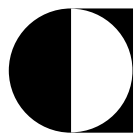




# EMOTIONAL INTELLIGENCE FOR EU DEMOCRACY

Heather Grabbe and Stefan Lehne



**CARNEGIE**  
EUROPE

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**EMOTIONAL INTELLIGENCE  
FOR EU DEMOCRACY**

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## About the Authors

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## Summary

The European Union's dwindling democratic legitimacy is an acute political challenge. Trust in EU institutions is declining even in countries where the union once had high levels of support. Populist parties are rising and turning against the EU. To restore its legitimacy, the EU needs to respond to public apathy and anger with emotional intelligence and offer solutions that feel relevant to people outside the Brussels bubble.

### How the EU Disappoints

- To ordinary citizens, EU institutions appear distant, elitist, and difficult to understand. The euro crisis has reinforced the trend toward EU-level technocratic solutions at the cost of democratic political deliberations.
- The EU has more accountability mechanisms than other levels of government in Europe, but the complexity of the system makes the union seem even more obscure and distant to citizens.
- Many of the great achievements of European integration benefit individuals and businesses that are already successful. The vulnerable parts of society see the EU as a threat to the remaining protective functions of the welfare state.
- Giving more powers to the European Parliament cannot solve the problem. Parliamentary elections consist of parallel campaigns in each EU country that are dominated by national politics. As long as that persists, the European Parliament cannot fully connect citizens to the EU.

### Ways the EU Can Rebuild Trust

**Upgrade technology to enable greater citizen participation.** The European Parliament needs to connect with citizens through cyberspace to put itself at the heart of transnational public debates. EU institutions could interact with national parliaments more systematically and engage directly with local and regional public assemblies by using Internet-based technologies. Citizens would engage more if they knew about opportunities for direct and web-based participation and had access to deliberative mechanisms.

**Provide more ways for citizens to have their grievances addressed at the EU level.** The protection of individuals' rights at the EU level has become much stronger in recent years, but the public is largely unaware of these efforts



and sees rights as mainly applying to minorities. The EU should widen access to justice and ensure more consistent protection of fundamental rights—and better explain these opportunities to citizens.

**Deliver more security and better living standards to citizens, especially to the people who feel left behind by globalization.** If the EU became associated with safety nets for citizens, not just austerity and fiscal discipline, it would enjoy greater support. Well-targeted, EU-level schemes to ensure job opportunities and minimum unemployment insurance would go a long way toward reassuring citizens.

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## How the Citizen Experiences EU Democracy Today

In 2014, well over half of the European Union's (EU's) citizens found the European Parliament (EP) elections so boring and irrelevant that they stayed at home. One in four of those who did bother to vote chose populist and anti-EU parties.<sup>1</sup> The EP's election slogan was "this time it's different." To citizens, it felt like more of the same.

Politicians in Europe are out of touch with the voters. The critical component—how citizens experience democracy at the EU level—is not considered often enough in debates about the EU's democratic future. Disappointing experiences have driven voters to anger or apathy.

To restore its legitimacy, the EU needs to respond to that anger and apathy with emotional intelligence. Proposals for reforming the EU should be judged by whether they affect the experience of democracy as felt by citizens. Consider the experiences of five Europeans from very different walks of life.

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**Proposals for reforming the EU should be judged by whether they affect the experience of democracy as felt by citizens.**

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### **Alekos the Pensioner**

Imagine your name is Alekos. A pensioner in Athens, you don't trust the Greek government, which has cut your pension to below the poverty line. You hear stories that politicians have been colluding with banks to divert taxes to pay bonuses. To you, national politicians are self-serving members of a privileged class who capture the gains of globalization for themselves and their business cronies and give jobs to their children instead of ordinary people. You used to trust the EU more, but after the euro crisis it seems to be an anonymous, distant, and out-of-control power that can ruin your life without your even having a say. Your grandson persuaded you to vote for the radical-left Syriza party in the European Parliament election because it promised to save your pension.

### **Nathalie the Store Clerk**

Imagine your life is Nathalie's. As a checkout operator in a supermarket in the French city of Lille, your access to power in Brussels seems a million miles away. Your former job in the steelworks administration has been permanently moved to China, and EU-funded retraining programs you've participated

in don't lead to job offers. You voted for the far-right National Front, led by Marine Le Pen, because it promised to protect French jobs.

### **Dimitar the Young Blogger**

Imagine you are Dimitar, a blogger in Bulgaria's capital, Sofia. At thirty years old, you still live with your parents, and your main concern is to constrain the excesses of the most corrupt national politicians.

Before 2007, you had hoped that joining the EU would stop rich businessmen from driving through red lights in the city and end the gangland shootings outside your apartment building. After Bulgaria's accession, you were glad to see new motorways and bridges with plaques thanking the European Regional Development Fund.

You join public protests against graft, but the EU doesn't seem to offer you any way of calling corrupt politicians to account beyond your blog posts. Although you had hoped EU membership would change the system, the EU appears to offer more money and power to those who already had both. You didn't bother to vote in the EP elections, along with two-thirds of your fellow Bulgarians.

### **Katarina the Factory Worker**

Imagine you are a Roma woman, Katarina, with a job plucking chickens in a factory in the Slovak city of Košice. You are supporting an extended family of ten with your wages, so you dare not complain about the sexist and racist behavior of the factory owner. A Roma activist told you about EU funding for education and health services to help your community, but you don't know how to find out more. You were offered €10 to vote for a protofascist party, Smer. You have heard members of the party ranting about Roma, but you took the money because your children need shoes for the winter.

### **Helmut the Businessman**

Imagine you're living Helmut's life. As a German-born entrepreneur, you run your own catering company in the Netherlands and travel all around northern Europe. You are very angry about stories you read in Bild that your taxes have been used to subsidize Greeks who apparently retired when they were fifty years old. You got a notice in the mail that you could vote in the Netherlands as a German citizen, but it just seemed too complicated and irrelevant to bother.

### **Flaws in the System**

All of these individual Europeans have experienced frustrations about democracy, no matter their socioeconomic status. They find local and national politics annoying and unresponsive to their needs, hopes, and fears. The EU should be able to help them, in theory; but in practice it seems faraway, top-down, technocratic, obscure, unfair, and unaccountable. Some of these problems are

perceptions that are not matched by reality, but others are very real. A look at what has driven EU voters to anger or apathy highlights innovations that would improve how the EU touches citizens' daily lives and the many ways in which individuals interact with EU-level politics.

Some of the EU's flaws can be remedied, but others are intrinsic to the design of European integration. The EU does not have the democratic polity of a nation-state. The disconnect from direct democracy is to a large extent hard-wired into systems of supranational governance. Any institution that was created to forge consensus among governments will necessarily be at one remove from the people who elect them. When national leaders make decisions collectively, they inevitably seem unfair in different ways to different voters.

When the French and the Dutch rejected the proposed European constitution in 2005, they made it clear that the democratic disconnect cannot be remedied through constitutional changes. Treaty change is necessary to reform those institutions in ways that would generate greater trust, but trust has declined so much already that even treaty change designed to enhance democratic participation would not pass a referendum in several member states.

The euro crisis has made the democratic disconnect more than a theoretical issue for millions of citizens because they have experienced the negative economic impact of EU-level decisions in their daily lives. They feel angry about decisions, such as austerity measures, that they consider to be unfair, harsh, or overly burdensome. They have not experienced much on the positive side to counterbalance all the bad news from the EU about the crisis.

Usually defenders of the EU argue that it has already delivered great benefits to all its citizens for more than half a century through peace, stability, and prosperity. This is a huge and important truth. But these gains are taken for granted now; they can no longer sustain popular support for a top-heavy political system. The EU has problems with both input and output legitimacy.

Politicians and institutions should become more emotionally intelligent about how they engage citizens—not just by showing that they sympathize, but by making incremental changes, however small, that enhance the benefits of European integration as experienced by ordinary people. If voters truly felt that politicians took them seriously, their confidence in the system would rise. They need to feel their voice is heard on issues they care about and to see personal and individual benefits from European integration.

Individual Europeans today expect better quality of service, more responsiveness to their needs from the private and public sectors, and obvious personal gains. They also expect more direct involvement in the European project than their grandparents had when it began in the 1950s, and are less deferential than

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older generations. These sophisticated consumers want a more user-friendly experience of politics. But politicians and institutions have not caught up with them.

Much has been written about the EU's democratic legitimacy in terms of law, political theory, and public policy. This paper considers how it feels to the individual citizen. The first step toward meeting voters is to understand them—to make EU citizens' problems real instead of theoretical—and then to forge solutions relevant for people outside the Brussels bubble.

## How Political Disconnection Feels to the Citizen

### Faraway

For people who are not connected to the EU elite, especially those who mistrust their national leaders already, the need for a supranational layer over all the European governments is not self-evident. Identity is still primarily national, and so is political legitimacy.

Only 46 percent of Europeans feel attached to the EU, whereas 52 percent feel no such connection; by contrast, 87 percent feel attached to their town or city, and 91 percent to their country. European identity exists, but it is weak: only 9 percent identify themselves primarily as European, whereas 87 percent give their nationality as their primary identification.<sup>2</sup>

This is not surprising after hundreds of years of nation-state building in Europe, compared to sixty years of European integration. But time is not the only factor. Heterogeneity also affects how warm and fuzzy people feel about Europe. Its diverse cultures, histories, and lifestyles are Europe's wealth, but in many places that diversity does not generate a sense of belonging together. The three dozen languages used in the European media also make EU-level politics seem faraway. News is reported in silos because the press coverage is in different languages, and there is no pan-European newspaper for millions to read the same stories.

Identification with the union is strongest in countries with weak national identity or dysfunctional central institutions. If individuals—Bulgarians or Italians, for example—don't trust their own national elite, they might prefer it if faceless bureaucrats in Brussels constrain the excesses of that elite. Yet in the past five years, support for the EU has fallen most dramatically in Italy—mainly because the euro crisis forced austerity measures on Rome that caused unpopular reforms.

Opposition has grown for a different reason in the United Kingdom, where much of the national press has bashed the EU for decades. Many UK citizens have the impression that anything gained at the EU level is a loss of autonomy for their country. But the institutions in Brussels seem distant and foreign to

many other Europeans, too. Attempts to build a European identity through the traditional means used in nation-states, like common flags and anthems, have failed.

*What Nathalie the checkout clerk sees of EU summits on the French evening news does not give her a sense of ownership and inclusion. Pictures of ministers in expensive suits arriving at shiny buildings in chauffeured cars to negotiate with similarly privileged politicians don't make her feel represented and part of the debate. Brussels seems a million miles away from her daily life, even though it's just up the motorway from Lille.*

When EU institutions impose painful measures, many Europeans ask themselves why they need to exist. They are not accepted features of the political space in the way that national political institutions are.

*Alekos might get very angry with his national government for closing down hospitals because of austerity efforts, and he might want to "throw the bastards out." But he doesn't question the need for a national Greek government.* By contrast, if an individual is angry about EU-imposed measures, he or she might reject the entire EU project—from its treaties to its institutions.

Wholesale rejection of the union is gaining popular support because in many countries, the EU is perceived as an amplifier of globalization and a symbol of those states' loss of power. The crises in representative democracy at the national and EU levels concern the same issues—frustrations about globalization and the growing incapacity of states to ensure jobs, public services, and welfare. But those frustrations are expressed in different ways.

For Europeans who want to regain control of their national destiny, there might still be hope that national leaders can help—so they protest outside the national parliament. The EU seems so faceless and remote that its citizens don't believe they have any say there—despite the union's elaborate system of multilevel representation. Brussels-based institutions seem like part of the reason why individual countries are at the mercy of international markets rather than the means to defend ways of life.

## Top-Down

This distance is partly the result of design. The officials and politicians who work in the institutions in Brussels inevitably live further removed from what is happening in European societies than national and regional politicians do because of the way the system was built.

European integration was created through elitist decisionmaking. High-level bureaucrats and politicians started the process with little public discussion. Postwar governments in the 1950s and 1960s had less public involvement than today's governments, and negotiations between countries were the preserve of

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the political elite. The culture in EU institutions still bears traces of the 1950s mentality: top-down, inflexible, process-oriented, and based on the assumption that Brussels knows best what is in the European interest.

EU officials were created as a “priestly caste” of elite technocratic functionaries who were encouraged to forget their own nationalities and commit themselves to the European cause. The EU was set up to foster European integration by building projects around long-term goals to which its member states agreed. These projects were always intended to be largely isolated from the vicissitudes of national politics so officials could work on them consistently over many years and through many changes of government. The officials were never supposed to be as responsive to political change in one country or another as their national counterparts.

The European Commission, which initiates all EU legislation and oversees its enforcement, is modeled on the traditional French system of administration: very hierarchical and staffed by a merit-based elite, who enter through a tough competition and then stay in the institution throughout their working lives. The founding belief is that insiders should be loyal to their institution above all, with expertise in administration rather than a particular policy area.

The center of the EU political system is the community of law, which inevitably involves institutional rigidity, technical expertise, and incomprehensibility to outsiders. These characteristics can earn the public’s respect for institutions—for example, constitutional courts are held in high esteem by the public in Germany and Ireland—but they are not user-friendly.

The law is also inherently top-down: it constrains rather than enables, and it is authoritarian because it requires the enforcement of rules. Individuals may know that their government has to enforce the law, but they can still resent the ensuing reduction in personal freedom. When that restriction comes from outside their country, the resentment grows.

The European Parliament was created in part to bring the EU closer to the citizens, initially as an assembly of national parliamentarians and then directly elected members from 1979. But this democratic innovation and others did not occur because of popular demand. Rather, they were imposed from above by governments that envisaged an eventual federation.

This is the opposite of the modern idea of participatory policymaking through deliberative processes and flexible institutions that are open to new management methods and expertise from outside. Many EU-level policymakers’ understanding of the daily social reality felt by individuals in different parts of Europe is broad-brushstroke at best. They might meet checkout clerks like Nathalie when buying a sandwich, but they seldom meet Katarina or Alekos in their daily lives.

## Unfair

In their daily lives, many European citizens do not perceive the benefits of integration. The EU does not fail to deliver benefits—they are just asymmetrical and only become apparent over a long period of time. Moreover, the costs of integration and liberalization tend to be felt acutely by the losers, whereas the widespread gains are not as perceptible to the beneficiaries. The media reports on closing factories and angry fishermen, but rarely on the slow gains in overall prosperity that have resulted from more trade.

The heart of the European project is opening markets and opportunities, and that provides very tangible benefits directly to individual citizens, not mediated by their governments. Since the single market and Schengen area were created, people have enjoyed passport-free borders (40 percent say they have benefited from this), diminishing roaming fees (over 25 percent), cheaper flights (25 percent), more consumer rights (19 percent), medical assistance when travelling abroad (12 percent), as well as more possibilities to live or work in another EU country (10 percent) or study in one (8 percent).<sup>3</sup>

Many of the gains from European integration go to people who are already equipped to take advantage of them—those who are already more mobile, cosmopolitan, and employable and have resources such as education, city residence, and managerial or professional work experience.<sup>4</sup>

Trade deals benefit the well organized and economically powerful. Big business has always done well from the abolition of trade barriers, but smaller enterprises like Helmut's complain about the amount of resources it takes to adhere to harmonized regulations and standards—even though they benefit from the rules being the same in 28 countries. What little protection the vulnerable have is provided through national social security programs, not the EU.

From the start, the EU has tried to provide buffers to certain groups that were losing out from modernization. But the few workers that had always benefited from direct EU subsidies—the farmers and fishermen—now account for a dwindling proportion of the population. The EU also created policies and funding to assist the poorer parts of society through the Structural Funds and specifically the Cohesion Fund, which was designed to help Greece, Portugal, and Spain catch up with the richer members after they joined in the 1980s. These funds have financed a huge network of motorways and much other public infrastructure across the poorer and more remote regions of the EU. However, this money is not economically significant compensation for those who are losing out from globalization, as it accounts for less than half a percent of the EU's gross domestic product (GDP).<sup>5</sup>

The EU offers special opportunities for the young who are doing well at school. The Erasmus program has given 3 million Europeans the chance to

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study abroad, no doubt widening their perspectives, enhancing their life skills, and introducing them to friends and future colleagues in other countries. It is a great achievement. Yet, the program has benefited only 6 percent of the EU population over thirty years, according to the European Commission, and many students without parental support cannot afford to participate. *Dimitar the blogger's parents helped pay his rent so he could go to Poland on an Erasmus scholarship, but Katarina the factory worker's family could not even afford to help her finish secondary school.*

To the individual, the EU's claim to safeguard the famous European social model looks extremely flimsy. Much of the economic pain that citizens feel seems to have been imposed by the EU as a result of its fiscal disciplines, but it is not responsible for giving out the pensions, unemployment benefits, or housing that help those who are suffering from international competition. *When Nathalie in the supermarket hears about a trade deal with the United States, she worries that more jobs will leave Lille.*

Since the euro crisis, the costs have been acute and highly visible. The austerity policies imposed to reduce public debt and pay for bank bailouts caused massive disruptions, from cuts in social programs to mass redundancies of public sector workers, and drastically limited the protective powers of the state. Governments could not cushion the effects of economic interdependence by providing pensions and social security to those who lost out from the disruption of adjustment because their budgets were constrained. In debtor countries especially, the burden fell unfairly on those who could not protect themselves by moving their savings abroad or finding a job in a creditor country. This exacerbated the asymmetry of gains and losses from European integration. *To escape the crisis, Alekos's neighbors moved to Bavaria to join their son, who is a roofer there; but Alekos's son lacks the qualifications needed to get a job outside Greece.*

All this mirrors the larger effects of globalization, which tends to benefit disproportionately the stronger in society rather than the poor and vulnerable. The crisis has made the downsides of interdependence much more visible to individuals, and all the costs seemed to flow from euro membership—even though the problems had started long before the financial turmoil. No wonder people have started voting in record numbers for anti-EU populists.

### **Technocratic**

The EU's modus operandi is also out of touch with today's realities. The method for European integration invented in the 1950s by Jean Monnet, one of the EU's founding fathers, was to turn political disagreements into technical issues that could be resolved through extended negotiations among expert representatives of various interests. In the EU's DNA are managerial approaches to problems rather than open debates about them.

Accordingly, the political drama that provides public entertainment and elicits the interest of voters is missing. European integration is a terrible

spectator sport. The EU lacks a public arena for open clashes of interests with champions duking it out, and the political personalities are not photogenic celebrities—which is why colorful populists do well when compared to the gray technocrats. The fun is missing from the political contest.

This decisionmaking system is designed not to highlight who lost and won in the end. The union is the grandest of grand coalitions. All players must have prizes so they can praise decisions in their press releases. To eliminate barriers to trade and build a common market, it is essential to harmonize regulations. The basis of EU-level decisions about how to do this is deliberately kept below the political radar, because otherwise it would be impossible to make the necessary compromises.

Already in the 1990s, the permissive consensus that had allowed technocratic solutions was breaking down. Popular resistance to the EU's approach began to grow as the technocrats moved into policy areas that were politically sensitive, such as border control and visas. There was insufficient public support to create the political union that would have made the euro work properly. Publics began to reject new treaties in referendums—Denmark in 1992, France and the Netherlands in 2005, and Ireland in 2001 and 2007. The EU found solutions, either by adding protocols and opt-outs to the treaties on sensitive issues that rendered them acceptable to particular countries, or by reducing the level of ambition by turning the rejected European constitution into a series of amendments under the Lisbon Treaty.

The tendency toward technocratic solutions was greatly reinforced during the euro crisis. The clash of interests between creditor and debtor countries created a political blockage that could only be overcome through technocratic solutions such as the de facto extension of the European Central Bank's mandate. Political leaders outsourced decisions and resource management to the single EU institution that has no real accountability to any parliament.

Andrew Moravcsik, a Princeton professor of EU politics, argued that the political salience of the union was low because it was not responsible for the policies the public really cares about, such as health, education, and pensions, which national governments provide.<sup>6</sup> But in the eyes of the individual, the EU's salience grew massively during the euro crisis. Creditor countries demanded EU rules on budgetary discipline that caused massive cuts in funding for hospitals, schools, and social security. The union became no longer just a gray, technocratic institution that was boring but unthreatening. The Monnet strategy of keeping European integration below the political radar is over.

## Obscure

The EU's political visibility may have increased, but that does not mean it has become more accessible. Indeed, EU-level governance has reached a level of complexity beyond that of any national government. It is designed as a system of multilevel governance that takes into account the many interests across

the EU and has ample checks and balances. It is a giant compromise-forging machine, and the institutions are supposed to give everyone a say, from regional governments to consumers.

The system is often accused of being unaccountable, but in fact it has many accountability mechanisms—they are just built into a complex web of institutional procedures and requirements rather than into a public forum where voters can see the restraints on power. Accountability has become the enemy of comprehensibility.

The myth of the overweening, faceless bureaucracy that wields enormous power outside the control of national governments is just that—a myth. As the guardian of the EU’s treaties, the European Commission monitors how national governments implement and enforce EU law. The commission, in turn, is overseen by the European Parliament, which can throw out the whole commission, as it did in 1997, and holds hearings for individual commissioners. The presidents of the European Commission and European Council both have to report to the EP regularly. The European Court of Auditors rigorously examines how the EU manages money. The European Anti-Fraud Office investigates misuse of EU funds. The European ombudsman can call EU institutions to account when individual citizens complain.

The negative side effect of all these mechanisms is that they make EU policymaking more obscure, hard to understand, inefficient, and sclerotic. Overall, the EU institutions’ integrity system is stronger than that in some member states, as Transparency International recently concluded in a detailed report.<sup>7</sup> But it is very hard for an individual outside the institutions to experience this accountability because it happens within the Brussels bubble.

Most people who are not paid to understand the EU give up quickly on the 170,000-page body of EU law known as the *acquis* and the thick glossary of technical jargon needed to understand it. *Dimitar was an intelligent, motivated student of European integration at the College of Europe in Natolin, but his eyes glazed over when he tried to understand the process of comitology through which the commission implements its powers. He got the impression that only insiders or well-resourced and organized interest groups could understand and play the game, and he began to suspect that they were manipulating it for their own benefit.*

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**The EU’s political system has many accountability mechanisms—but they are built into a complex web of institutional checks rather than a public forum.**

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Leaks from institutions are common, and information is easy to obtain—but only if you know where to look for it. Lobbyists are well known in the corridors of power in every capital city; but in Brussels, you cannot even know which corridor to go down unless you already know the game well

enough to ascertain who is deciding what. Stakeholders have to be very well organized and have money to invest in gaining specialist knowledge and networks if they want to be heard in the EU. Backroom dealing increases the opacity of the system.

The pressure to handle EU legislation more efficiently and speedily has reduced the transparency of negotiations between the institutions. For example, the trialogue procedure is becoming the default method of bringing all the interests together. In 2013 alone, representatives from the European Commission, Council of Ministers (officially, the Council of the European Union), and European Parliament met approximately 1,000 times to thrash out disagreements on proposed legislation after their institutions had decided their respective positions.<sup>8</sup> However, these dialogues are informal meetings and happen behind closed doors, with no public access and no minutes taken. *Helmut has no way of finding out who made the decision about the new labeling of food additives that has disrupted his catering supplies.*

The commission usually gets the blame for being obscure and unaccountable. But in fact, it is relatively transparent. Four other institutions have accountability deficits: the Council of Ministers, the European Council, the European Central Bank, and the European Parliament.

The Council of Ministers is much more political than the commission, but the member states are highly secretive about their negotiations. Once an agreement is reached, each minister gives a press conference in his or her language, and the interpretations can vary widely. The ministers do the same when they report to national parliamentarians about the agreement.

The same problem afflicts the European Council, where prime ministers and presidents fight entirely behind closed doors. Only a minority of European Council decisions are ever put to a formal vote, with most made by consensus, so outsiders cannot know which governments lost out. Each minister can then issue a press statement in his or her native language to spin the decision as a good one for his or her home country. *Helmut trusts Angela Merkel on the whole, but he switches television channels when he sees a report on the European Council is coming up.*

During the euro crisis, the European Council was the black box where the most important decisions were made. This was necessary for emergency firefighting to save the currency. Many decisions were made in the middle of the night to avoid an attack from the financial markets once they opened in the morning. Only heads of state and government could commit the sums of money that would convince the markets. Journalists and commentators could not follow the deals or make them public until much later, and both members of the European Parliament (MEPs) and national parliamentarians were consulted after decisions were made. Public discussion of these steps with far-reaching consequences never happened. *If you are a Greek pensioner like Alekos or a German taxpayer like Helmut, you may still be wondering what your government really agreed to.*

These tactics set a dangerous precedent. The legacy of the euro crisis is a new method of deal making among leaders that excludes other branches of government and is not transparent. The outcome was to privilege the executive

branch, and within it the small circle of advisers and officials around the prime minister, president, or chancellor, depending on the country. The normal institutional processes of checks and balances were suspended. Most member states were marginalized as the large creditor countries took charge. They gave press conferences and debriefed national parliaments, but only after decisions had been made. Nobody outside the process really knows what happened between the leaders, who gave 28 different press reports.

The euro crisis coincided with the appointment of a full-time president of the European Council, who has a staff and agenda, which further strengthens intergovernmentalism. The first officeholder was a modest Belgian, Herman Van Rompuy, who was very skilled at forging deals, so he played the role of facilitator rather than trying to rival the leaders. The heads of state and government grabbed power collectively and deepened the impression that the EU process was not democratic, especially without public consultation about key decisions. It laid bare the reality of power distribution in today's EU: the member states have gained power and the commission has lost it, and the large creditor countries are evidently in charge on economic matters. This created an accountability problem for the many European voters who chose their national leaders and then watched them having to submit to decisions imposed by larger countries.

The entire European Economic and Monetary Union also has a persistent accountability deficit that the euro crisis made very public. The European Central Bank's independence in setting monetary policy is the cornerstone of eurozone management, but many of the innovations introduced as emergency measures to save the euro lack accountability mechanisms. The roles of the European Central Bank and commission have expanded greatly in financial regulation, which has been necessary to ensure a more responsible financial sector that does not impose enormous bailout costs on taxpayers and depositors again. But the importance of their roles and the huge implications of their decisions mean that reports to the European Parliament are not enough. There is now an intense debate among experts on how to remedy this deficit. *But if you are a pensioner who lost savings like Alekos, or a taxpayer stung by higher rates like Helmut, you do not feel reassured that the EU can avoid another such crisis.*

Finally, there is the European Parliament. Although the EU has relied on increased parliamentary powers as a source of democratic legitimacy, the EP has its own array of accountability problems.

## The Silver Bullet of Parliamentary Democracy?

Three strategies for the EU's future dominate the debate: more of the same, get rid of the whole thing, and fast-forward to federalism. None of them is emotionally intelligent in addressing the grievances of voters.

According to the more-of-the-same approach, the new normal in EU business after the euro crisis is for European institutions to continue promoting the

community-based approach while member states quietly make more intergovernmental deals on controversial issues such as euro-area governance, justice, and home affairs. The member states are taking power quietly by deciding matters that fall in the European Council's black box, or making agreements outside of EU treaties, for example the Prüm Decision that enables police cooperation between EU states and the Fiscal Compact aimed at stabilizing the Economic and Monetary Union.

This strategy has a limited shelf life because European citizens' trust is diminishing and divisions between member states are getting worse. The frictions between member states and the institutions will continue to grow as national politicians find they cannot win public support for the EU policies they know are essential. The EU can no longer be an elite-driven project because the public has woken up to its salience.

The anti-EU populist school claims that democracy can only be saved by returning all powers to the nation-state and abolishing the euro. France's Marine Le Pen, Britain's Nigel Farage, and the Netherlands' Geert Wilders lead this charge.

This strategy would be immensely harmful to the interests of Europeans. In a globalized world of many competing economic powers, a retreat behind national borders would hasten Europe's decline dramatically. There can be no return to the security and growth of the 1950s as evoked by populist parties. And there is little discussion of the enormous costs to citizens of rolling back the single market, reintroducing border controls between all EU members, or reversing trade liberalization. Mainstream politicians are failing to explain how much Europeans' prosperity and quality of life would decline. Many leaders are running after the Euroskeptics instead of refuting their arguments.

Former Belgian prime minister Guy Verhofstadt, German politician Daniel Cohn-Bendit, German philosopher Jürgen Habermas, and others have tried to keep the federalist flame alive by proposing a rapid move toward a federal constitution for the EU or at least for the eurozone.<sup>9</sup> They support the transfer of major economic and political powers to the European level. The commission would turn into a government, elected by and accountable to the European Parliament. This should come about—they argue—through the election of a constituent assembly, the product of which would be submitted to a referendum in all the member states, allowing only those who say yes to join the federal union.

The federal model for the EU cannot win public support in the foreseeable future because the union has reached a size and level of heterogeneity that makes it impossible for people to trust a unified government for the whole continent. When the EU had only six members at the start, this looked possible—although France never really bought into the idea. But now the union is

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**In a globalized world of many competing economic powers, a retreat behind national borders would hasten Europe's decline dramatically.**

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too diverse. Moreover, the crisis has made people more conservative, as well as more mistrustful of political institutions in general, so the zeitgeist is against any kind of great leap forward into a federal future.

Although the idea of a European federation now has few supporters in the member states, the logic of federalism is still alive and well in the constant expansion of the European Parliament's powers. Since the 1990s, every treaty change has resulted in increasing the EP's powers, to the point where today it has more than some national parliaments. The EP is a co-legislator on most EU law, it has strong budgetary responsibilities, its assent is required for ratification of treaties, and it has to approve each new commission. The EP's greater clout has attracted the attention of business and nongovernmental organization (NGO) lobbies, and to a more limited extent the media.

But it still has much less appeal to voters than national parliaments. While the EP's powers have increased, popular support for European integration, trust in EU institutions, and participation in EP elections have dwindled. The EP still manifestly fails to deliver on its key mission of connecting the EU with voters.

One problem is that in a key respect the EP is not European at all. MEPs are selected by national parties whose primary focus is maintaining or winning control over national institutions. These parties put much less money and effort into EP campaigns than national ones.

Mainstream parties invariably deploy their top guns in national elections where the stakes for them are much higher. Only populist parties that have limited chances at home sometimes send their leaders to the EP (like Farage and Le Pen). European seats can be good platforms for rising young stars, but more often they are rewards for long-serving politicians past their prime. Frequently, only the first one or two candidates on the party list are known figures. Most MEPs have little visibility even during election campaigns and then vanish from the national political scene for the next five years.

With few exceptions, political careers are made and lost on the national level. Only a few MEPs manage to leverage their role to gain a domestic political following. It is hard to stand out as one of 751 parliamentarians. MEPs are also not responsible for the stability of a government, while national parliamentarians are. When a voter asks for help with a personal problem, a member of a national parliament can request a meeting with a minister or ask a question of the prime minister; MEPs work in a more diffuse system of power, so it is hard for them to show personal agency to voters.

Paradoxically, some MEPs have a huge influence on EU legislation—more than even most national parliamentarians on national legislation. But voters cannot see the effectiveness of good MEPs because they work on legislative procedures that are a complex interplay between Council of Ministers, European Parliament, and European Commission—through the baffling system of committees, amendments, and trialogues. This makes parliament's role difficult to comprehend.

EP debates are more accessible and public than those of the council; they are recorded and webcast. But they rarely generate interest beyond the Brussels bubble because the issues are complicated.

In addition, the EP fails to connect with voters because it functions through coalitions of mainstream party groups, encompassing the Christian Democrats, Social Democrats, and Liberals.<sup>10</sup> These broad alliances determine the composition of the parliament's machinery—the Bureau, Conference of Committee Chairs, and rapporteurs. And they are instrumental in putting together key substantive deals. The only real division in the EP is between a pro-integration majority that promotes further deepening of the EU and an anti-EU opposition that wants to halt or even reverse integration.

It is difficult for individual voters to discern significant differences between the large coalitions on policy issues that affect their lives. The language the groups use is very similar (and seems abstract and remote to Alekos and Nathalie), and they mostly seem to argue about institutional interests rather than economic policy choices.<sup>11</sup>

The increased numbers of populist, anti-EU MEPs who won seats in the 2014 elections have driven the mainstream parties even closer together. The election of Jean-Claude Juncker as president of the commission, based on a grand coalition made up of the European People's Party (EPP), the Progressive Alliance of Socialists and Democrats (S&D), and the Alliance of Liberals and Democrats for Europe (ALDE), has further reinforced this tendency.

Rather than making the commission more politically connected, this new method might make the European Parliament less transparent and accountable. The grand coalition ensures that this highly complex institution can still function despite a number of potential disruptors. But this carries a big price in terms of dynamism and transparency: the most crucial deals are happening behind closed doors, between the dominant parties. The EP regularly criticizes the council for wheeling and dealing in secret, but its own *modus operandi* is not that different.

For the first time, in 2013 the main party groups proposed their candidates for European Commission president (known by the German term *Spitzenkandidaten*), but this innovation did not stir up a large-scale public debate or increase overall turnout.<sup>12</sup> The change was intended to personalize the election and give voters a stronger sense that their choice can affect the future development of the union. The hope was that the new procedure would trigger a broad public debate on the union's future, mobilize the citizens, and strengthen turnout in the election. Most of these expectations went unmet. Despite the candidates' efforts to hold televised debates and public meetings, the concept only gained traction in a couple of member states, and the majority of voters were never aware of it. The election campaigns remained primarily national—and turnout did not improve.



The EP turned into a forceful lobbying organization on its own behalf. Most of its members are convinced of the importance of the body and keen to enhance its role further. But while the EP has become a powerful institution, national parties continue to consider EP elections as second-order elections and as a sideshow of national politics. This may be inevitable. For national parties, the question of who will sit in the next government will always come first.

Voters' choices are motivated by feelings about their national governments more than the performance of the EU or individual MEPs and the decisions made at the European level. And even in this regard the results are misleading, as voters tend to use these elections to let off steam and vote for parties they wouldn't support in a national election.

People also still look to their local and national politicians to represent their interests—in the world and at the EU level. *Angry Greeks like Alekos who wanted to protest against austerity measures imposed in the eurozone did so in Syntagma Square in Athens, not in Berlin or Brussels.* Voters feel closest to political leaders who speak their language and know their society, whether they are trustworthy or not. So those voters look to national leaders for representation at the EU level, and MEPs will only ever be secondary agents of representation.

As a result of this separation between the European and the national level, the vital feedback loop between the voter and the elected has been broken. The EP has become a powerful institution, but its power is not matched by a corresponding level of responsibility. Because EP elections are de facto national elections, MEPs are not held accountable for their performance.

## More Satisfying Experiences of Democracy

The European Parliament cannot offer a panacea for what is wrong with democracy in the EU today. In fact, there is no one method that can overcome the current legitimacy crisis and reconcile citizens with European integration. In the present political climate, any grand scheme will probably fail for lack of agreement among member states and insufficient popular support.

But the EU still needs to try. And the best way to start resolving the EU's democracy problems is to consider what remedies would improve how European democracy feels to citizens. This is not just a matter of communication. While the democratic experience would be enhanced if citizens felt more involved and consulted, the more critical gauge would be whether they saw tangible benefits of European integration in their daily lives.

What would address the concerns of ordinary citizens is an incremental approach made up of a broad array of measures at multiple levels and in different fields. This would include efforts to open up communication flows and facilitate participation; steps to improve the EU's

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**The European Parliament has become a powerful institution, but its power is not matched by a corresponding level of responsibility.**

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output and make it more relevant to people who have so far benefited least; and better ways of offering individuals redress for grievances and injustices.

A number of key improvements would touch the daily lives of people in very different parts of European society. These steps would not require any large-scale transfer of national sovereignty. Most of these ideas would not require treaty change, and many could be implemented rapidly.

## How to Make the EP More Accessible and Connected

### *Get MEPs Into Cyberspace*

Cyberspace can help narrow the distance between the EU and the individual, provide arenas for interaction, and ensure access to more information about what EU institutions are doing. New technologies offer many ways for individuals to get involved in EU politics—but MEPs have to go where the traffic is rather than assume voters will automatically go to their Twitter accounts. They should engage in online debates where they take place and build their audience from there.

Some MEPs have had great success in using Twitter to interest younger voters in the EU's work. Dutch MEP Marietje Schaake sent out her election manifesto in ten tweets and has taken up issues related to digital freedoms that interest a large proportion of the under-forty-year-olds. Schaake even crowd-sourced comments on her EP report, "A Digital Freedom Strategy in EU Foreign Policy."<sup>13</sup>

*In Sofia, Dimitar follows Schaake on Twitter. A wired MEP who tweets daily about real issues in real time makes the EU much more relevant for him than citizens' summits in Brussels that he cannot reach or advertising campaigns with general slogans.*

A positive move in 2014 was the live webcast of the parliamentary hearings of the candidates to be European commissioners. That gave citizens all over the EU a chance to follow the discussions and to contribute their own comments via Twitter. The parliament even had a live Twitter stream displayed in the chamber, giving the participants views from outside the Brussels bubble.

### *Turn the EP Into the Focal Point for Transnational Public Debate*

Some MEPs are developing solid expertise and a public profile on new EU agenda items that do not involve clear right/left divides, such as climate change, intellectual property, data protection, and surveillance. These are issues that no country can solve alone and about which public debate is needed, not just lobbying by industry and NGOs. The EP can turn itself into the primary forum for broad public debate across many countries on these crucial issues.

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In recent years, the EP has stirred up political drama and won cheers from the public by voting down proposals on sharing personal data with the United States through the Society for Worldwide Interbank Financial Telecommunication (SWIFT) and with airline passenger name records. The EP also rejected favoring copyright holders over consumers when it declined the Anti-Counterfeiting Trade Agreement. MEPs signaled strong support for limits on bankers' bonuses, an issue about which many voters are angry. The next hot topic for EP debate is likely to be TTIP, the proposed Transatlantic Trade and Investment Partnership.

There is a danger of populism and simplistic dismissal of such complex issues, but at least the debate is about policies that citizens really worry about.

### **How to Reach Citizens Through National and Regional Institutions**

The spheres of national and European politics are now one. Mass communication, globalization, and the euro crisis have shown how much EU projects affect the space available for policymaking at the national level, from budgets to borders. In the other direction, national policies on migration and social security benefits directly affect the rest of the EU. Refugees arriving by boat in Lampedusa affect Berlin and poverty in Iași affects domestic politics in Birmingham because people can freely move between EU countries. The future of Europe can be called into question by the Greek parliament voting down a key measure, and rising Euroskepticism in Finland can increase unemployment in Spain if the Finns block a bailout. It is impossible to tackle the problems in one sphere without considering the implications for the other.

Solutions to the democracy crisis also have to integrate better the two spheres. At every level of government, citizens are going to mistrust institutions that they feel do not represent them and in which their participation is limited to voting every few years. The individual's experience with the political system therefore has to be at the center of new measures.

If anybody can counter rising anti-EU sentiment and reconnect voters with Europe, it will not be EU functionaries or even MEPs. This task can only be accomplished by national politicians who take the EU seriously.

#### *Give a Higher Profile to Parliamentary Scrutiny Committees*

The basic mechanisms for connecting EU business to national politics exist, but they need to be developed further and implemented better. In parallel with the rise of the EP, national parliaments have gained more power in EU business, although this has been uneven across the member states and has depended on their parliamentary traditions. Parliamentary EU scrutiny committees have become very powerful in some countries, even controlling their governments' positions in the Council of Ministers.<sup>14</sup> The most ambitious such mechanisms exist in Denmark, Finland, and Germany. For instance, before going to the

Council of Ministers, Danish ministers have to present their position to the Folketing committee on European policy, which has binding powers. The German Bundestag has increased its role in European affairs after the German constitutional court ruled that it should have greater oversight powers.

Scrutiny committees could use their powers to generate a more lively democratic debate about the EU in all member states by reaching out to the press and public. They could follow the good examples in Berlin, Copenhagen, and Helsinki of explaining EU business to voters more directly, for example, on animal rights and climate change. They could open up their scrutiny process by inviting journalists to take part and encouraging public input on their deliberations through social media and other forums.

*In his daily newspaper, Helmut reads more comments from German parliamentarians about EU legislation now that they are more directly engaged.*

#### *Give National Parliaments the Right to Suggest EU-Level Action*

The Lisbon Treaty introduced an early-warning mechanism whereby national parliaments can indicate whether a commission proposal constitutes a breach of the subsidiarity principle, which states that the EU will not act unless it is more effective than action taken at a national, regional, or local level. The existing mechanism has only negative power at present; it is a brake to stop unpopular measures. If one-third of national parliaments submit this kind of objection, the commission must review the proposal—known as a yellow card. If a simple majority of national parliaments object, then the council and European Parliament can reject the proposal immediately—an orange card.

This power could be made positive by allowing parliaments to introduce ideas for the commission to consider.

#### *Invite MEPs to Address National Parliaments*

The EU has made attempts to build stronger connections between the EP and national parliaments. The Conference of Parliamentary Committees for Union Affairs (better known as COSAC) was created in 1989 to bring national parliamentarians into EU-level deliberations. But it has failed to attract the best and brightest national parliamentarians, and its complex processes do not offer real power.

A simpler and better innovation would be to give an MEP the right to speak in his or her own national parliament. They are few enough that they would not take up excessive speaking time, and they could provide information and debate EU business with their national counterparts directly. Even better would be if the 28 commissioners addressed national parliaments on their areas of responsibility more often. The scrutiny committees could organize a hearing with each commissioner at least once during his or her term.

*Give National Parliamentarians a Role in Eurozone Oversight*

The eurozone has become very salient to voters and has institutions of its own, yet it lacks direct parliamentary accountability to its members. A way to provide this would be to establish a committee of representatives from national parliaments of the eurozone countries to hold hearings with the president of the Eurogroup and the head of the European Stability Mechanism. The committee could also issue reports on how well the eurozone's governance and regulatory mechanisms are functioning.

*Create New Mechanisms to Involve Regional and Local Authorities in EU Decisionmaking*

There are more than 300 regions and 90,000 municipalities in the EU. These local governments are closer and more familiar to citizens, who trust them more than national and EU institutions.<sup>15</sup> Yet a clear majority feels that the regional and municipal levels are insufficiently taken into account when decisions on EU policy are made.<sup>16</sup>

The body set up to consider local concerns at the EU level, the Committee of the Regions, cannot do its job because it does not have decisionmaking powers. It is composed of regional dignitaries who are important in their locality but have little influence in Brussels. Less than a quarter of EU citizens are even aware of the existence of this forum.<sup>17</sup>

Instead of bringing regional officials to Brussels, the EU needs to bring Brussels to the regions. Local and regional bodies need to debate EU issues at home.

The forces of regionalism are growing in several parts of Europe. The 2014 Scottish independence referendum stirred up interest in devolving greater powers to regions in other parts of the UK as well as the EU. In coming years, widespread debates about decentralization and new constitutional settlements are likely in the UK and Spain, while Italy and Belgium already have ongoing national discussions about the relationships between their centers and regions.

In the past, the EU was popular in regions with a strong identity because it seemed to offer an umbrella solution that allowed those regions to assert their identity and enjoy new forms of representation through multilevel governance. However, the euro crisis led to new rules for fiscal discipline at the national level, which centralized decision-making on economic policies.

European Union institutions need to engage directly at the regional and local levels, both to hear local concerns and offer participation in decisionmaking. For example, the commission is using its representative offices in member

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states to promote dialogue among stakeholders about new budgetary rules at the EU level, and these offices could engage national actors on other issues. National authorities could involve regional representatives and mayors more systematically when forming their EU positions. These representatives have more daily contact with the grass roots and could play an important role bridging the EU institutions and the population.

*If Nathalie or Helmut could talk about their concerns with local officials they know and trust, they might have a different opinion of the EU.*

### How to Involve Citizens Directly

*Alekos the Greek pensioner and Dimitar the media-savvy Bulgarian don't feel that politicians of any kind speak for them at the EU level—or even talk about them and their concerns. They want to make their own voices heard. The EU should offer them more opportunities to do so through citizen engagement.*

EU institutions need to stop treating public participation as a one-way communications problem and an afterthought. Participation should be built into the design of EU policies and institutional procedures. In the age of instant feedback, it is no longer enough to have a boring website that presents information in Eurospeak. People who comment on products and get answers from companies online expect to see real interaction with the political institutions for which they pay.

*Helmut has posted angry comments about poor hotel service on TripAdvisor, and Dimitar has complained to the world about a faulty kettle on Amazon. Because they are accustomed to these kinds of public forums that allow instant feedback, they expect to have more opportunities to express their views on hormone-treated beef from the United States when the EU is negotiating trade deals.*

The EU has recently started experimenting with mass mobilization mechanisms—and found that their effectiveness is limited when they are cumbersome and open to manipulation by organized interests. The Lisbon Treaty introduced the European Citizens' Initiative (ECI). If 1 million citizens from at least one-quarter of EU member states sign a proposal inviting the European Commission to bring forward proposals for legal acts in areas where the commission has the power to do so, the commission has to examine the proposal and decide how to act on it. The commission has refused to register many of the proposed ECIs, saying they fall outside of the EU's powers. Three initiatives collected over 1 million signatures of support, but only the proposal on the right to water made it to the final stage, got a public hearing, and received an official response from the European Commission.

Both technical and political obstacles have prevented initiatives from moving through the system. On the technical side, for example, each member state

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sets its own criteria to verify the collected signatures, and the barriers to participation are higher for some EU citizens than for others. In some cases, the level of personal detail required deters citizens from declaring support for politically sensitive initiatives, such as “Stop TTIP.”<sup>18</sup>

The ECI procedure is so cumbersome, with different rules in the various member states, that only well-organized interests have the means and capacity to use it. And ultimately, it is not very strong, because the commission is not obligated to act on any of the initiatives.

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**The EU’s traditional culture of negotiating behind closed doors contrasts badly with the interactive culture of online debate.**

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The EU could take immediate action to simplify the rules for citizens’ initiatives. But the crucial concept is real feedback on issues, rather than token consultation. The EU’s traditional culture of negotiating behind closed doors contrasts badly with the interactive culture of online debate. Citizens’ consultations have great potential to provide a direct experience of European democracy, and the

new commission could show its emotional intelligence by organizing deliberative polls on key issues.<sup>19</sup>

*Strengthen and Publicize the Right to Petition*

For the individual, another existing tool—petitions—might be more useful than ECIs. Every European can send a petition to the European Parliament to complain about how the application of EU law is directly affecting him or her or to ask the EP to adopt a position on a specific matter. He or she can do this as an individual or with others. But this mechanism is little known and needs wider publicity by civil society.

*If a Bulgarian NGO helped Dimitar submit a high-profile petition about the misapplication of EU data-protection laws and received press attention with an effective advocacy strategy, that would encourage other citizens to send evidence to the petitions committee.*

*Invest in Deliberative Mechanisms*

Opening up existing consultation practices to more of civil society and allowing direct participation by citizens might hold more promise. The EU’s diverse population needs many different approaches, but the spaces for inclusive discussion are few and far between.

Lobbying has become a massive growth industry in Brussels and Strasbourg. While the industry is dominated by business interests, civil society organizations are also more actively involved in the decision-shaping process. This has enhanced transparency and public accountability, and on some issues it has even triggered a genuine transnational public debate.

But many of these civil society actors are “associations of associations” or expert organizations that are distant from the grass roots, so lobbying has not yet led to significantly increased levels of popular participation.

This process should be opened up to a wider range of actors in the member states, and it should facilitate the direct involvement of citizens.<sup>20</sup> The European Commission and Parliament should invest more in web-based and other deliberative forums to discuss major initiatives. Commissioners could even cite opinions posted online in their speeches. For example, the growing skepticism about TTIP is partly the result of the widespread impression that the negotiations are only accessible to big business interests and that the opinions of consumers on food standards and environmental protections count for little. The European Commission has responded by setting up a decent website on TTIP that explains the issues and offers various channels for dialogue and feedback.<sup>21</sup> However, this is the exception rather than the rule.

The European Commission could also organize regular deliberative polls on meta-policies such as those related to regulations and fundamental rights.

*Katarina has never been asked for her opinion by any politician. If the EU held a poll in Slovakia on discrimination and how to prevent it, Katarina and her neighbors could speak directly with non-Roma people in Košice about the problems Roma face in housing, employment, education, and healthcare. That would help generate new policy solutions. Moreover, the opportunity for Roma and non-Roma citizens to meet and discuss as equals how to improve public services could foster greater understanding within Slovak society.*

### **How to Provide Justice for Individuals, Empowerment for Citizens**

The rule of law at the EU level is about more than settling disputes between the institutions and member states. It is an essential check on governmental power because it offers individuals ways of redressing injustices done to them through EU policies and rules.

The EU should compensate for the bias toward the executive branch in its decisionmaking, not only by strengthening the involvement of parliaments, but also by creating more opportunities for individual Europeans to hold their national authorities to account. For individuals to feel more empowered at the EU level, these mechanisms should prioritize redress for the biggest grievances: corruption and abuse of power.

The Charter of Fundamental Rights of the European Union was a big improvement. Previously, only a lawyer capable of sifting through judgments of the European Court of Justice could understand what rights an individual had. The charter brought all the rights together into one document in understandable language. The new commission president, Jean-Claude Juncker, has put his first vice president, Frans Timmermans, in charge of implementing the charter.

Timmermans’s challenge is that the charter has created expectations that cannot be fulfilled at present because the document’s scope is limited. It can



only be applied to EU bodies and to national governments when they are implementing union law. Thousands of people write to the commission about abuses of their rights every year, but their problems usually result from national governments implementing national law so the charter does not apply. This adds to people's frustrations about what the EU does for them.

*Make It Easier for Individuals to Access the European Courts*

EU citizens have a highly developed system of law that gives them recourse to two different court systems at the continental level. They can appeal to the European Court of Human Rights in Strasbourg (which is part of the Council of Europe, a separate institution from the EU that includes non-EU members such as Turkey and Russia) and also, in a more limited way, to the EU's own Court of Justice in Luxembourg. As the next step to further improve individuals' ability to seek redress for violations of their rights, the EU should join the European Convention on Human Rights, a step that was promised in the Lisbon Treaty. Some progress toward membership has been made, but the process is moving very slowly.

When the convention is in force, an individual will be able to bring a case against the EU to the Strasbourg court. At that point, it would make sense for the two courts to agree that Strasbourg judges will pause proceedings and ask their counterparts in Luxembourg to give opinions on points of EU law. This will help make the application of law consistent.

In the longer term, it might make sense to enable EU citizens to bring points of EU law that affect human rights to the Court of Justice directly. This is currently prohibited by Article 51 of the Charter of Fundamental Rights. Individuals usually have to take a case to a national court first, and that court has the discretion to ask the Court of Justice for its interpretation of the rules if they are ambiguous. To allow citizens direct access would multiply the caseload and require a far-reaching overhaul. However, it would be worthwhile if it offered citizens a clearer and more effective system for safeguarding their rights.

The EU could also create a special chamber comprising judges from both European courts to rule on areas of law covered by both institutions. This could eventually lead to the integration of the two systems for the protection of human rights.

*In theory, Alekos could challenge the conditions imposed by the bailout package for Greece. The European Council agreed to the package, and it was implemented by the troika, which comprises the commission, European Central Bank, and International Monetary Fund. The charter might not apply to the decision itself because it was made outside the treaties, but it should apply to the EU's implementation of the decision.*

### *Allow Public Interest Action on Human Rights*

The EU could also make the conditions under which an individual can take a case to the European Court of Justice more generous by allowing public interest actions on human rights violations under EU law. Organizations with special interest or expertise would be able to seek a judicial review of an EU law that violates the Charter of Fundamental Rights. For example, a flawed EU directive that governs the retention of data was passed eight years ago, but it was challenged in a court case for the first time in 2014. If an organization could have brought a public interest action directly to the court, this legislation could have been challenged much sooner and improved faster.

*When Helmut flies to Spain, his personal details are retained by the airline in a way that violates his right to privacy under the charter. The airline gives the Spanish government personal data on everyone on Helmut's flight, whether or not they are a terrorist suspect, and there is no guarantee that the government will protect the details or that it will not misuse them. If Helmut had access to the Court of Justice, he could go to a consumer organization and ask for it to raise a public interest challenge to the Passenger Name Record Directive under the charter. The organization could argue that the airline cannot retain his personal details and get a ruling from Luxembourg that would force the commission to propose a new directive that better protects the right to privacy.*

### *Make Infringement Proceedings More Transparent*

The commission's role as guardian of the Lisbon Treaty and its right to take to court member states that violate EU law is one of the most important pillars of rule of law in the EU. However, the commission is currently rather secretive about its actions in this area. There is a website that lists the legislation at issue and the country concerned, but not what actions the commission is taking. If the commission were more transparent about these infringement proceedings, concerned citizens would better understand what is being done on their behalf.

*Katarina suffered discrimination when her factory manager took away the permanent contracts for all Roma workers and replaced them with temporary ones but didn't do the same to non-Roma workers. She tried to complain to a local court, but the registrar refused her claim because she is Roma. A local Roma rights NGO took up her case and asked the commission to sue Slovakia for failing to properly implement the Race Equality Directive. But Katarina hears nothing for several years while the commission is in dialogue with the Slovak government, and she loses heart that she can seek redress. If the commission were more transparent, the NGO would be able to monitor the progress of the case and take it to Strasbourg instead if the commission failed to act.*

### A Fairer EU Through Security and Better Living Standards

The most effective way to reconcile the citizen with both national and European levels of government is to offer measures that will deliver more security and better living standards, particularly in light of the euro crisis. Focusing efforts at the EU level on policies and funding that benefit the parts of society that have lost out from globalization would address the fairness deficit. Better than any other measure, this would also reduce the appeal of populist claims that nation-states should turn away from the EU and become more protectionist.

Broad appeals for a “social Europe” are not enough. The EU needs to come up with specific remedies that benefit people who are excluded from big business and political elites.

This is made more difficult by the fact that most of the powers in this area remain at the national level, which is unlikely to change given the prevailing mood in the EU. Still, the EU should make significantly more of an effort to coordinate and harmonize action.

#### *Implement the Youth Guarantee More Ambitiously*

A sign that European leaders are becoming aware of the urgency of tackling the social fallout from the euro crisis is the Youth Employment Package launched in 2012. At the heart of this scheme is the idea of the Youth Guarantee, which is meant to ensure that all people up to the age of twenty-five receive a quality job offer, opportunities to continue education, an apprenticeship, or a traineeship within four months of leaving formal education or becoming unemployed.

The EU has mobilized €6 billion (almost \$7.5 billion) from its budget to support the effort, but a large part of the money remains unspent. Governments need to implement this initiative more actively.

*Nathalie is made redundant when her supermarket introduces self-service checkouts. But within four months, EU funding provides her with a traineeship to become a florist.*

#### *Move Ahead With the European Unemployment Insurance Scheme*

The ambitious idea of creating a European unemployment insurance scheme has been widely discussed as a way to improve the functioning of the Economic and Monetary Union.<sup>22</sup> Supplementing existing national systems, such a scheme would provide assistance in cases of increased unemployment that result from asymmetric shocks. It would function as an automatic stabilizer, and by upholding demand in crisis situations, it would enhance the resilience of the monetary union.

And its significance would go well beyond economics. As a European safety net for the national safety nets, the European unemployment insurance system would strengthen the EU’s social dimension, demonstrate solidarity among

member states, and—most importantly—benefit the most economically vulnerable parts of society that often feel excluded from the gains of European integration.

The proposal is still far from being accepted by the member states, and it would require treaty change. But given its economic and political potential, it merits being pursued energetically.

*When Nathalie feels that the EU offers her a safety net in the event that she loses her job, she is less convinced by Marine Le Pen's claim that the EU destroys French jobs.*

#### *Make It Easier to Work in Other EU Countries*

Only one in ten Europeans has worked in another European country, although the economic effects have been largely positive according to national finance ministries. However, press reports of a small number of people from poorer EU countries claiming welfare benefits in richer countries have caused a backlash.

Mobility is an essential component of a single currency area not just in economic terms but also in psychological and social terms. For more than 100 million people who have gained European citizenship since 2004 because their countries joined the EU, the ability to move across national borders is a central part of their EU experience. It is more tangible to them than any other benefit offered by EU membership, and does not depend on their national politicians to deliver it.

Mobility provides individual workers with a vital safeguard in an open economy. If worse comes to worst, individuals can go to other EU countries to earn enough to feed themselves and their families, as many young Latvians and Lithuanians did during the euro crisis. Moreover, in the absence of fiscal transfers across the eurozone, the EU has to allow workers to move to maintain balance among areas of high and low employment.

To try to restrict this benefit would be a public relations disaster for the EU and nonsensical for the single market and single currency area. To enhance labor mobility would help people looking for employment and improve the functioning of the European economy.

The EU should address factors that limit labor mobility in Europe identified by the Organization for Economic Cooperation and Development, including the fact that supplemental pension rights cannot be moved from country to country, insufficient information about job vacancies in other countries, the difficulties of getting other governments to recognize job qualifications, and exclusionary housing market policies.<sup>23</sup> A big contribution could be made by the new Erasmus Plus program that funds mobility schemes not just for university students but also for vocational education and training. Between 2014 and 2020, up to 730,000 vocational students can benefit from this program.<sup>24</sup>

## Conclusion

Europeans should improve what they have, not reject the EU completely because it is flawed. The debate between those for and those against the EU is based on false dichotomies: either the EU deserves uncritical support, or it is hopeless and doomed. Neither is true.

The EU has many flaws and needs reform. But to attempt a major institutional overhaul of the EU now, on the tail end of a huge internal crisis and while facing major external challenges, would be unwise. Instead, step-by-step improvements should pave the way to building public support gradually by changing how citizens experience the EU.

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**Europeans should improve what they have, not reject the EU completely because it is flawed.**

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Giving the European Parliament more powers will not be a silver bullet that brings more democracy to this complicated polity. And the innovations of the *Spitzenkandidaten* and a grand coalition in the European Parliament could make the institutions feel more remote and elitist to citizens. Attempts to replicate national models of democracy at the EU level could achieve the opposite of their aims because the structure of the EU is fundamentally different from a national democracy.

The EU's greatest weakness is the constant ebbing of public support, so any remedies need to be emotionally intelligent—they need to be felt positively by ordinary citizens in their daily lives. Individuals need to see the EU adding value by compensating for the shortcomings of their national governments. The greatest value of European integration is that it helps national governments move beyond short-term mind-sets, vested interests, and disjointed policies. For the average voter, that means the EU tackles long-term problems like combating climate change, overcoming special interests through fair application of regulations, and countering security threats.

The vital elements of a strategy that would meet the specific conditions of a supranational polity and improve people's experience of the union are stronger engagement and outreach to link EU-level decisionmaking with the many areas of democratic life in Europe. The European Parliament needs to connect with citizens through cyberspace to turn itself into the locus of transnational public debates. It also needs to interact with national parliaments more systematically. The rise of regionalism is an opportunity for the EU to engage directly with local and subnational public assemblies.

But the most satisfying experiences of democracy are those that citizens themselves enjoy. The EU should greatly expand the opportunities for direct, individual participation, rather than continuing to rely on representative bodies. The broader crisis of representative democracy across Europe makes it impossible for the EU to continue using umbrella organizations based in Brussels. Instead, it needs to create deliberative mechanisms and Internet-based engagement for many more citizens.

The EU could do a lot more to show that it is fair and protects individuals' rights. Protections at the EU level have become much stronger over time, but the public is largely unaware of them or sees them as mainly applying to minorities. The EU should widen access to justice and guarantee more consistent protection of fundamental rights—and ensure that citizens better understand these opportunities.

No remedy to the EU's many ills will work unless the union delivers better and fairer benefits to citizens, especially to the people who feel left behind by globalization and cosmopolitan politics. One of the features of twenty-first-century life that most distresses European citizens is the sense of lost security—employment, pensions, and the welfare state more broadly. If the EU became associated with safety nets for citizens, not just austerity and fiscal discipline, it would enjoy much greater popular support. The provision of social security in general has to stay at the national level because countries have different cultures and social contracts. However, well-targeted, pan-European schemes at the EU level that provide job opportunities and minimum unemployment insurance would go a long way in reassuring citizens.

The utilitarian case for the EU is strong. Now it needs to be put in emotionally intelligent terms that are relevant to Helmut, Nathalie, Alekos, Katarina, and Dimitar.



## Notes

- 1 See [www.europarl.europa.eu/elections2014-results/en/election-results-2014.html](http://www.europarl.europa.eu/elections2014-results/en/election-results-2014.html).
- 2 Standard Eurobarometer 80, Autumn 2013.
- 3 All figures from Standard Eurobarometer 80, Autumn 2013.
- 4 All figures from Standard Eurobarometer 80, Autumn 2013.
- 5 See <http://ec.europa.eu/eurostat/documents/3930297/6309576/KS-EI-14-001-EN-N.pdf/4797faef-6250-4c65-b897-01c210c3242a>.
- 6 Andrew Moravcsik, *The Choice for Europe: Social Purpose and State Power From Messina to Maastricht* (Ithaca: Cornell University Press, 1998).
- 7 Transparency International, *The European Union Integrity System*, 2014, [www.transparencyinternational.eu/focus\\_areas/eu-integrity-study](http://www.transparencyinternational.eu/focus_areas/eu-integrity-study).
- 8 Report by Benjamin Fox in EU Observer, April 4, 2014: "Secret EU Lawmaking: The Triumph of the Trialogue."
- 9 See, for example, Daniel Cohn-Bendit and Guy Verhofstadt, *For Europe! Manifesto for a Postnational Revolution in Europe* (Munich: Carl Hanser Verlag, 2012).
- 10 Daniela Kietz and Nicolai von Ondarza, "Das neue Machtgefüge im Europäischen Parlament" (The New Power Structure in the European Parliament), *SWP-Aktuell* 47, July 2014.
- 11 See, for example, the language used by other political groups in endorsing Jean-Claude Juncker's nomination: "Verhofstadt: Votes of Liberals and Democrats Are Key to Confirmation of Juncker," ALDE Group, July 15, 2014, [www.alde.eu/nc/press/press-and-release-news/press-release/article/verhofstadt-votes-of-liberals-and-democrats-are-key-to-confirmation-of-juncker-43268](http://www.alde.eu/nc/press/press-and-release-news/press-release/article/verhofstadt-votes-of-liberals-and-democrats-are-key-to-confirmation-of-juncker-43268).
- 12 Heather Grabbe and Stefan Lehne, *The 2014 European Elections: Why a Partisan Commission President Would Be Bad for the EU* (London: Center for European Reform, 2013).
- 13 Marietje Schaake, "Digital Freedom Priority in EU Foreign Policy," November 2012, [www.marietjeschaake.eu/2012/11/digital-freedom-priority-in-eu-foreign-policy](http://www.marietjeschaake.eu/2012/11/digital-freedom-priority-in-eu-foreign-policy).
- 14 Thomas Winzen, "National Parliamentary Control of European Union Affairs: A Cross-National and Longitudinal Comparison," *West European Politics* 35, no. 3 (2012): 657–72.
- 15 Special Eurobarometer 307, February 2009.
- 16 Ibid.
- 17 Ibid.
- 18 Carsten Berg and Janice Thomson, eds., *An ECI That Works! Learning From the First Two Years of the European Citizens' Initiative*, ECI Campaign, Alfter, Germany, March 2014.
- 19 See the useful proposals in Stephen Boucher, "If Citizens Have a Voice, Who's Listening? Lessons From Recent Citizen Consultation Experiments for the European Union," EPIN Papers, Center for European Policy Studies, June 12, 2009.
- 20 Jens Steffek, "Civil Society, Participation and Deliberative Democracy in the European Union," *E-International Relations*, 2014.



- 21 See the TTIP website: [www.ec.europa.eu/trade/policy/in-focus/ttip](http://www.ec.europa.eu/trade/policy/in-focus/ttip).
- 22 For an overview of the arguments about how this might work, see Laszlo Andor et al., “Designing a European Unemployment Insurance Scheme,” *Intereconomics* 49, no. 4 (July/August 2014), [www.ceps.eu/system/files/u153872/184-203-Forum.pdf](http://www.ceps.eu/system/files/u153872/184-203-Forum.pdf).
- 23 OECD, “Economic Survey: European Union,” OECD Publications, 2012.
- 24 *Erasmus+ Programme Guide*, [http://ec.europa.eu/programmes/erasmus-plus/documents/erasmus-plus-programme-guide\\_en.pdf](http://ec.europa.eu/programmes/erasmus-plus/documents/erasmus-plus-programme-guide_en.pdf).



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