

EUROPEAN ELECTIONS 2009
'DEMOCRATIC DEFICIT' VS 'PARLIAMENTARY DEFICIT'
A PROBLEM OF CAUSALITY

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Thirty years have ensued since the first direct elections to the European Parliament in 1979. A total of nine member states voted that year in what was then the EEC, electing 410 Members of the European Parliament (MEPs). This year (between 4th-7th June), an estimate of 375 million Europeans across 27 member states of the EU will cast their vote, in order to elect 736 MEPs, and determine in this way the composition of the 2009-2014 parliamentary term. In view of the upcoming elections, European citizens wonder what their incentives for turning up to vote are and what the real impact of these elections in their everyday lives ultimately is.

The Role of the European Parliament

The state-centric concept of 'parliament' is certainly very different from that of the analogous supranational institution. However, the peculiar multi-state system of the EU requires a strong parliament that contributes towards the 'democratization' of the EU and its institutions. Nevertheless, there is still great room for improvement and a long way to come in order to accomplish this as an ultimate objective.

The gradual reinforcement of the powers and the enhancement of the roles and responsibilities of the European Parliament have not yet come to match those of the Council. Therefore, there is no absolute 'balance of powers' between the two bodies; after all, several policy areas of the first pillar of the EU, 'Common Policies', fall under the 'cooperation procedure', which extensively limits the powers of the Parliament. As for pillars two and three, 'Common Foreign and Security Policy' and 'Police and Judicial Cooperation in Criminal Matters', there is almost no real power in the hands of the Parliament, since they both fall within the exclusive competences of the Council, in conjunction with the governments of member states. European citizens often

express their dissatisfaction for this by abstaining from the European election process. Does this, however, contribute, at the end of the day, to a further increase in the 'democratic deficit' of the EU?

The EU's 'Democratic Deficit' and the Response of European Citizens

The 'democratic deficit' is a term that cannot straightforwardly be defined. Since 1988 when the issue came to the surface for the first time – following a reference made by British MEP Bill Newton – it is mainly used to indicate the lack of democracy on the part of the EU. This owes primarily to the complex nature and functioning of the EU's structure, which makes its institutions seem inaccessible to the ordinary citizen. The relative lack of power on the part of the European Parliament further contributes to this problem, as it ultimately reflects upon the degree of representation and the legitimacy of EU institutions. Even though the Parliament is often highly criticized for this, it would be worth considering the actual extent of the 'gap' that separates the EU institutions from the citizens, the causes of this, and whether the 'gap' has, to an extent, been bridged in the last three decades.

The 'paradox' lies in the fact that, while the 'democratic deficit' seems to exhibit a continuous increase, on a purely institutional basis it seems to have been significantly bridged in recent years. Even though the European Parliament does not in any way represent the most powerful decision-making body in the context of the EU, no one can dispute the fact that there has been a gradual enhancement of its powers and an increase of its roles and responsibilities. While its involvement in the legislative process was in the past confined to a purely advisory (and not institutional) task, the growing need for strengthening the democratic legitimacy of this institution led to a steady spiraling of its functions and responsibilities: The Single European Act (1987) established the 'cooperation procedure', while the 'assent procedure' was also adopted in that same year.

The one thing that significantly contributed, however, to an even greater 'balance of powers' between Parliament and Council was the 'co-decision procedure', which was introduced by the Treaty of Maastricht (1992); this was significantly extended by the Treaty of Nice (2001). In the policy areas that fall under the 'co-decision procedure', the Parliament has the power to reject a legislative act, if the absolute majority of its members vote against the common position of the Council. The 'co-decision procedure' has contributed towards the 'democratization' of the EU's institutional structure, as it has rendered the European Parliament – the only EU body to be elected by universal suffrage – a co-legislator in the policy-making process.

It should be noted that the Treaty of Lisbon seems to favour the parliamentary model – the enhancement, in other words, of the powers of the European Parliament (as well as the contribution of national parliaments in the EU decision-making process for the first time in the EU history). More specifically, the Treaty renders the European Parliament a co-legislator in approximately 90% of European legislation.

Even though the co-legislative powers of the Parliament contribute to the enhancement of the democratic legitimacy of EC law, the 'democratic deficit' seems to be a never-ending problem for the EU and its elite. The low turnout levels in the European Parliamentary elections of 2004 in many EU countries and the high rate of abstention in the recent Irish referendum for the ratification of the Lisbon Treaty, attest to this. But how can we explain this phenomenon?

'Democratic Deficit' – 'Parliamentary Deficit': A Bi-directional Causality

The distinction that we must first make in order to understand the ostensible 'paradox' that is presented, is the fact that 'democratic deficit' is not synonymous to 'parliamentary deficit', even though there is undoubtedly a direct correlation between the two. The EU's 'democratic deficit' may also be attributed to a host of other factors, such as the complexity of the decision-making process, the composition of the European Commission that is

essentially a bureaucratic, technocratic and non-democratically elected body, as well as the lack of a common European identity. The EU is a union of states and not a union of people (at least not yet). Thus the strengthening of the responsibilities and powers of the parliamentary institution does not automatically bridge the democratic 'gap'.

It is thus crucial to discern whether the 'parliamentary deficit', which in part creates the 'democratic deficit', is in turn exacerbated even further as a result of the latter. The answer is certainly 'yes', since as already pointed out, people often abstain from European elections as a way of expressing their dissatisfaction to the lack of democracy on the part of the EU. This creates a bi-directional causality between 'parliamentary' and 'democratic deficit', the extent of which is further convoluted to such a degree that it is no longer clear which of the two came first: which is the direction, in other words, of this 'cause-effect' relation?

Who Pays?

Since the 'democratic deficit' partly stems from a 'parliamentary deficit', which is in turn created by the growing 'democratic deficit', the question is, who pays for it? Is it the European Parliament – the relatively 'weaker link', in other words, in the institutional 'pyramid' of the EU – or the European citizen, who feels all the more affected by a growing trend of EU 'elitism'? And if indeed the citizens feel so intensely disappointed with the democratic legitimacy of the EU, is the answer to this to be found in their abstention from the forthcoming European elections? Or will their indifference and inaction contribute even further to the perceived 'elitism' of the European institutions?

If each and every individual sees this election process through the lenses of his/her European citizen 'identity' (and as an EU citizen with rights and responsibilities), then they may well come to the conclusion that the time has come to 'wake up' the Aristotelian 'political animal' within them and take part in the shaping of policy outside their national borders (in whatever degree this may entail). On the other hand, however, what ultimately appears to be

missing is this precise 'identity'. Citizens essentially have no notion of 'European citizenship', since the absence of a European 'demos' renders them even more remote from the European institutional structure – including the number one 'democratic' institution, the Parliament.

Based on this rationale, since 'parliamentary' and 'democratic deficit' are constantly engaged in a game of "ping-pong", both the European Parliament and the citizens of the EU are trapped in a 'deadlock'. The Parliament (and the EU), on the other hand, are striving to convince the electorate that their participation in the election process and their direct involvement in European affairs will contribute towards bridging the democratic 'gap', whereas the citizens, on the other hand, feel that they have to convey the message of their intense dissatisfaction; a message that, in their opinion can best be put across through their abstention from the forthcoming European electoral process.