops the notion that ‘good representation’ is a fluid and endogenously defined standard in which some actors make claims to represent others which are, in turn, accepted, amended or rejected by various social groups or audiences (see Pollak 2007; Lord/Pollak 2010). Such a fluid conceptions makes is enormously difficult to assess what ‘good representation’ is. We suggested that in order to describe a system as a representative democracy it has to fulfil four requirements (1) A Kantian requirement of equal democratic-self legislation; (2) A Weberian test of equal power to control the public administration; (3) A J.S. Mill requirement of equal regard in ‘public bavardage’; and (4) a Bohman test of equal influence over the shaping of conditions for democracy itself (Lord/Pollak 2011).

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

The most pressing problem has three dimensions: (1) The lack of power of the European Parliament as opposed to the Council, the European Council, and the myriad of ever growing agencies. (2) The lack of connection with constituencies (partly due to the electoral system). (3) Fragmented audiences and thus weak accountability structures. In addition the inflationary use of emergency rhetoric has been used to bypass parliamentary decision-making procedures and increased the role of technocratic elites based on allegedly
‘unquestionable’ economic expertise. Together, the structural weaknesses in the EU’s representative system and the further hollowing out of the modest parliamentary participation in the European policy have the potential to challenge the legitimacy of the integration project. That said, I do not think that the current financial crisis has deepened the problems of representation as such. Rather, the strength of a representative system shows itself in times of crises, i.e. the problems were always there but could be smoothed over by pointing to welfare gains.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

A strengthened EP (probably along the ‘Hix suggestions’), the Council as a second chamber, establishment of cross border constituencies, the right of speech for MEPs in national parliaments and vice versa, and much stronger transparency regulations.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

- Probing into the question under which conditions fragmented systems of representation emerge, how they challenge traditional representative systems, and how they contribute/endanger traditional liberal democracy.
- Conceptual and empirical analyses of what makes a claim a ‘representative claim’?
- Re-assessing the relation between representation, prudence, and virtue.

References

Anne Rasmussen
Lecturer in Politics, University of Leiden

1. What, in your view, makes for democratic representation?

Two things come to my mind. First, in a representative democracy, the political system needs to be constructed in such a way that it is possible for the views of the citizens to get transmitted to the decision-makers who have been delegated the responsibility for policy making. It needs to be possible for the decision-makers to hear the view of the public, either by giving the public a direct access to them or by ensuring that strong gatekeepers are in place (parties, media, and interest groups) that can help transmit the views of the public to the political system. Second, the political system needs to have institutions that are set-up in such a way that political decision-makers are able to respond to the views of the public. The goal would be that such institutions enable them to adopt decisions that, on average, reflect the median member of the public, while at the same time ensuring that these institutions protect and respect the opinions of minorities.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

The most pressing problems relate to the two factors discussed above, which are important in order to secure democratic representation. I do not necessarily think they have been sharpened by the Euro-crisis. As far as the first point is concerned, the EU construction is one where the public is often more distant from the decision-makers than they are in many national political systems. This means that reliance on gate-keepers becomes even more essential in this context than at the national level. This raises some challenges:

a. There is no real European media.

b. Political parties do exist. National and EU level parties play a role in the EU policy processes, but their role in EU policy-making is often different from their role in national policy-making. It is widely agreed that the ability of national political parties to act as transmission belts between the public and the political institutions is not the same in the EU as it is in many of its Member States.

c. Interest groups do exist and play a very prominent role in many aspects of EU decision-making, but the question is whether the efforts to include groups can
compensate for the weakness of the other transmission mechanisms discussed. Moreover, recent literature demonstrates that, even if a lot of efforts have been taken to involve civil society at the EU level, access and influence are not equal.

I think the EU is in somewhat better shape as far as the second point is concerned. Institutions that allow it to be politically responsive are in place. Even if some of them are cumbersome and complicated, they have been reformed over time. It has generally become easier to adopt decisions that reflect majority views. Moreover, a series of informal institutions have developed, which make it easier and faster to act - so far so good. At the same time, these institutions cannot compensate for the difficulty the EU institutions face in assessing what the public specifically wants or thinks about certain issues (my first point). Moreover, even if formal institutions and their informal modifications make it easier for the EU system to be politically responsive in the short run, they raise new concerns in the longer run. Efficiency and responsiveness may come at a price. Several studies show they may sacrifice internal democracy and deliberation within the institutions. However, more research still needs to examine how severe these trade-offs potentially are before making any final verdicts.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

Two things come to my mind:

a. Revisit the institutional procedures for involving interest groups. More can be done if the EU wants to continue putting a high reliance on interest groups and assign them the primary role as ‘transmitters of the views of the public’. There is a need to ensure that this transmission mechanism works in a way that is as neutral as possible. Giving all interests equal access is not feasible of course, and in fact it is not even clear what it would mean to give equal access to everyone. No one ultimately knows what an unbiased system of interest representation looks like. There is no baseline. Clearly we would not require there to be equal representation of different types of substantive interests, as in most political systems some substantive interests tend to operate in a broader set of policy jurisdictions than others. To discover that business groups and trade unions are more active than civil society groups may therefore not show that there is bias in representation because the two first types of groups may simply operate in a much higher number of policy areas than the latter. In such a case we would in fact expect such groups to be more active than the rest without being concerned that they dominate representation at the expense of others. At the same
time, more can be done to ensure that those groups we know operate at the EU level have a more equal access to the policy-making bodies (e.g. the advisory committees of the commission) or arrive at a more equal use of other ways of contacting the institutions (e.g. the use of Commission online consultations).

b. Reconsider whether anything can be done to strengthen party influence over decision-making. If democracy is unthinkable without parties because interest groups cannot do the job alone, we may need to explore even further how the EU system can be (re)designed in such a way that partisan interests get more influence over decision-making. Parties are active and play a role in decision-making within the EP. However, it is also clear that decision-making of the other institutions does not primarily follow a partisan logic and that coordination between the institutions often does not follow partisan lines either.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

Without going into a normative debate, scholars could do a lot more demonstrating how the existing transmission mechanisms work and do not work. How (un)biased is representation? How can we study this question? Do the current formal and informal institutional rules contribute to making the decision-makers more/less responsive to the views of the public? Which challenges are involved in using them? Etc.

I am quite optimistic that scholars interested in EU democracy will be able to tackle some of these questions. Recent years have witnessed a growth in datasets that systematically enable us to map a) which actors the different institutions are in touch with, b) at what stages of the policy processes contacts occur, c) whether there is a link between the views of the public and the character and volume of these different contacts, and ultimately, d) what the ability of the different types of actors is to influence EU policy-making under different institutional scenarios.
Michael Saward
Professor of Politics, Open University

1. **What, in your view, makes for democratic representation?**

Democratic representation is a precarious, difficult, and shifting practice. We can say that it is present to the extent that a claim to be representative is accepted by the people who are claimed to be represented (the constituency). This acceptance is not meaningful unless members of the constituency have a realistic choice to accept the claim or not, and access to plural sources of information about their choices and their contexts. On this view, democratic representation does not have a single type of institution, or a single type of ‘home’ or ‘container’; it might, for example, be electoral or non-electoral, national or local or global, or territorial or functional.

This way of understanding democratic representation clashes to some degree with a range of conventional approaches. It suggests that democratic representation contains, but is not exhausted by, the familiar machinery of liberal representative democracy. It stresses the ‘eventness’ of representation, and the fact that practices and events create representative relationships, and not just legal or formal political rules. Unelected representative claimants are brought into the purview of democratic representation, and not just elected ones (as vital as election remains to many forms of democratic representation). There is, then, a lot going on in democratic representation – and certainly more than is dreamt of in mainstream philosophies of representative democracy.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

There is no doubt that many of the persistent issues that are bundled under the label of ‘democratic deficit’ in the EU remain significant and pressing problems. Above and beyond that, however, is the little-commented poverty of democratic political leadership in and of the EU. Why, for example, do we never see the EU’s political leaders in the UK, making speeches, visiting schools and factories, being interviewed, showing concern for and awareness of local issues? Why do they not feel the need to demonstrate their presence and responsiveness? Why are they not making the case for a democratic EU? Why is imaginative democratic leadership in and of the EU either non-existent or invisible? Democratic deficit? Maybe. Democratic leadership vacuum? Absolutely. It is difficult to say what lies behind this apparent lack of EU democratic leadership and imagination. The institutions of the Union at times give an impression of somewhat
complacent self-sufficiency. A visit to the Brussels on policy business can be like entering a distinct and separate world defined by a thicket of jargon and an assumption of impermeability. That may be true of all configurations of political systems, up to a point. But there is a strong sense that the institutions of the EU in Brussels feel more comfortable facing in to each other to deal with problems rather than reaching out with arguments about democracy and collective benefit to wider European constituencies. The extent to which the EU hobbles itself in terms of leadership is also notable. For all her undoubted abilities, for example, it is difficult to see how the Union can be enhanced by the never-elected and low-profile figure of Baroness Ashton being its foreign policy leader.

Democratic representation does not simply reflect pre-given constituencies. Effective democratic representation must forge and shape its constituencies. That is a leadership task, and one that is performed at best sporadically by EU leaders.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

There is a pressing need for leaders in and of the EU who are not remote, and who do not appear to take the impermeability of their position and its structural supports for granted. There is no obvious answer to this dilemma, but one potential answer is the direct election of a European president and key officials. Such election campaigns could galvanize public attention and help to forge the very constituency that would elect key figures. Further, there is surely more scope to pursue the decentralist agenda in the EU. Subsidiarity seems to be ‘so last century’, but in practice it could be the organizing principle that saves the EU. Revitalization of the Committee of the Regions may have important role to play in this context.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

a. The dynamics of democratic leadership of the EU – language, culture and symbolic representative claim-making. Theories of leadership – what it can do, what it ought to do, and how it might be fostered – should be dragged out of Business Schools and rendered more dynamic and usable in political analysis.

b. The importance of radical forms of decentralization to democracy as an idea and to the democratic reform of the EU in particular. ‘Europe’ is not where representative institutions of the EU are located. Europe is in all of the spaces of the geographical EU, and perhaps even beyond where people make citizenly and rights claims on
European institutions, such as in Turkey. The multi-sited presence of EU governance could put flesh on the tired bones of subsidiarity.

c. The European Citizens Initiative: why is it so ‘under the radar’? How and by whom is its availability being publicized? The first Initiatives are now registered with the Commission. Scholars of the EU should follow and report closely on these Initiatives, for their potential impact on the democratic character of the EU in particular, and for their distinctiveness as innovative cross-national democratic experiments.

d. Where are the hidden spaces of democratic practice which are fostered by the very existence of the EU? For example, rights of gay and lesbian people in Latvia and other Baltic countries are being pursued – in the face of much social and governmental opposition – partly by activists in groups like Mozaika invoking European democratic rights and norms. Could it be that, if we take account of myriad local and less visible spaces of developing democratic practice, that the EU is characterized not by an orderly democratic deficit but by a disorderly democratic surfeit?
What, in your view, makes for democratic representation?

At the very basic level, representation should be rooted first of all in an agreement on who or what is going to be represented, i.e. the ‘constituent’ group of individuals who will then choose representatives to represent itself, or its interests. There arises, however, a problem because it is not clear whether this agreement can or even must pre-date the creation of political community (i.e. the democratic paradox: there is no ‘democratic’ way to decide on who is in and who is out of the democratic community).

At the same time, representation must be based on the recognition of the ‘identity’ of some essential features (or interests) of those who represent with those who are represented. This shared identity is the basis for the trust which is necessary for the ‘delegation’ of power and the assumption that this power will be exercised ‘on behalf’ of the represented, and will eventually be returned to them when they demand it (either periodically at elections or in some kind of crisis when trust in the representatives breaks down). The key question is of course how ‘thick’ this identity needs to be and whether it can transcend, in the case of the EU, geographic, cultural, ethnic, linguistic and historical boundaries.

Linked to both issues (and very relevant to the EU case) is the issue of ‘size’, which does seem to matter: how much ‘commonness’ between represented and representatives is necessary to achieve a sustainable system of representation, is related to the size of the constituency, but at the same time, empirically there are no clear criteria to decide that a certain number of individuals, or a certain geographical area, are the ‘right’ size to organise representation. In this sense, the frequently repeated criticism that the current EU of 500 Mio people is too large for people to grasp and hence the (nominally) representative institutions ‘feel’ too distant/remote to generate trust, seems to touch a nerve with regard to the issue of representation - but at the same time it is difficult to imagine, beyond real face-to-face interaction, what ‘objective’ criteria could be used to determine the appropriate size and level of representative structures. Of course, the EU (and other political systems) are a complex mix of more or less direct representation according to different ‘features’ (geographical, socio-economic etc.), and so new balances can be created at many different levels.

Clearly, democratic representation also requires an (implicit or explicit) act of ‘delegation’ of powers, and it needs a set of rules according to which this act occurs and can be renewed or
revoked. These mechanisms themselves must be recognised as being ‘fair’ and ‘democratic’ which of course raises all the well-known problems of the appropriate electoral system, the role and protection of minorities, the selection procedures for candidates to become representatives, the role of parties and media - in other words, the array of day-to-day problems of representative democracy.

Last but not least, the system needs mechanisms of accountability so that the represented can check if the representatives exercise power in the ‘agreed upon’ form. This, in turn requires transparency and information on the part of the representatives, as well as the ability and willingness of the represented to receive and process this information (issue of civic education, media pluralism etc.). The representation itself rests on a balance between trusteeship and real delegation, that needs to be partly determined by the system itself (constitutional division of powers etc.), but also needs to be flexible to allow for specific situations (decisions of conscience, constitutional moments).

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The EU suffers from a two-fold problem of representation: on the one hand, the EU suffers, like all other levels of representation, from an overall lack of power of representative governance institutions over ‘market forces’. On the other hand, the EU in its current state of in-betweenness, has the specific problem of the incomplete, piecemeal and sometimes contradictory distribution of powers between the different levels of representation and the additional problem of changing constituencies (enlargement) which makes issues of trust/identity more complicated than in more consolidated political systems.

On the first issue, clearly the level of ‘representative’ heads of state/government individually and collectively in the European Council is acquiring more and more executive power (not only but in particular due to the Euro crisis), but there is no equivalent increase in democratic control through the European or the national Parliaments. Moreover, in a situation where the different levels of parliamentary representation (mainly EP and national, but in some cases, like Germany, also sub-national) are locked into a (probably misguided) competition with each other, rather than recognising their common interest to jointly control the executives, representation overall loses out. This becomes most visible in a decreasing level of trust of those to be represented, in the ability of the representatives (at any level, but particularly at the EU level) to exercise power for the overall good.
The debates about ‘intra-EU solidarity’ and the many small signs of nationalist backlashes are not just a crisis of the European integration idea, but also of the representation idea which it contains.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

There is an urgent need for a positive and decisive discourse which links the overall project of establishing some kind of democratic control over the famous ‘market forces’, with the idea of representative structures at a level beyond the nation state, notably the European. This is, in many ways, a classical federalist project, which does face a number of challenges in the EU right now. So much more important is therefore the need to overcome the competition and mutual mistrust of the key representative institutions at the different levels, i.e. the national and the European Parliaments. The Lisbon Treaty has provided the basis for some very small steps in the direction of a closer link between national and EU level parliamentarian control. Unfortunately, this is currently mainly the case in the very area where ‘conflict’ (real or perceived) between the levels is most likely, i.e. subsidiarity control. This risks to increase the mutual ‘suspicion’ of the different levels because it will focus inevitably on areas where power is contested and a transfer of sovereignty is perceived as a zero-sum game.

It would therefore be of key importance to try and identify other areas (i.e. areas of more clearly defined/relatively less contested division of competencies) where nevertheless the cooperation of the different parliamentary levels is necessary: the current debate about the fiscal pact and the related Treaty changes is one such example, where close cooperation would be key, and where the experience (as previously in the Convention) could help to build new levels of understanding and trust among representatives.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

In view of the above, the area of inter-parliamentary cooperation and exchange seems to be one very important field which is so far not very much researched. This would also include, where appropriate, sub-national levels of parliamentary representation.

Similarly, other parts of the EU’s representative system need to be followed in their evolution, as has to be, of course, the large and complex issue of ‘trust’ (‘European identity’) in the context of a new, ‘higher’ level of representation demanding loyalty. The EU being a ‘new’ polity and still very much evolving, it is also an ideal ‘laboratory’ for new forms of
representation which may develop, not least as a corollary of technological change. Thus the research agenda should focus on new forms of political representation – in particular at EU level: the on-going debate about trans-national constituencies (both in the sense of the trans-European lists for EP elections, but also more far-reaching ideas about representation along other than geographical lines) and the combination of representative and so-called 'direct' democracy. The European Citizens' Initiative for example is a very small, first step at EU level, and it will be very interesting to see if and how this new instrument will influence the reality and perception of representation in the EU context (will it help to foster multi-lingual, multi-cultural political debate and identity formation?).
Jesper Schunck
Special Adviser to the Secretary General, S&D group, European Parliament

1. **What, in your view, makes for democratic representation?**

In my view, democratic representation in an ideal world should be based on a more or less proportional voting system, a completely free, non-obligatory vote, direct representation and with a regional/national balanced representation reflecting certain criteria such as population, size, etc.

I would ask the following two questions: If the vote is obligatory, is the system then democratic? (In certain countries like Belgium, the consequence of being inscribed on the election list is an obligation to vote - in other countries this is unthinkable). Is a two ballot election democratic? (In certain countries like France, this is considered the ‘normality’, in other countries like Denmark, it would be considered absurd if two ballots were held for national elections). Culture, traditions, history and, of course, constitutions and legal obligations and framework play a major role in determining the actual democratic representation, so no single system can be named the ‘ideal system’.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The direct democratic representation in the EU is basically the EP, an institution which quite a few voters consider irrelevant, if one takes into account the trend in the percentage of voters bothering to vote in Euro-elections since 1979. The European Commissioners are appointed, the Ministers in Council are only indirectly elected (being part of an elected government) and may not represent directly the interests of voters. The Presidents and the Prime Ministers in the European Council are partly directly elected, partly indirectly elected as leaders of governments. The President of the European Council is appointed as well as the High Representative. So much for democratic representation in the EU!

When it comes to the core issues of economic/monetary/financial policies, the decisions are taken without involving the EP and, as recent practice has shown in the Greek case, by including institutions outside the EU like the IMF and some institutions inside the EU without democratic control, like the ECB and EIB. Of course their technical expertise can be valuable, and is surely needed, but they should not be directly included in the decision-making process - that is for politicians with a direct political mandate.
3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

The recent Euro-crisis has surely sharpened the perception of the lack of democratic control and exposed it like it has never happened before. At the same time the role played by private, completely autonomous, opaque, non-transparent rating agencies outside the reach of politicians both at national level and at the EU level has been highlighted, but few politicians have dared to contest their findings and the principles on which they have been founded. In all cases, I think the role of the EP should be increased, at the least, to provide a slightly more adequate political democratic response.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

I think there are two very interesting areas of possible research over the coming years: The first one is how to deal with the democratic deficit of the Council of Ministers in terms of national democratic control (to whom are they accountable, do Ministers have a mandate, what is the say of MPs, of the national parliaments in general, at which occasions are debates (minor/major debates) held on EU issues in national parliaments, what are the possibilities of sanctioning Ministers ‘coming home from Brussels’ with a bad negotiation result, how is the democratic control managed in the 27 Member States etc.? and what can be proposed to improve that situation keeping in mind that it's basically a national issue. Are there any ‘best-practice’ countries that one could learn from? Maybe a comparative study would make sense?

The second one is how the EP can get more involved in the management of the economic/financial crisis? To what extent does the ECB's, the ECOFIN's, the Eurogroup's and the Commission's institutional framework allow for the EP to have a say on the issue? How can we improve the level of information given to the EP on these issues? Do we need a Treaty change to fulfil these goals?
Eline Severs  
Ph.D Candidate, University of Antwerp

1. **What, in your view, makes for democratic representation?**

My consideration of democratic representation draws heavily on Hanna Pitkin’s (1967) seminal work[^6] which, I believe, emphasised two aspects: 1) the prevalence of a ‘sense of agreement’ between representative and represented and 2) the relative independence of those represented from their representatives. The first condition locates a moral authority with the represented regarding the definition and determination of ‘what is in their interest’ and suggests that their judgment is relevant to their representations. The need for a sense of agreement indicates that not just any claim to speak on behalf of those represented will do and situates the limits to what representatives may do within the judgment of those represented. The second condition (a ‘relative independence’) ensures that agreement between representative and represented reflects the latter’s democratic, as opposed to coerced, assent. Without individuals’ relative independence from those who claim to speak in their name, their capacity for independent judgment and action (against political inertia or representatives’ actions) is tainted and assent or silence may not uncritically be taken as evidence of democratic representation. Pitkin’s emphasis on a ‘sense of agreement’ has, along with the norm of responsiveness, been criticised for reducing democratic representation to a purely delegate conception thereof. In my recent work[^7], I have challenged this conception. I believe that Pitkin’s idea of democratic representation was not one-off; implying that a representative reacts, in a Pavlov-like manner, to the wishes of those represented. But rather, her emphasis on the prevalence of a sense of agreement casts democratic representation within a continuum with citizens’ potential participation to the representation process. It makes explicit what the role obligations of representatives are; that is, to act in the best interest of those represented while at the same time be willing to engage with the views of those represented and formulate a response to them that weighs of their respective views on what is at stake for the latter.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The current discussions on debt-relief for Greece have reinvigorated questions regarding the origins and conditions of democratic representation in the EU. In many respects, the EU is an international structure ‘sui generis’. It combines aspects of inter-governmental and supranational legitimacy. An inter-governmental organisation in origin, the legitimacy of the EU derives most explicitly from agreement between Member States. However, and to the extent in which the EU claims to act on behalf of a ‘European people’ and holds regulatory power to enforce its decisions on that ‘people’, its legitimacy depends equally upon the prevalence of a ‘sense of agreement’ with that people (as some sort of supranational constituency). The discord between the Greek citizenry and its government over the acceptance of EU austerity measures has uncovered the potential for conflict between these two sources of legitimacy. What appeared, at first glance, an issue of national sovereignty alone, became a fully-fledged ‘European’ issue after the European Council’s defined Greek austerity measures as a means to protect the entire monetary union from further financial speculation. While the Greek government accepted the Council’s definition of the ‘European good’ (i.e. the preservation of the monetary union) and the means to secure that good (i.e. the imposition of strict austerity measures on failing Member States), the Greek citizenry denounced, by means of mass demonstrations, the disproportional and unfair character of such solution. The citizenry’s efforts to re-appropriate their voice notwithstanding, their claims received only minor attention from EU officials.

The dominant role of the European Council in the decision-making process has, firstly, showcased, how the inter-governmental logic of the EU impedes upon its representative capacity. To the extent in which it privileges particular representation avenues above others, it risks excluding citizens from partaking in the articulation and definition of policy solutions. The high-technicality and complexity of the financial dossier has, secondly, revealed citizens’ limited capacity for independent action and judgment. Citizens, at large, depend on the representations of others in their assessments of the challenges the EU faces and the range of policy options available. Two basic conditions that facilitate citizen’s critical judgment of these representations – i.e. the existence of competing views and the necessary time allowing for critical reflection – appear largely absent within the current crisis. One may, moreover, question the extent to which these conditions are ever met within the EU realm.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

In order to balance the EU’s two sources of legitimacy, it is crucial that citizens’ capacity to voice their judgment and be heard is enhanced. Such change would, firstly, require the development of a more genuine reciprocity between the European institutions and the
European citizen. Currently, European citizens predominantly conceive of the EU as a ‘far away’ regulative body rather than a representative forum in which their interests are at stake. Second, and complementary to the former, the strengthening and diversification of avenues for citizens’ representation is needed. The EU has, over the years, developed structural relations with European civil society actors; attributing them an important advisory function. Insofar as recognition of such actors is dependent upon EU terms and conditions, it remains uncertain to which extent such ‘privileged actors’ may voice alternative or dissenting conceptions. In this respect, mechanisms of horizontal accountability – whereby (national) civil society actors not partaking in EU consultations may hold those partaking accountable – appear increasingly important. An alternative option could consist in enhancing the position of the directly elected European Parliament. Heightening the profile of the European Parliament could not only strengthen the ‘voice’ of the European citizenry within EU institutes, it could equally draw them closer to the EU institutions.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

The scale of the EU presents an interesting and challenging case to scholars’ thinking on democratic representation. In connection to my answer on question one, I would here like to return to the issue of ‘a sense of agreement’ between the representative and those represented and the latter’s capacity for independent action and judgment.

Firstly, and regarding the issue of ‘agreement’, further conceptual analysis and normative debate regarding the criteria we use for judging the quality of representation at the EU level is needed. Like in any pluralist democracy, the ‘European citizenry’ only seldom holds a unified conception of what needs to be done. Scholars should further explore what it means to represent the ‘European people’ and, more specifically, what the implications are of objections formulated by part of the European citizens (e.g., Greek protest) on the EU’s claims to speak for that people. Are the EU’s representative claims automatically invalidated by objections formulated by part of the European citizenry or is some kind of (qualified) majority needed in order to falsify these claims? Additionally, one may question whether it is necessary that such objections be formulated in the name of the ‘European people’ or not? In what sense does the Greek contestation challenge the EU’s claim to cater the best interest of the EU? Put differently, further thinking on the place awarded to minority or difference claims is needed. For instance, is it sufficient for a democratic system that minority or difference claims may be voiced or is a more substantial inclusion of these claims within the institutions they challenge required?
Secondly, and considering citizens’ relative equivalence from their EU representatives, I would argue that scholars need to take into consideration the intermediate actors in between the citizen and the EU institutions and the extent to which these (e.g., national political parties, the media, civil society organisations, public intellectuals, transnational and supranational organisations, etc.) facilitate citizens’ critical judgment and enhance their equal capacity to be heard within EU decision-making processes. As argued previously, their alternative or competing representations of ‘what is at stake’ or of the range of policy options available are vital to individuals’ capacity for critical judgment. Simultaneously, the intermediary character of these actors and institutions may enhance the audibility of individuals’ or groups of individuals’ claims. Intermediary actors may, for instance, be able to draw the most disadvantaged groups into EU decision-making, namely those who find it difficult to articulate their interests and to whom the EU is a far-away, inaccessible body.
Michael Shackleton
Special Professor in European Institutions, University of Maastricht

1. **What, in your view, makes for democratic representation?**

The Lisbon Treaty specifies (Article 10, TEU) that ‘the functioning of the Union shall be founded on representative democracy’ and thereby establishes an important criterion against which the operation of the EU has to be judged. Does it meet the standard set? Tony Benn certainly did not think so. In the speech he made in November 1991 during the debate on the ratification of Maastricht he argued that the mark of a democratic system was whether it allowed the electorate to choose those who make the laws under which they are governed. In his view after Maastricht his constituents would be governed by people they had not elected and who they could not remove. ‘They may give you better crèches and shorter working hours but you cannot remove them’.

Whilst not sharing the Benn thesis, I do think it points to two essential elements of democratic representation. First, in a democratic system it is essential that the electorate is able to choose between representatives with different opinions: the elected should reflect the range of opinions within a society and hence the importance of free and fair elections. Second, the choice made by voters must enable them to change the direction of policy or else the election has no meaning and risks undermining the consent of the governed to the decisions of those who govern. The possibilities of choice and change are therefore for me at the heart of democratic representation.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The central issue arises precisely from the need for EU citizens to feel that they do have a real choice of representatives and that they can change the direction of policy by that choice. Such issues were not important in the early days of the European Community: the so-called ‘passive consensus’ was enough to legitimize a system of governance whose scope and domain were limited. However, since the 1990s this consensus has gradually unravelled in such a way that euro-scepticism can no longer be considered a British disease. Above all, the sovereign debt crisis of the more recent past has sharpened the argument about the direction of the EU, calling its very existence into question.

The decision-making process in the EU certainly embodies a democratic desire to reflect the interests of all those involved. It is based on an intricate set of checks and balances which
makes it very difficult for any single interest to prevail without obtaining a broad measure of support. Thus Treaty changes require unanimity amongst the Member States and nearly all legislation now requires agreement between the European Parliament and the Council of Ministers.

And yet this Brussels world remains very distant from EU citizens. The challenge is to enable the latter to feel that they have a direct stake in the system and can change the direction of policy at European level. Some may argue that there is no alternative, that the choices made over the last year or so were the only ones possible, but this is to overlook the many voices that have been expressed at national level, notably in the French Presidential elections, suggesting that we need to consider different ways ahead. The question is how this can be done in such a way that empowers EU citizens and makes them feel they can have a choice and can bring about change.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

One important step can be taken in the context of the 2014 European elections. Under the Lisbon Treaty the European Council is called upon ‘to take account of the European elections’ when proposing a candidate for the post of Commission President. What this phrase means is subject to much debate, but it has prompted a response from inside the European Parliament and from the European political parties. Both the EPP (European People’s Party) and PES (Party of European Socialists) have agreed that they should nominate candidates for the post of President of the Commission in advance of the European elections and that the person proposed should campaign on the basis of a party manifesto, indicating what he or she would do if chosen as President.

There are plenty of difficulties with this approach but it does constitute a potentially important response to the need to allow choice and change in the process of democratic representation at the EU level. Up to now it has always been difficult to explain what effect voting right or left in EP elections would have on the content of policy, other than rather indirectly through its influence on the composition of the institution. This would change if it became clear that the two parties would have expressed clear priorities for the 2014-2019 legislature via the manifesto supported by their respective candidates for President of the Commission. Electors would not only have a choice but could hope to bring about a change in policy, with the successful candidate and her or his party in the EP committed to a set of policies and obliged to explain a failure to implement them. At a time of such soul-searching across the EU, the very act of providing for choice and change in this way could markedly
improve the nature of political debate at the EU level, with European citizens put nearer to centre-stage.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

One of the central difficulties faced by those who support the political response to the problem of democratic representation outlined above is the attitude of national political parties. It will be extraordinarily difficult to get these parties to agree on a common candidate and a common manifesto and still more difficult to persuade them to invest resources in backing such a candidate, most probably not a fellow national, at the same time as supporting the national candidates for MEP. For most national parties, European elections are a distraction from the main political battle, namely the next national, regional or local elections.

Hence an area of particular interest would be an examination across a number of countries of the extent to which attitudes are changing towards establishing something akin to true European politics taking place across frontiers. Is it still the case that there is little appetite for supporting something that holds the potential to weaken the role of national parties? Or has the growing volume of resources available to European political parties started to change national conceptions of European Parliament elections? The 2014 elections provide a laboratory for testing these questions.
Emmanuel Sigalas
Assistant Professor of EU Politics, Institute of Advanced Studies, Vienna

1. **What, in your view, makes for democratic representation?**

Democratic representation is about reconciling two apparently irreconcilable tasks: on the one hand, the representatives ought to do what the represented want and, on the other, they ought to do what is best for them. The two tasks more often than not fail to coincide. In case of conflict, most scholars, including myself, would propose to go for the latter task: do what is best for the represented, even if it opposes their wishes at the moment. Of course, such an attitude puts us on a slippery slope. Who is to determine what is best for the represented? In practice, it can only be the representatives, who decide and act on behalf of the represented. If there were sufficient guarantees that the representatives always act in the best interest of the represented, then the case for democracy would be severely weakened. But there can is no such guarantee. Democratic control over the representatives is needed to ensure that the deviation between the interests and preferences of the representatives and the represented is not systematic or permanent. Regular, free and fair elections seem to do the trick. They establish (almost) automatically a link between represented and their representatives. If the represented are not satisfied with the past performance of the representatives, or if they disagree with what the latter aim to do in the coming term, then they can vote them out. While the electoral connection does not provide a remedy for all the ills associated with either democracy (e.g. demagoguery, sub-optimal decisions) or representation (e.g. heteronomy, political alienation and indifference), it makes democratic representation possible and desirable.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The greatest challenge for democratic representation at the EU level is to make it meaningful in the eyes of the European citizens. Currently, the complex multi-level system of EU democracy leaves little scope for optimism regarding change of political direction. Distinct and disjointed electoral cycles in the EU Member States, in addition to the second order nature of the European Parliament elections make a policy and ideological shift at the EU level extremely difficult. As a result, the turnout in the European election keeps falling and anti-systemic and anti-EU political forces are on the rise. The Euro-crisis can only exacerbate these phenomena.
Democratic representation rests on the existence of an electoral connection between citizens and political decision-makers. In the case of the EU it is doubtful if such a connection exists. There are too many political decision-making levels making the operation of a meaningful electoral connection almost impossible. Instead of a single EU government, the Council of the EU represents currently 27 national governments. Thus, for a fundamental ideological and political shift to take place a change of government in a majority of Member States is a precondition, albeit one that is difficult to meet in practice. To make matters worse, the European Parliament still cannot oppose the Council in many important policy areas. Even if it did have the powers of a fully-fledged parliament, the lack of an electoral connection between the Members of the European Parliament and the electorate(s) would leave EU democratic representation wanting.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

It has to be understood that there is no single solution that will be a panacea to all the democracy problems of the EU. First of all, some of the problems are found also in national democracies (e.g. declining turnout, limited transparency, resistant party system) suggesting that they have to do more with broader political and social developments rather than just with the EU. Secondly, some responses can only be applied in the long-term because they touch upon national sovereignty sensitivities, while others are less radical and can be implemented without lengthy preparations. Finally, the political feasibility of a solution is an important constraint that needs to be taken into account. The table below summarizes a number of political responses to the EU’s democratic representation problems that vary according to their feasibility (the likelihood that they will be adopted by the leaders of the Member States) and the time horizon of the proposed measures. In any case, the list is but indicative.

<table>
<thead>
<tr>
<th>Response</th>
<th>Time horizon</th>
<th>Feasibility</th>
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<tbody>
<tr>
<td>Transnational candidate list in the EP elections</td>
<td>Short-term</td>
<td>Increased</td>
</tr>
<tr>
<td>Extension of EP co-decision powers</td>
<td>Short-term</td>
<td>Increased</td>
</tr>
<tr>
<td>Creation of an EU government accountable to the EP</td>
<td>Long-term</td>
<td>Very reduced</td>
</tr>
<tr>
<td>Commissioners appointed by the EP</td>
<td>Short-term</td>
<td>Reduced</td>
</tr>
<tr>
<td>Creation of fully-fledged EU level political parties</td>
<td>Medium-term</td>
<td>Reduced</td>
</tr>
<tr>
<td>Conducting European and national parliament elections simultaneously</td>
<td>Medium-term</td>
<td>Reduced</td>
</tr>
<tr>
<td>EU-wide referenda</td>
<td>Medium-term</td>
<td>Reduced</td>
</tr>
<tr>
<td>EP election campaigns organized and run exclusively by (fully fledged) EU level political parties</td>
<td>Medium-term</td>
<td>Reduced</td>
</tr>
</tbody>
</table>
4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

One of the topics that are worth studying further is the question of a European electoral connection. As noted above, the electoral connection is a cornerstone in the theory and practice of democratic representation. Whereas there is an extensive literature on the electoral connection in the case of the US Congress, it is extremely limited in the case of the European Parliament and the EU in general. Therefore, it would be useful to have a nuanced theoretical model linking the performance of the MEPs and the Commissioners with their re-election, re-nomination and re-appointment chances. It is conceivable that MEPs who wish to get re-elected behave differently than those who have different career preferences. For example, the former may be more likely to concentrate on constituency service, on their parliamentary duties and/or on appeasing their national party (which re-nominates them). Consequently, it would be equally useful to have the appropriate empirical data proving or disproving the existence of such a connection.
What, in your view, makes for democratic representation?

A democratic system should ensure different forms of representation; allowing for the diversity of interests to be represented and ensuring accountability of the overall system; electorally sanctioned representation is thus only one part of a more comprehensive system of representation, and the definition of democratic representation should not be limited to that.

What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

Democratic representation is not entirely independent from output-legitimacy. People may accept the political system because they are democratically represented even if they do not like the policy output, but that only works to a certain extent. As people are increasingly dissatisfied with the polity-output, as happens in times of economic crisis, the legitimacy of the democratic representation will be put into question. The challenge for the EU is twofold:

- how to offer an answer and narrative in terms of policy-output?
- the weak nature of the European public sphere. As long as politicians only address their national electorate, they EU will always appear as second order, technocratic, and easy target to act as scapegoat.

Which, in your view, would be the most adequate political response to this / these problem(s)?

- make politicians more responsive to European interest, but how?
- European civil society organizations should increase efforts to work nationally and locally by strengthening the European public sphere and go beyond their predominant focus on lobbying Brussels.

What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

- the functioning of public sphere;
- the role of intermediary actors;
- the link between input and output-legitimacy.
Carina Sprungk  
Assistant Professor, Free University of Berlin

1. **What, in your view, makes for democratic representation?**

Democratic representation requires that citizens can freely elect representatives who are able and willing to aggregate and express their voters’ interests. Despite the ‘decline of parliaments’ thesis, the main locus of democratic representation is still the parliament as the only institution which allows for universal representation (based on territoriality).

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

There are several severe problems regarding democratic representation in the EU, such as the varying representation ratios of MEPs, the absence of EU-wide political parties and the dispersion of decision-makers across multiple levels, which challenge traditional accountability relationships. Focusing on national parliaments as the locus of democratic representation in the EU, I see one pressing problem which has been sharpened by the Euro-crisis: the still largely inadequate adaptation of national parliaments to their role in EU affairs. Domestic legislatures have been considerably empowered throughout the last 20 years and have certainly become much more actively engaged in EU affairs. Yet, two problems persist: national MPs have tended to focus on their control function at the expense of their communication (or representative) function, and they have not always succeeded in performing their control function in an effective way.

EU membership has transformed parliamentary democracy and assigned new roles to domestic legislatures when acting ‘beyond national borders’. In fact, I would argue that the effective participation in systems of multi-level governance such as the EU requires national parliaments to become more ‘cooperative’ and more ‘inclusive’ institutions. Legislatures are increasingly dependent on obtaining information from external third parties such as other national parliaments and EU institutions for effectively controlling their governments. Yet, the effective processing of that information also requires an interaction between government and opposition parties, between European Affairs Committees (EACs) and standing committees, and between the parliamentary administration and MPs. The need to become more
cooperative and inclusive when dealing with EU affairs is challenging for national parliaments, as it blurs traditional divisions of labour, requires considerable resources as well as internationally trained staff.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

There is an urgent need to 1) increase legislative capacity for (ever better) processing EU affairs in national parliaments and to 2) socialize national MPs beyond EU affairs committees and across all party groups (ever more) into EU politics. Both the adequate control of government and the adequate communication of EU politics to citizens require increasing administrative and technical support by internationally trained staff.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

- exploring the emergence and impact of new accountability relationships;
- studying issues of transnational cooperation and the horizontal and vertical diffusion of ideas on democratic representation;
- analysing the socialization of national actors into new concepts of democracy and accountability;
- compiling comparable data on the Europeanization of national democracies across the (prospective) EU-28 Member States.
Stefano Stortone
Researcher, Catholic University of Milan

1. What, in your view, makes for democratic representation?

Democratic representation should be the result of natural, spontaneous and on-going forms of aggregation and kinship. Unless they find a suitable space at the political-institutional level, there will not be proper democratic representation. Of course, it does not solve the inevitable problems coming from the separation between the state and society. Therefore, institutional mechanisms which get society more involved and able to interact with the state and, vice versa, which make the state more transparent, will strengthen democratic representation. However, only the two requisites together make for democratic representation.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

It is well known that the crisis of contemporary democratic representation comes from the scarce capacity to govern territories and from the related crisis of legitimacy they face (sometimes they are not perceived as representatives at all). First of all, they seem to be too small for the large and global issues and too big to understand the ordinary problems and the small necessities. Second, they are perceived to be linked to somebody else’s interests and not to citizens’.

The most pressing problem – especially in the EU – is to me the territorial character of democratic representation. It is not just a matter of scale (there should be a ‘regional’ democratic representation), but a matter of disconnection between democratic representatives and the identity of citizenry and societies. This is most pressing especially in the EU as the territorial foundation of democratic representation does not allow the EU – which is now basically the sum of national representatives – to be as cohesive as it could. From this point of view, these problems have been sharpened by the Euro-crisis, to the extent that democratic representation seems to be perceived now as unable to deal with global problems and replaced by technocrats.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?
Some of the most adequate and immediate response could now be that of increasing the mechanisms of participation form the bottom-up and of transparency: one is an instrument of empowerment, the other of accountability. Both should ‘reconcile’ the state with society or perhaps generate new active and creative involvement of citizens and civil society. There exist several initiatives which directly involve citizens at the local and at the national level. Several studies and scholars stress the positive results of such practices to the governance in terms of social capital building, strengthening social cohesion if mostly in terms of efficiency of public policies. Among the most interesting ones there is the idea of participatory budgeting on the one hand and that of open government on the other.

Participatory budgeting is a participatory process which is fairly different from the typical deliberative initiatives to the extent that it aims to reform political structures in a deliberative way, introducing new mechanisms of representation and decision-making into the overall system of government, rather than to introduce occasional and commissioned events like citizens’ juries or the so called ‘mini publics’. All of this will be fine at a very local level. At the national and European scale, democratic representation could be strengthened by increasing accountability through the use of new tools of transparency and p2p cooperation, which can be resumed under the label ‘open government’ or ‘we government’, and which give citizens the capacity to debate and at least participate in the implementation of public policies. Lastly, at the EU level, it would be interesting to think of a single European election where parties and candidates should be linked all over the countries.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Rather than focusing on the best way to rescue the modern democratic representation, I believe it would be necessary to search for alternative forms of political/democratic representation beyond the traditional territorial one and much closer to the more spontaneous forms of social aggregation. Problems seem to come from the nature of democratic representation and the relation between state and society: debating on how to overcome the territorial character of democracy means debating over the very meaning of democracy and of its institutions. Accordingly, there are two strands to follow:

- look at case studies of good practices that embody social and political innovation;
- reflecting theoretically the nature of society and democracy: is the modern concept of society and of state-society relations feasible? Is the modern democratic framework (and representation) really democratic?
This means that we should move back to the paradigm through which we observe the reality and we make solutions. Relational or network paradigms seem to be appropriate to explain this era and to reflect on democratic representation in terms of natural and spontaneous aggregation, according to the extraterritorial nature of the present-day communities.
1. **What, in your view, makes for democratic representation?**

Democratic representation (DR), broadly speaking, is a form and a process. As a form, DR relates to any expression/symbolization of the collective will. It is in other words made by the claim of someone to represent the collective will. As a process, DR is about collective will formation. DR is made here by the contestation of all who claim to represent the collective will. The assumption of DR (in contrast to other, non-democratic forms and processes of political representation) is further that this contestation is about the validity of particular norms that apply to collective will formation. These norms are:

a. all can participate in the formation of the collective will, i.e. raise representative claims (equality condition),

b. representative claims should be informed and substantive (rationality condition),

c. all can listen to representative claims (publicity condition),

d. the expression of the collective will should have a chance to become effective (empowerment condition).

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

Given this contested quality of DR, the question is how a process of collective will formation can be sustained over time and grounded in a particular normative and institutional setting that creates a balance between the exercise of political authority and the support of those who are submitted to it. In the nation state framework, systems of political representation relate back to the relationships of generalized trust among the citizens. There is however a paradoxical relationship between democracy and trust, as pointed out by authors like Mark Warren or Claus Offe, in the sense that trust often undermines the well-functioning and control of political institutions as well as the critical capacities of the citizens. At the same time, democracy cannot do without trust in the form of social capital and the readiness of individuals to cooperate and accept the rule of majority. Good democrats need to trust and to mistrust their government, they need to find a balance between obedience and control that facilitates the routine functioning of every-day decision-making and implementation of political power.
European integration, in general, has questioned the relationship between democracy, representation and trust. In absence of relationships of generalized trust among the citizens, the exercise of political authority is perceived as arbitrary. There is, in other words, no mediating structure for the multiple claims of political representation that are raised in the EU setting. There is no correspondence between the voice of the many who claim to represent and the reception of this voice by the body of citizens. The EU has no deficit in terms of actors and institutions who can legitimately claim to represent and to channel the will of the people. It has also no deficit in terms of norms and procedures through which these claims are given expression. Yet, the EU has a deficit of amplifying these claims and meeting the type of resonance and reception that turns the representative claim legitimate in the eyes of the many.

The constitutional, institutional and monetary debt crisis is both to be seen as a symptom and as a driving force of this general malaise. It has been both conditioned by the lack of generalized relationships of trust among the Europeans as it further undermines trust and exacerbates social and cultural cleavages.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

Government or even worse ‘governance’ has only limited capacities to build trust relationships. In the EU setting, it is not even clear whether trust correlates with ‘good governance’ in terms of performance and – as the ideology of the EU states –creating equal living conditions. If anything, trust relationships rely on the functioning of mediating infrastructures that link the citizens vertically and horizontally. The EU should invest in such mediating structures and processes but, at the same time, needs to guarantee and respect the autonomy of mediating structures and processes. An unexplored potential for creating communicative bonds among the citizens is the Internet. Online forms of communication can reconnect political representatives and constituents in a transnational setting. The European Parliament for instance has made positive experience in creating online communities through Social Media (Facebook) but so far lacks the resources for creating also mass publicity.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

Research on DR in the EU should not only focus on the design and functioning of formal representative settings but also on the informal ‘making of’ political representation. This includes, in particular, the conditions for the creation of resonance and acceptance of representative claims. There is thus a need to further understand and observe the ‘making
of DR in and through the mass media. For instance, by applying methods of media research, EU studies could further analyse how generalized trust based relationship can be mediated, publically contested and supported. Media research is further useful to understand the challenges in the ‘unmaking of’ DR in the EU through politicization, the spread of Euroscepticism and general mistrust with representative institutions.

A further challenge relates to the understanding of the discrepancies in trust resources among the diverse populations in Europe (low trust countries in Southern Europe and high trust countries in the North). It needs to be explored how political crisis further exacerbates these discrepancies and leads to the salience of new cleavages (e.g. North and South) that further fragment the political space of the Union instead of providing for its unitary representation.
What, in your view, makes for democratic representation?

Although it was born autonomously from democracy, and in modern history also before the democratic transformation of the state, representation has contributed in making that transformation possible when was combined with election by individual suffrage. Representation makes issues public and actually designates a public way of thinking and acting since it introduces a distance between the actor and the deed: although the representative has no imperative mandate, she is not like a private actor who listens to her own will alone. Moreover, representation entails limitation of power in and by itself because all deeds and the doer are subjected to the judgment and verdict of the electors. Both characteristics make it open to democracy, which also denotes a public (political) way of behaving (in front of others and in order to make decisions that pertain to public issues) and power limitation (decisions always open to a change and made according to the rule of majority).

In addition to these endogenous characteristics of publicity and power limitation, representation makes additional contributions to democracy – indeed, it takes away the personification of power. With Claude Lefort we may say that thanks to representation democracy is fully realized as public power (even more than direct democracy) because it actualizes the de-personification and thus displacement of power. Thanks to representation it is impossible to say that the power resides somewhere or belongs to somebody – when this happens, representative democracy is gravely challenged and under threat. Representation compels political power to become a process and in this sense a form of action that is open to question and made by a collective; it is disassociated from possession. Liberating power from possession (anti-patrimonial) and making it truly public because a question of acting in public (procedural doing) and under public scrutiny: these characteristics allow the actualization of democracy as a political order whose goal is liberty and consent (equality in power) the means to attain it.

Finally, political representation stimulates and even provokes participation – be it in the form of party membership and militant action or of social and civil movements—because it cannot exist without being in relation with citizens (not only when they act as electors). A circularity of communication between institutions and extra-institutions is the current that links citizens...
and representatives. Moreover, since we talk not simply of electoral democracy but representative democracy, although representatives have no imperative mandate, there is implicit in their function a sort of political mandate they receive from the electors, who seek also advocacy and in this sense look for a correspondence of ideas or programs between them and the elected. Both advocacy and representativity are however not legally codified. They are instead the expression of political participation, of the voluntary decision citizens make to make their voice heard beyond the Election Day. Precisely because of the promises or requests that the electoral designation of representation stimulates, representation injects a wave of participation in society and contributes in making it permanent crossed by criticism, contestation, complaints, petitioning, etc.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

One of the main problems is the abandonment of the political project of continental federalization, which means the formation of a state-like structure, with decision-making institutions that are accountable and subjected to the control of the checking powers of a supreme court. Finally, as a cogent political system that relies upon representation it needs political parties. The present state of crisis of the EU casts light on the negative implications that the abandonment of this project of political integration involve. The paradox of the actual central bank is that, since there is no central political authority in relation to which it can claim and define its autonomy, is plying quasi a sovereign function and yet is not sufficient authoritative in front of the financial power of private corporations. According to classical and modern categories, a political space in which a non-political actor rules is despotic. Representative institutions are thus needed in order to give public identity and political dignity (and authority) to the EU as a democratic form of power.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

As said above: first of all, building federal institutions, or creating the political bodies of the EU. To this end, the formation of European political parties would be urgent. As for the current economic crisis the crucial step to be made would be to institute a mutual debt or transforming the nation states’ debt into a problem for and of the entire continent. It is interesting to recall that democracy in Athens started with the solution to the problems coming from debt, in particular the problem of dependence of the indebted to the creditors which produced a true despotic system of domination in which one the stronger ruled. Solon adopted the cancellation of debt in order to equalize the power to make decisions (without
the need of equalizing economic power). The EU would need to government collectively the
debt of its Member States in order to equalize the power of the states. As a Union, Europe
cannot be ruled by states that have unequal power, and on the other hand, it cannot persist if
its member-states do not share a commonality of destiny, and inject a sense of solidarity at
the continental level. A common political history cannot be made only of successes and
achievements; it needs to be also made of hardships that impose an action by concert.

4. What, in your view, should be on the research agenda of scholars interested in
democracy in the EU?

Studying the procedures and institutions that better can contribute in guaranteeing political
decisions according to the principles of representative democracy, namely control,
accountability and surveillance of the political actors – going back to Altiero Spinelli’s 1941
vision thus, but after the enrichment that came through the last six decades from the
regulatory experience that the EU was able to accumulate.

Finally, an important task for scholars and citizens alike would be that of activating an
institutional imagination, a task that belongs peculiarly to democracy since its inception.
Through its long and honorable history, democracy has shown great imaginative ability to
devise institutions and procedures that are capable of solving problems that democracy’s
political process of decision prompts. Just to mention a few well known paradigmatic
examples, ancient Athens dealt with the ‘tyranny of the assembly’ by regulating the process
of law proposal and promulgation with some sophisticated procedures known as graphe
paranomon; in the eighteenth century, American colonies created constitutional conventions
to give themselves a political order based on consent; in the nineteenth century, European
liberal states perfected representative government in a way that would make it capable of
absorbing the democratic transformation of sovereignty in large territorial states; after the
deacle of totalitarian and dictatorial regimes based on consensus, post-World War II
constitutional democracies succeeded in limiting the power of elected majorities with both the
rule of law and party pluralism, thus adopting a complex strategy of institutional innovations,
juridical and political. In short, democracy survived in difficult times and circumstances
thanks to its uniquely fertile institutional and normative imagination and innovation. What can
be the institution devising for making the European Union stronger and more democratic?

It is thus urgent to reconsider the nature of representation in democracy itself in order to
adapt it to Europe. The aim here is not to try to fit experimentalism into the existing forms of
representative democracy, but rather to re-examine representation and democracy from the
perspective of experimentalism in hopes of finding new sources of legitimacy that help
address commonly recognized defects of modern self-government. It becomes here relevant what I have said in answering the first question, namely that representation is a means of instigating broad deliberation and exchange of ideas between representatives and the represented that breaks the mold of the principal-agent relation as a useful starting point. To illustrate the promise of such a program, I relay on my reinterpretation of Condorcet, which may serve as a general frame or heuristic for further inquiry into the possibly changing nature of democratic representation.

We should focus on Condorcet’s 1793 proposal for the constitution of revolutionary France as a ‘third way’ alternative to mirror-like radical approaches that have marked the debate over democracy since the eighteenth century: the mystique of sovereignty as immediate and existential presence and…electoral democracy as the death of sovereignty. Condorcet wanted to avoid a polarization between the constituent power outside institutions and the constituted power residing in them. To do this, he aimed to establish a circulation between the outside and inside of state institutions, at once improving the deliberative quality of collective political judgments and avoiding an oscillation in society between de-politicization and anti-constitutional mobilization. Put another way, Condorcet saw the constitution as an instrument to disseminate broadly the capacity of political judgment.

To achieve this general end, Condorcet unbundled the citizen’s right to sovereignty into the right to select and elect representatives, the right to revise the constitution at regular intervals, the right at any time to propose constitutional amendments, and the right to propose new laws or repeal existing ones (which latter could, given the fulfilment of additional requirements, precipitate new elections). Condorcet’s institutional system, based on a pyramid of assemblies stretching from the local to the national, was highly elaborate and most probably unworkable even in the circumstances in which it was proposed, to say nothing of its suitability for the circumstances we know. But the intent was original and promising. By making judgments both about laws and constitutional norms frequent and corrigible – that is by establishing a continuous “circulation” between enactment within institutions and reflections on their aptness outside them – Condorcet deliberately aimed to make political judgments more deliberate or in his language less “immediate” and unreflective. The same rapid circulation of judgments from society to political institutions and back, and thereby their on-going transformation, puts Condorcet outside standard principal-agent conceptions of representative democracy.

These features of Condorcet’s conception invites us to shift accountability from backward (election) to forward-looking and in effect stretches decision-making out in time, replacing a
single conclusive judgment (voting) with a succession of avowedly provisional and corrigible ones and thereby creating a scheme of facilitated rule-revision, that increases deliberation and broader participation, coming from the various layers of citizenry in the EU – from the municipal towns to the regions and regional metropolitan areas. Reflection at this broad level of generality does not tell us precisely how to design the institutions. Nonetheless, it is an invitation to advance inquiry by suggesting where to focus our design efforts. We would need for sure new mechanisms of peer review, of forward-looking accountability, of collecting information and monitoring that can influence the nature of decision-making in the making, thus going beyond the Election Day and the delegated authorization of the elected. This delegated system (based on principal/agent scheme), which is already unsatisfactory at the national level, would be even more so at the continental level. EU democratization cannot result from extending at the continental level the institutions of national representative democracy. Europe should be able to make the permanently self-amending character of democracy a source of energy – with mechanisms of penalty defaults that come when an oversight institution rejects a current practice as illegitimate without imposing an explicit alternative – more or less like Condorcet proposed in his days.
Diana Wallis
Former Liberal Democrat MEP & Vice President of the European Parliament

1. What, in your view, makes for democratic representation?

The question specifies democratic representation – this would indicate a model based on representative as opposed to participatory or direct democracy. In this case it is important that representatives be as ‘diverse’ as possible. In a sense the EU is ‘diversity’ given the differing heritage of MEPs in terms of nationality, culture and language. Of course there is also a need to ensure a proper mix of gender, age and class. On top of this, a diversity of different life experiences is desirable, so as to move away from a professional political class. It might for instance be desirable to say that no parliamentarian could serve more than two consecutive terms. This might help ensure that a large number of those elected have recent experience of ‘ordinary’ life in their community and society. It would also mean that parliamentarians have nothing to lose or gain within internal institutional or party systems, as they will be leaving after a certain period anyway.

2. What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?

A desperate lack of knowledge and perception as to how the EU ‘democracy’ functions. It is much better than most people assume. There has been a failure, especially in the UK, but not only, to make the link between national governments’ daily participation in what happens in the EU, and the European institutions themselves. Also the European Parliament should do much more to achieve a sensible practical working relationship with national parliaments. This relationship should be made visible nationally. For example, an annual debate at Westminster on the Commission Work Programme and/or the EU budget but with MEPs allowed to participate. Europe, and national political participation in the EU, needs to be seen in national life and in national media.

Europe needs to become part of the normal accepted part of our structure of governance stretching seamlessly from parish, to principal authority, to Westminster to the EU. We need to start debating and seeing the issues the EU is dealing with, rather than the EU being the issue. So stuffing the EU committee at Westminster full of Eurosceptics rather than involving those who are interested in the various policy issues under discussion is counterproductive to both engagement and indeed ultimately our representation.
3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

As indicated above giving greater visibility nationally of the European decision-making that is in any event taking place at a national level. Transparency, in relation to that process, particularly the lobbying and consultations that are conducted by and towards national ministries. Making the politics of Europe more visible, the choices made by the various political families, more roll call votes in the plenary of the EP and its committees.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

   - The relationship between the national and the European level particularly given the new role of national parliaments;
   - The ‘European’ lobbying of national ministers;
   - How the participatory elements of the Lisbon Treaty develop, especially the ECI, whether there is scope for greater use of citizens consultations / forums pre legislation. How do we involve / inform citizens about EU democracy?
   - The failure to Europeanize national political parties;
   - The still rather unexplored area between the courts and political decision-making or power in the EU.
Lord Stewart Wood
House of Lords, Strategic Advisor to Ed Miliband and Shadow Minister, London

1. **What, in your view, makes for democratic representation?**

Democratic representation requires two types of legitimacy to be satisfied: a procedural legitimacy (whereby those who act with political authority owe their positions to those whom they govern, and can be removed by them in regular elections run according to rules based on consent); and a substantive legitimacy (whereby the institution to which representatives are elected is seen as having authority, and being effective, over a certain domain of issues).

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The European Parliament is the democratic representative institution in the EU machinery, yet it lacks legitimacy for a number of reasons. Its role is not central to issues that people care about. People do not accept the logic of majority rule at the EU-level and therefore do not consider the European Parliament to be a parliament in any analogous sense to those at national level. And the Parliament is part of an EU institutional set-up whose rationale and effectiveness are doubted by millions of Europeans. Giving people more control of the EU is therefore not equivalent to strengthening the European Parliament.

3. **Which, in your view, would be the most adequate political response to this / these problem(s)?**

Giving national Parliaments a greater role in EU policy-making is one possibility. But the main issue should be to concentrate on improving the effectiveness of EU institutions, before worrying about making them more democratic.

4. **What, in your view, should be on the research agenda of scholars interested in democracy in the EU?**

There should be better evidence about those issues that people are prepared to see governed according to majoritarian principles at the EU level. I would also like to find out whether people would prefer democracy or effectiveness of the EU as their priority for any reform agenda.
Nikoleta Yordanova  
Research Fellow, University of Mannheim

1. **What, in your view, makes for democratic representation?**

Democratic representation can essentially be defined as the translation of the range of societal interests and preferences into governmental decisions and policies. If we employ this simple definition, political responsiveness is the primary condition for achieving democratic representation. This brings to the fore the question whose interests individual representatives should cater to. In other words, should they act as ‘trustees’, representing the wider public interests, or as ‘delegates’, representing the interests of their local constituents? On the one hand, the ‘delegate’ model can lead to ineffective government and legislative gridlock if decision-makers uncompromisingly protect their own vested interests. On the other hand, the ‘trustee model’ relies too much on individual competence and allows for a lot of individual discretion on what constitutes the common good, which is prone to lead to decisions that leave a wide range of societal interests unrepresented. Given the vagueness of the notion of ‘general interest’ and the increased sophistication of the nowadays voter, I believe that a middle ground model or even one leaning toward the ‘delegate’ model, which gives voice to the people’s preferences, is best suited for modern democratic representation.

2. **What, in your view, is the most pressing problem / are the most pressing problems in regard to democratic representation in the EU and has it / have they been sharpened by the Euro-crisis?**

The first question that arises when thinking of democratic representation in the EU is what constitutes the constituency of politicians – the people in their electoral regions, their national parties, their countries, or the EU citizens at large? The lack of clarity on this question has revived the ‘trustee model’, whereby once in office EU decision-makers justify their political choices by resorting to notions of competence and what is right or wrong for their countries and future of the Union at large rather than seeking to base these choices on concrete societal preferences. With their limited involvement at the EU level and reluctance to offer clear alternatives at the European elections, national opposition actors leave this behaviour largely unchecked. The notion of opposition does not even exist within the Union. The end result is EU decision-making that is largely free of domestic constraints, only remotely subjected to electoral control and, consequently, detached from, or even unresponsive to, the citizens. The most pressing problem of democratic representation in the EU is, then, the ensuing disconnection between European citizen’s preferences and EU decisions.
The Euro-crisis has further exacerbated this problem. It has given rise to important decisions being taken by a ‘core’ of powerful Member States outside the Community framework. The informalisation and de-collectivisation of decision-making for the sake of efficiency has also become attractive within the EU, leaving to the bulk of political representatives only the possibility of rubberstamping already made decisions they did not partake in shaping. The increasingly common fast-track policy-making mode outside the formal institutional settings in secluded trilogue meetings of representatives of the legislative institutions has made it more and more difficult to hold the actual decision-makers accountable, too. This is because the positions the different actors hold, their bargaining power in asserting these positions and the basis on which they strike compromises are not always transparent. As a result, it is difficult for citizens to identify with their representatives and the decisions these representatives take.

3. Which, in your view, would be the most adequate political response to this / these problem(s)?

The most adequate response to these problems, in my view, is increasing the transparency and openness of EU decision-making. While this may decrease the efficiency and the potential to form minimal winning coalitions, it would increase the input and perhaps also the output legitimacy of the Union, thus improving democratic representation. Indeed, the decision-making within the European Parliament is already quite open. Measures were taken in the Treaty of Lisbon to enhance the transparency of the Council of Ministers’ work, too. However, this has been accompanied by a trend of increasingly common fast-track bicameral decision-making in informal and secluded settings. A concrete measure to improve the situation would be either to re-formalize the EU policy-making process or to open the inter-institutional meetings to external observers and contributors to the debates. While increasing the transparency of inter-governmental conferences may be even more difficult to achieve, given the collective impact of inter-governmental decisions, more should be done to assure that no Member State is left unrepresented or even excluded from final decisions in order to assure the survival of the Union.

4. What, in your view, should be on the research agenda of scholars interested in democracy in the EU?

I suggest three themes for research on EU democracy.

Firstly, surprisingly little is known about the impact of formal versus informal policy-making in the EU on the responsiveness of adopted legislation to societal preferences. For instance,
how does the composition of the parliamentary representation in legislative trilogue meetings with the Council of Ministers and the European Commission affect the kind of legislation the European Parliament endorses and whom this legislation serves? Also, what alternative means or arenas of affecting legislation do the parliamentarians not present in trilogue meetings have and resort to – amendments in committee and plenary, protest ‘no’ votes on inter-institutional compromises, etc.?

Secondly, how is the exclusion of the UK from the recent fiscal treaty signed by EU Member States expected to affect the future of the European Union? Does this future depend on the responsiveness of the EU to the interests of ‘all’ Member States?

Thirdly, scholars need to further consider alternative electoral formula for the European elections to tackle the detachment of EU decision-makers from their electorate. While this is an old topic, it is very much alive. The Constitutional Affairs committee of the European Parliament has recently adopted a report on the election of 25 MEPs in an EU-wide constituency. Yet, this report is meeting a lot of opposition within the Parliament itself. What alternative electoral rules can be designed to improve the current system, which could receive more support?